

RECOMMENDED FINDINGS

Design Review

The proposed project is desirable in that the project's design and architecture complies with the policies and principles of the Single Family Home Design Techniques.

Basic Design Principle	Comments
<i>2.2.1 Reinforce prevailing neighborhood home orientation and entry patterns</i>	The proposed project reinforces the prevailing home orientation and entry patterns of the neighborhood with both homes orienting their entrances toward the front. <i>Finding Met</i>
<i>2.2.2 Respect the scale, bulk and character of homes in the adjacent neighborhood</i>	All minimum setbacks are met and/or exceeded. Proposed heights are under the maximum permitted for single-family homes and there are homes and structures equivalent in height in the immediate neighborhood. <i>Finding Met</i>
<i>2.2.3 Design homes to respect their immediate neighbors</i>	The neighborhood is an eclectic mix of architectural styles. The proposed homes are contemporary in style. The design helps to add to the diversity of homes found along West California Avenue. The project has been designed to meet the solar analysis requirements, includes privacy protection measures, and the bulk and scale of the homes would have minimal impacts to the immediate neighbors. <i>Finding Met</i>
<i>2.2.4 Minimize the visual impacts of parking.</i>	The project complies with parking requirements. The location, orientation, and design of the garage door would not detract from the existing neighborhood. The architectural treatment of the garage and front yard landscaping enhances the streetscape. <i>Finding Met</i>
<i>2.2.5 Respect the predominant materials and character of front yard landscaping.</i>	The project proposes eight new 24" box trees, including one new street tree. The proposed landscaping requires final review during the building permit process to ensure compliance with water efficient landscaping requirements. <i>Finding Met</i>

<i>2.2.6 Use high quality materials and craftsmanship</i>	The proposed project includes high-quality design elements and materials which will enhance the neighborhood. <i>Finding Met</i>
<i>2.2.7 Preserve mature landscaping</i>	The project proposes to remove the existing trees to accommodate improvements and install more ornamental trees. <i>Finding Met</i>

Objective Design Guidelines – The project conforms to the following objective standards of the Single Family Design Techniques:

3.6 Privacy and Solar Access

PV-4. Second-floor balconies and decks should be used only when they do not intrude on the privacy of adjacent neighbors. As a general rule, balconies and decks that are more than two feet above grade should try to maintain a distance of ten feet from side property lines and twenty feet from rear property lines when the adjacent use is a single family residential. When allowed, the design of railing should be tailored to the privacy concerns of neighbors (e.g., balcony or deck sides overlooking adjacent windows or actively used yard space should be solid in form). Open railings should only be used where privacy concerns are minimal.

Use Permit

Goals and Policies that relate to this project are:

Land Use and Transportation Element

Goal LT-4 – An Attractive Community for Residents and Businesses. In combination with the City’s Community Design Sub-Element, ensure that all areas of the city are attractive and that the city’s image is enhanced by following policies and principles of good urban design while valued elements of the community fabric are preserved.

Policy LT-4.4 – Avoid monotony and maintain visual interest in newly developing neighborhoods, and promote appropriate architectural diversity and variety. Encourage appropriate variations in lot sizes, setbacks, orientation of homes, and other site features.

Goal LT-7 – Diverse Housing Opportunities. Ensure the availability of ownership and rental housing options with a variety of dwelling types, sizes, and densities that contribute positively to the surrounding area and the health of the community.

Policy LT-7.3 – Encourage the development of housing options with the goal that the majority of housing is owner-occupied.

Housing Element

Policy H-1.6 – Housing Opportunities in Single-Family Neighborhoods – Allow for a greater variety of housing option within traditionally single-family residential neighborhoods, including accessory dwelling units, duplexes and lot splits consistent with Government Code Section 65852.21 (Senate Bill 9).

Policy H-6.1 – Neighborhood Character – Continue efforts to balance the need for additional housing with other community values, including preserving the character of established neighborhoods, high-quality design, and promoting a sense of identity in each neighborhood.

In order to approve the Use Permit, the Planning Commission must be able to make at least one of the following findings:

1. Attains the objectives and purposes of the general plan of the City of Sunnyvale; or
Finding Met

The proposed subdivision is consistent with the permitted R-2 density and creates two homeownership opportunities. A Use Permit is required per Sunnyvale Municipal Code (SMC) Table 19.30.020 as the lot areas and lot widths of the new individual lots are less than the minimum required for R-2 zoning district. The applicant proposes 4,978 square feet and a width of 50 feet for Lot 1 and 4,269 square feet and a width of 50 feet for Lot 2 where the development standard is 8,000 square foot for minimum lot area and 76-foot for minimum lot width. With the approval of the use permit, the project complies in

that each lot provides at least 3,600 square feet of lot area per dwelling. Although the proposed lots provide a width of 50 feet, it is an existing condition that is being maintained for both lots. The project results in a residential density that is consistent with the R-2 residential density, which allows up to 12 du/ac.

The neighborhood is an eclectic mix of densities and architectural styles. The contemporary design of the homes adds to the diversity of the neighborhood, while still respecting the scale found on the streetscape. The proposed project is consistent with other small lot subdivisions found in the vicinity and with others that have recently been approved.

For the purposes of Government Code 65863, the project site was not included in the site inventory for the City's 2023-2031 Housing Element.

2. 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. ***Finding Met***

The scale, bulk, and style of the proposed development is similar to neighboring properties in the vicinity. The proposed design utilizes high-quality materials and design, which will contribute to the character of the residential neighborhood. The design also respects the privacy of the neighboring properties and, as conditioned, the project is not expected to have adverse visual or privacy impacts on the surrounding uses.

