REPORT TO MAYOR AND COUNCIL

NO: 10-315

Council Meeting: November 16, 2010

SUBJECT: Update on Coordinating Zoning for Projects Located Near City Borders (Information Only)

BACKGROUND

Coordinating Zoning for Projects Located Near City Borders (Study Issue 2009-007) was presented on February 23, 2010 as RTC 10-042. The purpose of the study was to explore how adjacent cities can involve each other in strategic planning and land use decisions. Council directed the City Manager to work with adjacent cities to agree upon and administratively implement a list of best practices for planning and development review coordination.

EXISTING POLICY

LAND USE AND TRANSPORTATION ELEMENT

Goal R1: Protect and sustain a high quality of life in Sunnyvale by participating in coordinated land use and transportation plan in the region.

Policy R1: Advocate the City's interests to regional agencies that make land use transportation decisions that affect Sunnyvale.

Action Statement R1.3.3: Monitor significant land use and transportation decisions pending in other communities to ensure that Sunnyvale is not adversely affected.

DISCUSSION

As pressures for urban infill increase and large developments are proposed near City borders, there is greater interest in a more formalized approach for sharing information between cities and addressing the needs of residents and businesses in adjoining jurisdictions. Cities currently provide information to neighboring cities on proposed development through various methods, including regional meetings, public hearing agendas, mandated noticing and direct staff contacts.

As directed by Council, staff developed a list of best practices in collaboration with adjacent cities. In Spring 2010, staff met with key community development staff from the bordering Cities of Cupertino, Los Altos, Mountain View and Santa Clara to discuss proposed best practices and solicit feedback from their respective cities. In Summer 2010, Community Development staff

convened in Sunnyvale to further refine proposed best practices. In Fall 2010, a final draft of best practices was endorsed by community development staff from adjoining cities. See Attachment A, *Best Practices for Inter-Jurisdictional Coordination and Communication on Significant Projects.* Refer to Attachment B for letters of support for "best practices" from Cities of Cupertino, Los Altos, Mountain View and Santa Clara.

FISCAL IMPACT

No immediate significant fiscal impacts are anticipated in conjunction with the implementation of best practices and process improvement tools, such as expanded public noticing.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, at the Sunnyvale Senior Center, Community Center and Department of Public Safety; and by making the agenda and report available at the Sunnyvale Public Library, the Office of the City Clerk and on the City's Web site.

Reviewed by:

Hanson Hom, Director, Community Development
Prepared by: Patricia Lord, Senior Management Analyst

Approved by:

Gary M. Luebbers
City Manager

Attachments

A. Best Practices for Inter-Jurisdictional Coordination and Communication on Significant Projects
B. Letters of Support for "Best Practices" from Cities of Cupertino, Los Altos, Mountain View and Santa Clara.

Attachment A

ATTACHMENT A

Best Practices for Inter-Jurisdictional Coordination and Communication on Significant Projects

The following list of best practices is intended to serve as a guide to improve coordination and communication between the cities of Sunnyvale, Mountain View, Los Altos, Cupertino and Santa Clara on projects that have the potential for creating extra-jurisdictional impacts. It is not intended to be exhaustive and could be refined upon further discussion with adjoining cities.

1. Identify areas of significance and impacts

a. Identify potential areas of significance and ensure that projects proposed within these areas are reviewed with consideration towards impacts on adjoining cities' residents.
b. Consider a range of impacts including socio-economic, environmental, fiscal and traffic impacts.
c. Consider direct impacts as well as cumulative impacts of the development(s) on adjoining cities. The cumulative impacts are often the most difficult to assess, yet may have the most significant consequences.

2. Improved communication and conflict-resolution at staff level

a. Provide pre-application and early application referral on projects that are likely to have extra-jurisdictional impacts.
b. Set up preliminary inter-city meetings with planning, traffic, and public works staff from adjoining cities to discuss project proposal at an early stage and seek comments. If required, early comments will ensure there is still time to make changes to the project.
c. Set up early scoping meetings with the adjoining city to scope out environmental issues, traffic analyses and technical studies for environmental documents.
d. Coordination should occur on both current planning and policy planning projects. Cities should provide comments on each other's General Plan update processes and similar policy plans that involve possible land use changes.
e. Provide agendas and staff reports for both Planning Commission and City Council, for specific projects upon request, in order to ensure that staff receive all that they believe is pertinent.
f. Continue to work with adjoining cities on collaborative planning efforts for significant projects and planning initiatives located within one-half mile radius of jurisdictional boundaries or beyond, depending on the scale or significance of the project. Expand notification radius, depending on community interest, project size and/or location. Engage staff from adjacent jurisdictions at the initial stages of review for all projects of regional significance and those that have policy implications.
g. Keep channels of communication open between city staff to share information on land use policy changes, general plan changes, etc. that have the potential for creating area-wide impacts.

h. Work with adjoining cities to prepare a comparison chart of general plan and zoning designations with details on densities, FAR, lot coverage and height limitations for each zoning district.
i. Plan a sub-regional semi-annual meeting between city staff to discuss key projects and common land use issues.

3. Noticing Procedures

a. Provide notice regarding public hearings to all property owners and tenants within a reasonable distance of the project location, regardless of city boundaries. Determination of reasonable distance for noticing in the adjoining city shall be made in consultation with adjoining city staff.
b. Continue to follow all the prescribed noticing and referral procedures based on state law and local ordinances. Consult with adjoining cities as necessary to provide definitions of zoning terms, districts and processes in the notice to assist the public in understanding the proposals and approval requirements.

