



City of Sunnyvale

Agenda Item

24-0126

Agenda Date: 2/15/2024

2024 COUNCIL STUDY ISSUE

NUMBER

CDD 23-02

TITLE Consider General Plan Land Use Designation Amendments and Rezoning for 26 Legal Non-Conforming Single- and Two-Family Dwellings

BACKGROUND

Lead Department:	Community Development
Support Departments:	Office of the City Manager Office of the City Attorney
Sponsor(s):	City Manager
History:	1 year ago: Ranked, Below the Line 2 years ago: N/A

SCOPE OF THE STUDY

What precipitated this Study?

In 2019, a study issue was sponsored by the Council (CDD 21-01) to research legal non-conforming single-family dwellings in non-residential zoning districts. The Study resulted in modifications to Title 19 (Zoning) of the Sunnyvale Municipal Code (SMC) to allow both single- and two-family dwelling property owners the ability to expand and modify these legal non-conforming parcels (RTC No. 22-1133). Part of the original Study Issue included considering rezoning and changing the General Plan land use designation for some of the non-conforming parcels; however, that part of the Study required additional public outreach and staff found that only 22 of the 38 parcels studied in the previous Study Issue would be good candidates for these changes. Additionally, at the February 16, 2023 Study Issues and Budget Proposals Workshop, the Council identified four additional parcels, on North Pastoria Avenue, to be included in the Study. Therefore, staff has amended this Study Issue paper to evaluate 26 parcels and consider changing the General Plan land use designation for the original 22 parcels from Office to Low Medium Density Residential and the Zoning Map designation from Office to R-2 and for the four additional parcels changing the General Plan land use designation from Peery Park to Low Density Residential and the Zoning Map designation from Peery Park Specific Plan - Mixed Industry Core to R-0.

Creating consistency between what is currently on a parcel and the land use designation/zoning district provides a positive benefit to the property owners by offering them the same development allowances that the modifications to the zoning ordinance brings, but will also allow them the ability to redevelop the parcel fully with the same use, build both streamlined and non-streamlined accessory dwelling units, and give the potential for redevelopment under SMC Chapter 19.78 (Dual Urban Opportunity Housing).

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Agenda Date: 2/15/2024

Attachment 1 provides maps of the 26 legal non-conforming single- and two-family dwellings that would be studied to determine if they are suitable for a General Plan land use designation change and rezoning. The accompanying table gives other related information on the parcels. Rezoning the 22 parcels currently designated for office would not result in spot zoning or a loss in a transitional parcel; the Study would evaluate whether those findings could be made for the four parcels currently designated as part of the Peery Park Specific Plan.

What are the key elements of the Study?

The Study to change the land use designation and zoning for the 26 parcels would include:

- Outreach to the property owners;
- Public Hearings for the General Plan Amendment and Rezoning to:
 - Change the Land Use Designations of 22 parcels from Office to Low-Medium Density Residential and base zoning from Office to R-2;
 - Change the Land Use Designations of four parcels from Peery Park to Low Density Residential and base zoning from Peery Park Specific Plan - Mixed Industry Core to R-0; and
- Mapping changes associated with the rezoning/land use changes.

Estimated years to complete study: 1 year

FISCAL IMPACT

Cost to Conduct Study

Level of staff effort required (opportunity cost):	Moderate
Funding Required for Non-Budgeted Costs:	\$0
Funding Source:	N/A

This Study would be completed by staff and would not require outside consultant assistance.

Cost to Implement Study Results

Minimal or no cost expected to implement.

EXPECTED CITY COUNCIL, BOARD OR COMMISSION PARTICIPATION

Council-Approved Work Plan: No

Council Study Session: No

Reviewed by Boards/Commissions: Planning Commission

STAFF RECOMMENDATION

Support. This policy issue merits discussion at the 2024 Study Issues Workshop.

Creating consistency between what is currently on a parcel and the General Plan land use designation and Zoning designation is both beneficial to the property owner and the City. Allowing these property owners the ability to do more on their parcels, similar to their nearby neighbors in residential zoning districts, will likely allow them to maximize the potential of their property and potentially help them to age in place by allowing additional units on the properties.

