



**CITY OF SUNNYVALE
REPORT
Planning Commission**

June 9, 2008

SUBJECT: **2008-0148 – Goodwill Industries** [Applicant] **Dick’s Lakewood Corp.** [Owner]: Application for related proposals located at **1119 Lawrence Ave.** (near Lakehaven Dr.) in a C-1/PD (Neighborhood Business/Planned Development) Zoning District.

Introduction of an Ordinance **Rezone** to consider an amendment to Title 19 of the Sunnyvale Municipal Code to allow donation trailers in the C-1 Zoning District,

Motion **Special Development Permit** to allow a donation trailer to be located on-site.

REPORT IN BRIEF

Existing Site Conditions Neighborhood shopping center

Surrounding Land Uses

North	Single-family residences (across Lakedale Wy.)
South	Single-family residences (across Lakehaven Dr.)
East	Single-family residences (across Lawrence Expwy.)
West	Single-family residences

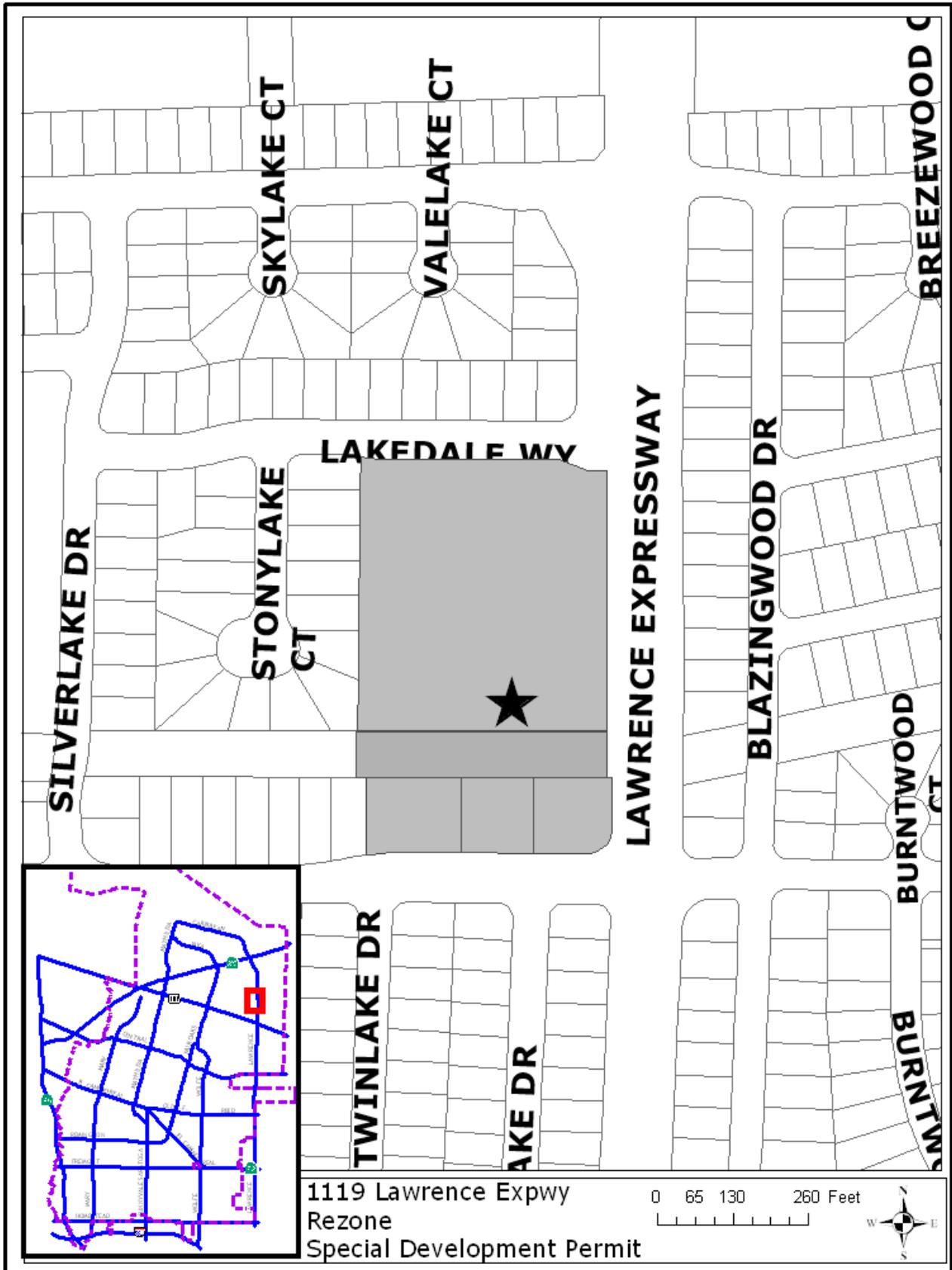
Issues Appropriateness of use in C-1 Zoning District; aesthetics; traffic and circulation.

Environmental Status A Negative Declaration has been prepared in compliance with California Environmental Quality Act provisions and City Guidelines.

Staff Recommendation Allow donation trailers in the C-1 Zoning District on sites of 4 acres or more with approval of a Use Permit;

Remove the 1.5-mile separation requirement for donation trailers; Adopt a Council Policy on Donation Trailers for Used Goods

Approve the Special Development Permit with conditions.



PROJECT DATA TABLE

	EXISTING	PROPOSED	REQUIRED/ PERMITTED
General Plan	Commercial Neighborhood Shopping	Same	Commercial Neighborhood Shopping
Zoning District	C-1/PD	Same	C-1/PD
Lot Size (s.f.)	Main parcel: 4.43 acres Service station parcels: 1.22 acres Hetch Hetchy ROW: 0.4 acres	Same	min.
Gross Floor Area (s.f.)	55,099 (excluding service stations)	Same	73,638 max.
Lot Coverage (%)	26.2% (excluding service stations)	Same	35% max.
Floor Area Ratio (FAR)	26.2% (excluding service stations)	Same	No max.
No. of Buildings On- Site	3	Same	No max.
No. of Stories	1	Same	2 max.
Parking			
Total Spaces	441 (434 currently striped)	Same	245 min.
Standard Spaces/ % of Total	393	Same	221 min.
Compact Spaces/ % of Total	41 (9%)	Same	10% max.
Accessible Spaces	7 (existing condition)	Same	9 min.
Aisle Width (ft.)	26	Same	26 min.

ANALYSIS

Description of Proposed Project

The proposed project is to regularize the use of an existing Goodwill donation trailer at Dick's Lakewood Shopping Center. Donation trailers are currently prohibited in the C-1 (Neighborhood Shopping) Zoning District, where Dick's Lakewood Center is located. As a result, the applicant has requested a Zoning Code text amendment to allow consideration of "donation centers for used goods" in the C-1 Zoning District.

Background

Dick's Lakewood Center was constructed in 1959 and has a long history of Planning permits for a wide variety of commercial uses. In November of 1986, the Planning Commission approved Special Development Permit #5814, which serves as a master use permit for the site.

At some point, a Goodwill donation trailer was established on the site without permits. It is not known when this use began, but the operator and members of the neighborhood believe it to have been operating prior to 1985. At that time, donation trailers were not permitted anywhere in the city. In 1985 the Zoning Code was modified to allow consideration of donation trailers in the C-2 Zoning District with approval of a Use Permit, provided a minimum of a 1.5-mile separation was maintained between any such trailers. In 1989, Goodwill submitted an application for a Use Permit to allow the donation trailer use. However, staff determined that this use could not be permitted in the C-1 Zoning District and the application was withdrawn. It is not known whether the Goodwill trailer continued to operate continuously at the site after withdrawing the application, or whether the trailer use was discontinued at that time and re-established at a later date.

In 1999, the entire Zoning Code was reorganized and land uses were placed in table format. As part of that effort, allowable uses were evaluated for all zoning districts and donation centers were added as uses allowed with a Use Permit in the Regional Business (C-3) and Service Commercial (C-4) Zoning Districts.