4. Access to information

a. Encourage developers to conduct neighborhood outreach meetings with residents of adjoining cities as early as reasonable. Continue to support community meetings between potential developers and neighborhood residents to encourage dialog at the earliest feasible time in the process.
b. Provide access to information and project related data and proposed plans to a wider audience, e.g., create a website to share information on large or controversial projects.
c. Provide links for each other cities' Web pages.

5. Reach a common agreement among cities on best practices

a. Develop a best practices manual in partnership with staff and elected officials from adjoining cities.
b. Build upon the identified process improvement strategies over time as lessons are learned and issues arise with an ongoing commitment to improving the efficiency and effectiveness of the development review process.
c. Maintain a dynamic "best practices" document; revise as needed.

Developed by:
Planning staff, Cities of Cupertino, Los Altos, Mountain View, Santa Clara and Sunnyvale

Attachment B

CUPERTINO

OFFICE OF COMMUNITY DEVELOPMENT

CITY HALL
10300 TORRE AVENUE • CUPERTINO, CA 95014-3255
(408) 777-3308 • FAX (408) 777-3333 • planning@cupertino.org

October 7, 2010

Mr. Hanson Hom
Director of Department of Community Development
456 West Olive Avenue
PO Box 3707
Sunnyvale, CA 94088-3707

Re: INTER-JURISDICTIONAL COORDINATION AND COMMUNICATION

Dear Mr. Hom.:

Thank you for inviting the City of Cupertino to the recent meeting on inter-jurisdictional coordination and communication between neighboring cities.

Cupertino has always maintained an excellent working relationship with the City of Sunnyvale, and we support any efforts to develop practices that would improve the efficiency and clarity of inter-jurisdictional communications.

We look forward to continuing this reciprocal relationship where we proactively communicate and resolve issues through collaborative information sharing and best practices.

Please do not hesitate to contact me if you have any questions. I can be reached at (408) 777-3218 or by e-mail at aartis@cupertino.org.

Sincerely,

Aarti Shrivastava
Director of Community Development
City of Cupertino

Cc: Dave Knapp, City Manager

CITY OF LOS ALTOS
COMMUNITY DEVELOPMENT DEPARTMENT
ONE NORTH SAN ANTONIO ROAD
LOS ALTOS, CA 94022

May 25, 2010

Mr. Hanson Hom, Director
Department of Community Development
456 West Olive Avenue
PO Box 3707
City of Sunnyvale, CA 94088-3707

RE: INTER-JURISDICTIONAL COORDINATION AND COMMUNICATION

Dear Mr. Hom:

Thank you for the recent opportunity to meet with you and your staff regarding the nature of our inter-jurisdictional coordination and communication. While we have always appreciated an excellent working relationship with the City of Sunnyvale, it was constructive to help develop the best practices for such coordination and communication.

We definitely support the "best practices for better coordination on significant projects located near city borders." The best practices appropriately include identifying areas of significance and impacts, methods for improved communication and conflict resolution, noticing procedures, access to information and the goal for a common agreement among cities on the best practices.

We agree with the proposed best practices and look forward to strengthening our already strong coordination and communication with future dialog. Please feel free to contact me at (650) 947-2632 for any reason.

Sincerely,

David Kornfield, AICP
Planning Services Manager

Cc: City Manager
Community Development Director

CITY OF MOUNTAIN VIEW

October 26, 2010

Hanson Hom
Community Development Director
City of Sunnyvale
Community Development Department
456 W. Olive Ave.
Sunnyvale, CA 94086

Dear Hanson,

I appreciate the role that your staff has taken in composing the "Best Practices for Inter-Jurisdictional Coordination and Communication on Significant Projects" in conjunction with my staff and staff from the Cities of Cupertino, Los Altos and Santa Clara. Several of these practices already occur at a staff level between our cities. Formally documenting and sharing this information will continue to ensure effective communication between our cities.

I look forward to continued cooperation with you on issues that jointly affect our cities.

Sincerely,

Randy Tsuda
Community Development Director

Community Development Department
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SANTA CLARA CALIFORNIA

Santa Clara
All-America City
2001

Planning Division

September 10, 2010

Mr. Hanson Hom, Director
Department of Community Development
456 West Olive Avenue
PO Box 3707
City of Sunnyvale, CA 94088-3707

Re: Inter-Jurisdictional Coordination and Communication

Dear Mr. Hom:

Thank you for the recent opportunity to meet with you and your staff regarding the nature of our inter-jurisdictional coordination and communication. While we have always enjoyed an excellent working relationship with the City of Sunnyvale, it was helpful to discuss best practices to improve coordination and communication even further.

Upon review of the Draft Best Practices for Better Coordination on Significant Projects Located Near City Borders, we have the following suggestion:

- Bullet Point 2, sub-bullet (e): We would like to provide you with our agendas for both Planning Commission and City Council, and provide staff reports for specific projects upon request in order to ensure that your staff receives all that they believe are pertinent.

Overall we support your efforts. We agree with the proposed best practices and look forward to working closely with our neighboring communities to further strengthen our strong mutual coordination and communication. Thank you again for including the City of Santa Clara in the review process of the "Draft Best Practices for Better Coordination on Significant Projects Located Near City Borders".

Sincerely,

Kevin L. Riley

Kevin Riley, AICP
Director of Planning and Inspection, City of Santa Clara

cc: Carol Anne Painter

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