Prepared by: Shaunn Mendrin, Planning Officer

Reviewed by: Trudi Ryan, Director of Community Development Department

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Reviewed by: Connie Verceles, Deputy City Manager
Approved by: Kent Steffens, City Manager

ATTACHMENT

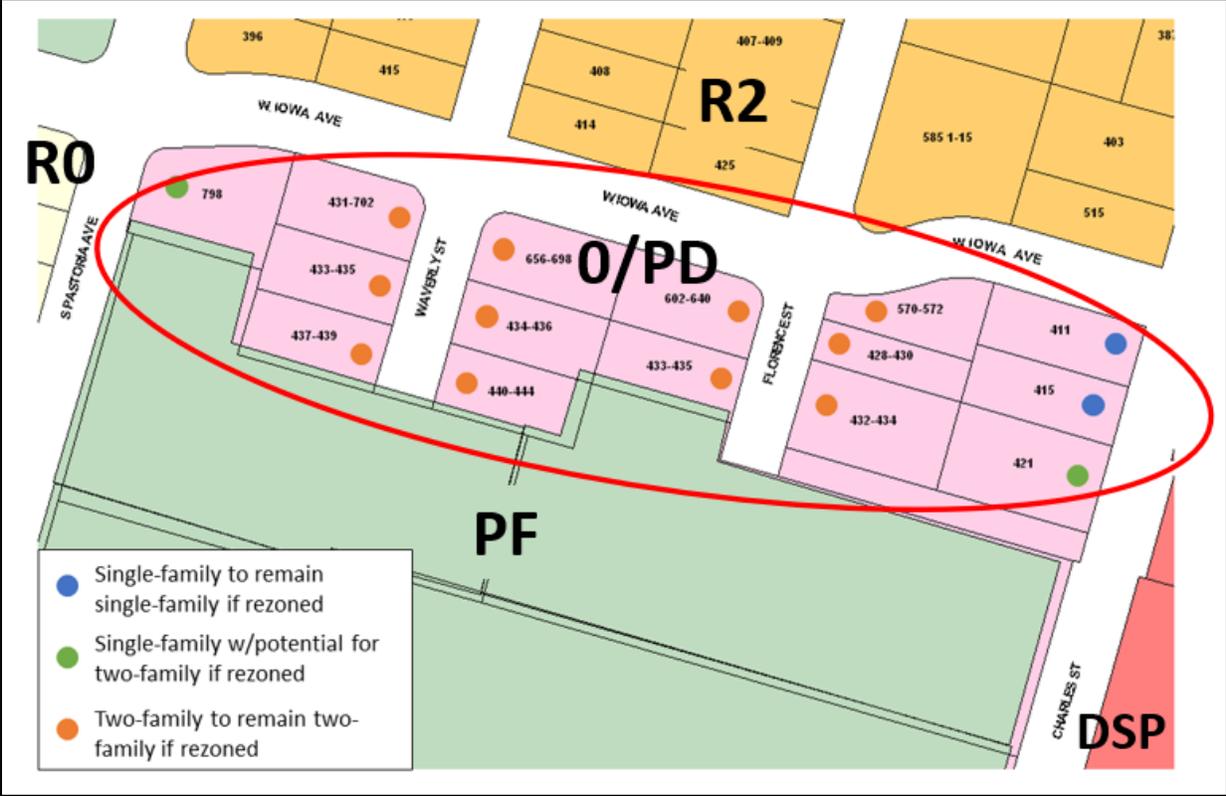
1. Map and Summaries of Legal Non-Conforming Properties Suggested for Rezoning and Land Use Designation Study

