

# 2023–2031

# HOUSING ELEMENT UPDATE

## ERRATA SHEET FOR THE REVISED HCD REVIEW DRAFT

June 30, 2023

The errata only includes extracted pages from the Revised HCD Review Draft Housing Element which contain revisions. The yellow highlighted text was added in response to comments received from the Department of Housing and Community Development (HCD) during a phone conversation in June 2023.

# CHAPTER 1

## INTRODUCTION

The City received comment letters from YIMBY Law, Greenbelt Alliance, SV@Home, Livable Sunnyvale, and two residents. Based on public comments received, the City revised the Housing Element. Revisions were made to accelerate timelines and strengthen implementation program languages and commitments, as well as reduce reliance on Moffett Park to meet the lower-income RHNA. Specifically, in response to public comments from Livable Sunnyvale and SV@Home, the City strengthened the commitment to identifying lower-income housing sites in higher resource areas (e.g., Village Centers), added a program to encourage missing middle housing, provided additional analysis on investments in underserved areas along with stronger program commitments to continue investments in these areas, and modified the sites inventory assumptions to reduce the percentage of lower-income units in the Moffett Park Specific Plan area. The City met with Livable Sunnyvale and SV@Home in early 2023 to discuss their comments in more detail and present proposed approaches to addressing comments. In response to comments received from YIMBY Law, the City revised Program H19 to commit to reducing the Park Dedication In-lieu fee for Dual Urban Opportunity (DUO) projects that include a lot split.

Following the publication of the Revised HCD Draft on May 16, 2023, the City received one letter from YIMBY Law, which contained additional comments on the Park Dedication Requirement. In response to this comment letter, the City added information on the methodology for determining Park Dedication In-lieu fees. The City also further strengthened Program H19 by clarifying its commitment to reducing Park Dedication In-lieu fees for DUO projects with lot splits and ensuring that fees do not exceed the cost of land acquisition.

## SUMMARY OF COMMUNITY FEEDBACK

The input received from the community and stakeholders was used to inform the understanding of Sunnyvale needs and priorities. This local knowledge is incorporated into the Housing Element, in addition to federal, state, and local data, to identify local fair housing issues and constraints. Community input was considered during the preparation of the Housing Element and development of the policies and programs. See Chapters 2 (Housing Plan), 4 (Fair Housing Assessment), and 6 (Potential Housing Constraints) for more information. in Chapter 2, “Housing Plan.” The following summarizes the key themes heard during the community engagement process and points to selected implementation programs which were developed or revised in response to stakeholder input. This is in no way an exhaustive list of the community’s input. Appendix A contains all comments received during the community engagement process.

### Support for Building Affordable Housing



- Concerns about the lack of affordable housing, not just for lower-income households, but for middle-income residents and those earning substantial incomes within the tech industry unable to purchase homes
- Create a variety of housing types, including more affordable housing accessory dwelling units, mixed use housing, duplexes, fourplexes, and other missing middle housing
- Increase opportunities for multifamily housing in high resource areas of the city, particularly the southern part of the city (e.g., Village Centers)
- Increase housing densities and building heights and decrease parking requirements for affordable housing, particularly near transit

# CHAPTER 2

## HOUSING PLAN

- Accommodate at least 50 percent of the lower-income RHNA shortfall on parcels designated exclusively for residential uses.
- Allow for densities of at least 30 dwelling units per acre, with a minimum density of 20 dwelling units per acre.
- Have existing or planned water, sewer, and dry utilities.
- **Objective:** Rezone sufficient land to accommodate the RHNA shortfall of 2,401 lower-income units and 1,530 above moderate-income units.
- **Policy(ies) Implements:** H-1.1
- **Timeframe:** Complete rezoning before January 31, 2024
- **Responsible Department or Agency:** Community Development Department, Housing and Planning Divisions

**H3. Increase Affordable Housing Opportunities in High Resource Areas.** Identify and implement zoning modifications to create additional capacity for high density residential in areas of high resource, such as the Village Centers south of El Camino Real and other areas and other high opportunity sites in the central and southern parts of the city, to create more opportunities for affordable housing in areas of high resource and ensure that lower-income housing is dispersed throughout the city. The City shall increase capacity in the lower-income sites inventory by increasing the allowed density in Village Centers to a minimum of 30 units per acre and designating additional non-residential sites shopping centers in Southern Sunnyvale as residential sites with a minimum allowed density of 30 units per acres, which may or may not be designated as formal Village Centers. Create new mixed-use Village Center zoning designation to ensure consistency with General Plan land use designation. [Source: New program]

- **Objective:** Rezone sites and/or increase allowed densities with total to increase capacity in the Sixth Cycle Housing Element lower-income sites inventory by to provide at least 750 lower-income units in high and highest resource areas to increase housing mobility opportunities for lower-income households.
- **Policy(ies) Implements:** H-1.3
- **Timeframe:** Complete rezoning by December 2026
- **Responsible Department or Agency:** Community Development Department, Housing and Planning Divisions

**H4. Accessory Dwelling Units Toolkit.** Facilitate the construction of new accessory dwelling units (ADUs) through the following actions:

- Amending the ordinance to comply with state law, and annually reviewing the ADU ordinance and making amendments as necessary to maintain compliance with State legislative changes.
- Establishing and publicizing ADU resources, including an ADU toolkit and other web-based materials. The ADU resources toolkit may be created in collaboration with nearby jurisdictions and may include: pre-approved design plans; loan programs and/or partnerships with local lenders to provide funding for accessory dwelling unit construction; and technical assistance, including assistance with cost/benefit analyses through a web-based cost calculator. The ADU toolkit will provide additional technical assistance including design standards, permit processes, and application resources.
- Promoting tools and resources to homeowners throughout the city to increase the production of ADUs and dual urban opportunity housing (DUOs) to promote mixed-income neighborhoods in areas of high resource, specifically south of the El Camino Real corridor. Promotion will include workshops, utility billing inserts, City newsletter articles, easy to use website features and more.

- Monitoring the production and affordability of ADUs every two years and the progress made according to the assumptions in the inventory. Take alternative actions within six months (i.e.g., additional incentives) if not meeting the assumptions in the sites inventory. [Source: New program]
- **Objective:** Target the production of at least 80 34 ADUs annually and a total of 100640 housing units that are ADUs and/or DUOs during the planning period.
- **Policy(ies) Implements:** H-1.6
- **Timeframe:**
  - Amend ADU Ordinance for consistency with State law by July 2023.
  - Review ADU ordinance annually in September and amend the ordinance as necessary before January 1st of the following year to comply with State law.
  - Monitor ADU affordability every other-odd-numbered year starting in January 2025 and adjust ADU assumptions in the sites inventory within 6 months.
  - Implement the ADU Toolkit and other web-based materials by early 2024
- **Responsible Department or Agency:** Community Development Department, Housing and Planning Divisions

**H5. Below Market Rate (BMR) Housing Program.** Continue to implement the BMR Program citywide. Complete a feasibility study to determine if an increase to the BMR percentage for rental and ownership projects can be supported. Review, and refine, and explore study the feasibility of increases to the BMR program guidelinescode requirements and amend the Guidelines-codes periodically as needed to accommodate changing market conditions and improve overall program effectiveness. Expand outreach opportunities, education, and visibility of the BMR program as needed to ensure success and fairness for all that are interested. [Source: 2015-2023 Housing Element, Program 1]

- **Objective:** Target the production of 1,250 very low-, 1,250 low-, and 500 moderate-income units.
- **Policy(ies) Implements:** H-2.2 and H-2.3
- **Timeframe:** Implementation of BMR program is ongoing. OngoingConduct a feasibility study to analyze potential increases in the BMR percentage requirement for affordable housing by July 2024.
- **Responsible Department or Agency:** Community Development Department, Housing Division

**H6. Affordable Housing Development Assistance.** In addition to local funding, City staff shall provide direct staff assistance for 100 percent affordable housing developments throughout the predevelopment, entitlement, and development process. City staff will provide the following assistance to ensure projects are efficiently reviewed and meet all local and federal development timelines:

- Regular meetings with affordable housing developers to plan and coordinate entitlements, permits, financing, legal documents, and other project requirements as needed;
- including Technical assistance and support for state and federal fundinggrant applications, such as the Affordable Housing Sustainable Communities grant, Infrastructure Infill Grant, and Multifamily Housing Program;
- Support with entitlement and permitting processes and procedures, and more to ensure projects are efficiently reviewed and meet all local and federal development timelines. Provide regulatory incentives, technical assistance, and/or financing to support the development of new housing units affordable to extremely low-, very low- and low income households. Continue to collect housing mitigation fees from

~~non-residential developments to offset the demand they generate for affordable workforce housing. Consider additional streamlined processing for affordable housing development. Annually monitor availability of State and federal funding and partner with affordable housing developers, if necessary, in applying for additional funds. Prioritize sites in high opportunity areas and in communities that are underserved by existing affordable units. Issue notices of funding availability annually, with advance outreach to potential applicants.~~ [Source: 2015-2023 Housing Element, Program 3, modified]

- **Objective:** Provide ~~funding and other incentives~~ technical assistance for the development of 2,500 new deed-restricted lower-income units. Target production of ~~300-500~~ lower-income units in high resource areas.
- **Policy(ies) Implements:** H-2.4, H-2.6, and H-2.9
- **Timeframe:** ~~Annually~~ Ongoing and as projects are proposed Ongoing
- **Responsible Department or Agency:** Community Development Department, Housing, Division Planning, and Building Divisions

H7. Local Funding Assistance for Affordable Housing. Continue to collect housing mitigation fees from non-residential developments to offset the demand they generate for affordable workforce housing. Annually monitor availability of State and federal funding and partner with affordable housing developers, if necessary, in applying for additional funds. Prioritize sites in high opportunity areas and in communities that are underserved by existing affordable units. Issue notices of funding availability every other year, with advance outreach to potential applicants. [Source: 2015-2023 Housing Element, Program 3, modified]

- **Objective:** Provide \$60 million in local and federal housing funding throughout the planning period for the development of 2,500 lower-income units. Target production of 500 lower-income units in high resource areas. Evaluate progress in 2027 to determine if ~~corrective~~ additional actions ~~is~~ are needed to achieve funding target.
- **Policy(ies) Implements:** H-2.4, H-2.6, and H-2.9
- **Timeframe:** Ongoing with biennial notices of funding availability. Mid-cycle progress check in 2027.
- **Responsible Department of Agency:** Community Development Department, Housing Division

H7H8. New Funding Mechanisms and Partnerships for Affordable Housing. Evaluate new mechanisms for funding affordable housing for lower-income households, including but not limited to: real estate transfer tax, business tax for housing, short-term rental taxes or fees, and/or enhanced infrastructure financing districts. Identify partnerships that leverage funds for a range of projects, to provide increased certainty to the City's affordable housing pipeline. Partnerships can include: the County of Santa Clara, local Housing Authorities, private employers, Housing Trust of Silicon Valley, philanthropic agencies, and private developers. Select the most viable to implement in the planning period and make recommendations with a focus on how to help achieve fair housing goals through use of additional allocated funds using an equity lens. [Source: New program]

- **Objective:** Implement new funding mechanisms to support the development of 2,500 lower-income units by 2024 and continuously develop relationships with partner agencies to leverage additional funding, securing over \$100 million for new very-low and low income units by 2027-
- **Policy(ies) Implements:** H-2.4 and H-2.10
- **Timeframe:** Implement new funding mechanisms by 2024 and continuously develop relationships with partner agencies to leverage additional funding by 2027

- **Responsible Department or Agency:** Community Development Department, Housing Division

**H11H12. Multi-Family Rental Property Rehabilitation.** Assist in the acquisition and/or preservation of affordable multi-family rental properties. Continue to offer below-market rate financing for rehabilitation of affordable rental units, using funding sources available to the City for this purpose. *[Source: 2015-2023 Housing Element, Program 6 and 7]*

- **Objective:** Provide rehabilitation financing for at least one property during the planning period.
- **Policy(ies) Implements:** H-3.3 and H-3.4
- **Timeframe:** Ongoing
- **Responsible Department or Agency:** Community Development Department, Housing Division

**H12H13. Preservation of ~~Government Assisted Deed Restricted~~ Housing.** ~~Facilitate long-term preservation of~~ ~~Strive to preserve the 46 existing affordable below-market rate housing units in the City's Below Market Rate program that are at risk of expiration~~ through the following ~~actions~~:

- ~~Continue to negotiate affordability term extensions with property owners and/or property management for existing Below Market Rate units nearing expiration.~~
- ~~Extend Below Market Rate affordability terms by providing City funding to fill the gap between affordable rents and market rate rents.~~
- Track ~~Below Market Rate~~ affordability agreements for existing units and maintain close contact with the property owner regarding long-term plans for the affordable units at the property.
- Provide financial and/or technical assistance to property owners whose ~~Below Market Rate~~ affordability restrictions will expire within 36 months for preservation and/or rehabilitation of the affordable units.
- Coordinate with qualified entities on the potential acquisition of at-risk ~~Below Market Rate~~ units and continue to offer below-market rate financing for rehabilitation of affordable rental units, using funding sources available to the City for this purpose.
- ~~Continue to negotiate extensions with property owners and/or property management for existing deed restricted units nearing expiration to support extending affordability periods using City funding~~

~~In the event at risk units are not preserved, Continue to~~ require ~~deed restricted~~ ~~Below Market Rate~~ projects ~~that received government funding and/or were granted a density bonus~~ to provide at least three years notice prior to the conversion of any deed-restricted affordable rental units to market rate ~~and providing additional notice at 12 and 6 months. The City shall also minimize displacement of current Below Market Rate tenants by negotiating an anti-displacement policy or relocation mitigation with the owner, whenever possible.~~ *[Source: 2015-2023 Housing Element, Program 9, modified]*

- ~~Objective: Minimize displacement of affordable housing residents and~~ ~~Preserve and maintain long-term affordability for~~ 46 at-risk ~~Below~~ ~~Market~~ ~~Rate~~ units ~~and minimize displacement of residents in deed-restricted Below Market Rate housing.~~
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- **Policy(ies) Implements:** H-3.4
- **Timeframe:** Ongoing, as affordability restrictions expire
- **Responsible Department or Agency:** Community Development Department, Housing Division



**H13H14. Mobile Home Park Preservation.** Continue to implement current mobile home park protections, including the Sunnyvale Mobile Home Park Memorandum of Understanding (MOU), and maintain mobile home park zoning. Maintain an MOU compliance committee to annually enforce rent regulations and provide resident assistance. In the event of a closure of a mobile home park, enforce the provisions of Chapter 19.72, Mobile Home Park Conversions, which requires relocation assistance to be provided to park residents. *[Source: 2015-2023 Housing Element, Program 12, modified]*

- **Objective:** Preservation of 3,862 mobile homes
- **Policy(ies) Implements:** H-3.6
- **Timeframe:** Annually monitor rent adjustments based on inflation, provide resident assistance on an ongoing basis.~~Ongoing~~
- **Responsible Department or Agency:** Community Development Department, Housing Division

**H14H15. Foreclosure Prevention Resources.** Provide continuous information about available foreclosure counseling services, warnings about foreclosure-related scams, and available legal resources on the City's website. Provide biannual social media campaigns using the City's , through City public outreach channels (website, Housing newsletter, media releases, City blog, etc.) to educate residents, and e Continue to refer any homeowners in default to the services available. Provide materials in multiple languages and work with community-based organizations to distribute materials to residents most at-risk of foreclosure. *[Source: 2015-2023 Housing Element, Program 13]*

- **Objective:** Provide foreclosure assistance to 10 homeowners throughout the planning period.
- **Policy(ies) Implements:** H-5.4
- **Timeframe:** Biannual social media campaigns starting in 2023~~Ongoing~~
- **Responsible Department or Agency:** Community Development Department, Housing Division

**H15H16. Complete the "Retooling the Zoning Code" Project.** Complete the Retooling project and update the Zoning Code to provide clarity of processing and permitting procedures for the community. *[Source: 2015-2023 Housing Element, Program 16]*

- **Objective:** Accelerate housing production by adopting a comprehensive zoning code update.
- **Policy(ies) Implements:** H-4.1
- **Timeframe:** 2026
- **Responsible Department or Agency:** Community Development Department, Planning Division

**H1617. El Camino Real Specific Plan Active Ground Floor Commercial Requirement.** ~~Develop~~ Implement a program to address the commercial requirement for to facilitate 100 percent affordable housing developments in the El Camino Real Specific Plan (ECRSP) on sites zoned for mixed-use by providing. The program w, by supporting developers with program will encourage could explore provide a range of options including such as condominium style ownership to enable separate retail and housing ownership for vertical mixed use, and horizontal mixed use options (retail in a separate building from the residential development) with or without a lot split, or a reduction in the minimum commercial requirement, and reduced or eliminated commercial requirements. *[Source: New program]*

- **Objective:** Remove constraints to 100% affordable housing developments in high resource areas along El Camino Real to facilitate a minimum of two 100% affordable developments, mixed income corridor and encourage new opportunities for lower income housing. in the high resource corridor, while still

preserving critical resident serving, revenue generating economic land uses in this mixed income corridor.  
Continue to require inclusionary units within market rate developments as well.

