

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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE AMENDING THE GENERAL PLAN TO MODIFY THE LAND USE DESIGNATION OF CERTAIN PROPERTIES WITH LEGAL NONCONFORMING SINGLE-FAMILY AND TWO-FAMILY DWELLING USES LOCATED AT 411, 415 AND 421 CHARLES STREET, 433, 434, 437 AND 440 WAVERLY STREET, 572, 602, 656, 702 AND 798 WEST IOWA AVENUE, 428, 432 AND 435 FLORENCE STREET AND 1301-1329 OXBOW COURT FROM OFFICE TO LOW-MEDIUM DENSITY RESIDENTIAL, TO MODIFY THE LAND USE DESIGNATION OF THE PROPERTY AT 591 SOUTH MURPHY AVENUE FROM EL CAMINO SPECIFIC PLAN TO LOW-MEDIUM RESIDENTIAL, TO MODIFY THE LAND USE DESIGNATION OF THE PROPERTIES AT 260, 280, 286 AND 290 NORTH PASTORIA AVENUE FROM PEERY PARK SPECIFIC PLAN TO LOW DENSITY RESIDENTIAL, AND TO MODIFY THE EL CAMINO REAL SPECIFIC PLAN AND PEERY PARK SPECIFIC PLAN TO REMOVE THE AFOREMENTIONED SITES ON MURPHY STREET AND NORTH PASTORIA AVENUE FROM THE APPLICABLE PLAN AREA**

WHEREAS, the City of Sunnyvale General Plan Land Use and Transportation Element provides that once a site zoned Industrial to Residential (ITR) has transitioned to residential use, it cannot be returned to industrial use; and

WHEREAS, the City of Sunnyvale General Plan Land Use and Transportation Element provides that the City will rezone transitioned neighborhoods from ITR to appropriate residential zoning after 75% of the land area has been redeveloped with residential use and that threshold has been met; and

WHEREAS, the City of Sunnyvale General Plan Housing Element provides that the future opportunity site in the East Sunnyvale Industrial to Residential Area at Stewart and De Guigne Drives will be rezoned to Medium Density Residential zoning; and

WHEREAS, in 2019, the City of Sunnyvale sponsored a study issue (CDD 21-01) to research legal non-conforming single-family dwellings in non-residential zoning districts; and

WHEREAS, in 2024, the City of Sunnyvale analyzed changing the zoning and land use designations for 27 legal non-conforming single-family and two-family dwellings under Study Issue CDD 23-02; and

WHEREAS, the City has identified the sites listed and depicted in Exhibit A, attached and incorporated by reference, as suitable for changing the land use designations; and

WHEREAS, on January 13, 2025, the Planning Commission held a noticed public hearing on the proposed amendments to the General Plan and related modifications to the Specific Plan boundaries, after which the Planning Commission recommended that the City Council accept the proposed amendments; and

WHEREAS, the City Council held a noticed public hearing on \_\_\_\_\_, 2025, and considered the reports and documents on the proposed amendments presented by City staff, the Planning Commission's recommendation, and the written and oral comments presented at the public hearing;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Sunnyvale as follows:

1. GENERAL PLAN AMENDMENTS—MODIFICATION OF LAND USE DESIGNATION. The City Council finds and determines that the following General Plan Amendments, and each of them, constitute a suitable and logical change in the plan for the physical development of the City of Sunnyvale, and it is in the public interest to approve the specified modifications set forth in subsections (a) through (c) below, and each of them. The General Plan is hereby amended to modify the General Plan Land Use Map to:

- a. Change the land use designation for that certain real property at 591 South Murphy Avenue (APN 209-30-012) from El Camino Real Specific Plan to Low-Medium Density Residential; and
- b. Change the land use designation for those certain real properties at 260 North Pastoria Avenue (APN 165-27-003), 280 North Pastoria Avenue (APN 165-27-004), 286 North Pastoria Avenue (APN 165-27-005), and 290 North Pastoria Avenue (APN 165-27-006), from Peery Park Specific Plan to Low Density Residential; and
- c. Change the land use designation for those certain real properties with legal non-conforming single-family or two-family dwelling uses at 411 Charles Street (APN 165-04-016) , 415 Charles Street (APN 165-04-017), 421 Charles Street (APN 165-04-018), 433 Waverly Street (APN 165-04-005), 434 Waverly Street (APN 165-04-008), 437 Waverly Street (APN 165-04-006), 440 Waverly Street (APN 165-04-007), 572 West Iowa Avenue (APN 165-04-015), 602 West Iowa Avenue (APN 165-04-010), 656 West Iowa Avenue (APN 165-04-009), 702 West Iowa Avenue (APN 165-04-004), 798 West Iowa Avenue (APN 165-04-003), 428 Florence Street (APN 165-04-014), 432 Florence Street (APN 165-04-013), 435 Florence Street (APN 165-04-011), 1301 Oxbow Court (APN 323-07-081), 1302 Oxbow Court (APN 323-07-087), 1307 Oxbow Court (APN 323-07-082), 1308 Oxbow Court (APN 323-07-086), 1313 Oxbow Court (APN 323-07-083), 1316 Oxbow Court (APN 323-07-085) and 1320 Oxbow Court (APN 323-07-084), from Office to Low-Medium Density Residential; and

- d. Amend the General Plan Land Use Map for the changes in land use designations for the parcels referenced above, as more particularly described in Exhibit A, attached hereto and incorporated herein.
2. EL CAMINO REAL SPECIFIC PLAN AMENDMENT. The El Camino Real Specific Plan is hereby amended to remove the real property at 591 South Murphy Avenue from the Plan area.
3. PEERY PARK SPECIFIC PLAN AMENDMENT. The Peery Park Specific Plan is hereby amended to remove the real properties at 260 North Pastoria Avenue, 280 North Pastoria Avenue, 286 North Pastoria Avenue, and 290 North Pastoria Avenue from the Plan area.
4. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA). The adoption of this Resolution does not require environmental review under the California Environmental Quality Act (CEQA) because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. (Public Resources Code Section 21080(b)(1) and CEQA Guidelines Section 15061(b)(3).)

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

AYES:

NOES:

ABSTAIN:

ABSENT:

RECUSAL:

ATTEST:

APPROVED:

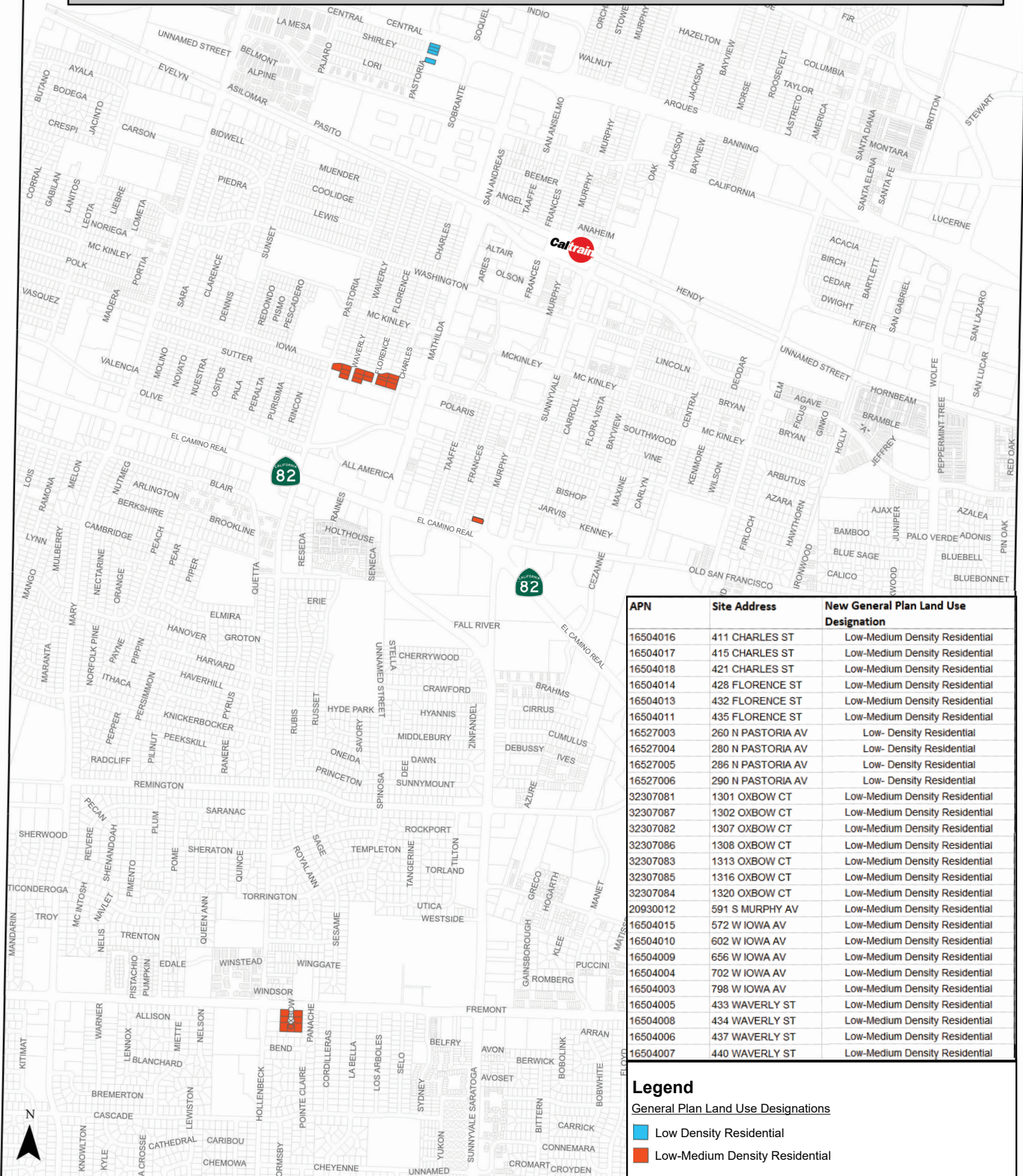
\_\_\_\_\_  
City Clerk  
(SEAL)