Study Issue CDD 23-02

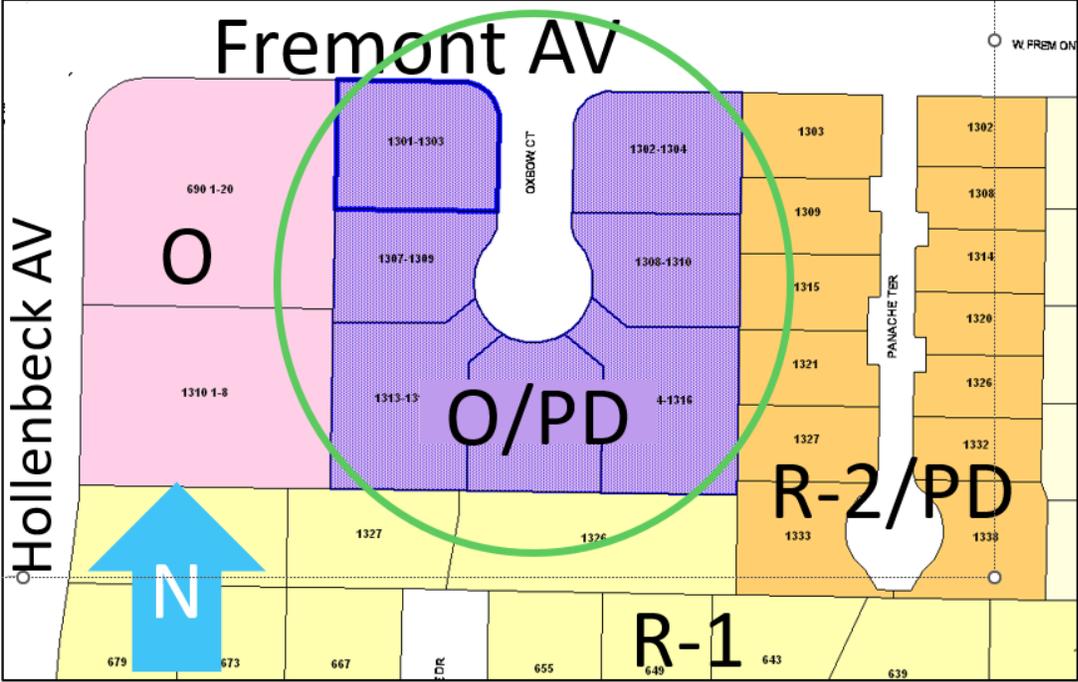
Single-Family and Two-Family Dwellings Suggested for Rezoning and General Plan Amendment

Properties Recommended for Rezoning	Existing Zoning	Existing General Plan Designation	Staff Preliminary Recommendation for Zoning	Staff Preliminary Recommendation for General Plan Land Use Designation
W IOWA AREA (4 SFR parcels; 10 two-family dwelling parcels)	Office (PD)	Office	R-2	Low Medium Density Residential
<i>Parcels are in a residential neighborhood adjacent to the R-2, PF, and R-0 zoning and the Downtown Specific Plan zoning district. See Figure 1 below for details.</i>				
591 S MURPHY AVENUE (1 SFR parcel)	Commercial (ECR)	Commercial Mixed Use	R-2	Low Medium Density Residential
<i>Parcel is adjacent to the R-2 zoning district and El Camino Real Specific Plan. The parcel is currently developed with a single-family residence; it is not large enough to accommodate a two-family dwelling.</i>				
1301-1320 OXBOW COURT (7 two-family dwelling parcels)	Office (PD)	Office	R-2	Low Medium Density Residential
<i>Parcels are in a residential neighborhood adjacent to the R-2 and R-0 zoning district.</i>				
260, 280-290 N PASTORIA AVENUE (4 SFR parcels)	Peery Park Specific Plan (PPSP) – Mixed Industry Core (MIC)	Peery Park	R-0	Low Density Residential
<i>Parcels are within an industrial area but adjacent to properties in the R-0 zoning district.</i>				

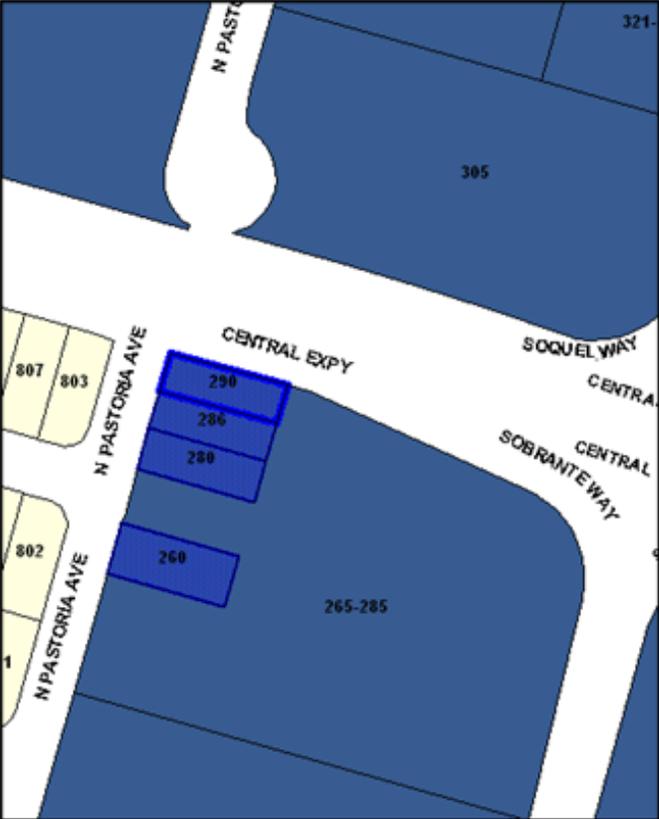
West Iowa AV Area w/ Adjacent Zoning and Development Potential if Rezoned