- **Policy(ies) Implements:** H-1.1, H-1.2, H-1.3
- **Timeframe:** Establish program for 100% affordable developments by December 2023~~Establish program with incentives for 100 percent affordable housing development by 2025~~
- **Responsible Department or Agency:** Community Development Department, Housing and Planning Divisions

**H187. Usable Private Open Space Requirements.** Collaborate with developers and other stakeholders to review and modify usable private open space requirements, including private usable open space requirements, in higher density residential areas (R-4 and R-5 zoning districts) to reduce constraints on housing development, while balancing community desires for high quality design and access to open space. Continue to implement significantly lower usable open space requirements in very high density specific plan areas. [Source: New program]

- **Objective:** Reduce potential constraints on residential development by reviewing and modifying the City's  
Conduct review of~~usable private~~ open space requirements in R-4 and R-5 zoning districts to maintain access to high quality open space while reducing the financial impact to residential development ~~to evaluate as a possible constraint on housing production. Based on this review and stakeholder feedback,~~  
~~rRemove barriers to development of higher density residential units.~~
- **Policy(ies) Implements:** H-4.1
- **Timeframe:** Complete review and modify open space~~Complete review and modifications requirements as appropriate no later than 2026, aligned with retooling of the City's Zoning Code.~~
- **Responsible Department or Agency:** Community Development Department, Housing and Planning Divisions

**H19. Review Park Dedication Requirements.** Establish reduced Park Dedication ~~in-lieu~~ fees for Dual Urban Opportunity (DUO) lot splits to remove barriers to infill housing in single-family neighborhoods. Reduced fees for DUO lots splits will be below the cost of land acquisition. Continue to ensure that all Park Dedication in-lieu fees do not exceed the cost of land acquisition. :

- **Objective:** Affirmatively further fair housing in single family neighborhoods by reducing Park Dedication In-lieu fees~~removing barriers to~~ Dual Urban Opportunity lot split projects.
- **Policy(ies) Implements:** H-4.1
- **Timeframe:** 2024
- **Responsible Department of Agency:** Community Development Department, Housing and Planning Divisions

**H18. Review Development Fees.** ~~Review the City's planning and development impact fees to reconfirm the relationship between required services and fees paid and to add further gradations of unit sizes (e.g., square footage based fees) to reduce financial disincentives to build smaller units. Review and consider whether reductions to the park in lieu fee and/or alternatives for addressing development impacts are appropriate.~~ [Source: New program]

- ~~**Objective:** Ensure planning and development impact fees are not a constraint on housing production~~
- ~~**Policy(ies) Implements:** H 4.1~~
- ~~**Timeframe:** 2026~~
- ~~**Responsible Department or Agency:** Community Development Department, Housing and Planning Divisions~~

**H20. Housing Development Plan Review Permit.** Establish a new, non-discretionary permit type for housing development projects. This new permit type will simplify the permitting processes by creating one permit type for all housing development projects regardless of underlying zoning. Objective standards will be implemented to clearly define thresholds of approval.

- **Objective:** Create new residential permit type to remove constraints on housing development and implement objective thresholds of approval.
- **Policy(ies) Implements:** H-4.1 and H-4.6
- **Timeframe:** Establish new permit type by 2024
- **Responsible Department of Agency:** Community Development Department, Planning Division

**H21. Missing Middle Housing.** Establish regulatory modifications to encourage construction of missing middle product type housing units, which are intended to be Missing middle housing types are defined as smaller units, such as tri-plex, four-plex, cottage courts, townhouses, and Dual Urban Opportunity (DUO) units and single family homes on small lots or DUOs, that are “affordable by design” for workforce-income households earning up to approximately 150 percent of Area Median Income. Modifications will increase housing opportunities in higher resource areas with low-density, single family zoning and Modifications may include the following:

- Zoning modifications to allow smaller lot sizes, modified setbacks, and shared easements,
- Tiered fee structures,
- Expedited/priority plan review,
- Combining districts/small lot subdivisions in zoning districts such as R1.5 and R1.7,
- Density bonus, and/or inclusionary requirements,
- Reduced parking requirements based on proximity to public transportation
- Regulatory modification to will result in ministerial approval processes for certain product types not requiring lot splits. [Source: New program]–
- **Objective:** Remove constraints and add incentives to the development of smaller, cost-effective housing options that are affordable for workforce-income households in higher opportunity neighborhoods. Permit Target production of 7550 new missing middle units.
- **Policy(ies) Implements:** H-1.6, H-2.5, and H-4.1
- **Timeframe:** Establish regulatory modifications no later than 2025/2026
- **Responsible Department of Agency:** Community Development Department, Housing, Planning, and Building Divisions

**H2219. Adaptive Reuse.** Evaluate, and if appropriate, amend the Zoning Code to remove potential constraints for adaptive reuse of vacant or underperforming non-residential buildings (including motels and hotels) for housing or other shelter. Evaluation will examine such as review or approval processes and fees, while ensuring that buildings meet required safety standards. Consider regulatory incentives or waivers related to and parking, open space, trash, and landscaping requirements standards. [Source: New program]

- **Objective:** Evaluate Ensure whether review or approval processes and development standards are not a constraint on adaptive reuse or interim reuse. If barriers to adaptive reuse or interim use are identified that State law does not already enable, modify processes and fees and/or adopt incentives as appropriate.

- **Policy(ies) Implements:** H-1.1 and H-4.1
- **Timeframe:** [Establish regulatory modifications no later than 2025](#)
- **Responsible Department or Agency:** Community Development Department, Planning Division

**H230. Zoning Code Amendments.** The City shall amend the zoning code to ensure compliance with State law as follows:

- Allow “low barrier navigation center” developments by right in mixed-use zones and nonresidential zones permitting multifamily uses, consistent with Government Code Section 65662.
- Allow for the approval of 100 percent affordable developments that include a percentage of supportive housing units, either 25 percent or 12 units, whichever is greater, to be allowed without a conditional use permit or other discretionary review in all zoning districts where multifamily and mixed-use development is permitted, consistent with Government Code Section 65651(a).
- Establish appropriate parking standards for residential care homes and identify clear parking requirements for emergency shelters consistent with Government Code 65583.
- Provide clear and transparent parking standards for mixed use developments outside of specific plan areas.
- [Review and amend the zoning code, as necessary, to ensure requirements for to permit group homes, including those with 6 or fewer persons and those with more than six persons, are consistent with State law and fair housing requirements in all residential zones and revise procedures to promote objectivity and approval certainty.](#)
- Establish a written procedure to implement streamlined ministerial approval in compliance with Senate Bill 35.
- Allow employee housing for six or fewer employees and treat this use the same as any single family home.
- [Review and revise the Single Room Occupancy \(SRO\) regulations to remove the maximum occupancy limitation, as necessary for consistency with the California Building Code.](#)
- [Identify zoning districts to allow SROs by right, such as in R4 and R5 zoning districts.; Identify additional zoning districts such as C-2, MS-POA, and select mixed use zoning districts in specific plan areas to allow SROs by right.](#)
- [Amend the definition of “family” to remove language about possession of the entire unit.](#) [Source: New program]
- **Objective:** Amend the zoning code in compliance with State law.
- **Policy(ies) Implements:** H-4.1, H-4.2, H-4.3, and H-5.12
- **Timeframe:** [Complete zoning code amendments by December](#) 2024
- **Responsible Department or Agency:** Community Development Department, Housing and Planning Divisions

**H241. Fair Housing Program.** Ensure information related to fair housing is accessible to all community members by implementing the following:

- Continue to contract with qualified fair housing agencies to provide comprehensive and culturally-appropriate fair housing services and/or tenant/landlord mediation to the extent funding is available.

- **Responsible Department or Agency:** Community Development Department, Housing Division

**H285. Relocation Assistance Ordinance.** ~~Educate landlords and tenants about the~~ Adopt a relocation assistance ordinance which requires landlords to provide financial assistance to tenants who are being displaced from rental units due to no-fault just cause factors such as substantial renovations or demolition of rental units. Educate landlords and tenants by ~~posting~~ posting information about the ordinance on the City website, distributing mailers and/or fliers to landlords and tenants throughout the city, and conducting a social media campaign. [Source: New Policy, 2020 Housing Strategy]

- **Objective:** Disincentivize actions that lead to displacement and ensure displaced tenants have adequate resources to find new housing.
- **Policy(ies) Implements:** H-5.4
- **Timeframe:** Adopt ordinance and conduct public outreach in 2023
- **Responsible Department or Agency:** Community Development Department, Housing ~~and Planning~~ Divisions

**H296. Emergency Rental Assistance Program.** Following expiration of COVID-19-related rental assistance funds, the City shall ~~consider~~ identify new local funding sources or work with Santa Clara County to identify potential replacement funding to maintain the rental assistance program that would provide emergency funds for low-income tenants to pay rent and stave off eviction during moments of economic hardship. The City shall partner with local nonprofits who operate emergency rental subsidy programs to prioritize support for at-need households on existing waiting lists. The City will address additional rental assistance need by expanding other rental assistance programs to address homelessness under Program H32. [Source: New program]

- **Objective:** Secure funding for emergency rental assistance for 25 lower-income households per year.
- **Policy(ies) Implements:** H-5.4
- **Timeframe:** 2024
- **Responsible Department or Agency:** Community Development Department, Housing and Planning Divisions

**H3027. Funding for Accessibility Improvements.** Continue to pProvide grants to income-qualified households for accessibility improvements, and continue to provide CDBG funding, when available, for accessibility improvements to pedestrian facilities as needed in residential neighborhoods. [Source: 2015-2023 Housing Element, Program 22]

- **Objective:** Ensure lower-income residents can afford repairs on limited or fixed incomes and ensure neighborhoods remain ADA compliant. Serve up to 10 households per year.
- **Policy(ies) Implements:** H-5.9 and H-5.10
- **Timeframe:** 2023 and Ongoing
- **Responsible Department or Agency:** Community Development Department, Housing, Planning, and Building Divisions

**H3128. Reasonable Accommodations and Code Updates.** Review and revise findings for reasonable accommodations to remove constraints to housing for persons with disabilities and to reduce the burden of the applicant to determine alternative accommodations that provide an equivalent level of benefit. Ensure that the reasonable accommodation ordinance regulations provides persons with disabilities with a streamlined and objective process for requesting

modification to any policy, rule, or procedure that presents a barrier to obtaining equal housing opportunity. Continue to adopt applicable accessibility updates to building and housing codes. *[Source: New program]*

- **Objective:** Remove barrier to housing for persons with disabilities.
- **Policy(ies) Implements:** H-5.10 and H-5.11
- **Timeframe:** 2024
- **Responsible Department or Agency:** Community Development Department, Housing and Planning Divisions

**H3229. Programs to Address Homelessness.** Continue to provide funding for programs that seek to prevent and end homelessness and provide supportive services to homeless and at-risk clients. Continue to implement programs such as WorkFirst Sunnyvale and Tenant-Based Rental Assistance. Using new funds such as Permanent Local Housing Allocation and HOME-ARP, create and fund new programs that support the City's residents who are experiencing homeless or at risk of homelessness. Continue to offer financing for permanent supportive housing projects, rapid rehousing projects, and other projects that agree to reserve units for applicants transitioning out of homelessness. *[Source: 2015-2023 Housing Element, Program 23]*

- **Objective:** Provide annual funding for homeless programs and at-risk households to serve at least 150 households per year. Implement new rental assistance program for seniors experiencing homelessness.
- **Policy(ies) Implements:** H-5.13
- **Timeframe:** Ongoing Implement new funding sources in by 2023, ongoing once implemented.
- **Responsible Department or Agency:** Community Development Department, Housing Division

**H33. Capital Projects to Address Homelessness.** Prioritize City financing and provide development assistance to capital projects that address homelessness including permanent housing, interim housing, and emergency shelter. The City will adopt a comprehensive approach to identify multiple projects located throughout the City through the following actions:

- Work with owners of hotels, or aging lower-density multifamily developments, or other scattered sites to apply for Homekey funding to create housing for people experiencing homelessness.
- Identify public or private property for new inclement weather shelters.
- Continue collaborating with Santa Clara County Office of Supportive Housing on Measure A-funded projects for the creation of new permanent supportive housing units.
- Continue to prioritize financing for new development projects that reserve units for tenants transitioning out of homelessness, including permanent supportive housing and rapid rehousing projects. *[Source: New program]*
- **Objective:** Collaborate with property owners and affordable housing developers to identify sites throughout the City for projects serving tenants experiencing homelessness. Identify at least one new Homekey site and provide City funding in partnership with County funds to support the creation of 3200 units serving tenants experiencing homelessness.
- **Policy(ies) Implements:** H-5.13
- **Timeframe:** Identify at least one project Homekey site for tenants experiencing homelessness in 2024, and Award funds to projects serving tenants experiencing homelessness through biennial notices of funding availability for development projects

- [Responsible Department or Agency: Community Development Department, Housing Division](#)

**H349. Safe RV Parking.** Work with local human service providers to encourage the creation of a safe RV parking program for the unhoused community. *[Source: New program]*

- **Objective:** Support the establishment of a safe RV parking program and identify at least one potential site.
- **Policy(ies) Implements:** H-5.13
- **Timeframe:** Commence study in 2023 and implement by 2025
- **Responsible Department or Agency:** Community Development Department, Housing Division

**H351. Special Needs Housing Development Assistance.** Include priority for special needs units in City notices of funding availability for new housing construction, rehabilitation, and/or preservation projects. Aim to assist in the development of at least one new project with some or all of the units reserved for special needs tenants [as defined in State Regulations Section 10325\(g\)\(3\)](#), including tenants with severe [intellectual or developmental](#) disabilities, [individuals with chronic illnesses, and individuals, families, and/or youth experiencing homelessness](#). Encourage developers to include special needs advocacy groups in their marketing and leasing efforts related to newly available special needs units. *[Source: 2015-2023 Housing Element, Program 24]*

- **Objective:** [Support the creation of](#)~~Approve at least one new development with a minimum of 50~~ dedicated units for special needs tenants, [within various affordable housing developments](#).
- **Policy(ies) Implements:** H-5.8 and H-5.11
- **Timeframe:** 2031
- **Responsible Department or Agency:** Community Development Department, Housing Division

**H362. New Age-Friendly Housing.** Promote the development of age-friendly housing to allow residents to age in place through various strategies, including:

- Provide financial assistance to projects that create new age-friendly housing units.
- Prioritize the allocation of funding for senior housing development.
- [Provide City-owned land for the development of affordable housing that includes support for seniors or other vulnerable populations.](#)
- [Incentivize developers to provide accessible units for sale and rent, such as product types without stairs](#)
- [Ensure BMR program applications are available at local senior resource agencies and provide one-on-one application support](#) *[Source: New program]*
- **Objective:** Promote 15 percent of new or renovated units (10 percent ADA plus an additional 5 percent age friendly) to meet age friendly housing criteria.
- **Policy(ies) Implements:** H-5.8
- **Timeframe:** 2023<sup>36</sup>
- **Responsible Department or Agency:** Community Development Department, Housing Division



**H373. Age in Place.** Establish a streamlined permitting process for home renovations for permits that cannot be issued over the counter, to allow aging in place and promote use of the Sunnyvale Home Improvement Program to assist senior residents with adapting their homes to age in place. Expand Home Improvement Program using additional funding sources such as Permanent Local Housing Allocation to target low-income seniors and assist with accessibility modifications, home repairs, and minor handyman services. Improve and expand outreach to Sunnyvale Senior Center and senior-focused housing nonprofits and policy groups to increase awareness and program referrals. *[Source: New program]*

- **Objective:** Facilitate ability for seniors to “age in place-” and assist 10-25 senior households per year with age-in-place repairs
- **Policy(ies) Implements:** H-5.9
- **Timeframe:** 20246
- **Responsible Department or Agency:** Community Development Department, Housing and Planning Divisions

**H384. Neighborhood Conditions Survey.** Re-establish a regularly occurring survey of housing and neighborhood conditions to identify and address building maintenance and quality of life issues in Sunnyvale. *[Source: New program]*