Environmental Review

A Negative Declaration has been prepared in compliance with the California Environmental Quality Act provisions and City Guidelines. An initial study has determined that the proposed project will not create any significant environmental impacts (see Attachment C, Negative Declaration). The determination is based on the contemplated change to the Zoning Code allowing a minor addition to the use of land in limited circumstances.

Rezoning (Text Amendment to Title 19)

Change under Consideration: Amend the use tables for Neighborhood Commercial (C-1) to allow “donation centers for used goods.” The applicant suggested a minimum site size of three acres.

Discussion of Rezoning: In 1985, the Zoning Code was modified to allow consideration of donation centers (or trailers) for used goods in the C-2 Zoning District. Prior to 1985, several trailers were illegally operating in the City. It was determined that allowing these facilities was a community benefit as it promoted re-use of clothing and household goods and provided a convenience to residents. The change excluded all other zoning districts due to concerns about compatibility with residential neighborhoods. In 1999, donation centers were added as uses allowed with a Use Permit in the C-3 and C-4 Zoning Districts. The applicant is requesting the City revisit this determination, and has suggested that a minimum site size of three acres be implemented to consider such uses in the C-1 Zoning District. There is no minimum site size for donation trailers in the C-2, C-3, or C-4 Zoning Districts.

City Policy. City policy related to this issue includes:

Land Use and Transportation Element

Policy C1.1 Recognize that the City is composed of residential, industrial and commercial neighborhoods, each with its own individual character; and allow change consistent with reinforcing positive neighborhood values.

Action Statement C1.1.4 Require that commercial activities be conducted primarily within a building.

Policy N1.3 Support a full spectrum of conveniently located commercial, public, and quasi-public uses that add to the positive image of the City.

Action Statement N1.13.2 Support convenient neighborhood commercial services that reduce automobile dependency and contribute positively to neighborhood character.

Solid Waste Sub-element

Policy B.1. Reduce generation of solid waste by providing source reduction programs and promoting source reduction behavior.

Action Statement B.1b. Encourage and facilitate private source reduction programs, services, and facilities.

Size. There are approximately 37 sites (shopping centers as well as single-use sites) in the C-1 Zoning District. C-1 zones are all located on the edge of residential areas, typically on arterial streets. Nine of the sites exceed the three-acre threshold suggested by the applicant (however all of these sites are also greater than four acres; none are between three and four acres in size). Five sites are between two and three acres in size. Larger sites will generally have more flexibility regarding appropriate areas to located outdoor activities such as a donation trailers without impacting circulation, visibility or required parking.

Location. About 94% of the properties zoned Highway Commercial (C-2) are located along the four-mile stretch of El Camino Real. There are four C-2 sites not located along El Camino Real, at least 1.5 miles from El Camino. Two of these properties are across the street from each other and six properties are adjacent to each other. The Zoning Code currently requires donation trailers in the C-1 Zoning District to maintain a minimum separation of 1.5 miles. Given this requirement, El Camino Real would accommodate, at most, three donation center. Up to four donation centers could be located at the other C-2 sites. Neighborhood Commercial (C-1) sites are located throughout the community, generally 1/2 to one mile apart. Larger sites (over 4 acres) are at least a mile apart (traveling distance), except in one situation. There are two sites in the City which are zoned C-3: the Caltrain station with parking, and the adjacent Murphy Square, both on Evelyn Avenue. These sites are approximately 2/3 of a mile from El Camino Real and 3/4 of a mile from the next nearest C-2 site. The 22 properties in the City which are zoned C-4 are also located on Evelyn Avenue. These sites are about 2/3 of a mile from El Camino Real and are up to 1/3 of a mile from the C-3 sites. These zones are illustrated on Attachment J.

Zoning District	Acres - Citywide
C-1	103
C-2	298
C-3	4
C-4	15

Even though there are significantly more properties in the City which are zoned C-2, the current separation requirement would result in fewer donation centers allowed on C-2 sites than in the C-1 Zoning District.

Development and Use Criteria. In 1985 when donation centers were added as a use allowed with a Use Permit, the City Council also adopted policy statements about appearance and operation of donation trailers. This policy, although approved by Council, never made it into the formal Council Policy manual (see Attachment G). These or similar criteria could be included in a zoning text amendment to be applied to any future donation center approvals.

Alternatively, a new policy could be approved by Council for inclusion in the Council Policy Manual.

The Planning Commission expressed concern about potential after-hours donations or waste dumping at donation sites. Security cameras were observed in other communities at the donation centers. A policy could be established to require after-hours surveillance along with warning signs about the surveillance to reduce after-hours activities. Security cameras would typically require electricity and a permanent location to install the cameras. It is possible that battery-powered cameras could be mounted on trailers; however, there is a risk of vandalism or theft of these cameras.

In recent months it has come to staff's attention that there are several donation trailers that are operating in the City without approved Use Permits. The operators have indicated that they have been in use for several years. There have been no complaints about these facilities until the complaint about the trailer at the Dick's Lakewood Center and a recent complaint about a trailer at Civic Square on El Camino Real. Use Permits with conditions for appearance and safety have the potential to minimize some of the issues raised in recent complaints. All of the operators have indicated a desire to keep their facilities neat and indicate that they frequently check for after-hours activity. Staff is following up on these other donation centers.

Other Cities' Regulations. Staff surveyed 12 other jurisdictions in the area. Los Gatos does not permit donation trailers at all; Palo Alto only permits them on a temporary basis (45 days). The other 10 cities appear to allow donation trailers in a range of commercial zoning districts (see Attachment I for summary), but generally require some form of Use Permit. Several communities noted that donation centers for used goods and recycling centers are treated alike, which is not the case in Sunnyvale.

Staff Recommendation. Staff recommends that the Zoning Code be amended to allow "donation centers for used goods" in C-1 Zoning Districts, on sites greater than 4 acres, subject to approval of a Use Permit. Further, staff recommends that the 1.5-mile separation requirement be deleted for donation trailers in all commercial zoning districts. Staff also recommends that a Council Policy on appearance and operations be re-adopted (Attachment H), with the addition of a requirement for frequent after-hours monitoring by operators (see further discussion under Special Development Permit below).

Special Development Permit

Description of Use: The applicant proposes to operate a trailer for the donation of used household goods in the parking lot of the subject site. The operating hours for collection of goods will be 9:00 a.m. to 5:00 p.m., 7 days a

week. During that time, an attendant will be present at the trailer to collect items. When the trailer is full, it will be removed and replaced with a new trailer. The applicant states that a supervisor will visit the site each day during operating hours to inspect the site for cleanliness, and a Goodwill security truck will visit the site once each night to deter unauthorized activity and to pick up any after-hours donations or other discarded items in the vicinity of the trailer.

Site Layout: The subject site is a commercial shopping center located on the west side of Lawrence Expressway between Lakedale Way and Lakehaven Drive. The main shopping center building includes 13 tenant spaces. There are also two adjacent service stations which are located on separate parcels on the southeast and southwest corners of the site. A portion of the shopping center parking lot (between the main building and the service stations) is located in the Hetch Hetchy right-of-way. The Goodwill donation trailer is currently located on the Hetch Hetchy right-of-way parcel located directly adjacent to the property line of the Shell service station (southeast corner of the site). It occupies an area shown on the plans as having seven parking spaces; however, those spaces do not currently appear to be striped.

Parking: The project plans show 441 parking spaces, seven of which are occupied by the Goodwill donation trailer and are not striped. Based on the size of the shopping center, a total of 245 parking spaces are needed to meet the City's minimum parking requirements. The City's records indicate the shopping center is approved for 32% restaurant use. Considering parking for this use separately, the total required parking for the shopping center is 424 spaces. The applicant states that even during peak weekend use, no more than three customers drop off items at one time, resulting a demand for three parking spaces. An additional parking space is needed for the Goodwill employee who operates the trailer. Considering the existing uses on the site and the estimated parking needed for the trailer, staff has determined that the amount of on-site parking is adequate.