Oxbow Court Area



North Pastoria Avenue Area



Detailed Summary of Properties

1. West Iowa Area - 411, 415, 421 Charles Street

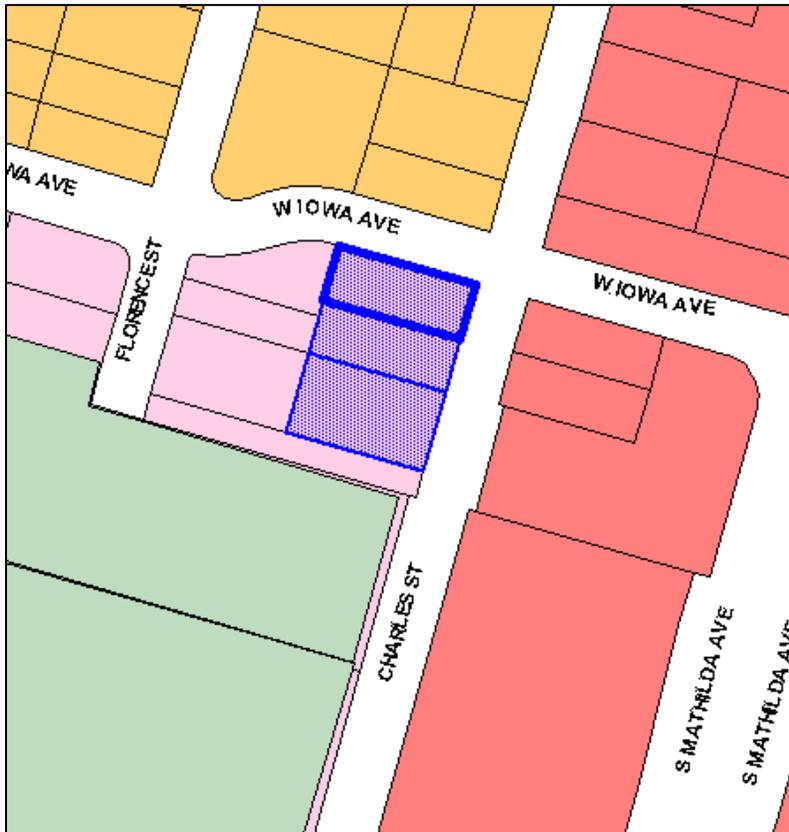
Current Use: The properties are developed with single-family homes on lots ranging from 6,500 to 9,750 square feet. The FARs range from 16% to 28%. The sites are surrounded by other residential uses with R-2 parcels to the north, Downtown Specific Plan (DSP) to the east, and existing two-family dwellings zoned for office development to the west. Sites to the south are city-owned gardens and public buildings.

Existing Zoning: Office (O)/Planned Development (PD)

Existing General Plan: Office (OF)