- **Objective:** Conduct a survey every 5 years to preserve and improve neighborhood quality.
- **Policy(ies) Implements:** H-6.1, H-6.4
- **Timeframe:** 2025 and every five years thereafter
- **Responsible Department or Agency:** Community Development Department, Housing and Planning Divisions, Department of Public Safety

**H395. Prioritize Capital Improvement Program (CIP).** As part of the annual CIP development process, prioritize funding for neighborhood improvements, including pedestrian and bicycle infrastructure, safety improvements, transit amenities, parks, trails, streetscape, and other community amenities in low and moderate resource areas of the CityNorthern Sunnyvale, including Moffett Park and Lawrence Station planning areas. Continue to implement the City’s Vision Zero Plan by completing ongoing and planned safety improvements to pedestrian and bicycle infrastructure for the Safe Routes to School and in other high injury areas. Safety improvements will include new and/or improved bike lanes and pedestrian crossings, signal improvements, and grade separation projects. *[Source: New Program]*

- **Objective:** ~~Establish a capital planning prioritization process to optimize the use of available resources.~~Continue prioritizing public infrastructure and grant funding for projects in northern Sunnyvale, as demonstrated over the past ten years, as population growth occurs in these regions. Establish, ~~or collaborate on establishing,~~ locations for and implement a new library branch, park facilities, and school site within low or moderate resource areas. Continue progress on the City’s Vision Zero plan by completing bicycle and pedestrian improvements for the Safe Routes to School project and in other high injury areas to reduce pedestrian and cyclist fatalities.
- **Policy(ies) Implements:** H-5.2, H-6.2, and H-6.3



- **Timeframe:** [Annually review capital improvement projects and funding priorities. Open a new library, and additional City park facilities by 2029, and collaborate with the local school districts on future school sites by 2031.](#) [Complete Vision Zero improvements on an ongoing basis with annual progress updates.](#)
- **Responsible Department or Agency:** Community Development Department, Housing and Planning Divisions, Public Works Department, [Sunnyvale School District, Fremont Union High School District](#)

**H4036. Prioritize ADA and Pedestrian Infrastructure.** Prioritize construction and maintenance of ADA curb ramps, sidewalks, and other bicycle and pedestrian infrastructure in low [and moderate](#) resource neighborhoods [to improve ADA accessibility and pedestrian safety and increase access to opportunity in these areas.](#) *[Source: New program]*

- **Objective:** Over \$50 million is budgeted to repair sidewalks over next [twenty-20](#) years; identify locations within low [and moderate](#) resource areas to repair earlier in timeline. Construct 100 new ADA curb ramps within low [and moderate](#) resource areas by 2025.
- **Policy(ies) Implements:** H-5.2, H-6.2, and H-6.3
- **Timeframe:** 2025
- **Responsible Department or Agency:** Community Development Department, Housing and Planning Divisions, Public Works Department

**H4137. Prohousing Designation.** Pursue and maintain the State's Prohousing Designation by demonstrating a sufficient number of policies that significantly contribute to accelerating housing production. Jurisdictions that receive a Prohousing Designation will receive incentives in the form of additional points or other preferences in the scoring of competitive State funding grant programs in the areas of housing, transportation, infrastructure, and land use. *[Source: New program]*

- **Objective:** Increase the City's competitiveness in receiving affordable housing funding from the State.
- **Policy(ies) Implements:** H-2.1
- **Timeframe:** 2023
- **Responsible Department or Agency:** Community Development Department, Housing and Planning Divisions

**H42. Infrastructure Priority for Affordable Housing.** Establish procedures for granting priority water and sewer service to developments with lower-income units in compliance with California Government Code Section 65589.7. *[Source: New program]*

- **Objective:** Compliance with State law.
- **Policy(ies) Implements:** H-6.2
- **Timeframe:** 2023
- **Responsible Department or Agency:** Community Development Department, Housing and Planning Divisions
- 

**H43. Objective Design Standards.** Adopt new objective design standards for multifamily and residential mixed-use development consistent with State law. ~~for Objective design standards will be established for the following housing types:~~

- Residential-only projects with three or more units ~~multifamily and residential mixed-use development~~
- Mixed-use projects with at least two-thirds of gross square footage dedicated to housing
- Supportive and transitional housing projects-

~~These standards will apply to residential projects throughout the City unless plan-specific objective design standards have been adopted. In specific plan areas including Downtown Specific Plan, El Camino Real Specific Plan, and Lawrence Station Area Plan, and Moffett Park Specific Plan, plan-specific objective design standards will apply. New standards will establish clear, objective design standards, help streamline the residential development process, and ensure high quality residential development.~~

- **Objective:** Streamline residential development and ensure compliance with State law.
- **Policy(ies) Implements:** H-4.6
- **Timeframe:** Adopt Residential Objective Design Standards for multifamily and mixed-use development in 2023.
- **Responsible Department or Agency:** Community Development Department, Planning Division

**H44. Review Development Fees.** Review the City's planning and development impact fees to reconfirm the relationship between required services and fees paid and to add further gradations of unit sizes (e.g., square footage-based fees) to reduce financial disincentives to build smaller units. Review and consider whether reductions or alternatives for addressing development impacts are appropriate. *[Source: New program]*

- **Objective:** Ensure planning and development impact fees are not a constraint on housing production
- **Policy(ies) Implements:** H-4.1
- **Timeframe:** 2026
- **Responsible Department or Agency:** Community Development Department, Housing and Planning Divisions

**H45. East Sunnyvale Industrial to Residential Rezoning.** Rezone the future opportunity sites in the East Sunnyvale Industrial to Residential area at Stewart and De Guigne Drives to Medium Density Residential zoning. Rezoning will clarify allowable land uses that support a capacity of approximately 700 units near areas at risk of displacement.

# CHAPTER 4

## ASSESSMENT OF FAIR HOUSING

Table 4-2149: Fair Housing Issues, Contributing Factors, and Meaningful Actions

| Assessment of Fair Housing Identified Issue                         | Contributing Factors   | Meaningful Actions, Objectives, and Timeframes  |
|---|--|---|
| Patterns of segregation based on race and income<br>(High Priority) | Past zoning and land use practices separated single family homes from industrial development supporting the development of wealthier neighborhoods in the southern portion of the City. Recent adoption of specific plans and other zoning changes to transition industrial to residential have resulted in more multifamily housing in the northern portion of the City in areas of moderate or low resource. | <p>The Housing Element includes the following programs to increase affordable housing opportunities in high resource areas:</p> <p><b>H3. Increase Affordable Housing Opportunities in High Resource Areas.</b></p> <ul style="list-style-type: none"> <li><del>Rezone sites with capacity to provide 100 lower-income units in high resource areas by 2026.</del><br/>(Program H3) <b>Objective/Timeframe:</b> Create at least 750 lower-income units of additional capacity for high density residential by increasing the allowed density in the Village Centers to 30 units per acre and designating additional non-residential sites in southern Sunnyvale as residential with a minimum allowed density of 30 units per acre.</li> </ul> <p><b>H4. Accessory Dwelling Units. Toolkit (Program H4)</b></p> <ul style="list-style-type: none"> <li><b>Objective/Timeframe:</b> Promote tools and resources to homeowners throughout the city to increase production of accessory dwelling units (ADUs) and dual urban opportunity housing (DUOs) to promote mixed-income neighborhoods in areas of high and highest resource. Target the production of at least 80100 ADUs/DUOs annually and a total of 640 ADUs and/or DUOs by 2026 during the planning period.</li> </ul> <p><b>H5. Below Market Rate (BMR) Housing Program.</b></p> <ul style="list-style-type: none"> <li><b>Objective/Timeframe:</b> Continue to implement the BMR Program citywide to ensure affordable housing is built at the same rate of market rate housing production. Target the production of 1,250 very low-, 1,250 low-, and 500 moderate-income units. Conduct a feasibility study to analyze potential increases in the BMR requirement for affordable housing by July 2024.</li> </ul> <p><b>H6. Affordable Housing Development Assistance.</b></p> <ul style="list-style-type: none"> <li><b>Objective/Timeframe:</b> Provide technical assistance for the development of 2,500 new deed-restricted lower-income units. Target production of 500 lower-income units in high resource areas.</li> </ul> <p><b>H7. Local Funding Assistance for Affordable Housing</b></p> <ul style="list-style-type: none"> <li><b>Objective/Timeframe:</b> Provide \$60 million in local and federal housing funding throughout the planning period for the development of 2,500 lower-income units. Target production of 500 lower-income units in high resource areas. Evaluate progress in 2027 to</li> </ul> |

| Assessment of Fair Housing Identified Issue  | Contributing Factors  | Meaningful Actions, Objectives, and Timeframes  |
|--|---|---|
| <u>(Medium Priority)</u>   | located. <u>Currently (2022), these areas have, resulting in</u> lower economic opportunity and less proficient schools, <u>according to TCAC</u> . Compared to southern neighborhoods, the northern neighborhoods currently have fewer amenities for residential development because large areas were built as industrial and research and development parks. These areas are currently the focus of increased investment, specifically in areas with adopted or pending specific plans. | <p>In addition, the Housing Element includes the following program to increase investments in low and moderate resource areas:</p> <p><b><u>H39. Prioritize Capital Improvement Program (CIP) (Program H354)</u></b></p> <ul style="list-style-type: none"> <li>▪ <b><u>Objective/Timeframe:</u></b> As part of the annual CIP development process, <u>prioritize funding for neighborhood improvements, including walking and biking infrastructure, transit service, parks, trails, streetscape, and community amenities. Continue prioritizing public infrastructure and grant funding for projects in northern Sunnyvale, especially as population growth occurs. Open a new library, and additional City park facilities by 2029, and collaborate with the local school districts on future school sites by 2031. Establish locations for and implement a new library branch, park facilities, and school site within low or moderate resource areas.</u></li> </ul> <p><b><u>H40. Prioritize ADA and Pedestrian Infrastructure</u></b></p> <ul style="list-style-type: none"> <li>▪ <b><u>Objective/Timeframe:</u></b> Prioritize construction and maintenance of ADA curb ramps, sidewalks, and other bicycle and pedestrian infrastructure in low and moderate resource neighborhoods to improve ADA accessibility and pedestrian safety and increase access to opportunity in these areas. Construct 100 new ADA curb ramps within low and moderate resource areas by 2025.</li> </ul> |
| Disproportionate housing needs including risk of displacement <u>(High Priority)</u> | Rapidly increasing housing costs in Sunnyvale, and throughout the Bay Area, create a high risk of displacement for lower-income households, including residents of the City's many mobile home parks.   | <p>The Housing Element includes the following programs to address <u>disproportionate housing needs throughout the city including displacement risk and homelessness</u>:</p> <p><b><u>H11. Home Improvement Program</u></b></p> <ul style="list-style-type: none"> <li>▪ <b><u>Objective/Timeframe:</u></b> Expand program to assist 20-35 homeowners per year with home improvements to help prevent displacement of at-risk households. Conduct no less than one workshop annually starting in 2023, targeting neighborhoods with the greatest need for housing rehabilitation.</li> </ul> <p><b><u>H14. Mobile Home Park Preservation (Program H13)</u></b></p> <ul style="list-style-type: none"> <li>▪ <b><u>Objective/Timeframe:</u></b> Continue to implement current mobile home park protections, including the Sunnyvale Mobile Home Park Memorandum of Understanding (MOU), and maintain mobile home park zoning. Maintain an MOU compliance committee to annually enforce rent regulations and provide resident assistance. Preservation of 3,862</li> </ul>   |

# CHAPTER 5

## SITES INVENTORY AND FUNDING RESOURCES

| Site Number | Assessor Parcel Number (APN) | Address / (Plan Area, if applicable)                          | Size (Gross Acres) | General Plan Land Use Designation    | Zoning  | Total New Units | Net Units <sup>1</sup> | Very Low-Income Units | Low-Income Units | Deed-Restricted Moderate-Income Units | Non-Deed-Restricted Moderate-Income Units | Above Moderate-Income Units | Project Description   | Project Status  | Discretionary or Ministerial Review Pending?  |
|-------------|------------------------------|---|--------------------|--------------------------------------|---|-----------------|------------------------|-----------------------|------------------|---------------------------------------|---|-----------------------------|---|---|---|
| P-7         | 198-26-001, 198-26-002       | 610 Grape Ave<br>1088 W El Camino Real                        | 2.29               | EL CAMINO REAL SPECIFIC PLAN (ECRSP) | ECR-MU42 EL CAMINO REAL—RESIDENTIAL MIXED-USE | 108             | 108                    | 5                     | 11               |                                       | 46  | 46                          | Mixed-use project on existing commercial site (retail, car wash, and auto repair) with 108 residential units and 19,422 sq. ft. of commercial space. Lower-income units are based on the City's BMR rental housing requirement. Based on market rents, 50 percent of remaining rental units are inventoried as moderate.  | Preliminary Review Completed, Pending Formal Application Submittal  |   |
| P-8         | 198-17-023, 198-17-039       | 1100 and 1124 W El Camino Real (El Camino Real Specific Plan) | 3.56               | EL CAMINO REAL SPECIFIC PLAN (ECRSP) | ECR-MU33 EL CAMINO REAL—RESIDENTIAL MIXED-USE | 11693           | 93116                  | 22                    |                  |                                       | 3355                                      | 3861                        | Redevelop a used car lot with a mixed-use development including 11188 flats, 5 single-family homes, and 28,87430,345 square feet of commercial space. Includes 22 deed-restricted very low-income units. Based on market rents, 50 percent of remaining the rental units are inventoried as moderate.   | Comments provided Dec 2022, Pending ResubmittalProject Under Review, Pending Approval   | Discretionary   |
| P-9         | 204-38-006                   | 582 E Maude Ave   | 0.73               | MEDIUM DENSITY RESIDENTIAL (RMED)    | R3-MEDIUM DENSITY RESIDENTIAL                 | 15              | 13                     |                       |                  | 2                                     |   | 11                          | Demolish two existing residential structures and redevelop site with 15 townhouse style condominiums. Includes 2 deed-restricted moderate-income units per the City's BMR ownership housing requirement.  | Preliminary Review Completed, Pending Formal Application Submittal  |   |
| P-510       | 165-12-083                   | 606 W McKinley Ave  | 0.2                | LOW MEDIUM DENSITY RESIDENTIAL (RLM) | R2-LOW MEDIUM DENSITY RESIDENTIAL             | 2               | 0                      |                       |                  |                                       |   | 0                           | Demolish existing duplex and create two lots and construct two new single-family homes.   | Project Approved (5/26/2020), Building Permit Under Review as of Jan 2023Under Construction (Building Permits Issued 3/1/23)                              | No  |
| P-611       | 204-38-008, 009, and 010     | 475 N Fair Oaks Ave<br>585, 595 Columbia Ave                  | 0.86               | MEDIUM DENSITY RESIDENTIAL (RMED)    | R3-MEDIUM DENSITY RESIDENTIAL                 | 18              | 16                     |                       |                  | 2                                     |   | 14                          | Redevelop a 35,903 sq. ft. lot multi-family property. Demolish 2 single family homes, a rectory, 2 accessory structures and construct 2 structures resulting in a total of 18 townhomes and a density of 22 du/acre. The project includes 2 deed-restricted moderate-income units per the City's BMR ownership housing requirement.   | Project Approved, Building Permit Under ReviewUnder Construction (Building Permits Issued 8/11/22)  | No  |
| P-12        | 211-01-034                   | 655 S Fair Oaks Ave   | 21.47              | HIGH DENSITY RESIDENTIAL (RHH)       | R4-HIGH DENSITY RESIDENTIAL                   | 158             | 158                    | 8                     | 16               |                                       | 67  | 67                          | Add 158 units to an existing 766 unit apartment community (Spruce Apartments). Lower-income units are based on the City's BMR rental housing requirement. Based on market rents, 50 percent of remaining rental units are inventoried as moderate.  | Project Under Review, Pending Approval  |   |
| P-713       | 209-29-057, 209-29-06776     | 562—and 566 S Mathilda Ave<br>(Downtown Specific Plan)        | 0.44               | TRANSIT MIXED USE (TMIX)             | DSP- BLOCK 20                                 | 2536            | 2435                   | 1                     | 2                | 5                                     | 11  | 1030                        | Redevelop an existing residence and medical office with 25 residential rental units and 4,240 square feet of commercial. Project is subject to the City's 15% BMR rental inclusionary requirement for 3 deed-restricted lower-income units. Based on market rents, 50 percent of remaining rental units are inventoried as moderate.36 residential units and 8,883 square feet of commercial. Includes 5 deed-restricted moderate-income units based on City's BMR ownership housing requirement. | Preliminary Review Completed, Pending Formal Application SubmittaSpecific General Plan Amendment approved 1/10/2023; Pending Formal Application Submittal | Number of units has been approved; Discretionary — Requires Special Development Permit with Planning Commission review based on Objective Design Guidelines |
| P-14        | 204-51-005                   | 258 W California Ave  | 0.22               | LOW MEDIUM DENSITY                   | R2-LOW MEDIUM                                 | 2               | 1                      |                       |                  |                                       |   | 1                           | Subdivide a 9,247 square foot lot into two lots (3,887 and 5,360 square foot lots) and construct two new two-story single family homes. One existing home to be demolished.   | Comments provided Jan 2023, Pending Application   | Discretionary   |