Tentative Parcel Map

The Planning Commission hereby makes the following findings based on administrative record before it, including the material submitted by the applicant, material prepared by Staff, public comments, and the Class 3 Categorical Exemption under the California Environmental Quality Act (CEQA):

A. Government Code Section 66473.5

1. In order to approve the Tentative Parcel Map, the proposed subdivision must be consistent with the General plan.
2. The subdivision is consistent with the General Plan. The subdivision is consistent with the property's Low-Medium Density Residential land use designation. The Tentative Parcel Map provides for the development of two single-family homes in an area intended for such uses, and the project would facilitate new home ownership opportunities. The map is consistent with Title 18 of the Sunnyvale Municipal Code and applicable requirements of the Subdivision Map Act.

B. Government Code Section 66474/Chapter 18.20 of the Sunnyvale Municipal Code

Under the Subdivision Map Act and Chapter 18.20 of the Sunnyvale Municipal Code, if any of the following findings can be made, a tentative map shall be denied:

1. That the subdivision is not consistent with the General Plan, or with any applicable specific plan.
2. That the design or improvement of the proposed subdivision is not consistent with the General Plan or with any applicable specific plan.
3. That the site is not physically suitable for the proposed type of development.
4. That the site is not physically suitable for the proposed density of development.
5. That the design of the subdivision or proposed improvements is likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
6. That the design of the subdivision or type of improvements is likely to cause serious public health problems.
7. That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.
8. That the map fails to meet or perform one or more requirements or conditions imposed by the Subdivision Map Act or by the Sunnyvale Municipal Code.

None of the findings (B.1-8) can be made and the Tentative Parcel Map should be approved for the reasons outlined below:

1. The subdivision is consistent with the General Plan. The subdivision is consistent with the property's Low-Medium Density Residential land use designation. The Tentative Parcel Map provides for the development of two single-family homes in an area intended for such uses, and the project would facilitate the creation of new home ownership opportunities. The map is consistent with Title 18 of the

Sunnyvale Municipal Code and applicable requirements of the Subdivision Map Act.

2. The design of the improvements is consistent with the General Plan's goal LT-7 to provide diverse housing opportunities. The Project site is currently developed with a single-family home and would be improved with two single-family homes. The residential units would be for-sale single-family homes, providing diversity, especially when considered with existing apartments in the area.
3. The site is physically suitable for the proposed development. The 0.21-acre (gross) site is large enough to accommodate the Project's two residential units, with associated landscaping and circulation. Such development is consistent with the General Plan's vision of a majority of owner-occupied housing. The site is in an urban area with existing utilities and infrastructure that can support continued urban use.
4. The site is physically suitable for the proposed density of development. The 0.21-acre (gross) site is large enough to accommodate the Project's two residential units, with associated landscaping and circulation. As noted above, the proposed density and intensity of development is consistent with the level of density and intensity envisioned by the General Plan for this area. The site is a typical urban site, with existing infrastructure and with good street access, and no unusual topographic conditions, such as a fault line, steep slopes, or rivers, that could make it unsuitable for increased density.
5. The design of the subdivision and proposed improvements would not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. The site is currently developed with a single-family home and is surrounded by urban uses. The site has no value as habitat for sensitive species, is not an important wildlife corridor, and lacks natural water features that could support fish.
6. The design of the subdivision and proposed Project would not cause serious public health problems. The subdivision supports the redevelopment of the site with two single-family homes. As part of the redevelopment, any potential, historic soil contamination would be remediated pursuant to all relevant safety standards and requirements. Project construction would occur consistent with applicable standards designed to protect public health, including following the basic best management practices from the Bay Area Air Quality Management District and ensuring construction equipment has the most efficient diesel engines. Project buildings would be more energy and water efficient than the existing buildings, and meet all applicable Building Codes, including structural and fire codes, designed to protect the public.
7. The design of the subdivision and type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property

within the proposed subdivision. The Project is dedicating a portion of the frontage for public sidewalk purposes. The subdivision and Project would not conflict with any easements acquired by the public at large.

8. The proposed vesting tentative subdivision map meets all the applicable requirements in the Subdivision Map Act and the Sunnyvale Municipal Code.

C. Government Code Section 66412.3

1. Section 66412.3 requires each local agency to consider the effect of ordinances and actions adopted pursuant to this division on the housing needs of the region in which the local jurisdiction is situated and balance these needs against the public service needs of its residents and available fiscal and environmental resources.
2. The subdivision is consistent with Section 66412.3 of the Subdivision Map Act and balances the housing needs of the region against the public service needs of the City's residents and available fiscal and environmental resources. There is one existing dwelling unit on the Project site. The Project would construct two single-family homes, of which none are required to be affordable, that would serve the population and the City and help the City meet its Regional Housing Needs Assessment. The Project sponsor will be required to comply with the C.3 permit, construct water and energy efficient buildings, comply with all Project conditions, and pay applicable development impact fees, which ensures that the Project would not adversely affect City public services.

D. Government Code Section 66473.1

1. Section 66473.1 requires the design of a subdivision for which a tentative map is required pursuant to provide, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.
2. The Tentative Parcel Map and improvements are subject to Title 24 of the California Building Code, which requires new construction to meet minimum heating and cooling efficiency standards depending on location and climate. The Project would include solar panels, the energy from which could be used to heat or cool the buildings. The Project also includes trees that will provide shade and reduce the need for cooling.

Based on the above information, the Planning Commission finds that the Tentative Parcel Map meets the requirements of the Subdivision Map Act.