Circulation: The applicant proposes to leave the trailer in its current location adjacent to the property line of the Shell service station near the southeast corner of the site. This places the trailer near the main driveway of the shopping center. Staff is concerned that this location makes the trailer a potential barrier to effective circulation into and out of the center. It is possible that patrons of the trailer may not park in designated striped parking spaces, instead opting to stop their vehicles in the drive aisles near the trailer. Access into and out of the center could be temporarily obstructed by such vehicles. To prevent circulation impacts, staff recommends requiring the applicant to relocate the trailer to the northeast corner of the parking lot as shown in Attachment F. This area is located away from driveways and has the added

benefit of being separated from Lawrence Expressway by a masonry wall, which would reduce the potential visual impacts of the trailer from the public street.

Compliance with Development Standards/Guidelines: If the City Council chooses to introduce an Ordinance to allow donation trailers in the C-1 Zoning District, the proposed project will be compliant with Zoning requirements. If the City Council chooses not to introduce the recommended Ordinance, approval of the Special Development Permit for the subject donation trailer is not an option, as it is prohibited by the current Zoning Code. If Council adopts the recommended policy the project would be compliant; however, if provisions are added or modified, modifications to the application could be necessary. The proposed project, as conditioned, is compliant with all development standards and guidelines. Staff recommends relocation of the trailer to address potential circulation impacts, as well as design changes and security measures to address potential visual impacts.

Expected Impact on the Surroundings: As conditioned, the project will not have a detrimental impact on the subject site or the surrounding area. If the donation trailer is relocated as shown in Attachment F, the trailer will not be visible from Lawrence Expressway, and will be minimally visible from Lakehaven Drive and Lakedale Way. The conditions of approval recommended by staff include skirting and landscaping to camouflage the wheels of the trailer and security measures to reduce after-hours donations and dumping of other materials. These conditions will reduce the potential visual impacts of the project and prevent it from having a detrimental effect on the site.

FISCAL IMPACT

No fiscal impacts other than normal fees and taxes are expected.

PUBLIC CONTACT

Planning Commission Study Session: The Planning Commission held a study session on the issue of modifications to the C-1 Zoning District at their meeting of May 12, 2008. At the meeting, the Commissioners expressed concern with the security of unattended donation centers and after-hours donations, dumping or vandalism. Security cameras had been observed in other communities and it was suggested that this be evaluated as an option.

Notice of Negative Declaration and Public Hearing	Staff Report	Agenda
<ul style="list-style-type: none"> • Published in the <i>Sun</i> newspaper • Posted on the site • 108 notices mailed to the property owners and residents adjacent to the project site 	<ul style="list-style-type: none"> • Posted on the City of Sunnyvale's Web site • Provided at the Reference Section of the City of Sunnyvale's Public Library 	<ul style="list-style-type: none"> • Posted on the City's official notice bulletin board • Posted on the City of Sunnyvale's Web site

CONCLUSION

Findings and General Plan Goals: Staff was able to make the required Findings based on the justifications for the Special Development Permit. Recommended Findings and General Plan Goals are located in Attachment A.

Conditions of Approval: Recommended Conditions of Approval are located in Attachment B.

ALTERNATIVES

1. Adopt the Negative Declaration;
2. Introduce an Ordinance to amend Title 19 to allow donation trailers in the C-1 Zoning District for sites of 4 acres or greater with approval of a Use Permit, and to delete the 1.5-mile separation requirement for donation trailers; and adopt a Council Policy on Donation Centers;
3. Alternative 2 with modifications;
4. Do not introduce an Ordinance to amend Title 19.
5. Approve the Special Development Permit to allow the proposed donation trailer on the subject site with the attached conditions;
6. Alternative 5 with modifications;
7. Deny the Special Development Permit for the proposed donation trailer.

RECOMMENDATION

Recommend Alternatives 1, 2 and 5.

Reviewed by:

Trudi Ryan, Planning Officer

Prepared by: Mariya Hodge, Assistant Planner

Attachments:

- A. Recommended Findings
- B. Recommended Conditions of Approval
- C. Negative Declaration
- D. Site Plan and Photos Submitted by Applicant
- E. Justification Letter Submitted by Applicant
- F. Revised Site Plan Recommended by Staff
- G. 1985 Council Policy statement on Donation Centers for Used Household Goods
- H. Proposed Council Policy on Donation Centers for Used Goods
- I. Summary of other Cities' Regulations on Donation Centers
- J. Map of Commercial Properties in Sunnyvale
- K. Draft Ordinance Language

Recommended Findings – Special Development Permit

Goals and Policies that relate to this project are:

Land Use and Transportation Element

Policy C1.1 Recognize that the City is composed of residential, industrial and commercial neighborhoods, each with its own individual character; and allow change consistent with reinforcing positive neighborhood values.

Action Statement C1.1.4 Require that commercial activities be conducted primarily within a building.

Policy N1.3 Support a full spectrum of conveniently located commercial, public, and quasi-public uses that add to the positive image of the City.

Action Statements N1.13.2 Support convenient neighborhood commercial services that reduce automobile dependency and contribute positively to neighborhood character.

Solid Waste Sub-element

Policy B.1. Reduce generation of solid waste by providing source reduction programs and promoting source reduction behavior.

Action Statement B.1b. Encourage and facilitate private source reduction programs, services, and facilities.

1. The proposed use attains the objectives and purposes of the General Plan of the City of Sunnyvale.

The subject Special Development Permit would further the City's goal of reducing solid waste by allowing a private donation center for used goods. As conditioned, the donation trailer would provide a conveniently-located donation site, would fit in with the character of the shopping center, and would not have a negative impact on parking or circulation.

2. The proposed use ensures 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.

The subject Special Development Permit would allow an existing facility to continue operation. As conditioned, the donation trailer would not have detrimental impacts on the subject site or the surrounding neighborhood. There is sufficient parking at the center to allow spaces to be occupied by the donation trailer use. Relocating the trailer and

requiring design upgrades (Condition of Approval 2.A) reduces the potential visual and circulation impacts of the donation trailer, resulting in a use which fits in with the character of the shopping center.

Recommended Conditions of Approval - Special Development Permit

In addition to complying with all applicable City, County, State and Federal Statutes, Codes, Ordinances, Resolutions and Regulations, Permittee expressly accepts and agrees to comply with the following conditions of approval of this Permit:

Unless otherwise noted, all conditions shall be subject to the review of approval of the Director of Community Development.

1. GENERAL CONDITIONS

- A. The project shall be in conformance with the plans approved at the public hearing(s). Any expansion or modification of the approved use requires approval by separate application at a public hearing. The Director of Community Development may require or authorize the relocation of the trailer if circulation or site visibility issues are of concern.
- B. The Special Development Permit for the use shall expire if the use is discontinued for a period of one year or more.
- C. The Special Development Permit shall be null and void two years from the date of approval by the final review authority at a public hearing if the approval is not exercised, unless a written request for an extension is received prior to expiration date.
- D. Comply with the requirements of all previously approved Special Development Permits for the subject site.

2. DESIGN AND LANDSCAPING

- A. The plans shall be revised as follows:
 1. Provide skirting around the base of the trailer to camouflage wheels. The material shall be solid and shall match or blend with the trailer color. Skirt details shall be approved by the Director of Community Development. Fabric skirting shall be replaced at least every five years.
 2. Provide potted landscaping around all sides of the trailer that are exposed to public view from a street or parking lot. The open end of the trailer is exempt from this requirement. The landscaping shall be intensive in nature, including long rows or dense clusters of planter boxes with live plant materials. The portable landscaping is subject to approval by the Director of Community Development, and shall be maintained in a neat and healthy condition at all times.

3. LIGHTING AND SECURITY

- A. Area security lighting activated by motion sensors shall be provided in the vicinity of the trailer.
- B. Provide photocells for on/off control of security and area lights.
- C. Exterior security lights shall be equipped with vandal resistant covers.
- D. An attendant shall be present during all trailer operation hours.

4. PARKING AND CIRCULATION

- A. Relocate the donation trailer to the northeast corner of the shopping center parking lot as shown on the revised plans in Attachment F.
- B. The donation trailer use may occupy a maximum of 7 parking spaces as shown on the approved plans.
- C. Employees and patrons shall park in designated striped parking spaces. Vehicles associated with the donation trailer use shall not obstruct drive aisles at any time.