| Site Number       | Assessor Parcel Number (APN)                              | Address / (Plan Area, if applicable)  | Size (Gross Acres) | General Plan Land Use Designation               | Zoning   | Total New Units | Net Units <sup>1</sup> | Very Low-Income Units | Low-Income Units | Deed-Restricted Moderate-Income Units | Non-Deed-Restricted Moderate-Income Units | Above Moderate-Income Units | Project Description  | Project Status  | Discretionary or Ministerial Review Pending?   |
|-------------------|---|---|--------------------|---|--|-----------------|------------------------|-----------------------|------------------|---------------------------------------|---|-----------------------------|--|---|--|
|                   |   |   |                    |   |  |                 |                        |                       |                  |                                       |   |                             | 5 deed-restricted moderate-income units based on City's BMR ownership housing requirement.   |   |  |
| <del>P-30</del>   | <del>204-40-071</del>                                     | <del>549 E ARQUES AVE</del>   | <del>0.18</del>    | <del>MEDIUM DENSITY RESIDENTIAL (RMED)</del>    | <del>R3-MEDIUM DENSITY RESIDENTIAL</del>             | <del>3</del>    | <del>2</del>           |                       |                  |                                       |   | <del>2</del>                | <del>Demolition of the existing single family residence with a detached garage and construct three, three-story attached single family homes.</del>  | <del>Project Under Review, Pending Approval—Awaiting Application Resubmittal</del>  |  |
| <del>P-31</del>   | <del>204-39-031</del>                                     | <del>374 LASTRETO AVE</del>   | <del>0.18</del>    | <del>LOW-MEDIUM DENSITY RESIDENTIAL (RLM)</del> | <del>R2-LOW MEDIUM DENSITY RESIDENTIAL</del>         | <del>2</del>    | <del>1</del>           |                       |                  |                                       |   | <del>1</del>                | <del>Demolish an existing single family home, subdivide the existing lot into two lots, and construct two single family homes with 51.8% and 59.4% FAR.</del>  | <del>Preliminary Review Completed, Pending Formal Application SubmittalComments provided Jan 2023, Pending Application Resubmittal</del>                                      | <del>Ministerial</del>   |
| <del>P-32</del>   | <del>202-23-007</del>                                     | <del>877 W Fremont Ave (Village Center)</del>                                     | <del>6.3</del>     | <del>VILLAGE MIXED USE (VMIX)</del>             | <del>O- ADMINISTRATIVE AND PROFESSIONAL OFFICE</del> | <del>114</del>  | <del>114</del>         |                       |                  |                                       | <del>14</del>                             | <del>100</del>              | <del>New mixed use Village Center development with 114 residential units, 35,393 s.f. of medical office, and 0.46-acre park. Includes 14 deed-restricted moderate-income units based on City's BMR ownership housing requirement.</del>  | <del>Project Under Review, Pending ApprovalComments provided Nov 2022, Pending Application Resubmittal</del>  | <del>Discretionary</del>   |
| <del>P-1533</del> | <del>209-35-019, 209-35-018, 209-35-017, 209-35-016</del> | <del>100 E Washington Ave<br/>230, 240 S Murphy Ave<br/>301 S Sunnyvale Ave</del> | <del>3.88</del>    | <del>TRANSIT MIXED USE (TMIX)</del>             | <del>DSP – BLOCK 18</del>                            | <del>325</del>  | <del>325</del>         | <del>11</del>         | <del>21</del>    | <del>4</del>                          | <del>145</del>                            | <del>144</del>              | <del>Cityline Subblock 6 proposal to redevelop the existing parking lot for 7 story mixed use building with 325 dwelling units and 36,000 square feet of retail. Includes 36 deed-restricted BMR units per development agreement. Based on market rents, 50 percent of remaining rental units are inventoried as moderate.</del>   | <del>Preliminary Review Completed, Pending Formal Application Submittal, Development Agreement application approved and executed; Pending Formal Application Submittal-</del> | <del>Number of units has been approved; Discretionary – Requires Special Development Permit with Planning Commission review based on Objective Design Standards in the DSP</del> |
| <del>P-1634</del> | <del>209-29-060; 209-29-061</del>                         | <del>510, 528 S Mathilda Ave (Downtown Specific Plan)</del>                       | <del>0.75</del>    | <del>TRANSIT MIXED USE (TMIX)</del>             | <del>DSP – BLOCK 20</del>                            | <del>4652</del> | <del>3844</del>        | <del>23</del>         | <del>45</del>    |                                       | <del>1623</del>                           | <del>1613</del>             | <del>Redevelop existing commercial and office space and an 8-unit apartment to allow a 46-unit residential apartment building with 10,230 sq. ft. of ground floor commercial. Project is subject to the City's 15% BMR inclusionary requirement for 3 deed-restricted lower-income units. Based on market rents, 50 percent of remaining rental units are inventoried as moderate. 52-unit residential apartment building with 10,000 sq. ft. of ground floor commercial. Includes 8 deed-restricted BMR units. Based on market rents, 50 percent of remaining rental units are inventoried as moderate.</del> | <del>Project Under Review, Pending Approval. Specific General Plan Amendment Approved (1/10/2023); Pending Formal Application Submittal</del>                                 | <del>Number of units has been approved; Discretionary – Requires Special Development Permit with Planning Commission review based on Objective Design Standards in the DSP</del> |
| <del>P-35</del>   | <del>20550014</del>                                       | <del>1170 Sonora Ct (Lawrence Station Area Plan)</del>                            | <del>1.09</del>    | <del>TRANSIT MIXED USE (TMIX)</del>             | <del>MXD-I/S</del>                                   | <del>107</del>  | <del>107</del>         | <del>5</del>          | <del>11</del>    |                                       | <del>45</del>                             | <del>46</del>               | <del>Preliminary application received to redevelop existing office space with 107 apartment units. Lower income units are based on the City's BMR rental housing requirement. Based</del>  | <del>Project Under Review as of Jan</del>   | <del>Discretionary</del>   |



[the past development applications submitted within the ECRSP area.](#) However, similar to recent development activity in other plan areas, such as the LSAP, the City anticipates residential buildout densities beyond the base maximum density through use of the incentive program. As such, the capacity included in the sites inventory is conservative.

**Table 5-10Table 5-11: Analysis of Density for Recently Proposed Projects in El Camino Real Specific Plan Area**

| <b>Proposed Project Location</b>                     | <b>Site Area (Acres)</b> | <b>Total Units</b>  | <b>Project Density</b> | <b>Zoning</b>            | <b>Base Max Density</b> | <b>Max Density with Incentives</b> | <b>% of Base Max Density</b> | <b>% of Max Density with Incentives</b> | <b>Notes</b>  |
|--|--------------------------|---------------------|------------------------|--------------------------|-------------------------|------------------------------------|------------------------------|---|---|
| <a href="#">871 and 895 E Fremont Ave</a>            | <a href="#">5.44</a>     | <a href="#">130</a> | <a href="#">24</a>     | <a href="#">R3</a>       | <a href="#">24</a>      | <a href="#">24</a>                 | <a href="#">100%</a>         | <a href="#">100%</a>                    | <a href="#">Under construction</a>  |
| <a href="#">610 Grape Ave, 1088 W El Camino Real</a> | <a href="#">2.29</a>     | <a href="#">108</a> | <a href="#">47</a>     | <a href="#">ECR-MU42</a> | <a href="#">42</a>      | <a href="#">56</a>                 | <a href="#">112%</a>         | <a href="#">84%</a>                     | <a href="#">Prelim. app. in 2018</a>  |
| <a href="#">1100 and 1124 W El Camino Real</a>       | <a href="#">3.56</a>     | <a href="#">116</a> | <a href="#">33</a>     | <a href="#">ECR-MU33</a> | <a href="#">33</a>      | <a href="#">45</a>                 | <a href="#">99%</a>          | <a href="#">72%</a>                     | <a href="#">Prelim. app. in 2018</a><br><a href="#">Formal Application Under review</a> |
| <a href="#">777 Sunnyvale-Saratoga Rd</a>            | <a href="#">5.32</a>     | <a href="#">417</a> | <a href="#">78</a>     | <a href="#">ECR-MU54</a> | <a href="#">54</a>      | <a href="#">74</a>                 | <a href="#">145%</a>         | <a href="#">106%</a>                    | <a href="#">Prelim. app. in 2022</a>  |
| <a href="#">665, 681, 683, 685 E El Camino Real</a>  | <a href="#">3.08</a>     | <a href="#">114</a> | <a href="#">37</a>     | <a href="#">ECR-MU42</a> | <a href="#">42</a>      | <a href="#">56</a>                 | <a href="#">88%</a>          | <a href="#">66%</a>                     | <a href="#">Prelim. app. in 2022</a>  |
| <b>Average</b>                                       |                          |                     |                        |                          |                         |                                    | <b><a href="#">109%</a></b>  | <b><a href="#">86%</a></b>              |   |

*Source: City of Sunnyvale, 2022.*

## Redevelopment Potential

[Table 5-10Table 5-12](#) below identifies sites included in the Housing Element inventory within the ECRSP. These sites have been selected based on the proposed designations of the plan, existing uses, ~~and~~ site location, ~~and the other non-vacant factors described earlier.~~ A brief description of current site conditions is included in the table ~~along with an identification of the non-vacant site factors used to determine the feasibility of development.~~ Sites are categorized into different tiers based on conversations with property owners, City staff knowledge of the sites, locations within nodes, and compatibility with surrounding uses. A redevelopment potential of 100 percent is applied to sites in the Tier 1 category, ~~which have been assessed to have the greatest likelihood of developing during the planning period.~~ While a redevelopment potential of only 25 percent is applied to sites in the Tier 2 category. Sites in the Tier 2 category are assumed to be less likely to redevelop or may only redevelop later in the planning period.

## Future Opportunity Sites

Additional sites are designated for mixed use residential within the plan and are suitable for redevelopment. However, based on site conditions, lack of expressed property owner development interest, and existing uses, these sites are assumed to be unlikely to redevelop within the planning period. These sites are identified as future opportunity sites.

## Summary of Capacity

As shown in Figure 5-11 and [Table 5-10Table 5-12](#), sites within the ECRSP included in the Housing Element inventory provide capacity for [772-1,204](#) lower-income units, [259-367](#) moderate-income units, and [321-502](#) above moderate-

### Summary of Capacity

As shown in ~~Table 5-13~~ [Table 5-15](#), the sites inventory identifies capacity for ~~706-797~~ moderate-income units within the City's Village Centers, based on allowed densities, site conditions, and recent development trends. [Program H3 includes a commitment to increase densities in the Village Centers to expand housing opportunities for lower-income households, particularly in higher resource areas of the City. Following implementation of Program H3, Village Center sites can be calculated at a higher capacity and reclassified as lower-income housing opportunity sites.](#) [Program H3 also includes a commitment to implement the Land Use and Transportation Element action statement LT-4.2b to amend the Zoning Code and Zoning Map to create a new mixed-use zoning designation for Village Centers which will ensure consistency with the General Plan land use designation.](#)

## ADDITIONAL SITES

The City has development on nearly every property and only a ~~very few number of~~ small vacant parcels exist. Vacant parcels zoned for residential are primarily low-density zoning. Vacant sites which are not remnant right of way owned by government agencies are less than 10,000 square feet in size and were previously developed or are owned by the adjacent property owner; effectively there is no land for greenfield residential development. As discussed above, most redevelopment is focused within the specific or area plans. However, the City has seen a substantial amount of residential redevelopment throughout Sunnyvale, including areas outside of specific and area plans. Redevelopment ranges from replacement of individual single family homes with duplexes, expansions and renovations of existing multifamily housing, and redevelopment of non-residential uses into residential and mixed use developments. The City has a long history, since the early 1980s of identifying and rezoning non-residential sites for redevelopment to residential uses. To identify sites for residential redevelopment outside of specific plan areas, the City reviewed its fifth cycle Housing Element residential sites inventory to determine which sites are suitable for housing redevelopment within the sixth cycle. All sites developed during the fifth cycle were removed from the inventory. In addition, sites with existing educational uses or residences that appeared occupied and well maintained were removed. Only sites with existing residences on large lots with infill potential were preserved for further analysis. The remaining sites were then further analyzed to consider building age, site conditions (aerial review), lease and/or ownership information (when available), and market trends. The sites are shown in ~~Table 5-16~~ [Table 5-18](#) below along with a description of existing uses and site characteristics. Several sites are in the Industrial-to-Residential (ITR) combining district which allows industrial, commercial, and office uses to continue as conforming uses while an area transitions to residential uses. Consistent with several policies and actions in the LUTE, non-residential uses are prohibited once the property converts to residential with housing or 75 percent of ITR sites in an area have converted. The zoning and the general plan are entirely consistent as the sites all have combining districts that acknowledge the additional or transitional nature of the uses.

### Development of Medical Office Uses

Five sites (LUTE-5, LUTE-7, LUTE-8, LUTE-13, and LUTE-20) identified in the inventory are occupied by medical/dental office uses. Although this use is generally in high demand, the City anticipates redevelopment of medical office uses based on recent project applications. For example, a proposal is currently under review (2022) to approve redevelopment of an existing medical office center at the W. Fremont Ave. and S. Mary Ave Village Center (~~P-32~~[VC-12](#)). The project proposed ~~ds 120-114~~ residential units and would redevelop 27,000 square feet of medical office space. The five sites identified in the inventory are all designated and zoned for residential. In addition, site conditions (e.g., building age, ownership, access) and surrounding uses indicate the sites are suitable for redevelopment within the planning period. As such, based on site conditions and recent development trends, the City anticipates redevelopment of these uses.

### Future Opportunity Sites

Several sites identified in the inventory contain existing residences. These sites are occupied by low density residential uses but are designated and zoned for higher density development. Although redevelopment is possible, it is unsure whether redevelopment would occur within the planning period and how many net new units would be developed. For this reason, these sites are identified as future opportunity sites and no capacity for housing within the planning period is identified.

### Realistic Density

To calculate capacity for housing on each of the sites, recent developments were reviewed to determine a realistic density assumption for the sites. ~~Table 5-14~~ [Table 5-16](#) and ~~Table 5-15~~ [Table 5-17](#) below present several recent

developments approved within the City’s residential designations and the buildout densities of each. Recent developments within the Medium Density Residential designation were built at densities averaging 85 percent of the maximum allowable density of 24 units per acre. None of the developments used State density bonus.

For developments within the High Density Residential designation, buildout densities averaged even higher with many developments receiving units through the City’s Green Building Program and the State density bonus. Only one project, 460 Persian Drive, was 100 percent affordable, and only two projects (1101 N. Fair Oaks Ave. and 470 Persian Dr.) included zero lower-income units. The remaining projects were mixed income and included some affordable units through the City’s Below Market Rate Housing Program. Excluding units achieved through the State density bonus, project densities still averaged 97-103 percent of the maximum allowable density. Although the City anticipates these trends will continue, the inventory assumes a conservative buildout density of 85 percent of the maximum allowable density for sites located outside of Village Centers or specific plans.

**Table 5-14 Table 5-16: Typical Built Densities for Medium Density Residential Sites**

| Project Address                              | Site Size (Gross Acres) | Proposed Residential Units | Gross Residential Density (units per acre) | Percentage of Max Density (24 units per acre) |
|--|-------------------------|----------------------------|--|---|
| 1044 E Duane Ave                             | 7.3                     | 132                        | 18   | 75%   |
| 628 E Taylor Ave                             | 0.45                    | 10                         | 22   | 92%   |
| 425 N Fair Oaks Ave                          | 0.41                    | 8                          | 20   | 82%   |
| 822 E Evelyn Ave                             | 1.71                    | 31                         | 18   | 75%   |
| 617 E Arques Ave                             | 4.06                    | 85                         | 21   | 87%   |
| 915 De Guigne Dr                             | 25.2                    | 450                        | 18   | 74%   |
| 680 E Taylor Ave                             | 2.8                     | 67                         | 24   | 100%  |
| 1071 Noriega Ave                             | 0.46                    | 10                         | 22   | 90%   |
| 845 Maria Ln                                 | 0.24                    | 5                          | 21   | 87%   |
| 625 E Taylor Ave                             | 0.9                     | 20                         | 22   | 93%   |
| 423 E Maude Ave                              | 0.59                    | 11                         | 19   | 78%   |
| 755 E Evelyn Ave                             | 2.05                    | 42                         | 20   | 85%   |
| 711 E Evelyn Ave                             | 11.41                   | 215                        | 19   | 79%   |
| 1 AMD Place ( <a href="#">Townhomes</a> )    | 6.05                    | 107                        | 18   | 74%   |
| 617 E Evelyn Ave                             | 3.26                    | 62                         | 19   | 79%   |
| 669 Old San Francisco Rd                     | 0.34                    | 6                          | 18   | 74%   |
| 925 S Wolfe Rd                               | 5.35                    | 128                        | 24   | 100%  |
| 475 N Fair Oaks Ave                          | 0.82                    | 18                         | 22   | 91%   |
| <b>Average Percentage of Maximum Density</b> |                         |                            |  | <b>85%</b>                                    |

Source: City of Sunnyvale, 2021.

