

RECOMMENDED FINDINGS

CEQA FINDINGS FOR PROJECTS CONSISTENT WITH CEQA GUIDELINES SECTION 15183

The Planning Commission hereby makes the following findings based on the Environmental Checklist for the De Guigne Drive Residential Project (the "Project") prepared by Ascent, dated January 2026 ("Environmental Checklist"):

A. CEQA Guidelines Section 15183

1. The Planning Commission has independently reviewed the programmatic Draft and Final Environmental Impact Reports for the General Plan Land Use and Transportation Element (LUTE) Update, State Clearinghouse #2012032002 (the "LUTE EIR").
2. The LUTE EIR identified measures to mitigate, to the extent feasible, the significant adverse project and cumulative impacts associated with the buildout anticipated by the LUTE. In addition, the LUTE EIR identified significant and unavoidable impacts with regard to transportation, air quality, cultural resources, and noise.
3. On April 11, 2017, the City Council certified the LUTE EIR as prepared in accordance with the California Environmental Quality Act, made Findings required by CEQA, adopted a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program, certified the LUTE EIR and adopted the LUTE.
4. In addition to serving as the environmental document for the adoption of the LUTE, the LUTE EIR was intended by the City to serve as the basis for compliance with CEQA for projects that are consistent with the development density established by the LUTE in accordance with Public Resources Code Section 21083.3 and Section 15183 of the CEQA Guidelines. CEQA Guidelines Section 15183 provides that where a project is consistent with the use and density established for a property under an existing general plan for which a city has previously certified an EIR, additional environmental review is not required "except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site." CEQA Guidelines Section 15183 further provides that if an environmental effect of a project is not peculiar to the parcel or the project, has been addressed as a significant impact in the EIR, or can be substantially mitigated by the imposition of uniformly applied development standards or policies, then an additional EIR need not be prepared on the basis of that effect.

5. The City has analyzed the proposed Project to determine if the Project meets the criteria for streamlined environmental review under Public Resources Code Section 21083.3 and Section 15183 of the CEQA Guidelines.
6. The LUTE designates the Project Site as “Medium Density Residential”. This designation authorizes a base density of 24 dwelling units per acre and the project is consistent with the density designation
7. The LUTE contains a number of goals, policies, and implementing actions that affirm the General Plan’s vision for sustainable development, including its vision statement (which refers to advancing sustainability), Policy LT-2.1 (sustainable practices for the design, construction, maintenance, operation, and deconstruction of buildings), LT-2.1b (encourage green features), and LT-2.1c (establish incentives that encourage green building practices beyond mandated requirements).
8. The Project would meet the City’s Green Building Program requirement to meet 90 points in Build-It-Green’s Green Point rating system. The Project would also implement a transportation demand management program for multi-family developments to encourage development near a major transit route, commercial uses, and provide affordable housing. Additionally, the project would comply with the State’s Building Energy Efficiency Standards, which set standards for heating, cooling, solar, battery storage, water savings, lighting, and building envelopes that would ensure that the building energy consumption would not be wasteful, inefficient, or unnecessary.
9. The environmental checklist prepared for the Project concludes that the project would not result in significant impacts peculiar to the Project or Project site or any significant impacts that were not analyzed or discussed in the LUTE EIR and/or are substantially mitigated by the imposition of uniformly applied development policies or standards. Additionally, the Project would not result in any potentially significant off-site or cumulative impacts that were not discussed in the LUTE EIR. Also, there are no significant effects that substantial new information shows would be more severe than discussed in the LUTE EIR. Thus, the City may rely upon the analysis in the certified LUTE EIR, and no further CEQA review is required.
10. Based on the environmental checklist for the Project and other information in the record, and after a duly noticed public hearing, the City finds as follows:
 - a. The Project is consistent with the Land Use and Transportation Element (LUTE) of the City’s General Plan.

- b. The conditions of approval for the Project require the Project to undertake feasible mitigation measures required by the LUTE EIR and applicable to the Project.
 - c. With application of mitigation measures and/or uniformly applied development standards and policies, the Project would result in no (1) peculiar or specific impacts, (2) impacts not analyzed in the LUTE EIR, or (3) significant off-site impacts and cumulative impacts not discussed in the LUTE EIR, and (4) there is no substantial new information indicating that an impact would be more severe than discussed in the LUTE EIR.
 - d. The Project will have no environmental effects that:
 - i. are peculiar to the Project or the parcel on which the Project is located;
 - ii. were not analyzed as significant effects in the LUTE EIR;
 - iii. are potentially significant off-site impacts or cumulative impacts which were not discussed in the LUTE EIR; or
 - iv. are previously identified significant effects which, as a result of substantially new information which was not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the LUTE EIR.
 - e. Accordingly, the City finds that no additional EIR or other CEQA document needs to be prepared for the Project. The Project is determined to be consistent with the LUTE EIR.
11. The Department of Community Development, Planning Division, is the custodian of the records of the proceedings on which this decision is based. The records are located at Sunnyvale City Hall, 456 West Olive Avenue, Sunnyvale, CA 94086.