Proposed Zoning: R-2

Proposed General Plan: Low Medium Density Residential



2. West Iowa Area - 430 & 432 Florence Street, 572, 640, 656 W Iowa Avenue, 433-434 Waverly Street

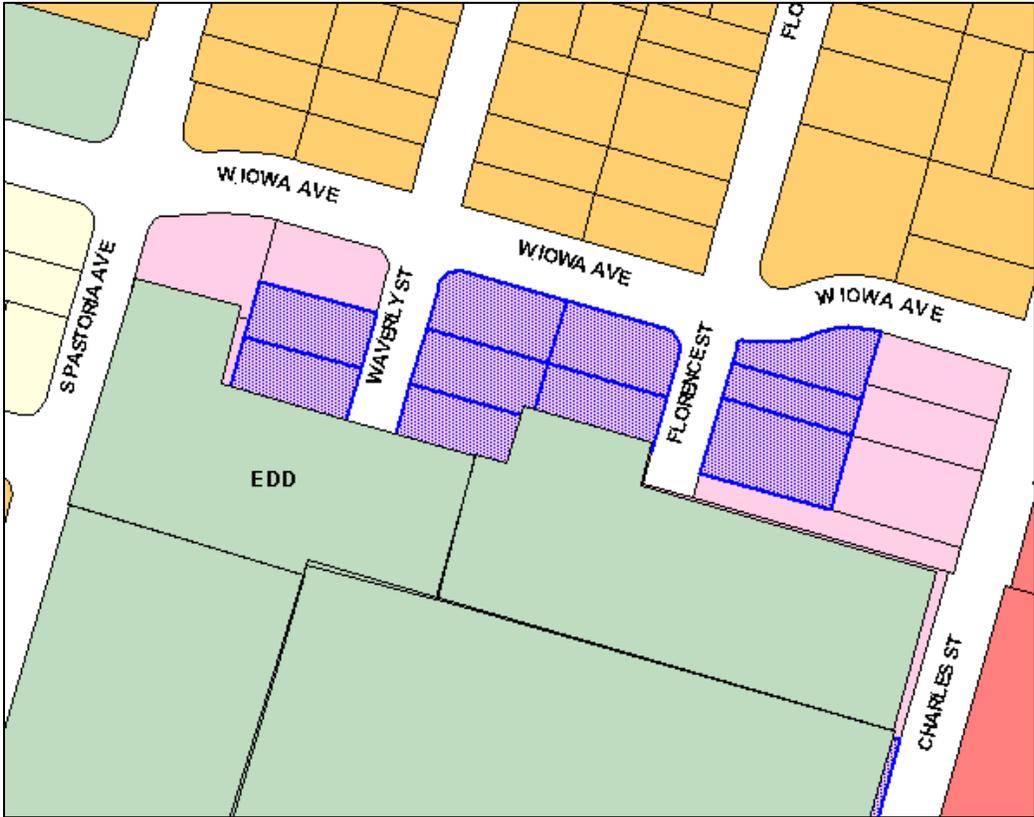
Current Use: The properties are developed with two-family dwelling homes on lots ranging from 4,550 to 9,750 square feet. The FARs range from approximately 19% to 53%. The sites are surrounded by other residential uses with R-2 parcels to the north and single-family parcels to the west and east. Sites to the south are city-owned gardens and public buildings.

Existing Zoning: Office (O)/Planned Development (PD)

Existing General Plan: Office (OF)