**Table 5-15** ~~Table 5-17~~: Typical Built Densities for High Density Residential Sites (R4 Zoning District)

| Project Address                              | Site Size (Gross Acres) | Proposed Residential Units | Gross Residential Density (units per acre) | Percentage of Max Density (36 units per acre) | Sunnyvale Green Building Program Units | State Density Bonus Units | Percentage of Max Density excl. State Density Bonus |
|--|-------------------------|----------------------------|--|---|--|---------------------------|---|
| 1101 N Fair Oaks Ave                         | 2.56                    | 97                         | 38   | 105%  | 4                                      | 0                         | 105%  |
| 470 Persian Dr                               | 1.75                    | 47                         | 27   | 75%   | 0                                      | 0                         | 75%   |
| 610 Weddell Dr                               | 4.04                    | 205                        | 51   | 141%  | 7                                      | 52                        | 105%  |
| 620 E Maude Ave                              | 2.35                    | 117                        | 50   | 138%  | 4                                      | 29                        | 104%  |
| 460 Persian Dr <sup>1</sup>                  | 1.3                     | 66                         | 51   | 141%  | 2                                      | 16                        | 107%  |
| 1 AMD Place<br>( <u>Apartments</u> )         | 20.67                   | 944                        | 46   | 127%  | 32                                     | 168                       | 104%  |
| <b>Average Percentage of Maximum Density</b> |                         |                            |  | <b>125.1%</b>                                 |  |                           | <b>97.103%</b>                                      |

<sup>1</sup> 100 percent affordable development. Includes 46 very low-income units, 19 low-income units, and 1 manager unit.

Source: City of Sunnyvale, 2021.

### Summary of Capacity

As shown in ~~Table 5-16~~ Table 5-18 below, sites outside of plan areas include capacity for 621 units, including 318 299 lower-income units, 254-316 moderate-income units, and 6 above-moderate income units.

Table 5-16Table 5-18: City of Sunnyvale, 2023-2031 Housing Element, Additional Sites

| Site #  | Assessor Parcel Number (APN) | Address                    | Size (Gross Acres) | Land Use | Zoning       | Max Density <sup>1</sup> | Max. Capacity | Realistic Density <sup>2</sup> | Realistic Capacity | Lower-Income Units | Moderate-Income Units | Above Moderate-Income Units | Subject to AB 1397 by-right policy? | Existing Use/Site Conditions   | Non-vacant Site Factors <sup>1</sup> |   |   |   |   |   |   |
|---------|------------------------------|----------------------------|--------------------|----------|--------------|--------------------------|---------------|--------------------------------|--------------------|--------------------|-----------------------|-----------------------------|-------------------------------------|--|--------------------------------------|---|---|---|---|---|---|
|         |                              |                            |                    |          |              |                          |               |                                |                    |                    |                       |                             |                                     |  | A                                    | B | C | D | E | F | G |
| LUTE-1  | 20930058                     | 558 S MURPHY AVE           | 0.34               | OF       | R2/O         | 12                       | 4             | 10.2                           | 3                  |                    | 3                     |                             | No                                  | Commercial structure built in 1954 occupied by grocery store, salon, and restaurant.   | A                                    |   |   |   | E | F |   |
| LUTE-2  | 20930052                     | 530 S MURPHY AVE           | 0.52               | OF       | R2/O         | 12                       | 6             | 10.2                           | 5                  |                    | 5                     |                             | No                                  | Commercial structure built in 1954; currently occupied by multiple users including salon, acupuncture, massage, and art school.  | A                                    |   |   |   | E | F |   |
| LUTE-3  | 20930059                     | 548 S MURPHY AVE           | 0.19               | OF       | R2/O         | 12                       | 2             | 10.2                           | 2                  |                    | 2                     |                             | No                                  | Commercial structure built in 1957; currently occupied by martial arts studio and lace museum.   | A                                    |   |   |   |   | F |   |
| LUTE-4  | 20930007                     | 555 S MURPHY AVE           | 0.32               | OF       | R2/O         | 12                       | 4             | 10.2                           | 3                  |                    | 3                     |                             | No                                  | Commercial building built in 1959; currently occupied by a locksmith.  | A                                    |   |   |   | E | F |   |
| LUTE-5  | 21120045                     | 697 E REMINGTON DR         | 0.48               | RHI      | R4           | 36                       | 17            | 30.6                           | 15                 | 15                 |                       |                             | Yes                                 | Medical office center built in 1967 and 1970s.   | A                                    |   |   |   | E | F |   |
|         | 21120046                     | 685 E REMINGTON DR         | 0.38               | RHI      | R4           | 36                       | 14            | 30.6                           | 12                 | 12                 |                       |                             | Yes                                 |  |                                      |   |   |   |   |   |   |
|         | 21120047                     | 693 E REMINGTON DR         | 0.74               | RHI      | R4           | 36                       | 27            | 30.6                           | 23                 | 23                 |                       |                             | Yes                                 |  |                                      |   |   |   |   |   |   |
| Total   |                              |                            | 1.61               |          |              |                          | 58            |                                | 50                 | 50                 |                       |                             |                                     |  |                                      |   |   |   |   |   |   |
| LUTE-6  | 11012077                     | 105 W WEDDELL DR           | 0.24               | RHI      | R4           | 36                       | 9             | 30.6                           | 7                  |                    | 7                     |                             |                                     | Auto repair shop built in 1953 surrounded by multifamily residential.  | A                                    |   |   |   | E | F | G |
| LUTE-7  | 21123019                     | 500 E REMINGTON DR         | 2.41               | RHI      | R4           | 36                       | 87            | 30.6                           | 74                 | 74                 |                       |                             | Yes                                 | Medical Office center built in 1975; units are available.  | A                                    |   |   |   | E | F | G |
| LUTE-8  | 21135003                     | 1118 SUNNYVALE SARATOGA RD | 0.29               | RHI      | R4           | 36                       | 11            | 30.6                           | 9                  | 9                  | 9                     |                             | Yes                                 | Single family residence built in 1948. Currently unoccupied and dilapidated. Last sold in 1989. Adjacent commercial built in 1975. Occupied by daycare center and dental office. Counted as moderate income because site is too small to achieve at least 50 units with state density bonus. | A                                    |   |   |   | E | F | G |
|         | 21135033                     | 1110 SUNNYVALE SARATOGA RD | 0.32               |          |              |                          | 12            |                                | 10                 | 10                 | 10                    |                             |                                     |  |                                      |   |   |   |   |   |   |
| Total   |                              |                            | 0.62               |          |              |                          | 23            |                                | 19                 | 19                 | 19                    |                             |                                     |  |                                      |   |   |   |   |   |   |
| LUTE-9  | 11029008                     | 420 PERSIAN DR             | 3.27               | RHI      | R4           | 36                       | 118           | 30.6                           | 100                | 100                |                       |                             | Yes                                 | Existing Hindu Temple and Community Center built in 1972. Owner-occupied. Large parking area provides infill opportunity within ½ mile of light rail station. City has experienced recent redevelopments of church properties, likely driven by high land values.                            | A                                    |   |   |   | E | F |   |
| LUTE-10 | 11029005                     | 425 TASMAN DR              | 1.23               | RHI      | R4           | 36                       | 44            | 30.6                           | 38                 | 38                 |                       |                             | Yes                                 | Daesung Korean Presbyterian Church built in 1976. Owner-occupied. Parking area provides infill opportunity within ½ mile of light rail station. City has experienced recent redevelopments of church properties, likely driven by high land values.  | A                                    |   |   |   | E | F | G |
| LUTE-11 | 11029006                     | 415 TASMAN DR              | 1.22               | RHI      | R4           | 36                       | 44            | 30.6                           | 37                 | 37                 |                       |                             | Yes                                 | Industrial building constructed in 1978, occupied by electronic parts supplier.  | A                                    |   |   |   | E | F | G |
| LUTE-12 | 16516034                     | 840 MUENDER AVE            | 0.44               | RLM      | R2           | 14                       | 6             | 11.9                           | 5                  |                    | 5                     |                             | No                                  | Industrial use within residential neighborhood. Low market value indicates opportunity for redevelopment.  | A                                    |   |   |   |   | F | G |
| LUTE-13 | 20204004                     | 516 W REMINGTON DR         | 1.17               | RLM      | R2           | 14                       | 16            | 11.9                           | 14                 |                    | 14                    |                             | No                                  | Medical Offices built in 1968. Currently for sale (01/2022).   | A                                    |   |   | D | E | F |   |
| LUTE-14 | 20131001                     | 525 W REMINGTON DR         | 0.93               | RLO      | R2           | 7                        | 6             | 5.95                           | 6                  |                    |                       | 6                           | No                                  | Building constructed in 1970. Occupied by insurance and law offices.   | A                                    |   |   |   | E | F |   |
| LUTE-15 | 20914010                     | 848 E EVELYN AVE           | 0.53               | RMED     | MS/ITR/R3/PD | 24                       | 13            | 20.4                           | 11                 |                    | 11                    |                             | No                                  | Corner lot commercial building constructed in 1988. Occupied by convenience store, restaurant, and laundromat.   | A                                    |   |   |   |   | F | G |

| Site #   | Assessor Parcel Number (APN)  | Address                             | Size (Gross Acres) | Land Use        | Zoning        | Max Density <sup>1</sup> | Max. Capacity | Realistic Density <sup>2</sup> | Realistic Capacity | Lower-Income Units | Moderate-Income Units | Above Moderate-Income Units | Subject to AB 1397 by-right policy? | Existing Use/Site Conditions  | Non-vacant Site Factors <sup>1</sup> |   |              |   |              |              |              |
|--|-------------------------------|-------------------------------------|--------------------|-----------------|---------------|--------------------------|---------------|--------------------------------|--------------------|--------------------|-----------------------|-----------------------------|-------------------------------------|---|--------------------------------------|---|--------------|---|--------------|--------------|--------------|
|  |                               |                                     |                    |                 |               |                          |               |                                |                    |                    |                       |                             |                                     |   | A                                    | B | C            | D | E            | F            | G            |
| LUTE-16  | 20902002                      | 208 S FAIR OAKS AVE                 | 0.31               | RMED            | R3            | 24                       | 8             | 20.4                           | 6                  |                    | 6                     |                             | No                                  | Corner lot sports bar built in 1940. Building is poorly maintained and surrounded by recent residential redevelopment.  | A                                    |   |              |   | E            | F            | G            |
| LUTE-17  | 20438005                      | 560 E MAUDE AVE                     | 0.22               | RMED            | R3            | 24                       | 5             | 20.4                           | 4                  |                    | 4                     |                             | No                                  | Vacant residential lot.   |                                      |   |              |   |              |              |              |
| LUTE-18  | 20438021                      | 510 E MAUDE AVE                     | 0.20               | RMED            | R3            | 24                       | 5             | 20.4                           | 4                  |                    | 4                     |                             | No                                  | Office building constructed in 1953. Adjacent to existing multifamily residential.  | A                                    |   |              |   | E            | F            | G            |
| LUTE-19  | 20913058                      | 612 E EVELYN AVE                    | 1.01               | RMED            | C1/ITR/R3/PD  | 24                       | 24            | 20.4                           | 21                 |                    | 21                    |                             | No                                  | Commercial building constructed in 1965. Occupied by restaurant and retail uses. Large parking area. Directly adjacent to bus stop.                                     | A                                    |   |              |   | E            | F            | G            |
| LUTE-20  | 32335003                      | 633 W HOMESTEAD RD                  | 0.29               | RMED            | R3            | 24                       | 7             | 20.4                           | 6                  |                    | 6                     |                             | No                                  | Dental office built in 1968, surrounded by residences.  | A                                    |   |              |   | E            | F            | G            |
| LUTE-21  | 21302004                      | 895 E EVELYN AVE                    | 7.08               | RMED            | M3/ITR/R3/PD  | 24                       | 170           | 20.4                           | 144                |                    | 144                   |                             | No                                  | Existing lumber yard. Building constructed in 1970. Large lot with outdoor storage areas.   | A                                    |   |              |   | E            | F            |              |
| LUTE-22  | 20529001                      | 465 WOLFE RD                        | 0.29               | RMED            | MS/ITR/R3/PD  | 24                       | 7             | 20.4                           | 6                  |                    | 6                     |                             | No                                  | Commercial building constructed in 1983. Currently occupied with retail use.  | A                                    |   |              |   |              | F            | G            |
| LUTE-23  | 20529002                      | 695 TAYLOR AVE                      | 0.65               | RMED            | MS/ITR/R3/PD  | 24                       | 16            | 20.4                           | 13                 |                    | 13                    |                             | No                                  | Industrial/warehouse building constructed in 1961.  | A                                    |   |              |   | E            | F            |              |
| <del>P-9</del> LUTE-24   | <del>204-38-006</del>         | <del>582 E. Maude Ave.</del>        | <del>0.73</del>    | <del>RMED</del> | <del>R2</del> | <del>24</del>            | <del>18</del> | <del>20.4</del>                | <del>15</del>      |                    | <del>13</del>         |                             |                                     | <del>City received preliminary application to demolish 2 existing residential structures (built in 1930) and redevelop site with 15 townhouse style condominiums.</del> | <del>A</del>                         |   | <del>C</del> |   | <del>E</del> | <del>F</del> | <del>G</del> |
| <del>P-19</del> LUTE-25  | <del>211-01-031</del>         | <del>444 Old San Francisco Rd</del> | <del>0.42</del>    | <del>RHI</del>  | <del>R4</del> | <del>36</del>            | <del>44</del> | <del>30.6</del>                | <del>13</del>      |                    | <del>13</del>         |                             |                                     | <del>Existing single-family home built in 1950. Development project under review for townhomes.</del>   | <del>A</del>                         |   | <del>C</del> |   | <del>E</del> | <del>F</del> | <del>G</del> |
| <del>P-38</del> LUTE-26  | <del>21135008; 21135009</del> | <del>148 Crescent Ave</del>         | <del>0.85</del>    | <del>RMED</del> | <del>R3</del> | <del>24</del>            | <del>20</del> | <del>20.4</del>                | <del>17</del>      |                    | <del>17</del>         |                             |                                     | <del>Two existing single-family residences built in 1927 and 1953. City received preliminary application for condominium construction.</del>                            | <del>A</del>                         |   | <del>C</del> |   | <del>E</del> | <del>F</del> |              |
| Future Opportunity Sites (not included in Housing Element Inventory) |                               |                                     |                    |                 |               |                          |               |                                |                    |                    |                       |                             |                                     |   |                                      |   |              |   |              |              |              |
| Future Opportunity Site  | 11014200                      | 444 TOYAMA DR                       | 2.26               | RHI             | MS/-ITR/R3    | 24                       | 81            | 30.6                           | 0                  |                    | 0                     |                             |                                     | Office (Data Center)  |                                      |   |              |   |              |              |              |
| Future Opportunity Site  | 20448025                      | 184 N SUNNYVALE AVE                 | 0.44               | RLM             | R2            | 14                       | 6             | 11.9                           | 0                  |                    | 0                     |                             |                                     | Single Family Residence and Mortuary  |                                      |   |              |   |              |              |              |
|  | 20448036                      | 174 N SUNNYVALE AVE                 | 0.82               | RLM             | R2            | 14                       | 11            | 11.9                           | 0                  |                    | 0                     |                             |                                     |   |                                      |   |              |   |              |              |              |
| Total  |                               |                                     | 1.26               |                 |               |                          | 17            |                                | 0                  |                    | 0                     |                             |                                     |   |                                      |   |              |   |              |              |              |
| Future Opportunity Site  | 20204008                      | 1050 TILTON DR                      | 0.42               | RLM             | R2            | 14                       | 6             | 11.9                           | 0                  |                    | 0                     |                             |                                     | Single Family Residences and School   |                                      |   |              |   |              |              |              |
|  | 20204013                      | 1054 TILTON DR                      | 0.56               | RLM             | R2            | 14                       | 8             | 11.9                           | 0                  |                    | 0                     |                             |                                     |   |                                      |   |              |   |              |              |              |
|  | 20204011                      | 1055 SUNNYVALE SARATOGA RD          | 1.01               | RLM             | R2            | 14                       | 14            | 11.9                           | 0                  |                    | 0                     |                             |                                     |   |                                      |   |              |   |              |              |              |
| Total  |                               |                                     | 1.99               |                 |               |                          | 28            |                                | 0                  |                    | 0                     |                             |                                     |   |                                      |   |              |   |              |              |              |
| Future Opportunity Site  | 20449010                      | 155 N SUNNYVALE AVE                 | 0.30               | RLM             | R2            | 14                       | 4             | 11.9                           | 0                  |                    | 0                     |                             |                                     | Single Family Residence; surrounded by multi-family   |                                      |   |              |   |              |              |              |
| Future Opportunity Site  | 20216008                      | 784 EDALE DR                        | 0.38               | RLM             | R2            | 14                       | 5             | 11.9                           | 0                  |                    | 0                     |                             |                                     | Single Family Residence - large lot, surrounded by redeveloped small lot single family  |                                      |   |              |   |              |              |              |
| Future Opportunity Site  | 20924073                      | 460 CARROLL ST                      | 0.63               | RLO             | R0            | 7                        | 4             | 5.95                           | 0                  |                    |                       | 0                           |                                     | Single Family Residence - large lot, rear access available on Flora Vista Ave   |                                      |   |              |   |              |              |              |
| Future Opportunity Site  | 30951026                      | 841 E HOMESTEAD RD                  | 0.65               | RLO             | R0            | 7                        | 5             | 5.95                           | 0                  |                    |                       | 0                           |                                     | Single Family Residence - large lot, appears vacant, rear access available on Londonderry Dr  |                                      |   |              |   |              |              |              |
| Future Opportunity Site  | 21105009                      | 781 S WOLFE RD                      | 0.72               | RLO             | R0            | 7                        | 5             | 5.95                           | 0                  |                    |                       | 0                           |                                     | Single Family Residence - large lot, surrounding parcels have been subdivided and redeveloped   |                                      |   |              |   |              |              |              |