Goals and Policies in the General Plan and the East Sunnyvale Sense of Place Plan that relate to this project are:

GENERAL PLAN LAND USE AND TRANSPORTATION ELEMENT (LUTE)

Guiding Principle (Complete Community): Create a place to live that is less dependent on automobiles and reduces environmental impacts, with distinctive activity centers and neighborhoods with character and access to nearby services.

Goal LT-1 (Coordinated Regional and Local Planning): Protect the quality of life, the natural environment, and property investment, preserve home rule, secure fair share of funding, and provide leadership in the region.

Policy LT-1.2: Minimize regional sprawl by endorsing strategically placed development density in Sunnyvale and by utilizing a regional approach to providing and preserving open space for the broader community.

Policy LT-1.3: Contribute to a healthy jobs-to-housing ratio in the region by considering jobs, housing, transportation, and quality of life as inseparable when making planning decisions that affect any of these components.

Policy LT-1.7: Emphasize efforts to reduce regional vehicle miles traveled by supporting active modes of transportation including walking, biking, and public transit.

Policy LT-1.10: Participate in federal, state, and regional programs and processes in order to protect the natural and human environment in Sunnyvale and the region.

LT-1.10e: Continue to evaluate and ensure mitigation of potential biological impacts of future development and redevelopment projects in a manner consistent with applicable local, state, and federal laws and regulations.

LT-1.10f: Continue to condition projects to halt all ground-disturbing activities when unusual amounts of shell or bone, isolated artifacts, or other similar features are discovered. Retain an archaeologist to determine the significance of the discovery. Mitigation of discovered significant cultural resources shall be consistent with Public Resources Code Section 21083.2 to ensure protection of the resource.

Goal LT-2 (Environmentally Sustainable Land use and Transportation Planning and Environment): Support the sustainable vision by incorporating sustainable features into land use and transportation decisions and practices.

Policy LT-2.1: Enhance the public's health and welfare by promoting the City's environmental and economic health through sustainable practices for the design, construction, maintenance, operation, and deconstruction of buildings, including measures in the Climate Action Plan.

Policy LT-2.2: Reduce greenhouse gas emissions that affect climate and the environment through land use and transportation planning and development.

Policy LT-2.3: Accelerate the planting of large canopy trees to increase tree coverage in Sunnyvale in order to add to the scenic beauty and walkability of the community; provide environmental benefits such as air quality improvements, wildlife habitat, and reduction of heat islands; and enhance the health, safety, and welfare of residents.

LT-2.3d: Require tree replacement for any project that results in tree removal, or in cases of constrained space, require payment of an in-lieu fee. Fee revenues shall support urban forestry programs.

Goal LT-3 (An Effective Multimodal Transportation System): Offer the community a variety of transportation modes for local travel that are also integrated with the regional transportation system and land use pattern. Favor accommodation of alternative modes to the automobile as a means to enhance efficient transit use, bicycling, and walking and corresponding benefits to the environment, person throughput, and qualitative improvements to the transportation system environment.

Policy LT-3.2: Refine land use patterns and the transportation network so they work together to protect sensitive uses and provide convenient transportation options throughout the planning area.

LT-3.2b: Require needed street right-of-way dedications and improvements as development occurs. Any additional right-of-way beyond that required by the roadway classification should be used for alternative mode amenities, such as bus pullouts or medians, wider bike lanes, or walkways.

Policy LT-3.5: Follow California Environmental Quality Act requirements, Congestion Management Program requirements, and additional City requirements when analyzing the transportation impacts of proposed projects and assessing the need for offsetting transportation system improvements or limiting transportation demand.

Policy LT-3.6: Promote modes of travel and actions that provide safe access to city streets and reduce single-occupant vehicle trip lengths locally and regionally.

Policy LT-3.10: Prioritize street space allocated for transportation uses over parking when determining the appropriate future use of street space.

Policy LT-3.15: Support bicycling through planning, engineering, education, encouragement, and enforcement.