Proposed Zoning: R-2

Proposed General Plan: Low Medium Density Residential



3. West Iowa Area - 702 & 798 West Iowa Avenue

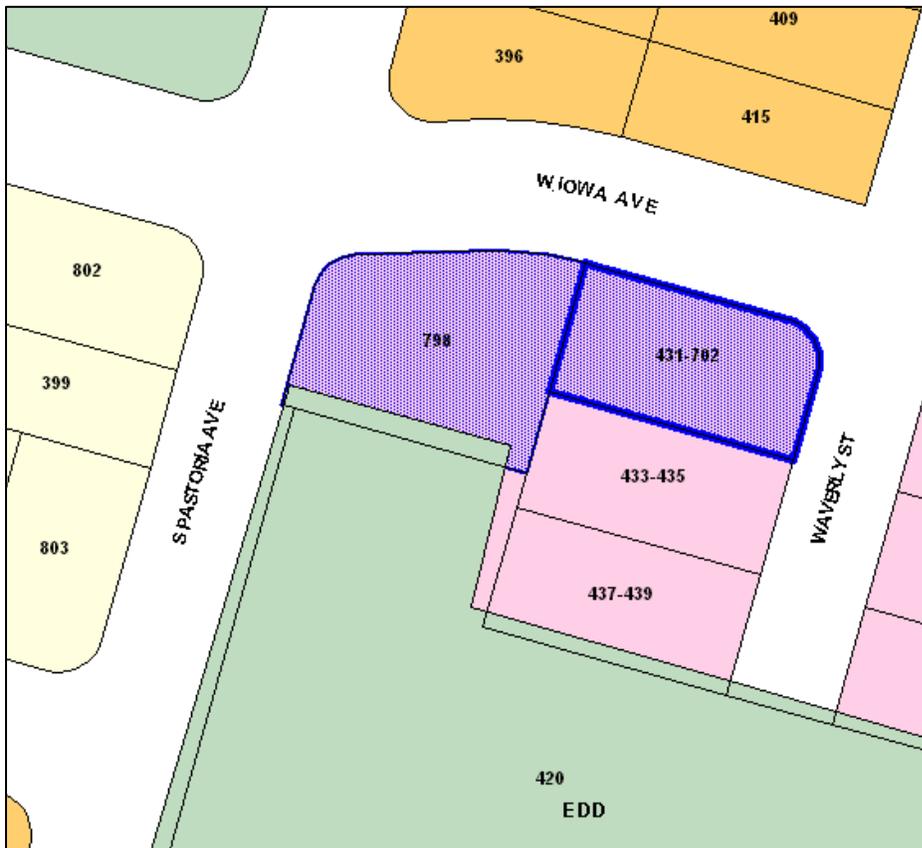
Current Use: The properties are developed with single-family homes on lots with areas of 6,960 and 9,610 square feet respectively. The FARs total approximately 22% and 30%. The sites are surrounded by other residential uses with R-2 parcels to the north, R-0 parcels to the west, and existing two-family dwellings zoned for office development to the east. Sites to the south are two-family dwellings as well as city-owned public buildings and a preschool.

Existing Zoning: Office (O)

Existing General Plan: Office (OF)

Proposed Zoning: R-2

Proposed General Plan: Low Medium Density Residential



4. 591 South Murphy Avenue

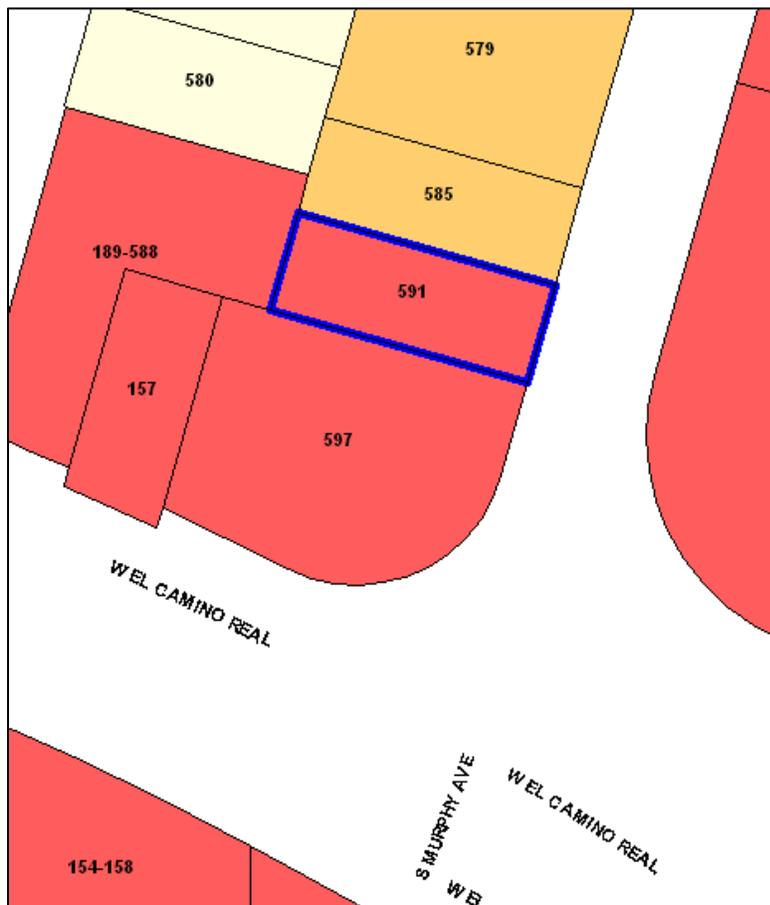
Current Use: The property is developed with a 1,552 square-foot single-family home on a 6,477 square-foot lot, giving an FAR of 24%. The neighborhood is a mix of uses from commercial centers along El Camino Real to adjacent office, two-family dwelling, and single-family residential uses to the north along Murphy Avenue.