| Site #                  | Assessor Parcel Number (APN) | Address            | Size (Gross Acres) | Land Use | Zoning        | Max Density <sup>1</sup> | Max. Capacity | Realistic Density <sup>2</sup> | Realistic Capacity | Lower-Income Units | Moderate-Income Units | Above Moderate-Income Units | Subject to AB 1397 by-right policy? | Existing Use/Site Conditions  | Non-vacant Site Factors <sup>1</sup> |   |   |   |   |   |   |
|-------------------------|------------------------------|--------------------|--------------------|----------|---------------|--------------------------|---------------|--------------------------------|--------------------|--------------------|-----------------------|-----------------------------|-------------------------------------|---|--------------------------------------|---|---|---|---|---|---|
|                         |                              |                    |                    |          |               |                          |               |                                |                    |                    |                       |                             |                                     |   | A                                    | B | C | D | E | F | G |
| Future Opportunity Site | 21107023                     | 691 IRIS AVE       | 0.38               | RMED     | R3            | 24                       | 9             | 20.4                           | 0                  |                    | 0                     |                             |                                     | Duplex - adjacent to apartments   |                                      |   |   |   |   |   |   |
|                         | 21107022                     | 697 IRIS AVE       | 0.38               | RMED     | R3            | 24                       | 9             | 20.4                           | 0                  |                    | 0                     |                             |                                     |   |                                      |   |   |   |   |   |   |
| Total                   |                              |                    | 0.76               |          |               |                          | 18            |                                | 0                  |                    | 0                     |                             |                                     |   |                                      |   |   |   |   |   |   |
| Future Opportunity Site | 20920021                     | 693 ARBUTUS AVE    | 0.27               | RMED     | R3            | 24                       | 7             | 20.4                           | 0                  |                    | 0                     |                             |                                     | Duplex - adjacent to small multi-family                                     |                                      |   |   |   |   |   |   |
| Future Opportunity Site | 21116042                     | 1001 S WOLFE RD    | 0.32               | RMED     | R3            | 24                       | 8             | 20.4                           | 0                  |                    | 0                     |                             |                                     | Single Family - large lot, adjacent to townhomes                            |                                      |   |   |   |   |   |   |
| Future Opportunity Site | 21135030                     | 434 CRESCENT AVE   | 0.27               | RMED     | R3            | 24                       | 7             | 20.4                           | 0                  |                    | 0                     |                             |                                     | Single Family - large lot, adjacent to multifamily                          |                                      |   |   |   |   |   |   |
| Future Opportunity Site | 20438004                     | 552 E MAUDE AVE    | 0.24               | RMED     | R3            | 24                       | 6             | 20.4                           | 0                  |                    | 0                     |                             |                                     | Single Family - adjacent to vacant lot                                      |                                      |   |   |   |   |   |   |
| Future Opportunity Site | 21325036                     | 960 S WOLFE RD     | 0.19               | RMED     | R3            | 24                       | 4             | 20.4                           | 0                  |                    | 0                     |                             |                                     | Single Family - adjacent to small multi-family                              |                                      |   |   |   |   |   |   |
| Future Opportunity Site | 20920031                     | 415 FIRLOCH AVE    | 0.34               | RMED     | R3            | 24                       | 8             | 20.4                           | 0                  |                    | 0                     |                             |                                     | Single Family - adjacent to small multifamily                               |                                      |   |   |   |   |   |   |
| Future Opportunity Site | 21116004                     | 985 BELLOMO AVE    | 0.24               | RMED     | R3            | 24                       | 6             | 20.4                           | 0                  |                    | 0                     |                             |                                     | Duplex - adjacent to condos   |                                      |   |   |   |   |   |   |
| Future Opportunity Site | 30946063                     | 725 E HOMESTEAD RD | 0.48               | RMED     | R3            | 24                       | 12            | 20.4                           | 0                  |                    | 0                     |                             |                                     | Fourplex - rear access, surrounded by redevelopment, adjacent to apartments |                                      |   |   |   |   |   |   |
| Future Opportunity Site | 21116013                     | 856 MARIA LN       | 0.34               | RMED     | R3            | 24                       | 8             | 20.4                           | 0                  |                    | 0                     |                             |                                     | Single Family - large lot, adjacent to townhomes                            |                                      |   |   |   |   |   |   |
|                         | 21116012                     | 850 MARIA LN       | 0.33               | RMED     | R3            | 24                       | 8             | 20.4                           | 0                  |                    | 0                     |                             |                                     |   |                                      |   |   |   |   |   |   |
| Total                   |                              |                    | 0.67               |          |               |                          | 16            |                                | 0                  |                    | 0                     |                             |                                     |   |                                      |   |   |   |   |   |   |
| Future Opportunity Site | 21344018                     | 1236 VALERIAN CT   | 0.26               | RMED     | R3            | 24                       | 6             | 20.4                           | 0                  |                    | 0                     |                             |                                     | Duplex - adjacent to fourplex   |                                      |   |   |   |   |   |   |
|                         | 21344017                     | 1246 VALERIAN CT   | 0.22               | RMED     | R3            | 24                       | 5             | 20.4                           | 0                  |                    | 0                     |                             |                                     |   |                                      |   |   |   |   |   |   |
| Total                   |                              |                    | 0.47               |          |               |                          | 11            |                                | 0                  |                    | 0                     |                             |                                     |   |                                      |   |   |   |   |   |   |
| Future Opportunity Site | 20521007                     | 835 STEWART DR     | 0.7                | RMED     | MS/ITR/R 3/PD | 24                       | 17            | 20.4                           | 0                  |                    | 0                     |                             |                                     | Office  |                                      |   |   |   |   |   |   |
|                         | 20521008                     | 825 STEWART DR     | 4.3                | RMED     | MS/ITR/R 3/PD | 24                       | 103           | 20.4                           | 0                  |                    | 0                     |                             |                                     | Office  |                                      |   |   |   |   |   |   |
|                         | 20521009                     | 455 DE GUIGNE DR   | 2.98               | RMED     | MS/ITR/R 3/PD | 24                       | 72            | 20.4                           | 0                  |                    | 0                     |                             |                                     | Office  |                                      |   |   |   |   |   |   |
|                         | 20521010                     | 845 STEWART DR     | 1.1                | RMED     | MS/ITR/R 3/PD | 24                       | 26            | 20.4                           | 0                  |                    | 0                     |                             |                                     | Restaurant and office   |                                      |   |   |   |   |   |   |
| Total                   |                              |                    | 9.08               |          |               |                          | 218           |                                | 0                  |                    | 0                     |                             |                                     |   |                                      |   |   |   |   |   |   |
| Future Opportunity Site | 20521022                     | 920 DE GUIGNE DR   | 10.33              | RMED     | MS/ITR/R 3/PD | 24                       | 248           | 20.4                           | 0                  |                    | 0                     |                             |                                     | Office  |                                      |   |   |   |   |   |   |
|                         | 20521023                     | 935 STEWART DR     | 10.21              | RMED     | MS/ITR/R 3/PD | 24                       | 245           | 20.4                           | 0                  |                    | 0                     |                             |                                     | Office/Manufacturing  |                                      |   |   |   |   |   |   |
| Total                   |                              |                    | 20.54              |          |               |                          | 493           |                                | 0                  |                    | 0                     |                             |                                     |   |                                      |   |   |   |   |   |   |
| Total                   |                              |                    | 67.143752          |          |               |                          | 9341,727      |                                | 578621             | 318299             | 254316                | 6                           |                                     |   |                                      |   |   |   |   |   |   |

<sup>1</sup> Non-vacant site factors: A) TOD Opportunity, B) Village Center, C) Development Interest, D) Occupancy Status, E) Structure Age and Condition, F) Low FAR, G) Low ILV Ratio (see page 5-6 for more information).

Source: Ascent, 2023.



## Realistic Density

The comprehensive update to the MPSP introduces residential as a new permitted use in the plan area. As such, the City has not [yet](#) experienced residential development in this area and no residential project applications have been received. However, there is generally high demand for high density residential development throughout the city and property owners within the plan area have expressed interest in developing residential. In addition, the City consulted with property owners and developers during the preparation of the plan's density standards.

[The Specific Plan sets minimum densities for two of the three zones where residential is allowed but does not establish maximum densities. Instead, residential development is regulated through form-based standards including setbacks, lot coverage, height, FAR, and required publicly accessible open space. Based on these standards, maximum achievable densities are estimated, as shown in ~~Table 5-20~~Table 5-22. The plan update would likely allow densities of 70 to 150 units per acre in the Residential designation, exceeding much higher than maximum densities permitted in any other area of the city. In other parts of Sunnyvale, namely the Lawrence Station area, the City has experienced development at buildout densities near 100 units per acre and even approved one affordable residential development proposal with a density of 140 units per acre \(see ~~Table 5-7~~Table 5-8 above\). These densities were achieved through local incentive programs and the State density bonus. While the proposed Moffett Park Specific Plan would allow much higher densities than any other area of Sunnyvale, Based on these recent development trends within the Lawrence Station Area Plan and conversations with the development community, the City conservatively estimates a realistic buildout density of 70 percent of the maximum allowable density, or 105 units per acre, in the Residential designation, which is about 70 percent of the maximum achievable density.](#)

The Mixed Use designation in the MPSP ~~is expected to~~would allow for standalone residential up to [an estimated](#) 150 dwelling units per acre, standalone office, or a mix of residential and office uses. To ensure sufficient land is available for residential uses and considering the market demand for offices, the specific plan would limit total non-residential development for the entire plan area. In consideration of the market demand for non-residential uses in the plan area and the lack of residential requirements in the Mixed Use designation, the City conservatively estimates a realistic buildout density of only 25 percent of the maximum [allowable-achievable](#) density, or 37.5 units per acre, in the Mixed Use designation. [Property owners of the two parcels with Mixed Use \(residential and office\) zoning designation \(MP-20 and MP-21\) have expressed interest in developing residential.](#)

The Activity Center designation in the MPSP is expected to allow for a mix of office, residential (between 40 and [an estimated](#) 180 dwelling units per acre), and commercial uses. The plan update requires a residential component be built within the Activity Center designation. Considering the market demand for non-residential uses in the plan area, the City estimates a realistic buildout density equal to the minimum residential density requirement of 40 units per acre in the Activity Center designation.

## Redevelopment Potential

The update to the MPSP is developer driven and the City has held multiple conversations with landowners in the plan area during the update process. Based on these conversations, the City has selectively identified sites within the plan area that are anticipated for development within the planning period as candidate rezone sites. As shown in ~~Figure 5-13~~Figure 5-11 below, there are multiple sites designated and suitable for residential development that are not identified as candidate rezone sites [suitable](#) to meet the sixth cycle RHNA. These additional sites were not identified in the first phases of residential development but will provide future opportunities for residential development in the plan area. [All of the sites identified as candidate rezone sites have been identified by landowners for redevelopment within the June 30, 2022 – December 15, 2030, RHNA projection period. They were selected for inclusion in the Housing Element in consultation with property owner representatives and based on phasing plans provided by the property owners or developers.](#) Approximately one-third of the selected sites consist

## Environmental Constraints

All parcels (or portions of parcels) identified in the inventory [were considered by City staff and](#) were reviewed to determine possible environmental constraints such as [parcel shapes](#), flood zones or wetlands, [easements, and contamination](#). [All previously zoned sites included in the 2017 LUTE, Downtown Specific Plan, Lawrence Station Area Plan, and El Camino Real Specific Plan have undergone a certified environmental review process and did not prove to have detrimental significant and unavoidable environmental constraints. Parcel shapes for the parcels included in the inventory have been determined sufficient to allow for residential development.](#) As shown in [Figure 5-14](#)[Figure 5-12](#), sites identified in south of the Caltrain rail line, including the ECRSP and DSP, as well as portions of the LSAP are located within the 500-year flood plain. In addition, portions of the LSAP and the MPSP, sites near Fair Oaks Avenue just south of Tasman Drive, and sites along S Wolfe between Caltrain and Reed Avenue, are located within the 100-year flood plan. These sites would address any applicable flooding constraints during the site design. The site design would be reviewed to ensure the first habitable floor is raised to one foot above the base flood elevation. While there is an added cost, flood constraints can be mitigated through design and all of the sites in the inventory have been deemed suitable for residential development. No additional environmental hazards related to wildfire risk, slope, or wetlands impact any of the sites included in the inventory. [No known easements exist on any of the parcels in the inventory. Additionally, there are no known contamination issues on any of the sites in the inventory. Any applicable contamination issues on-site have been successfully abated in the past and have not hindered residential development. All sites in the Moffett Park Specific Plan area have been analyzed in the Environmental Impact Report \(EIR\). As part of the EIR, an investigation was completed to identify existing and known sources of contamination. No significant contamination issues have been identified at residentially designated sites that would prohibit residential development. All future residential projects, per Specific Plan requirements, would be subject to site-specific investigations \(including sampling\) and remediation as necessary to reduce impacts to less than significant.](#) Recent examples of successful abatement of environmental contamination are shown in [Table 5-23](#)[Table 5-25](#) below.

**Table 5-23**[Table 5-25 Residential Projects with Environmental Contamination Abatement](#)

| Project                             | Units   | Remediation  | Year Built  |
|-------------------------------------|---|--|---|
| <a href="#">1044 E Duane Ave</a>    | <a href="#">132</a>                           | <a href="#">Soil and groundwater contamination</a>                 | <a href="#">2014</a>                                    |
| <a href="#">915 DeGuigne Dr</a>     | <a href="#">450</a>                           | <a href="#">Soil and groundwater contamination (EPA Superfund)</a> | <a href="#">2019</a>                                    |
| <a href="#">1120 Kifer Rd</a>       | <a href="#">520</a>                           | <a href="#">Soil contamination</a>                                 | <a href="#">2020</a>                                    |
| <a href="#">1 AMD Pl</a>            | <a href="#">1,051</a>                         | <a href="#">Soil and groundwater contamination</a>                 | <a href="#">2022</a> <a href="#">Under construction</a> |
| <a href="#">475 N Fair Oaks Ave</a> | <a href="#">18</a>                            | <a href="#">Soil and groundwater contamination</a>                 | <a href="#">Under construction</a>                      |
| <a href="#">1139 Karlstad Dr</a>    | <a href="#">135</a>                           | <a href="#">Soil and groundwater contamination</a>                 | <a href="#">Entitled 2021</a>                           |
| <b>Total</b>                        | <b><a href="#">2,306</a><a href="#">4</a></b> |  |   |

# CHAPTER 6

## CONSTRAINTS TO THE DEVELOPMENT OF HOUSING

The City regulates the type, location, density, and scale of residential development primarily through the Zoning Code. Zoning regulations are designed to implement the policies of the City's General Plan and protect and promote health, safety, and general welfare of residents. The Code sets forth the City's specific residential development standards, which are summarized in Table 6-4. A summary of the City's residential zoning standards is also provided on the City [website](#). The City will continue to comply with all State housing and land use laws. In the event that State laws may conflict with prohibited land uses identified in the City's Zoning Code, State law shall supersede the Zoning Code.