LT-3.15a: Maintain and implement a citywide bicycle plan to maximize the provision of safe and efficient bicycle and pedestrian facilities throughout Sunnyvale.

Policy LT-3.22: Provide safe access to City streets for all modes of transportation. Safety considerations of all transport modes shall take priority over capacity considerations of any one transport mode.

LT-3.22c: Minimize driveway curb cuts and require coordinated access.

Policy LT-3.23: Ensure that the movement of cars, trucks and transit vehicles, bicycles, and pedestrians of all ages and abilities does not divide the community. City streets are public spaces and an integral part of the community fabric.

LT-3.23a: Provide clear, safe, and convenient links between all modes of travel, including access to transit stations/stops and connections between work, home, commercial uses, and public/quasi-public uses.

LT-3.23b: Encourage the incorporation of features that enhance street public spaces, such as street trees, public socialization spaces, and sidewalks separated from the curb.

Policy LT-3.28: Support statewide, regional, and subregional efforts that provide for a safe, effective transportation system that serves all travel modes consistent with established service standards.

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-4.1: Preserve and enhance an attractive community, with a positive image, a sense of place, landscaping, and a human scale.

Policy LT-4.3: Enforce design review guidelines and zoning standards that ensure the mass and scale of new structures are compatible with adjacent structures, and also recognize the City's vision of the future for transition areas such as neighborhood village centers and designated parcels within the El Camino Real Specific Plan.

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-7.2: Determine the appropriate residential density for a site by evaluating the site planning opportunities and proximity of services (such as transportation, open space, jobs, and supporting commercial and public uses).

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

Policy LT-8.5: Promote walking and bicycling through street design.

LT-8.5a: Develop complete streets principles to accommodate all users, including pedestrians, bicyclists, skaters, and wheelchair users, along with motor vehicles in transportation corridors.

LT-8.5b: Enhance connectivity by removing barriers and improving travel times between streets, trails, transit stops, and other pedestrian thoroughfares.

LT-8.5d: Promote separation of streets and sidewalks with planter strips and widened sidewalks, especially on streets with no parking lane.

LT-8.5f: Support streetscape standards for vegetation, trees, and art installations to enhance the aesthetics of walking and biking.

Goal LT-9 (Adequate and Balanced Open Space): Provide and maintain adequate and balanced open space and recreation facilities for the benefit of maintaining a healthy community based on community needs and the ability of the City to finance, construct, maintain and operate these facilities now and in the future.

GOAL LT-14 (Special and Unique Land Uses to Create a Diverse and Complete Community): Provide land use and design guidance so that special unique areas and land uses can fulfill their distinctive purposes and provide a diverse and complete community fabric.

Policy LT-14.5: Use the Industrial-to-Residential (ITR) combining district to help meet the community's housing needs for all ages and economic sectors and balance its use with maintain a healthy economy and employment base. ITR zoning allows industrial/commercial/office uses to continue as conforming uses while an area transitions to residential uses. ITR areas include Tasman Crossing, East Sunnyvale, The Lawrence Station Area, The Evelyn Corridor (Fair Oaks to Wolfe), and Fair Oaks Junction.

Policy LT-14.5b: During the transition from industrial to residential uses, anticipate and monitor compatibility issues between residential and industrial uses (e.g., noise, odors, and hazardous materials). Identify appropriate lead departments and monitoring strategies for each compatibility issue.

Policy LT-14.5c: Incorporate "sense of place" requirements for new ITR areas in order to enhance the residential feeling of new neighborhoods by requiring pedestrian, bicycle, and streetscape enhancements that reflect the unique character of each new neighborhood

Policy LT-14.5d: Rezone transitioned neighborhoods from ITR to appropriate residential zoning after 75% of the land area has been redeveloped with residential use.

Policy LT-14.5e: Consider sense of place or pedestrian circulation plans to address access in ITR neighborhoods.

Policy LT-14.5f: Rezone industrial sites for conversion to residential uses only after environmental remediation sufficient to enable residential use of the sites is completed and any deed restrictions are removed from subject properties. Such sites may be counted toward RHNA obligations after environmental remediation is completed and any deed restrictions are removed.

Policy LT-14.8: Ensure that development projects provide appropriate improvements or resources to meet the city's future infrastructure and facility needs; and provide development incentives that result in community benefits and enhance the quality of life for residents and workers.

GENERAL PLAN COMMUNITY CHARACTER ELEMENT

Goal CC-2 (Attractive Street Environment): Create an attractive street environment that will compliment private and public properties and be comfortable for residents and visitors.

