

DRAFT 11/7/2024 *SJG*

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY  
OF SUNNYVALE DECLARING COMPLIANCE WITH  
STATE HOUSING LAWS**

WHEREAS, the San Francisco region has the highest housing costs in the United States;  
and

WHEREAS, the Bay Area produced less than 30% of the need for low- and moderate-income housing units from 2007-2014, and is on track to similarly underproduce low-income units during the 2015-2023 time period; and

WHEREAS, there are limited funding sources available to secure land for the construction of low- and moderate-income housing; and

WHEREAS, public lands can play a critical role in increasing the supply of land for affordable housing; and

WHEREAS, accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) provide an important option to increase the availability and affordability of housing, especially in existing, lower density neighborhoods; and

WHEREAS, density bonuses are an effective tool to increase the financial feasibility of housing and incentivize the creation of affordable housing; and

WHEREAS, the Metropolitan Transportation Commission adopted Resolution No. 4348, outlining the framework and qualifying criteria for the Housing Incentive Pool (HIP) Grant Program, including certain requirements to access these funds.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SUNNYVALE THAT:

1. The City of Sunnyvale agrees to comply with the terms of Surplus Land Act (Gov. Code, § 54220 et seq.), as exists now or may be amended in the future, including, but not limited to, Assembly Bill 1255 (Rivas, 2019), which requires jurisdictions to compile and report annually an inventory of surplus lands to the California Department of Housing and Community Development.
2. The City of Sunnyvale agrees to comply with state laws related to ADUs and JADUs, as it exists now or may be amended in the future, including, but not limited to California Government Code Sections 65852.150, 65852.2, 65852.22, et seq., and California Health & Safety Code Section 17980.12.
3. The City of Sunnyvale agrees to comply with California Density Bonus Law (Gov. Code, § 65915 et seq.), as exists now or may be amended in the future.

4. The City of Sunnyvale warrants and represents that it is in compliance with the aforementioned state housing laws and that there are no claims, actions, suits, or proceedings pending to the best of the City of Sunnyvale's knowledge, alleging violations of the state housing laws by the City of Sunnyvale.

Adopted by the City Council at a regular meeting held on \_\_\_\_\_, by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:  
RECUSAL:

ATTEST:

APPROVED:

\_\_\_\_\_  
DAVID CARNAHAN  
City Clerk  
(SEAL)

\_\_\_\_\_  
LARRY KLEIN  
Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
REBECCA L. MOON  
City Attorney