5. RECYCLING, WASTE, AND AFTER-HOURS DONATION

- A. All recycling and solid waste materials shall be confined to approved receptacles and enclosures. Unenclosed storage of materials on the property and in the vicinity of the trailer is prohibited.
- B. Measures shall be taken to prevent after-hours donations and other unauthorized dumping of materials on the site. These shall include:
 - 1. Skirting to cover the area beneath the trailer as described in Condition of Approval 2.A.1;
 - 2. Security lighting as described in Conditions of Approval 3.A-3.C;
 - 3. Signage discouraging after-hours donation and other dumping, which shall include operating hours and inform patrons of video surveillance (see Condition of Approval 6.A).
- C. During operating hours, the area surrounding the donation trailer shall be maintained in a neat and clean condition with items quickly sorted and stowed within the trailer.
- D. At least once each evening, a field check shall be performed to check for after-hours donations and other items which may have been deposited at the trailer. Any materials left after hours should be removed during field checks and shall be removed no later than 9:00 a.m. No donations, trash, or other unenclosed materials shall remain on the site for a period exceeding 12 hours.

6. SIGNS

- A. Obtain required Planning and Building permits for the signage described in Condition of Approval 5.B.3, as well as any other signage installed for this use.

Dear Project Applicant or Lead Agency: You requested that DFG evaluate your project and determine if your project is eligible for a CEQA filing fee exemption based on your assertion the project has "no effect" on fish and wildlife. Please complete the information below and return this document by email. To qualify for a fee exemption, the "Brief Project Description" below must clearly indicate why the project has no effect on fish and wildlife. The fee is required even if the effect on fish and wildlife is minimal or de minimis. Information in the Brief Project Description should come directly from the CEQA document prepared for the project. DFG's determination will be final.

Applicant Name: City of Sunnyvale

Date Submitted: 6/3/08

Applicant Address: 456 W. Olive Avenue, Sunnyvale, CA 94088

Project Name: Consideration of changes to Title 19 to permit donation trailers in the C-1 (Neighborhood Business) Zoning District

CEQA Lead Agency: City of Sunnyvale

CEQA Lead Agency contact: Mariya Hodge, Assistant Planner

CEQA Lead Agency Address and phone number: P.O. Box 3707, Sunnyvale, CA 94088-3707 (408) 730-7444

CEQA Document Type: Negative Declaration

SCH Number and/or local agency ID number: Unknown

Project Location: City-wide

Brief Project Description:

Currently, trailers for the donation of used household goods are permitted in Sunnyvale only in the C-2 (Highway Business), C-3 (Regional Business), and C-4 (Service Commercial) Zoning Districts, where donation trailers may be located with approval of a Use Permit. Donation trailers must maintain a minimum separation of at least 1.5 miles. The proposed project would modify the Zoning Code to allow donation trailers in the C-1 (Neighborhood Business) Zoning District as well. The City is considering removing the 1.5-mile separation requirement for donation trailers as a part of this Zoning Code amendment. Under the proposed project, donation trailers would continue to require approval of a Use Permit in all commercial Zoning Districts.

Describe clearly why the project has no effect on fish and wildlife:

The proposed modifications would allow trailers for donation of used household goods to be located in the C-1 Zoning District with approval of a Use Permit. These are developed sites surrounded by urban uses, and the donation trailer

use would consist of a vehicle parked on an existing impervious surface (shopping center parking lot). The proposed modifications do not re-zone any properties, increase permitted density or lot coverage, or increase impervious surface. No additional construction or other physical changes to the environment will result. As a result, there is no possibility of an effect on fish or wildlife.

Project Title	Consideration of changes to single-family home development standards and accessory utility building standards (Council Study Issue)
Lead Agency Name and Address	City of Sunnyvale P.O. Box 3707, Sunnyvale, CA 94088-3707
Contact Person	Mariya Hodge
Phone Number	408-730-7659
Project Location	City-wide
Project Sponsor's Name	City of Sunnyvale
Address	456 W. Olive Avenue Sunnyvale, CA 94088
Zoning	C-1, C-2, C-3, C-4
General Plan	Commercial Neighborhood Shopping, Commercial General Business, Commercial Central Business
Other Public Agencies whose approval is required	None

Description of the Project: Currently, trailers for the donation of used household goods are permitted in Sunnyvale only in the C-2 (Highway Business), C-3 (Regional Business), and C-4 (Service Commercial) Zoning Districts, where donation trailers may be located with approval of a Use Permit. Donation trailers must maintain a minimum separation of at least 1.5 miles. The proposed project would modify the Zoning Code to allow donation trailers in the C-1 (Neighborhood Business) Zoning District as well. The City is considering removing the 1.5-mile separation requirement for donation trailers as a part of this Zoning Code amendment. Under the proposed project, donation trailers would continue to require approval of a Use Permit in all commercial Zoning Districts.

Surrounding Uses and Setting:

This project pertains to the City's four commercial zoning districts: C-1 (Neighborhood Business), C-2 (Highway Business), C-3 (Regional Business), and C-4 (Service Commercial). C-1 properties are located throughout the City. C-2 properties are located primarily along El Camino Real. C-3 and C-4 properties are located primarily along Evelyn Avenue. Uses in the C-1, C-2 and C-3 Zoning Districts include retail, restaurant,

office, personal service, and other uses compatible with commercial zoning. Uses in the C-4 Zoning District are typically service businesses such as self-storage, equipment rental, and auto repair.

EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
3. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
4. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
5. "Negative Declaration: Potentially Significant Unless Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section 17, "Earlier Analysis," may be cross-referenced).
6. Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c) (3) (d). In this case, a brief discussion should identify the following:
7. Earlier Analysis Used. Identify and state where they are available for review.
8. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
9. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project

10. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|---|--|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Agricultural Resources | <input type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Utilities/Service Systems |
| <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Noise | <input type="checkbox"/> Mandatory Findings of Significance |
| <input type="checkbox"/> Geology/Soils | <input type="checkbox"/> Population/Housing | |

DETERMINATION:

On the basis of this initial evaluation:

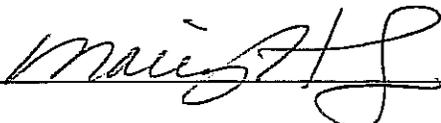
I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

I find that the proposed project MAY have a "potential significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



June 4, 2008

	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source
1. AESTHETICS. Would the project:					
a. Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 17, 111
b. Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 17, 111
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 17, 111
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 17, 111
2. AIR QUALITY: Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:					
a. Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3, 111
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3, 111
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3, 111
d. Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3, 111
e. Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3, 111
3. BIOLOGICAL RESOURCES:					

a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U. S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	111
b. Have a substantially adverse impact on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	111
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	111
d. Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	111
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	111
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	111
4. CULTURAL RESOURCES. Would the project:					
a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	111
b. Cause a substantial adverse change in the significance of an archaeological resources pursuant to Section 15064.5	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	111
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	111
d. Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	111
5. LAND USE AND PLANNING. Would the project:					

a. Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 111
b. Conflict with an applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 12, 111
c. Conflict with any applicable habitat conservation plan or natural communities conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17, 111
6. MINERAL RESOURCES. Would the project:					
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 111
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 111
7. NOISE. Would the project result in:					
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16, 111
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16, 111
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16, 111
d. A substantially temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16, 111
8. POPULATION AND HOUSING. Would the project:					
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	111
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	111
c. Displace substantial numbers of people, necessitating the construction of	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	111

replacement housing elsewhere?					
9. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:					
a. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	111
b. Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	111
c. Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	111
d. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	111
e. Other services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	111
10. MANDATORY FINDINGS OF SIGNIFICANCE					
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	111
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of the past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	111
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	111
11. GEOLOGY AND SOILS. Would the project:					
a. Expose people or structures to potential substantial adverse effects, including the	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	UBC, UPC, UMC, NEC