**Table 6-10: El Camino Real Specific Plan Land Use and Zoning Districts**

| ECRSP Land Use Type                       | Corresponding Zoning District(s) | Base Density (Units per Gross Acre) | Total unit per acre incentive points available | Maximum Density w/ ECR Incentive Program | Residential Use Types  |
|---|----------------------------------|-------------------------------------|--|--|--|
| El Camino Real Mixed-Use                  | ECR-MU24                         | 24                                  | 6  | 30                                       | Higher-density residential uses. Requires ground-floor commercial use on El Camino Real. |
|   | ECR-MU28                         | 28                                  | 10   | 38                                       |  |
|   | ECR-MU33                         | 33                                  | 12   | 45                                       |  |
|   | ECR-MU42                         | 42                                  | 14   | 56                                       |  |
|   | ECR-MU54                         | 54                                  | 20   | 74                                       |  |
| El Camino Real Medium Density Residential | ECR-R3                           | 15-24                               | N/A  | -  | Townhomes, apartments, and condominiums.   |
| El Camino Real High Density Residential   | ECR-R4                           | 25-36                               | N/A  | -  | Higher density residential and mixed-use development.                                    |
| El Camino Real Corridor Commercial        | ECR-C                            | -                                   | -  | -  | Prohibits residential uses, <u>except as allowed under AB 2011 and SB 6.</u>             |
| El Camino Real Office                     | ECR-O                            | -                                   | -  | -  | Prohibits residential uses, <u>except as allowed under AB 2011 and SB 6.</u>             |
| El Camino Real Public Facilities          | ECR-PF                           | -                                   | -  | -  | Prohibits residential uses, <u>except as allowed under AB 2011 and SB 6.</u>             |

<sup>1</sup> New residential development in the El Camino Real Specific Plan is required to build to at least 85 percent of the zoning district base maximum density.

<sup>2</sup> Additional densities may be achieved above the base maximum density or density obtained through the City's Green Building Program and/or the El Camino Real Specific Plan Community Benefits/Incentives Program by providing affordable housing consistent with State Density Bonus Law. Additional densities above the base maximum density are calculated in the following order: 1) apply the density bonus percentage through the City's Green Building Program; 2) add the incentive points gained through the El Camino Real Specific Plan Community Benefits/Incentives Program; 3) apply the State Density Bonus percentage achieved by the project.

Source: City of Sunnyvale, El Camino Real Specific Plan, 2022.

**Table 6-11: Residential Use Types allowed within the El Camino Real Specific Plan Zoning Districts**

| Use  | ECR-C | ECR-MU           | ECR-O | ECR-PF | ECR-R3         | ECR-R4         |
|--|-------|------------------|-------|--------|----------------|----------------|
| Single -family dwelling                                  | N     | N                | N     | N      | UP             | UP             |
| Two-family dwelling                                      | N     | N                | N     | N      | P              | P              |
| Multiple-family dwelling and accessory building and uses | N     | SDP <sup>1</sup> | N     | N      | p <sup>3</sup> | p <sup>3</sup> |
| Mobile home park   | N     | N                | N     | N      | N              | N              |
| Single room occupancy (SRO) facilities                   | N     | SDP <sup>2</sup> | N     | N      | N              | UP             |
| Residential care facility, 6 or fewer residents          | N     | SDP              | N     | N      | UP             | UP             |
| Emergency shelter  | N     | N                | N     | N      | N              | N              |

Notes: P = Permitted use. SDP = Special development permit required. UP = Use permit required. N = Not permitted, prohibited.

## Moffett Park Specific Plan

The Moffett Park Specific Plan encompasses 1,156 acres located in northern most portion of the city. The plan was originally adopted in 2004, and several smaller map updates have been made since. There was also a text amendment in 2013. The MPSP is currently undergoing a comprehensive update. The adopted plan focuses on incentivizing office development, industrial uses, and other non-residential development. However, the comprehensive plan update proposes residential uses within the plan area to address the City's housing needs and promote a walkable and bikeable environment. The plan update is anticipated for adoption in 2023. The proposed draft land use plan for the updated Moffett Park Specific Plan, as of ~~June 2022~~ May 2023, is shown in Figure 6-4. As the updated Moffett Park Specific Plan has not yet been adopted, this map is subject to change and does not reflect the final map.

## Village Center Master Plans

The General Plan Land Use and Transportation Element identified seven locations throughout the city as Village Centers and designated them as Village Mixed Use. The Village Mixed Use designation intends to transform older shopping centers and office areas into medium density, mixed-use developments. The designation focuses on mixed-use requiring 10 to 25 percent commercial or office component, allows buildings up to four stories, and permits an average residential density of up to 18 units per acre for the entire Village Center site. Residential development may be clustered which could result in a higher effective density. The Land Use and Transportation Element directs the preparation of a plan to further outline the specific development standards applicable to each center. As part of the Village Center Master Plan process, Program H3 of this Housing Element, and in Action LT-4.2b of the Land Use and Transportation Element, the City will create a new mixed-use Village Center zoning designation to ensure consistency with the General Plan land use designation. The planning effort is currently underway, ~~and the Village Center Master Plan is anticipated for adoption in early 2023, prior to adoption of the Housing Element.~~

| Type of Covered Assigned Space Provided | Number of Bedrooms      | Number of Parking Spaces Required   |
|---|-------------------------|---|
| Two parking spaces per unit             | 4-bedroom units or more | Use the 3-bedroom requirement and add 0.15 unassigned spaces for each bedroom above the third bedroom |
|   | One-bedroom units       | 0.25 unassigned spaces per unit   |
|   | 2-bedroom units         | 0.4 unassigned space per unit   |
|   | 3-bedroom units         | 0.5 unassigned space per unit   |
|   | 4-bedroom units or more | Use the 3-bedroom requirement and add 0.15 unassigned spaces for each bedroom above the third bedroom |

Source: Sunnyvale Municipal Code, Title 19.

Parking requirements for affordable housing, senior citizen housing, [SROs](#), and housing for persons with disabilities are reduced to accommodate special housing developments. Table 6-16 shows parking requirements for special housing developments. Further reductions to parking requirements may be granted if the approving body finds that the applicant's proposed parking standard is adequate through a combination of any of the following considerations: location or proximity to transportation, variety or forms of transportation available, accessibility, services and programs offered, or population served by the proposed housing development. These parking standards differ from those allowed under State density bonus ordinance (Government Code Section 65915). Developers of affordable and senior housing projects that qualify for a State density bonus may request reduced parking standards, as shown later in Table 6-22 below.

**Table 6-16: Parking for Special Housing Developments**

| Type of Housing  | Type of Unit  | Required Parking Spaces              |
|--|---|--------------------------------------|
| Affordable to Lower Income Households                  | One-bedroom   | 1 space per unit                     |
|  | 2 or 3 bedrooms   | 2 spaces per unit                    |
|  | 4 or more bedrooms  | 2.15 spaces per units                |
|  | Unit of any size for senior citizens or persons with disabilities | 0.6 spaces per unit                  |
| Standard housing (not restricted affordable units)     | Unit of any size for senior citizens or persons with disabilities | 1 space per unit                     |
| Assisted Living  | Unit of any size  | 0.25 spaces per resident             |
| <a href="#">Single Room Occupancy (SRO) Facilities</a> | <a href="#">Unit size less than 200 square feet</a>               | <a href="#">0.25 spaces per unit</a> |
|  | <a href="#">Unit size 200 to 250 square feet</a>                  | <a href="#">0.5 spaces per unit</a>  |
|  | <a href="#">Unit size greater than 250 square feet</a>            | <a href="#">1 space per unit</a>     |

Source: Sunnyvale Municipal Code, Title 19.

For mixed use developments including both non-residential and residential uses, outside of specific or area plans, the Director or approving body may determine parking ratios based on accepted guidelines such as the Institution of Transportation Engineers (ITE) or Urban Land Institute (ULI). In addition, parking management plans and bicycle parking are required for mixed use development. Shared parking has been considered in mixed-use proposals where uses have different peak parking demands. The City's Mixed-Use Toolkit, adopted in 2015, includes potential strategies for reducing car dependence and parking demands in mixed use developments. Strategies include shared parking, unbundled parking, car and bike sharing, subsidized transit passes and shuttles to transit, and bicycle parking.

## **Park Dedication Requirements**

The City requires residential subdivisions and multifamily housing developments to dedicate land and/or pay a fee for parks and open space purposes based on the net new units created by the project. The park dedication requirement for residential subdivisions is authorized by the Quimby Act and is codified in Sunnyvale Municipal Code, Chapter 18.10; whereas the requirement for multifamily rental housing is authorized by the Mitigation Fee Act and is codified in Sunnyvale Municipal Code, Chapter 19.74. The intent of the Park Dedication requirement is to provide parks, open space, and recreational facilities to meet the needs of Sunnyvale residents. Ensuring adequate parks and recreation space is an important component in maintaining quality of life for existing and future residents throughout Sunnyvale. This need is especially critical as many former industrial areas convert to residential use and become increasingly populated.

The City also has similar park dedication standards for residential developments without subdivisions (i.e., rental housing). A key difference is that the standard for rental development only applies to developments of three or more housing units (see below for further differences in the two programs) and has exemptions for affordable units.

Park Dedication In-lieu fee revenue is used to purchase land, buy equipment, and construct improvements for parks and recreational facilities that serve the housing project. Park Dedication In-lieu fees cannot be used for ongoing operational or maintenance costs.

In 2009 the City approved a policy to maintain an open space level of service of 5.34 acres per 1,000 residents (the actual ratio at the time was about 5.7 acres per thousand population). This policy is reflected in the General Plan Land Use and Transportation, Chapter 3. The Park Dedication Requirement was codified as five acres of open space per 1,000 persons in 2011. The required land dedication acreage varies depending on project density, ranging from 0.01375 acres per net new unit for low density developments (seven or fewer units per acre) to 0.0090 acres per net new unit for medium high and very high densities (over 14 units per acre). The land dedication requirement is reviewed with the publication of US Census Data and adjusted if the number of persons per household changes significantly.

Projects that are unable to dedicate the required acreage within the project area must pay the Park Dedication In-lieu fee (or provide a combination of land and fees equivalent to the acreage requirement). In-lieu fees are based on the fair market value of land and are adjusted annually to reflect changing land values. Since 2013, the City has used the same methodology to determine annual in-lieu fee amounts. The City hires a real estate appraiser to create a local land valuation report for residential uses from the prior year. To ensure accuracy, parcels included in the valuation report are evaluated for appropriate zoning and suitability as parkland. The highest and lowest values are removed from the report and the City determines the average price per square foot based on the remaining values.

As of 2022, the Park Dedication In-lieu fee is \$185 per square foot of land. Based on this value, in-lieu fees range from \$110,805.75 per net new unit for low density developments to \$72,527.40 per net new unit for medium and high density developments. Very few new units are developed at low density with well over 90 percent of new units falling into the higher density (lower park dedication or in-lieu fee standard).

## **APPLICABILITY AND EXEMPTIONS**

Any units designated as rental affordable housing are exempt from the Park Dedication requirements. Single family, duplex, ADUs, and DUO projects on existing lots are not subject to Park Dedication requirements. DUO projects that



include a lot split are not exempt; in these cases, the property owner could offset the cost of the In-lieu fees through the sale of the newly created parcel and would likely profit from the lot split. As of February 2023, the City has received two applications for DUO projects that include a lot split. Both projects intend to pay the required Park Dedication In-lieu fee.

Table 6-21 shows the applicability of the Park Dedication requirement for different project types. If applicable, Table 6-22 shows the Park Dedication acreage requirement by project density and the corresponding in-lieu fee if the requirement is not met through land dedication. The Park Dedication requirement is structured so that medium and higher density projects, including most multi-family residential projects, have lower park dedication requirements and in-lieu fee amounts per unit than lower density projects, such as single-family homes involving a lot split. ADU projects, which add density to many lower density residential areas, are exempt from the Park Dedication requirement.

**Table 6-21: Park Dedication Requirement Applicability by Project Type**

| Project Type  | Park Dedication Requirements                                 |
|---|--|
| Single Family, duplex, ADU or DUO<br>(no subdivision map/lot split)   | None   |
| Single Family, duplex, or DUO<br>(includes subdivision map/lot split) | Yes, see Table 6-22 for requirement based on project density |
| Multifamily housing<br>(greater than 3 or more units)                 | Yes, see Table 6-22 for requirement based on project density |
| Affordable rental housing   | None   |

**Table 6-22: Park Dedication Requirement by Project Density**

| Project Density                                 | Park Dedication Requirement<br>(per net new unit) | In-Lieu Fee<br>(per net new unit)* |
|---|---|------------------------------------|
| Low Density<br>(7 or fewer units/acre)          | 0.01375 acres                                     | \$110,805.75                       |
| Low-medium Density<br>(over 7 to 14 units/acre) | 0.0125 acres                                      | \$100,732.50                       |
| Medium and High Density<br>(over 14 units/acre) | 0.0090 acres                                      | \$72,527.40                        |

\*Applicable only if Park Dedication Requirement is not met through land dedication. Fees based on FY 2022/23 Fee Schedule

## USE OF FUNDS AND DEDICATED LAND

Since the Park Dedication requirement is applicable to net new residential units, it is frequently employed in former industrial areas in northern Sunnyvale that are transitioning to residential use and are often categorized as moderate resource by TCAC Opportunity measures. See Chapter 4, Fair Housing Assessment, for further discussion on investments in moderate resource areas.

One example of a recent Park Dedication project serving a moderate-resource area is the new Muwékma Park, which opened in 2022 and was created from a 6.5-acre land dedication for the 1,059-unit 1 AMD Place development. In addition to the land dedication, \$11.6 million in Park Dedication In-Lieu funds were used to complete improvements for the new park. Since the 1 AMD Place project was built on a former industrial site with no prior residents, nearby parks were inadequate to serve the needs of the many new residents of the development. Located at 1035 Indian Wells Avenue, Muwékma Park is adjacent to the new development and provides a multi-use field, playground, dog park, and other amenities for public use. Muwékma Park underscores

## IMPACT ON RESIDENTIAL DEVELOPMENT

As shown in Table 6-24 below, over 4,400 residential units have met the Park Dedication requirement by dedicating land, paying the In-lieu fee, or a combination of both since 2015. Although the table below does not include information for all entitled multifamily projects under 50 units, these projects alone account for a majority of new residential development in Sunnyvale since 2015 and indicate that the City's Park Dedication requirement does not significantly constrain residential development.