Policy CC-2.1: Maintain and provide attractive landscaping in the public right-of-way to identify the different types of roadways and districts, make motorists more comfortable, and improve the enjoyment of residential neighborhoods.

Goal CC-3 (Well-Designed Sites and Buildings): Ensure that buildings and related site improvements for private development are well designed and compatible with surrounding properties and districts.

Policy CC-3.1: Place a priority on quality architecture and site design that will enhance the image of Sunnyvale and create a vital and attractive environment for businesses, residents, and visitors, and be reasonably balanced with the need for economic development to assure Sunnyvale's economic prosperity.

Policy CC-3.2: Ensure site design is compatible with the natural and surrounding built environment.

GENERAL PLAN HOUSING ELEMENT

Goal H-1 (Provision of Adequate Housing Sites): Provide adequate sites for the development of new housing through appropriate land use and zoning to address the diverse needs of Sunnyvale's residents and workforce.

Policy H-1.2 (Infill Development Near Transit and Employment Centers): Facilitate new residential infill development near transit and employment and activity centers,

such as El Camino Real corridor, Lawrence Station, Downtown Sunnyvale, the Village Centers, and Moffett Park, through incentives and streamlining development consistent with specific plans.

Policy H-1.4 (Minimum Density Requirement): Minimum Density Requirement. Encourage a compact urban form by requiring new development to build to at least 75 percent of the maximum zoning density, unless otherwise stated in a specific plan or an exception is granted by the City Council.

Policy H-4.4 (Parking Standards for Special Needs Housing): Maintain reduced parking standards for special needs housing and housing in close proximity to public transit.

Policy H-4.6 (Objective Design Standards): Maintain and implement the City's multi-family residential, single family residential, and mixed-use design standards to ensure they are clear, objective, and quantifiable to streamline the development review process and increase predictability of review outcomes.

Goal H-6 (Neighborhood Quality): Maintain sustainable neighborhoods with quality housing, infrastructure, and open space that fosters neighborhood character and the health of residents.

Policy H-6.2 (Community Facilities and Infrastructure): Promote neighborhood vitality by providing adequate community facilities, infrastructure, landscaping and open space, parking, and public health and safety within new and existing neighborhoods.

Policy H-6.3 (Neighborhood Circulation and Connections): Continue a high quality of maintenance for public streets, rights-of-way, and recreational areas, and provide safe and accessible pedestrian, bike, and transit linkages (accessibility) between jobs, residences, transportation hubs, and goods and services.

Policy H-6.6 (Sustainable Building): Continue enforcement of City Reach Codes and require the use of sustainable and green building design in new and existing housing.

Policy H-6.8 (Mix of Uses): Continue to permit and encourage a mix of residential, neighborhood-serving retail, and job-producing land uses, as long as there is neighborhood compatibility and no unavoidable environmental impacts.

GENERAL PLAN SAFETY AND NOISE ELEMENT

Goal SN-8 (Compatible Noise Environment): Maintain or achieve a compatible noise environment for all land uses in the community.

Policy SN-8.1: Enforce and supplement state laws regarding interior noise levels of residential units.

Policy SN-8.2: Apply Title 24 noise insulation requirements to all new residential units (single-family, duplex, mobile home, multi-family, and mixed-use units).

Policy SN-8.4: Require development projects to assess potential construction noise impacts on nearby noise-sensitive land uses and to minimize impacts on those uses, to the extent feasible, as determined by the Director of Community Development.

Policy SN-8.5: Require a vibration impact assessment for proposed projects in which heavy-duty construction equipment would be used within 600 feet of an existing structure. If applicable, the City shall require all feasible mitigation measures to be implemented to ensure that no damage or disturbance to structures would occur.

Policy SN-8.13: Consider techniques that block the path of noise and insulate people from noise.

GENERAL PLAN ENVIRONMENTAL MANAGEMENT ELEMENT

Policy EM-8.6: Minimize the impacts from stormwater and urban runoff on the biological integrity of natural drainage systems and water bodies.

Goal EM-10 (Reduced Runoff and Pollutant Discharge): Minimize the quantity of runoff and discharge of pollutants to the maximum extent practicable by integrating surface runoff controls into new development and redevelopment land use decisions.

Policy EM-10.1: Consider the impacts of surface runoff as part of land use and development decisions and implement BMPs to minimize the total volume and rate of runoff of waste quality and quantity (hydro modification) of surface runoff as part of land use and development decisions.

Goal EM-11 (Improved Air Quality): Improve Sunnyvale's air quality and reduce the exposure of its citizens to air pollutants.

