EXHIBIT 1

NUMBER CDD-2

PROPOSED COUNCIL STUDY ISSUE

For Calendar Year: 2004

Continuing ☐

New ☐

Previous Year (below line/defer) ☒

Issue: Clarify CEQA Requirements and Heritage Preservation Commission's Role in Relation to the Heritage Preservation Code

Lead Department: Community Development

General Plan Element or Sub-Element: Heritage Preservation Sub-Element

1. What are the key elements of the issue? What precipitated it?

In 1998, the State adopted changes to the California Environmental Quality Act making it more difficult to demolish local heritage resources without additional environmental review. Sunnyvale's code, which was originally adopted in 1979 and updated in 1997, allows demolition of some resources with a 60-day newspaper notice without environmental review.

This study would review Chapter 19.96, Heritage Preservation regulations, to determine: 1) if current City regulations are consistent with the 1998 changes to the California Environmental Quality Act; 2) if the City's regulations and procedures for the demolition of heritage resources are adequate to protect any designated or potential heritage resources; and 3) when the Heritage Preservation Commission should review proposed alterations or demolitions when these projects may significantly impact historic resources.

Appropriate environmental review of the proposed changes to the City's Municipal Code would be conducted. This may include the preparation of a focused environmental impact report.

For the 2003 Study Issue calendar, this item was ranked 2 of 6 by the Planning Commission and ranked 4 of 12 for CDD by the City Council. The item fell below the line.

2. How does this relate to the General Plan or existing City Policy?

Heritage Preservation Sub-Element
Policy 6.3.B9 – Maintain the heritage preservation ordinance and its regulations and procedures as part of Sunnyvale Municipal Code, making minor modifications as necessary but in keeping its principal functions intact, including the maintenance of the Heritage Preservation Commission's roles and functions.

3. **Origin of issue:**

Councilmember: (Council ranked CEQA Requirements study for 2003)

General Plan: _____

Staff: _____

BOARD or COMMISSION

Arts	☐	**Library**	☐
Bldg. Code of Appeals	☐	**Parks & Rec.**	☐
CCAB	☐	**Personnel**	☐
Heritage Preservation	☒	**Planning**	☐
Housing & Human Svcs	☐		

Board / Commission Ranking/Comment:

This issue was ranked last year but fell below the line. For 2004, the HPC has ranked the issue

Heritage Commission **Board / Commission ranked** _____ **of** _____

4. **Due date for Continuing and Mandatory issues (if known):** _____

5. **Multiple Year Project?** **Yes** ☐ **No** ☒ **Expected Year of Completion** 2004

6. **Estimated work hours for completion of the study issue.**

(a) Estimated work hours from the lead department	230
(b) Estimated work hours from consultant(s):	
(c) Estimated work hours from the City Attorney's Office:	40
(d) List any other department(s) and number of work hours:	
Department(s):	
Total Estimated Hours:	270

7. **Expected participation involved in the study issue process?**

(a) Does Council need to approve a work plan?	**Yes** ☐	**No** ☒
(b) Does this issue require review by a Board/Commission?	**Yes** ☒	**No** ☐
If so, which Board/Commission? Heritage Preservation Planning Commission		
(c) Is a Council Study Session anticipated?	**Yes** ☐	**No** ☒

(d) What is the public participation process?

Public Notice of the hearing will be posted in the newspaper and on the City's website. The focused EIR will require public review. No special public meetings are anticipated.

8. **Estimated Fiscal Impact:**

Cost of Study	$ 75,000
Capital Budget Costs	$
New Annual Operating Costs	$
New Revenues or Savings	$
10 Year RAP Total	$

9. **Staff Recommendation**

- ☒ **Recommended for Study**
- ☐ **Against Study**
- ☐ **No Recommendation**

Explain below staff's recommendation if "for" or "against" study. Department director should also note the relative importance of this study to other major projects that the department is currently working on or that are soon to begin, and the impact on existing services/priorities.

Staff recommends the preparation of this study to ensure that the City's Municipal Code and Heritage Preservation Sub-Element are consistent with current CEQA requirements.

reviewed by

Department Director	***Date***

approved by

City Manager	***Date***