Existing Zoning: Commercial (C2)/El Camino Real Specific Plan (ECR)

Existing General Plan: Corridor Mixed Use (CMU)

Proposed Zoning: R-2

Proposed General Plan: Low Medium Density Residential



5. 1301-1322 Oxbow Court

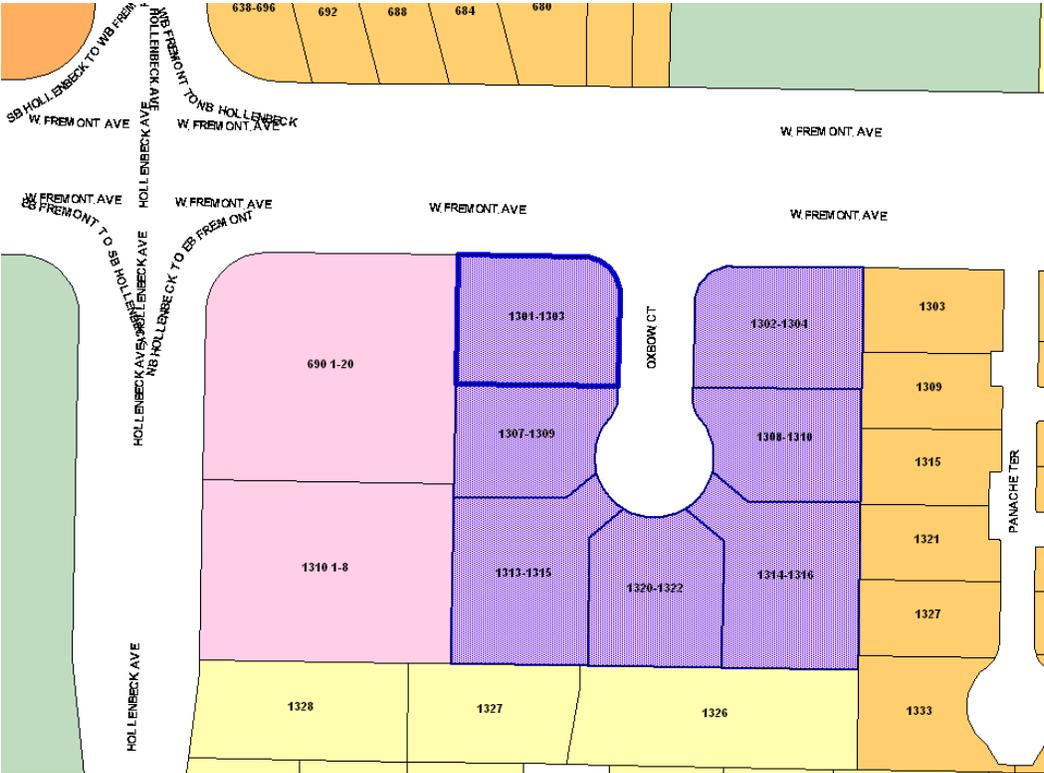
Current Use: The properties are developed with two-family dwelling homes on lots ranging from 7,600 to 10,101 square feet. Built as a planned development, the two-family dwellings have similar construction of 2,089 square feet with FARs ranging from approximately 21% to 27%. The sites have a mix of surroundings with office uses to the west, Fremont Avenue to the north, newly constructed R-2 two-family dwellings to the east, and single-family R-1s to the south.

Existing Zoning: Office (O)/Planned Development (PD)

Existing General Plan: Office (OF)

Proposed Zoning: R-2

Proposed General Plan: Low Medium Density Residential



6. 260, 280-290 North Pastoria Avenue

Current Use: The properties are developed with single-family dwelling homes on lots ranging from 5,200 to 7,410 square feet. The FARs range from approximately 10% to 22%. The sites are bordered by an office industrial complex to the east and south, Central Expressway to the north, and single-family parcels to the west.

Existing Zoning: Peery Park Specific Plan (PPSP) Mixed Industry Core (MIC)

Existing General Plan: Peery Park (PP)

Proposed Zoning: R-0

Proposed General Plan: Low Density Residential