Policy EM-11.2: Utilize land use strategies to reduce air quality impacts, including opportunities for citizens to live and work in close proximity.

Policy EM-11.3: Require all new development to utilize site planning to protect citizens from unnecessary exposure to air pollutants.

Policy EM-11.10: Require development projects to comply with construction best management practices, such as those in BAAQMD's basic construction mitigation measures.

EAST SUNNYVALE SENSE OF PLACE PLAN

- Enhance the streetscape by: constructing missing sidewalks, increasing sidewalk widths, increasing buffers between pedestrians and vehicles, providing pedestrian-scaled street lighting, and improving visibility at driveways.

- Increase facility widths and/or buffers, such as incorporating a parkway strip between the sidewalk and curb, or provide a striped buffer between the bike lane and the travel lane

FINDINGS

The Planning Commission hereby makes the following findings required to approve a Use Permit (SMC Section 19.88.050):

1. The proposed use attains the objectives and purposes of the General Plan of the City of Sunnyvale and the East Sunnyvale Sense of Place Plan. [Finding Met]

The proposed project furthers and promotes the vision, guiding principles, goals, and policies of the City of Sunnyvale General Plan and East Sunnyvale Sense of Place Plan by providing 329 ownership housing units and 41 attached accessory dwelling units for a total of 370 units, and project design that contributes toward an improved quality of life, a more balanced jobs-to-housing ratio, and minimizes sprawl. The project also contributes to a vibrant, attractive community, with a positive image, high standards of architectural design (complying with a majority of the objective design standards for multi-family and mixed use developments), an all electric development, a sense of place, and an enhanced pedestrian experience along De Guigne Drive and Stewart Drive streetscapes (through new street trees, sidewalk, pedestrian-scaled lighting, bicycle parking and publicly accessible multi-use path). In addition, the proposed project contributes to the City's diversity of housing stock, providing single family and condominium type ownership housing for Sunnyvale residents. The project would enhance the image of the City of Sunnyvale and would create a vital and attractive environment for businesses, residents, and visitors. A detailed list of the General Plan and East Sunnyvale Sense of Place goals and policies that the project furthers is set forth above, which the Planning Commission incorporates by reference.

For the purposes of Government Code 65863, the project site was included in the City's 2023-2031 Housing Element as a Future Opportunity Site.

Pursuant to the State Density Bonus Law, the project applicant has requested to utilize a concession to be relieved from window recess requirements of the Objective Design Standards applicable to the project site and a number of waivers from development standards. The concession and waivers meet the State law's requirements for approval due to site constraints and as the concession would result in cost savings to the project, and the project with the concession and waivers would still result in a well-designed project. The project exceeds the State Density Bonus Law parking by 115 parking spaces. No new significant environmental impacts would occur with implementation of the project and all approved mitigation in the LUTE EIR would continue to be implemented.

2. The project, as approved, will 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 high-quality design and materials of the project will enhance the neighborhood aesthetics and contribute positively to the streetscape. The architectural designs of the house incorporate traditional elements such as gabled and hipped roof forms, vertical articulation with offsets and breaks along the building frontage, horizontal siding in insets, board and batten style vertical sidings, and stucco walls in various warm color tones. The proposed design utilizes high quality materials and design, which will contribute to the character of the neighborhood.

Neighborhood impacts are minimized, as the project complies with most development standards that impact the site periphery, such as lot coverage, solar shading, and open space and landscape requirements.

The proposed use ensures that the general appearance of the proposed structures will not impair the orderly development, as the proposed project is designed per the requirements of the General Plan, Zoning Code, Objective Design Standards, and East Sunnyvale Sense of Place Area Plan, including new streetscape improvements along De Guigne Drive and Stewart Drive.

Vesting Tentative Map

Pursuant to Sunnyvale Municipal Code (SMC) Section 18.20.070(e), a Tentative Map may not be approved unless the Planning Commission finds that the proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan and any applicable specific plan. Further, if any of the following findings are made, the Tentative Map shall be denied. (SMC Section 18.20.070(f).)

1. That the subdivision is not consistent with the General Plan.
2. That the design or improvement of the proposed subdivision is not consistent with the General 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 Municipal Code.

The Planning Commission finds that the Tentative Map is in conformance with the General Plan. The Planning Commission cannot and does not make any of the findings numbered (1)-(8) above.

No Net Loss Finding

For the purposes of Government Code 65863, the project site is not included in the site inventory for the City's 2023-2031 Housing Element. Although the project site is included in the Housing Element as a Future Opportunity Site, no units were included in the Sites Inventory.