risk of loss, injury or death involving:					
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	UBC, UPC, UMC, NEC
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	UBC, UPC, UMC, NEC
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	UBC, UPC, UMC, NEC
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	UBC, UPC, UMC, NEC
b. Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	UBC, UPC, UMC, NEC
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	UBC, UPC, UMC, NEC
d. Be located on expansive soil, as defined in Table 18-a-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	UBC, UPC, UMC, NEC
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	UBC, UPC, UMC, NEC
12. UTILITIES AND SERVICE SYSTEMS. Would the project:					
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	20, 111
b. Require or result in construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	20, 111
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	20, 111

d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	20, 111
e. Result in a determination by the wastewater treatment provider which services or may serve the project determined that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	20, 111
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	22, 111
g. Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	22, 111
13. TRANSPORTATION/TRAFFIC. Would the project:					
a. Cause an increase in the traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 12, 111
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 12, 111
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	111, 113, 114
d. Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 12, 111
e. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 12, 111
f. Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 37, 111
g. Conflict with adopted policies or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	12, 111
14. HAZARDS AND HAZARDOUS MATERIALS. Would the project?					
a. Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	UFC, UBC, SVMC

materials?					
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	UFC, UBC, SVMC
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	UFC, UBC, SVMC
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	UFC, UBC, SVMC
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	UFC, UBC, SVMC
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	UFC, UBC, SVMC
g. Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	UFC, UBC, SVMC
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	UFC, UBC, SVMC
15. RECREATION					
a. Would the project increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17, 111
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	111
16. AGRICULTURE RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997)					

prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:					
a. Convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 111
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 111
c. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 111
17. HYDROLOGY AND WATER QUALITY. Would the project:					
a. Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	24, 87, 111
b. Substantially degrade groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	25, 111
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	24, 111
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or surface runoff in a manner which would result in flooding on- or off site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	24, 111
e. Create or contribute runoff which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	24, 87, 111
f. Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	24, 111

g. Place housing within a 100-year floodplain, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	111
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	56, 111
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	56, 111
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	24, 111

Mariya Hodge

6/4/2008

Completed By

Date

City of Sunnyvale General Plan:

2. Map
3. Air Quality Sub-Element
4. Community Design Sub-Element
5. Community Participation Sub-Element
6. Cultural Arts Sub-Element
7. Executive Summary
8. Fire Services Sub-Element
9. Fiscal Sub-Element
10. Heritage Preservation Sub-Element
11. Housing & Community Revitalization Sub-Element
12. Land Use & Transportation Sub-Element
13. Law Enforcement Sub-Element
14. Legislative Management Sub-Element
15. Library Sub-Element
16. Noise Sub-Element
17. Open Space Sub-Element
18. Recreation Sub-Element
19. Safety & Seismic Safety Sub-Element
20. Sanitary Sewer System Sub-Element
21. Socio-Economic Sub-Element
22. Solid Waste Management Sub-Element
23. Support Services Sub-Element
24. Surface Run-off Sub-Element
25. Water Resources Sub-Element

City of Sunnyvale Municipal Code:

27. Chapter 10
28. Zoning Map
29. Chapter 19.42. Operating Standards
30. Chapter 19.28. Downtown Specific Plan District
31. Chapter 19.18. Residential Zoning Districts
32. Chapter 19.20. Commercial Zoning Districts
33. Chapter 19.22. Industrial Zoning Districts
34. Chapter 19.24. Office Zoning Districts
35. Chapter 19.26. Combining Zoning Districts
36. Chapter 19.28. Downtown Specific Plan
37. Chapter 19.46. Off-Street Parking & Loading
38. Chapter 19.56. Solar Access
39. Chapter 19.66. Affordable Housing
40. Chapter 19.72. Conversion of Mobile Home Parks to Other Uses
41. Chapter 19.94. Tree Preservation
42. Chapter 19.96. Heritage Preservation

Specific Plans

43. El Camino Real Precise Plan
44. Lockheed Site Master Use Permit
45. Moffett Field Comprehensive Use Plan
46. 101 & Lawrence Site Specific Plan
47. Southern Pacific Corridor Plan

Environmental Impact Reports

48. Futures Study Environmental Impact Report
49. Lockheed Site Master Use Permit Environmental Impact Report
50. Tasman Corridor LRT Environmental Impact Study (supplemental)
51. Kaiser Permanente Medical Center Replacement Center Environmental Impact Report (City of

Santa Clara)

52. Downtown Development Program Environmental Impact Report
53. Caribbean-Moffett Park Environmental Impact Report
54. Southern Pacific Corridor Plan Environmental Impact Report

Maps

55. City of Sunnyvale Aerial Maps
56. Flood Insurance Rate Maps (FEMA)
57. Santa Clara County Assessors Parcel
58. Utility Maps (50 scale)

Lists/Inventories

59. Sunnyvale Cultural Resources Inventory List
60. Heritage Landmark Designation List
61. Santa Clara County Heritage Resource Inventory
62. Hazardous Waste & Substances Sites List (State of California)
63. List of Known Contaminants in Sunnyvale

Legislation/Acts/Bills/Codes

64. Subdivision Map Act
65. Uniform Fire Code, including amendments per SMC adoption
66. National Fire Code (National Fire Protection Association)
67. Title 19 California Administrative Code
68. California Assembly Bill 2185/2187 (Waters Bill)
69. California Assembly Bill 3777 (La Follette Bill)
70. Superfund Amendments & Reauthorization Act (SARA) Title III

Transportation

71. California Department of Transportation Highway Design Manual
72. California Department of Transportation Traffic Manual
73. California Department of Transportation Standard Plan
74. California Department of Transportation Standard Specification
75. Institute of Transportation Engineers - Trip Generation
76. Institute of Transportation Engineers Transportation and Traffic Engineering Handbook
77. U.S. Dept. of Transportation Federal Highway Admin. Manual on Uniform Traffic Control Devices for Street and Highways
78. California Vehicle Code
79. Traffic Engineering Theory & Practice by L. J. Pegnataro
80. Santa Clara County Congestion Management Program and Technical Guidelines
81. Santa Clara County Transportation Agency Short Range Transit Plan
82. Santa Clara County Transportation Plan
83. Traffic Volume Studies, City of Sunnyvale Public

- works Department of Traffic Engineering Division
- 84. Santa Clara County Sub-Regional Deficiency Plan
- 85. Bicycle Plan

Public Works

- 86. Standard Specifications and Details of the Department of Public Works
- 87. Storm Drain Master Plan
- 88. Sanitary Sewer Master Plan
- 89. Water Master Plan
- 90. Solid Waste Management Plan of Santa Clara County
- 91. Geotechnical Investigation Reports
- 92. Engineering Division Project Files
- 93. Subdivision and Parcel Map Files

Miscellaneous

- 94. Field Inspection
- 95. Environmental Information Form
- 96. Annual Summary of Containment Excesses (BAAQMD)
- 97. Current Air Quality Data
- 98. Chemical Emergency Preparedness Program (EPA Interim Document in 1985?)
- 99. Association of Bay Area Governments (ABAG) Population Projections