\_\_\_\_\_  
Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

# Legal Non-Conforming Single-Family and Two-Family Dwellings General Plan Land Use Designation



| APN      | Site Address      | New General Plan Land Use Designation |
|----------|-------------------|---------------------------------------|
| 16504016 | 411 CHARLES ST    | Low-Medium Density Residential        |
| 16504017 | 415 CHARLES ST    | Low-Medium Density Residential        |
| 16504018 | 421 CHARLES ST    | Low-Medium Density Residential        |
| 16504014 | 428 FLORENCE ST   | Low-Medium Density Residential        |
| 16504013 | 432 FLORENCE ST   | Low-Medium Density Residential        |
| 16504011 | 435 FLORENCE ST   | Low-Medium Density Residential        |
| 16527003 | 260 N PASTORIA AV | Low- Density Residential              |
| 16527004 | 280 N PASTORIA AV | Low- Density Residential              |
| 16527005 | 286 N PASTORIA AV | Low- Density Residential              |
| 16527006 | 290 N PASTORIA AV | Low- Density Residential              |
| 32307081 | 1301 OXBOW CT     | Low-Medium Density Residential        |
| 32307087 | 1302 OXBOW CT     | Low-Medium Density Residential        |
| 32307082 | 1307 OXBOW CT     | Low-Medium Density Residential        |
| 32307086 | 1308 OXBOW CT     | Low-Medium Density Residential        |
| 32307083 | 1313 OXBOW CT     | Low-Medium Density Residential        |
| 32307085 | 1316 OXBOW CT     | Low-Medium Density Residential        |
| 32307084 | 1320 OXBOW CT     | Low-Medium Density Residential        |
| 20930012 | 591 S MURPHY AV   | Low-Medium Density Residential        |
| 16504015 | 572 W IOWA AV     | Low-Medium Density Residential        |
| 16504010 | 602 W IOWA AV     | Low-Medium Density Residential        |
| 16504009 | 656 W IOWA AV     | Low-Medium Density Residential        |
| 16504004 | 702 W IOWA AV     | Low-Medium Density Residential        |
| 16504003 | 798 W IOWA AV     | Low-Medium Density Residential        |
| 16504005 | 433 WAVERLY ST    | Low-Medium Density Residential        |
| 16504008 | 434 WAVERLY ST    | Low-Medium Density Residential        |
| 16504006 | 437 WAVERLY ST    | Low-Medium Density Residential        |
| 16504007 | 440 WAVERLY ST    | Low-Medium Density Residential        |

## Legend

General Plan Land Use Designations

■ Low Density Residential

■ Low-Medium Density Residential