**Table 6-24 Entitled Residential Projects Subject to Park Dedication Requirement since 2015**

| Address  | Units                 | Land Dedication<br>(in acres) | Total Park Fee                | Notes   |
|--|-----------------------|-------------------------------|-------------------------------|---|
| 102 E Fremont Av                                 | <a href="#">35</a>    | -                             | <a href="#">\$1,838,668</a>   |   |
| 166 E Fremont Av                                 | <a href="#">50</a>    | -                             | <a href="#">\$2,548,260</a>   |   |
| 1139 Karlstad Dr                                 | <a href="#">135</a>   | -                             | <a href="#">\$6,880,302</a>   |   |
| 200 S Taaffe St                                  | <a href="#">479</a>   | <a href="#">1.00</a>          | <a href="#">\$17,666,095</a>  | <a href="#">Land dedication credit for public use of Redwood Square</a>                                   |
| 220 Carroll St                                   | <a href="#">16</a>    | -                             | <a href="#">\$735,467</a>     |   |
| 1 AMD Pl ( <a href="#">now Indian Wells Av</a> ) | <a href="#">1,051</a> | <a href="#">6.50</a>          | <a href="#">\$14,513,756</a>  | <a href="#">Land dedication for Muwékma Park</a>  |
| 1142 Dahlia Ct                                   | <a href="#">58</a>    | <a href="#">0.725</a>         | -                             | <a href="#">Land dedication for "Corn Palace" Park</a>  |
| 1155 Aster Av                                    | <a href="#">741</a>   | -                             | <a href="#">\$37,765,213</a>  |   |
| 669 Old San Francisco Rd                         | <a href="#">6</a>     | -                             | <a href="#">\$203,861</a>     |   |
| 311 S Mathilda Av                                | <a href="#">75</a>    | -                             | <a href="#">\$3,408,396</a>   |   |
| 740 San Aleso Av                                 | <a href="#">118</a>   | -                             | <a href="#">\$5,967,633</a>   |   |
| 1008 El Camino Real                              | <a href="#">108</a>   | -                             | <a href="#">\$1,926,485</a>   |   |
| 871 E Fremont Ave                                | <a href="#">138</a>   | -                             | <a href="#">\$6,877,950</a>   |   |
| 1250 Lakeside Dr                                 | <a href="#">250</a>   | <a href="#">2.25</a>          | -                             | <a href="#">Land dedication credit for public use easement of on-site open space around man-made lake</a> |
| 1120 Kifer Rd                                    | <a href="#">520</a>   | -                             | <a href="#">\$26,298,043</a>  |   |
| 915 De Guigne Dr                                 | <a href="#">450</a>   | <a href="#">0.80</a>          | <a href="#">\$13,632,538</a>  | <a href="#">Land dedication for Wiser Park</a>  |
| 701 E Evelyn Av                                  | <a href="#">204</a>   | -                             | <a href="#">\$7,677,711</a>   |   |
| Total  | <a href="#">4,434</a> | <a href="#">11.275</a>        | <a href="#">\$147,940,378</a> |   |

Although new housing development in the City continues to be strong, feedback obtained during the public engagement process for this Housing Element update cited the Park Dedication requirement and in-lieu fees as a constraint on housing development, particularly for DUO (i.e., SB 9) lot splits. Comparison of the Park Dedication fees throughout the region shows that Sunnyvale's fees are typically higher than neighboring jurisdictions. [The City will continue to ensure that Park Dedication in-lieu fees do not exceed the cost of land acquisition. However, in response to public comments, the City has added Program H18 to review and revise the Park Dedication requirement in order to establish reduced fees for the financial impact on Dual Urban Opportunity lot splits. See more discussion of the park dedication in-lieu fees later in the chapter in the section on Fees and Exactions.](#)

## Open Space Requirements

The Zoning Code identifies minimum landscaped area and usable open space requirements. Requirements for residential zoning districts are shown in Table 6-25. Specific plans have separate open space requirements to ensure the viability of very high density residential development. For example, the Downtown Specific Plan and Lawrence Station Area Plan include usable open space requirements as low as 50 square feet per unit. Requirements for specific plan areas are shown for the Downtown Specific Plan, Lawrence Station Area Plan, and El Camino Real Specific Plan in Tables 6-26, 6-27, and 6-28 respectively.

The terms “landscaped area” and “usable open space” are defined in the Chapter 19.12 of the Zoning Code as follows:

- **Landscaped area:** a portion of a site planted with vegetation utilized for screening or ornamentation. Landscaped areas may include decorative rock or stone, provided that such materials are incidental and do not comprise more than 30 percent of the area. For purposes of computation of landscaped area, automobile parking areas, storage areas, vehicular ways and specifically permitted unenclosed uses shall not be considered as landscaping.
- **Usable open space:** an outdoor or unenclosed area on the ground, or on a roof, balcony, deck, porch, pool area, patio or terrace or recreation building, when designed and accessible for outdoor living, recreation, pedestrian access or landscaping, but excluding parking facilities, driveways, utility, service or storage areas.

Since these definitions contain considerable overlap, in residential zoning districts Yards within single family zoning districts are not required to be landscaped. For duplex or multi-family uses, landscaped-usable open space areas that meet the definition of a landscaped area may also contribute towards both usable open space and the minimum landscaped area requirements of the site. These requirements do not need to be added together. Usable open space may include areas such as lawn and play areas, which would count toward both usable open space and the landscaped area requirements. As an example, in the R-3 zoning district, a townhouse development could meet both the usable open space and landscaped area requirements with a usable, landscaped lawn area of 425 square feet per unit. For multi-family and non-residential zoning districts the total minimum landscaped area required is the combination of the minimum parking lot landscaped area and the other landscaped area. This total must be no less than 20 percent of the lot area. Yards within single family zoning districts are not required to be landscaped.

Usable open space must be designed to be accessible and usable for outdoor living, recreation, or utility use. In addition, a minimum In R-4 and R-5 zoning districts, a minimum of 80 square feet per unit of the total 380 square foot private usable open space requirement per unit must be designed as private usable open space for each unit is required in the R-4 and R-5 zoning districts.

**Table 6-25: Minimum Landscaped Area and Usable Open Space Requirements in Residential Zoning Districts<sup>1</sup>**

| Zoning District | Usable Open Space<br>(sq. ft. per unit) | Other Landscaped Area<br>(sq. ft. per unit) | Parking Lot Landscaped<br>Area        |
|-----------------|---|---|---------------------------------------|
| R-0             | N/A                                     | N/A   | N/A                                   |
| R-1             |   |   |                                       |
| R-1.5           |   |   |                                       |
| R-1.7/PD        |   |   |                                       |
| R-2             | 500 <sup>#2</sup>                       | 850   | 20 percent of the parking<br>lot area |
| R-3             | 400                                     | 425   |                                       |

|     |     |     |
|-----|-----|-----|
| R-4 | 380 | 375 |
| R-5 | 380 | 375 |

<sup>1</sup> Requirements for usable open space and landscaped area do not need to be added together. Usable open space that meets the definition of a landscaped area may also contribute toward the landscaped area requirement.

<sup>23</sup> One thousand square feet of usable open space is required for a property with an accessory dwelling unit, unless this does not allow construction of an 800 sf ADU no more than 16 feet high.

Source: City of Sunnyvale Municipal Code, 2021.

In addition to the landscape and open space standards described above, the Zoning Code identifies landscape and open space standards for blocks within the Downtown Specific Plan in Chapter 19.28. The standards for landscaped areas vary from a minimum of 20 percent of the lot area in residential blocks to all areas not devoted to driveways and access zones in mixed use blocks. Open space standards are 50 square feet per unit in mixed use and higher density residential blocks. In low density, low-medium density, and medium density residential blocks the open space standard is 500 square feet per unit. In Block 20, designated for office and high density residential, is 380 square feet is required per unit.

**Table 6-26: Minimum Landscaped Area and Usable Open Space Requirements, Downtown Specific Plan**

| DSP Block                             | Usable Open Space<br>(sq. ft. per unit) | Other Landscaped Area                                       |
|---------------------------------------|---|---|
| Block 1                               | N/A                                     | All areas not devoted to driveways and surface access zones |
| Block 1a                              | 50                                      | All areas not devoted to driveways and surface access zones |
| Block 2                               | N/A                                     | None  |
| Block 3                               | N/A                                     | All areas not devoted to driveways and access zones         |
| Blocks 4, 5 and 6                     | 50                                      | Minimum 20% of lot area                                     |
| Block 7                               | 50                                      | All areas not devoted to driveways and access zones         |
| Blocks 8, 8a, 8b,<br>9, 10, 11 and 12 | 500                                     | Minimum 20% of lot area                                     |
| Block 13                              | 500                                     | All areas not devoted to driveways and surface access zones |
| Blocks 14, 15<br>and 16               | 50                                      | Minimum 20% of lot area                                     |
| Block 17                              | 500                                     | Minimum 20% of lot area                                     |
| Block 18                              | 50                                      | All areas not devoted to driveways and access zones         |
| Block 20                              | 380                                     | All areas not devoted to driveways and access zones         |
| Blocks 21 and 22                      | N/A                                     | All areas not devoted to driveways and surface access zones |
| Block 23                              | 50                                      | Minimum 20% of lot area                                     |

Source: City of Sunnyvale Municipal Code, Title 19, Chapter 19.28, 2022.

In addition, open space standards specific to mixed use and residential districts within the Lawrence Station Area Plan are shown in Table 6-27 below.

**Table 6-27: Minimum Landscaped Area and Usable Open Space Requirements, Lawrence Station Area Plan**

| Open Space Type                                | Requirement |
|--|-------------|
| Usable Open Space – Residential <sup>1,2</sup> | 50 sf/unit  |
| Landscaped Area                                | 20%         |

|                                     |                  |
|-------------------------------------|------------------|
| Surface Parking Lot Landscaped Area | 20%              |
| Total Landscaped Area               | No less than 20% |

<sup>1</sup> Usable open space may not be located in any required front yard area for projects with a front yard setback deviation. Otherwise, up to 50 percent of the required front yard area may be counted toward the usable open space requirement.

<sup>2</sup> Balconies with a minimum of 6 feet in any dimension and a total of 50 square feet qualify as usable open space.

Source: City of Sunnyvale Municipal Code, 2021.

The zoning code also identifies open space standards specific to mixed use and residential districts within the ECRSP area, shown in Table 6-27 below. Landscape and open space requirements for the ECR-R3, and ECR-R4 zoning districts are the same as those required for the R-3, and R-4 zoning districts, respectively, identified in Chapter 19.37 of the Sunnyvale Municipal Code and shown earlier in Table 6-21.

**Table 6-27: Minimum Landscaped Area and Usable Open Space Requirements, El Camino Real Corridor Specific Plan**

| Zoning District                  | Usable Open Space | Other Landscaped Area | Surface Parking Lot Landscaped Area                            | Total Landscaped Area  |
|----------------------------------|-------------------|-----------------------|--|--|
| ECR-C                            | N/A               | 12.5% of floor area   |  |  |
| ECR-MU54<br>ECR-MU42             | 150 sq. ft./unit  | 20% of lot area       | 20% of the parking lot area, including associated drive aisles | Total minimum landscaped area is the combination of the minimum parking lot landscaped area and other landscaped area. In no case shall this total be less than 20% of the lot area. |
| ECR-MU33<br>ECR-MU28<br>ECR-MU24 | 200 sq. ft./unit  |                       |  |  |

Source: City of Sunnyvale Municipal Code, Title 19, Chapter 19.36, 2022.

## CONCLUSION

The City's on-site open space requirements for properties outside of the DSP, ECR, and LSAP plan areas may be higher than other nearby jurisdictions. However, it is rare that any development proposal requests a deviation from the open space standards suggesting that this is not a constraint on development. The 80 square feet of private open space requirement in high density residential zoning districts (R-4 and R-5) is part of the total in addition to 380 square foot requirement shared for usable open space. The Housing Element includes a program directing the City to collaborate with developers and other stakeholders to review and potentially reduce open space requirements in higher density residential (R-4 and R-5) areas. However, it should be noted that less than 10 percent of the inventoried capacity for lower and moderate-income housing units are on sites within these zones. Most of the inventoried capacity is subject to the much lower open space requirements in specific plan areas.

## Building Codes and their Enforcement

The City of Sunnyvale has adopted the current edition of the California Building Standards Code and, as of 2022, the 2018 International Property Maintenance Code, and is subject to Title 24, Part 6, the State Energy Regulations. The City adopted the 2018 International Fire Code with one amendment requiring multi-family residential projects having more than 50 dwelling units be equipped throughout with two separate and approved fire apparatus access roads.

In addition to the CalGreen mandatory measures, the City incentivizes projects to exceed local Green Building standards and provide additional green building features including cool roofs or green roofs, electric vehicle chargers, and greywater or rainwater catchment systems. Multi-family projects that achieve 90 points (minimum) with the Build It Green Certification are eligible for a 5 percent density bonus, 5 foot building height increase, or 5

## USE PERMIT

A use permit is intended to allow the establishment of those uses which have unique characteristics or special form such that their effect on the surrounding environment must be evaluated for a particular location. The City requires a use permit for all multifamily development of more than 50 units, outside of specific plans. In addition, use permits are required for single family and two-family units in high density residential or commercial districts and use permits are required for large residential care facilities. [Chapter 19.88 of the Sunnyvale Municipal Code](#) describes the City's procedures for issuing use permits. The permit application process allows for review of the location, design, configuration of improvements and potential impact on the surrounding area. Minor use permits include projects that do not pose significant land use consequences and are determined to be categorically exempt from CEQA. A minor use permit may be approved by the Zoning Administrator, after holding at least one public hearing, if the Zoning Administrator finds that the permit will either:

- attain the objectives and purposes of the general plan, specific plan, precise plan, or other specialized plan of the City of Sunnyvale; or
- ensure that the general appearance of proposed structures, or the uses to be made of the property to which the application refers, will not impair either the orderly development of, or the existing uses being made of, adjacent properties.

The City has not denied any Use Permit for residential development since at least 1990. [Since 2015, only two Use Permits have been processed for residential projects; both of which have been approved.](#) The City recognizes that these findings are subjective and so the City cannot deny a use permit application for a housing development project, or reduce the project's density, unless the project fails to conform with objective standards or the City can make the "specific health or safety" finding required by the Housing Accountability Act. [The City has added Program H20 to create a new non-discretionary Plan Review Permit, which will replace the Use Permit requirement for most residential projects, including multi-family projects over 50 units in R-2, R-3, R-4, and R-5 zoning designations. The Plan Review Permit will require Planning Commission review and approval based on objective design standards.](#)

A major use permit includes all applications not determined to be minor permits or those that require more extensive community participation or are not categorically exempt from CEQA, including large multi-family developments. Major use permits may be approved by the Planning Commission, following at least one public hearing, if the Commission finds that the project meets either of the findings listed above.

## SPECIAL DEVELOPMENT PERMITS

A special development permit is required to implement the provisions of certain combining districts for development or use where the underlying zoning district is combined with the: PD planned development; ECR precise plan for El Camino Real; DSP downtown specific plan; HH heritage housing; LSAP Lawrence Station Area Plan; or ITR industrial to residential combining districts. A special development permit is required for all multi-family residential development in the Downtown Specific Plan and single-family development in mixed use, commercial, and office blocks of the Downtown Specific Plan. Additionally, a special development permit is required for any new construction, as well as new live/work units, SROs, and emergency shelters in the LSAP.

Minor special development permits are approved by the Zoning Administrator and include projects that do not pose significant land use consequences and are determined to be categorically exempt from CEQA. Major special development permits are approved by the Planning Commission and include all those not considered as minor special development permits. The special development permit allows developers to request deviations from the City's objective development standards such as lot area, setbacks, height, or parking space requirements [without a](#)

is provided a compliance letter with a list of any inconsistencies to be corrected in order to be in compliance with standards. Once an application is determined to be compliant, a public hearing is scheduled for approval and notifications are sent to the public.

With the exception of General/Specific Plan and corresponding zoning amendments, if multiple permits are required for a single project, such as a use permit and a variance, the review and approval process are typically conducted simultaneously. One advantage of the special development permit is that larger, more complicated multi-family projects have greater flexibility and are allowed to request deviations from development standards without a separate variance. This helps reduce applicant paperwork and streamline permit processing.

Typical processing procedures and time by project type are shown in Table 6-29. These timelines incorporate staff time required for review (completeness and compliance checks) as well as typical timelines for applicants to resubmit.

**Table 6-3029: Typical Processing Procedures by Project Type**

| Development Type        | Typical Approval Requirement                                    | Total Processing Time |
|-------------------------|---|-----------------------|
| Accessory Dwelling Unit | Plan Check  | 1 day to 2 months     |
| Single Family Unit      | Design Review   | 1 week to 6 months    |
| Multi-family (Small)    | Design Review   | 4-6 months            |
| Multi-family (Large)    | Design Review, Major Use Permit /<br>Special Development Permit | 6-9 months            |

Source: City of Sunnyvale, 2022.

## CONCLUSION

The City's plan check processing procedure at the One-Stop Permitting Center allows for streamlined and efficient review of ministerial approvals. A design review permit is typically required for single family and small multi-family developments. If projects require multiple permit types, both permits are processed for approval at the same time. For large multi-family developments, in addition, the City's requires element for use permits and or special development permits for multifamily development, which includes a review of project design. increases processing timelines. For all permit types, the City adheres to review timelines established by SB 330 to ensure timely processing. Large multi-family projects are inherently complicated and often require multiple application resubmittals for the applicant to address and be consistent with the General Plan and zoning standards. City staff works with applicants to provide clear steps to reach compliance.

Nevertheless, there are opportunities to reduce processing times, simplify the residential permitting process, and implement clear objective standards. The Housing Element includes programs to create a new non-discretionary permit type (Plan Review Permit) for all housing development, establish streamlined processing procedures, consistent with SB 351, and Additionally, the Housing Element includes a policy to implement objective design standards for all residential development and a program to establish new objective design standards for multi-family and mixed use development, which is currently underway and will be completed in 2023.