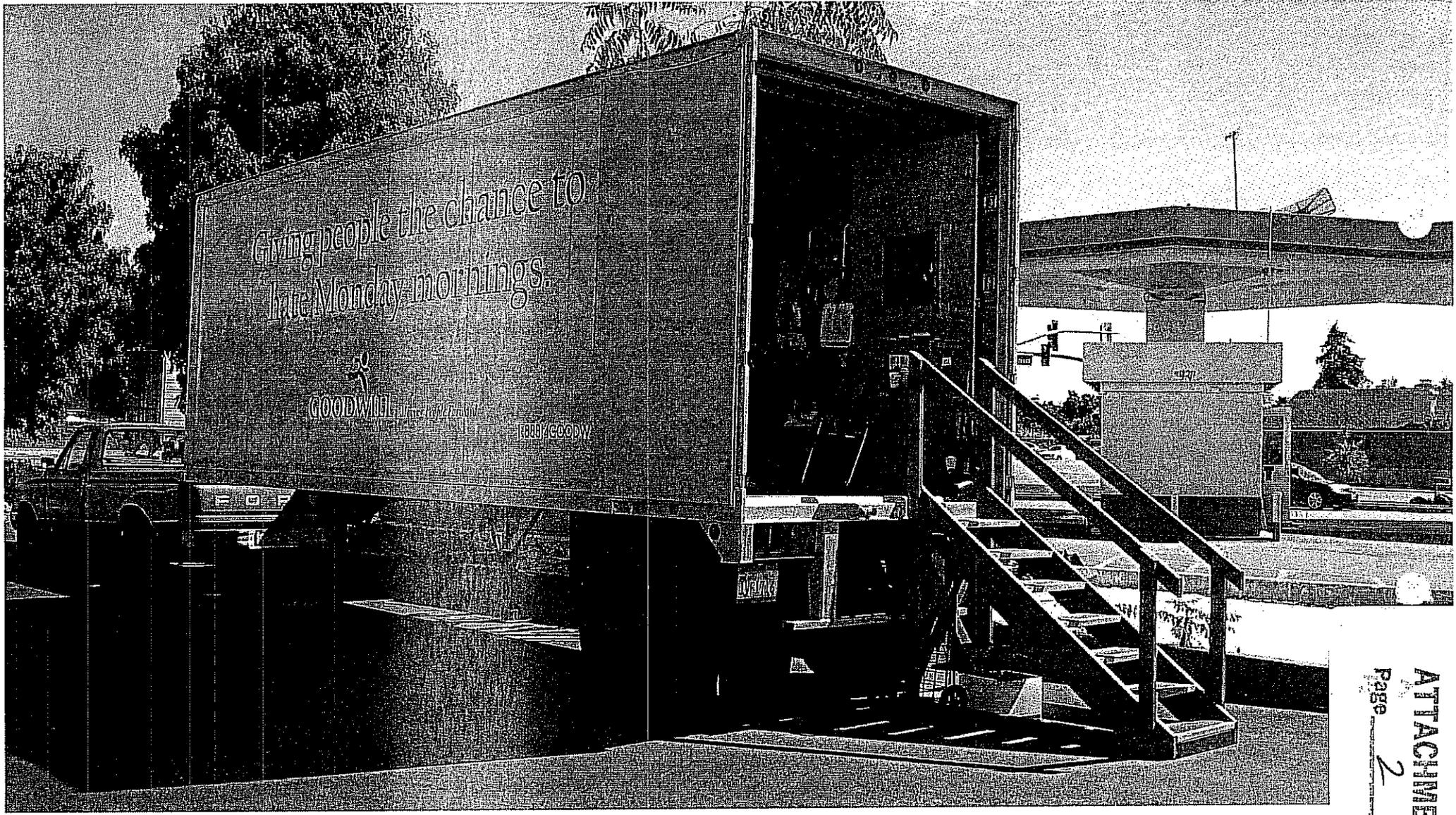
- 100. Bay Area Clean Air Plan
- 101. City-wide Design Guidelines
- 102. Industrial Design Guidelines

Building Safety

- 103. Uniform Building Code, Volume 1, (Including the California Building Code, Volume 1)
- 104. Uniform Building Code, Volume 2, (Including the California Building Code, Volume 2)
- 105. Uniform Plumbing Code, (Including the California Plumbing Code)
- 106. Uniform Mechanical Code, (Including the California Mechanical Code)
- 107. National Electrical Code (Including California Electrical Code)
- 108. Title 16 of the Sunnyvale Municipal Code

Additional References

- 109. USFWS/CA Dept. F&G Special Status Lists
- 110. Project Traffic Impact Analysis
- 111. Project Description
- 112. Project Development Plans
- 113. Santa Clara County Airport Land Use Plan
- 114. Federal Aviation Administration

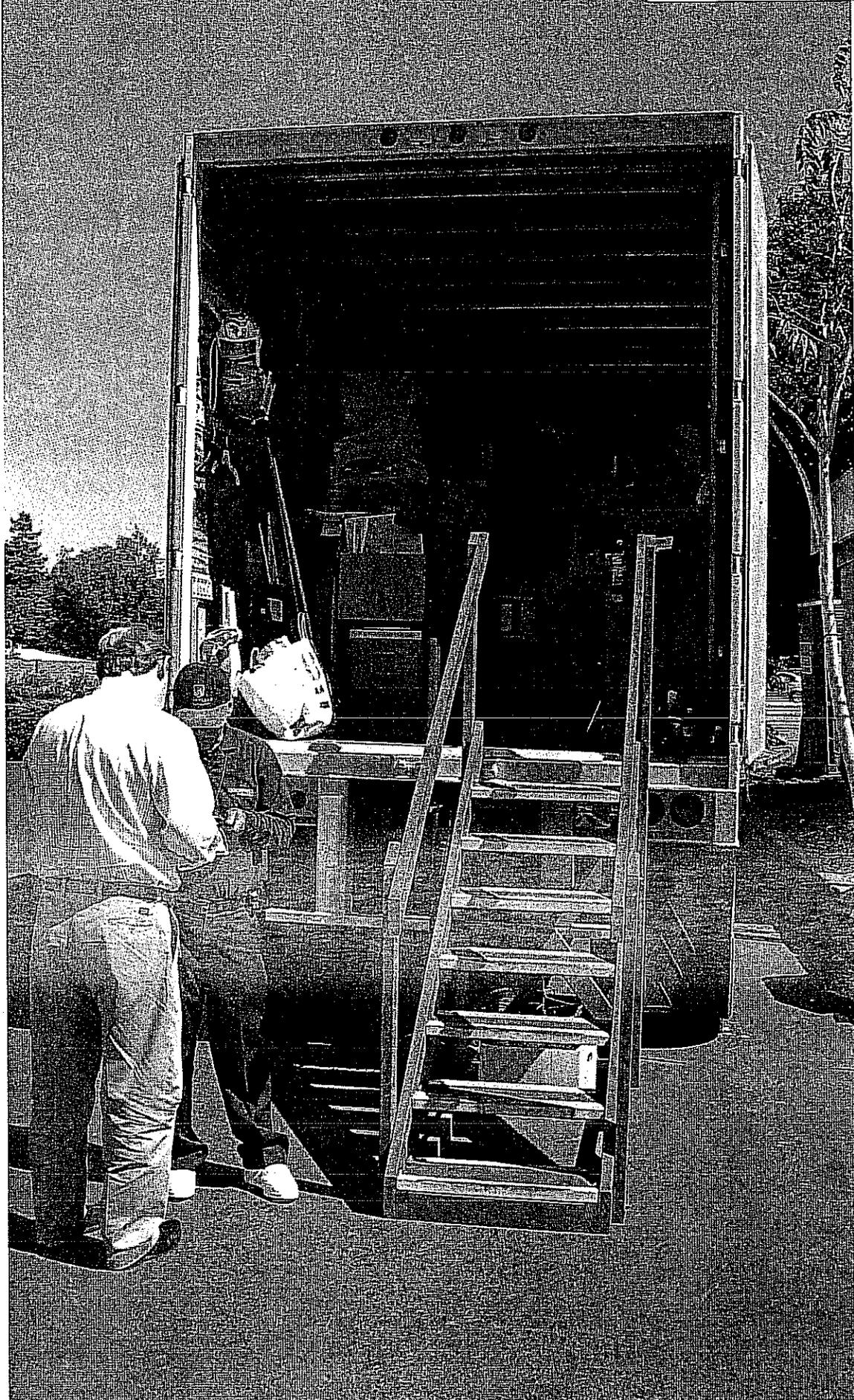


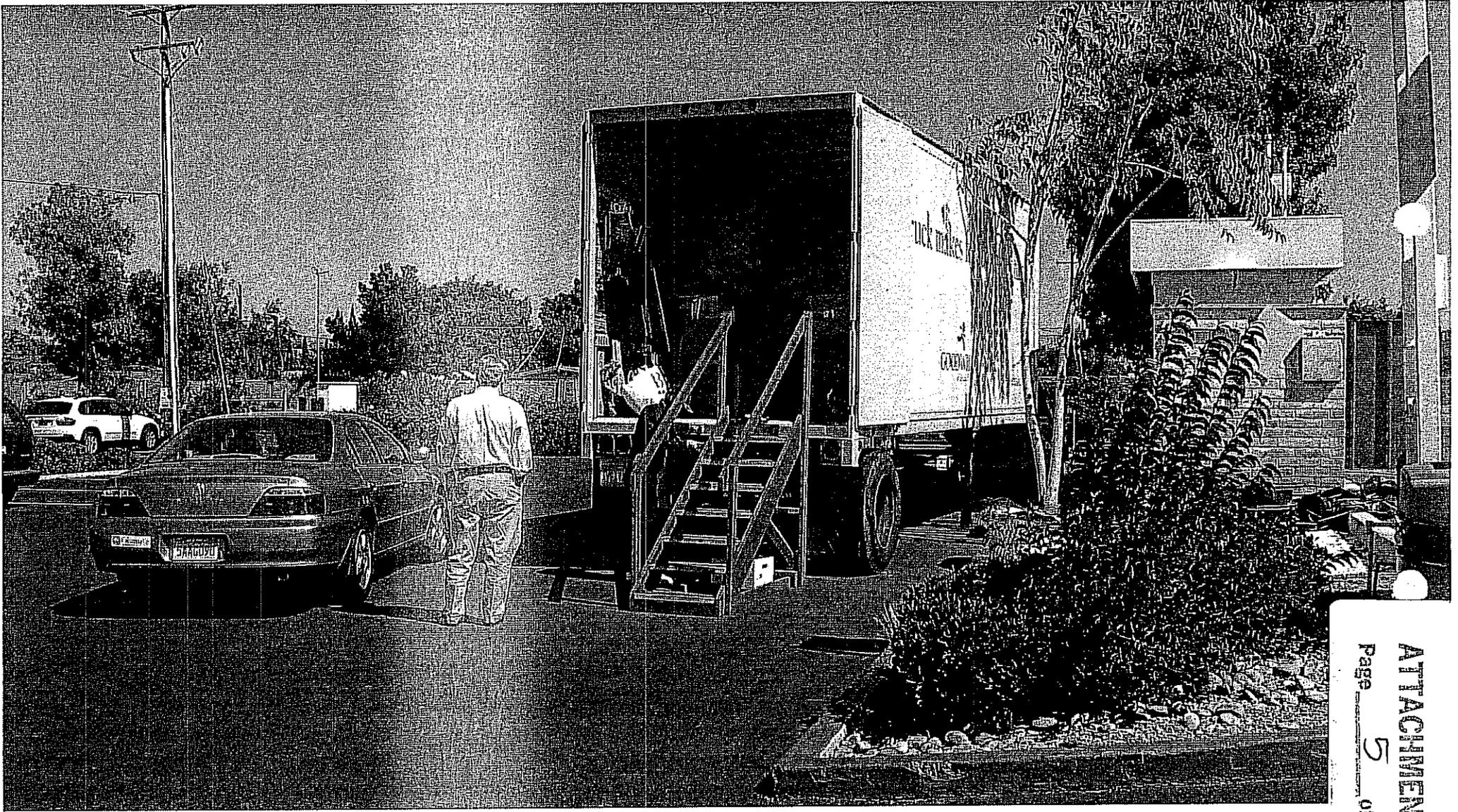
Giving people the chance to
hate Monday mornings.



GOODWILL | *Creating People. Growing.*
of the Mountain Valley

1.888.4GOODWILL





Goodwill Industries of Silicon Valley
PERMIT JUSTIFICATION

Goodwill Industries of Silicon Valley is requesting the City of Sunnyvale to allow donation acceptance from the community at Lakewood Shopping Center. Shopping Center is located at 1119 N Lawrence Expressway, Sunnyvale Ca 94089 (APN 110.23.110).

- Shopping Center has a total of 430 parking spaces. Goodwill Industries only needs 5 parking spaces to continue to receive donations from the public.
- Lakewood Shopping Center is located at a C1 zone. We are asking to that the City allow Donation trailers at C1 zones with a size of 3 acres or more. Currently Lakewood Shopping Center is 4.43 acres.
- Donations from the City of Sunnyvale assist Goodwill Industries of Silicon Valley in supporting the many programs we offer for people with disabilities and various barriers to employment.
- All reusable, recyclable items will be resold at our stores vs going into the landfills and negatively affecting the environment.
- In 2007 Goodwill Industries of Silicon Valley assisted the City of Sunnyvale by diverting **321,717 lbs** pounds of donations that otherwise would have end up at the Landfill.

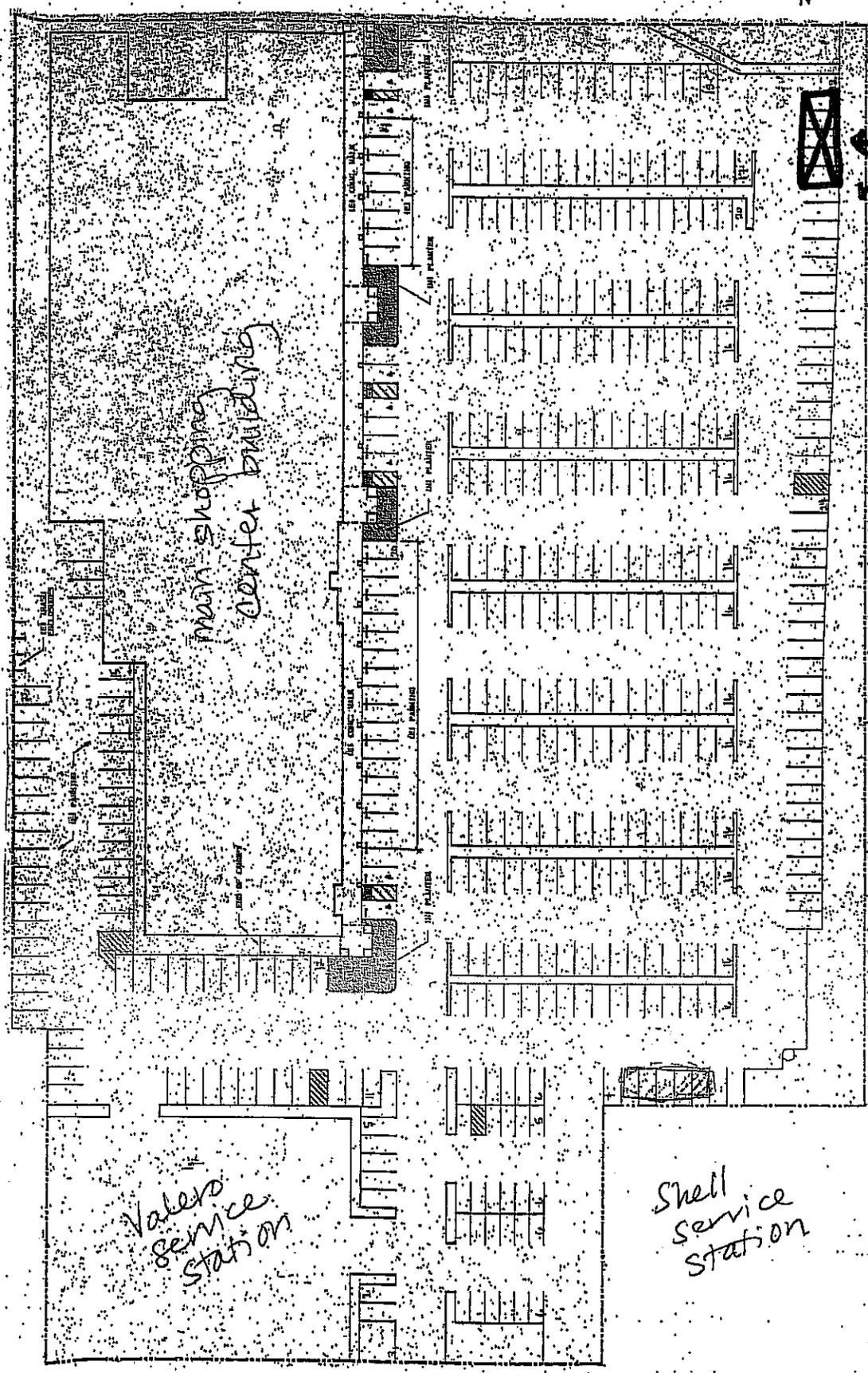
Goodwill Industries will commit to:

- We are placing flower boxes next to our trailers in Sunnyvale to ensure no discarded items are left underneath the trailer overnight.
- We would make sure that the trailer is open 7 days a week from 9 AM to 5 PM.
- A Goodwill Supervisor will visit the location each day between 0900-500pm to ensure site is kept clean.
- Goodwill Security, in a truck will visit the location each night and pick up any discarded items left near, under or around area. They will also report any suspicious activity to security or police.
- Transportation hours of operation have been extended from 0600am-0100am to ensure compliance in all locations seven days a week.
- We will provide you with a Certificate of Insurance that reflects the amount of general liability and medical expense insurance coverage carried by Goodwill Industries. We normally carry one million dollars of general liability insurance.

Please see attached picture of our trailers



LAKEDALE WAY



main shopping center building

Valero service station

Shell service station

← staff recommended location

LAWRENCE EXPRESSWAY

LAKEHAVEN DRIVE

SUBJECT:

Trailer Donation Center for Used Household Goods

POLICY PURPOSE:

Municipal Code Section 19.32.110(b)(21) permits the use of permanent trailers in C-2 and C-2/PD zones for the collection of discarded household goods. Policy statements below contain operation, location and appearance standards for this use. The purpose of this policy is to maintain the high quality of Sunnyvale's development standards.

POLICY STATEMENTS:

It is the policy of the City of Sunnyvale that each application for a Use Permit or Special Development Permit for a trailer use, as specified in Municipal Code Section 19.32.110(b)(21), shall comply with the following conditions:

<u>ISSUE</u>	<u>REGULATION</u>
A. OPERATIONS:	
1. Status of Operators	A1. The profit or non-profit status of a trailer operator shall not be a factor in granting any required permit.
2. Attendant	A2. An attendant shall be present during all trailer business hours, and is responsible for placing items inside the trailer as well as providing general maintenance.
3. Hours of Operation	A3. Flexible standards shall be established for trailer hours of operation.
4. After-hours Donations	A4. Provisions shall be made for the control of after-hours donations. Strategies may include: <ol style="list-style-type: none"> a. Post a sign on the trailer that warns against littering. b. Post hours of operation. c. Provide after-hours field security checks. If items have been deposited, dispatch a truck to pick them up.
5. Public Safety	A5. Comply with Municipal Fire Codes.

DRAFT COUNCIL POLICY FORM
Trailer Donation Center for Used Household Goods
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<u>ISSUE</u>	<u>REGULATION</u>
B. LOCATION:	
1. Acceptable Sites	B1. A trailer is permitted only in the parking lot of a shopping center.
2. Setbacks	B2. A trailer shall maintain minimum setback distances equal to requirements for buildings in a C-2 or C-2/PD zone.
3. Parking and Circulation	B3.a. Minimum parking standards shall be maintained for the affected shopping center, unless approval of a variance is granted. B3.b. A parking space shall be designated for the trailer attendant. Provisions shall also be made to maintain adequate loading and unloading space. B3.c. Vehicular and pedestrian movements shall not be impaired by the trailer's location. B3.d. The trailer's location shall not interfere with the ease of access to the retail stores.
4. Visibility of Buildings and Signs	B4. The trailer shall not block the view of any buildings or signs.
5. Attendant's Security	B5. Placement of the trailer shall be sensitive to the attendant's safety. The trailer opening may face a public street for security reasons.
C. APPEARANCE:	
1. Trailer Exterior	C1.a. Exterior trailer colors shall be approved by the Director of Community Development. C1.b. A portable skirt shall be erected to screen the trailer wheels and undercarriage from street or parking lot view. The material shall be solid and painted to match or blend with the trailer color. Skirt details shall be approved by the Director of Community Development.

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ISSUEREGULATION

2. Landscaping

C2.a. Portable landscaping shall be installed around all sides of the trailer that are exposed to public view from a street or parking lot. The open end of a trailer is exempt from this requirement. The landscaping shall be intensive in nature, including long rows or dense clusters of planter boxes with live trees and shrubs. Details of the portable landscape theme are subject to approval by the Director of Community Development.

C2.b. The portable landscaping shall be maintained in a healthy condition. A maintenance program, including manual irrigation methods, shall be presented for approval to the Director of Community Development.

3. Site Improvements

C3. Minor site improvements, such as parking lot repairs, can be imposed, if they are directly related to the trailer use.

4. Signing

C4. Allowable signing area for a trailer shall be consistent with Code requirements for commercial uses.

DRAFT for
COUNCIL POLICY MANUAL**Policy x.x.x Donation Trailers for Used Household Goods**

POLICY PURPOSE:

Municipal Code section 19.20.030 allows the use of permanent trailers for the collection of used household goods in the C-1, C-2, C-3, and C-4 Zoning Districts with approval of a Use Permit or Special Development Permit. The policy statements below provide operation, location, and appearance standards for this use. The purpose of the policy is to maintain the high quality of Sunnyvale's commercial and residential areas by reducing the potential impacts associated with donation trailers.

POLICY STATEMENT:

It is the policy of the City of Sunnyvale that each application for a Use Permit or Special Development Permit for a donation trailer use, as defined in Municipal Code section 19.12.050, shall comply with the following conditions:

1. OPERATIONS**A. Status of Operators**

- (I) The profit or non-profit status of a donation trailer operator shall not be a factor in granting any required permit.

B. Attendant

- (I) An attendant shall be present during all donation trailer hours of operation, and is responsible for placing items inside the trailer as well as providing general maintenance.

C. Hours of Operation

- (I) Flexible standards shall be established for donation trailer hours of operation.

D. After-Hours Donations

- (I) Provisions shall be made for the control of after-hours donations. Strategies may include:
 - (a) Post a sign on the trailer that warns against littering;
 - (b) Post hours of operation;
 - (c) Provide after-hours field security checks. If items have been deposited, dispatch a truck to pick them up.

E. Public Safety

- (I) Comply with Municipal Fire codes.

DRAFT for
COUNCIL POLICY MANUAL

2. LOCATION

A. Acceptable sites

- (I) A donation trailer is permitted only in the parking lot of a shopping center or other large commercial site.

B. Visibility of Trailer

- (I) Donation trailer locations shall be selected to minimize visual impacts without compromising the safety of the attendant. It may be necessary for the trailer opening to face the public street or the parking lot for security reasons.

B. Proximity to Residential Uses

- (I) Care shall be taken to minimize potential adverse impacts on adjacent residential uses by appropriately sited donation trailers.

C. Parking and Circulation

- (I) Minimum parking standards shall be maintained for the affected site unless otherwise approved by a Variance.
- (II) In addition to parking spaces occupied by the donation trailer and any parking needed for patrons, an additional parking space shall be maintained for the trailer attendant.
- (III) The donation trailer shall be located to maintain adequate loading and unloading space.
- (IV) Vehicular and pedestrian circulation shall not be impaired by the trailer's location.

D. Visibility of Buildings and Signs

- (I) The trailer shall not block the view of any buildings or signs.

3. APPEARANCE

A. Trailer Exterior

- (I) Exterior trailer colors shall be approved by the Director of Community Development.
- (II) A portable skirt shall be erected to screen the trailer wheels and undercarriage from street and parking lot view. The material shall be solid and shall match or blend with the trailer color. Skirt details shall be approved by the Director of Community Development. If the skirt is constructed of fabric, the fabric material shall be replaced at least every five years.

DRAFT for
COUNCIL POLICY MANUAL

B. Landscaping

- (I) Portable landscaping shall be installed around all sides of the trailer that are exposed to view from a street or parking lot. The open end of the trailer is exempt from this requirement. The landscaping shall be intensive in nature, including long rows or dense clusters of planter boxes with live trees and shrubs. Details of the portable landscaping theme are subject to approval by the Director of Community Development.
- (II) Portable landscaping shall be maintained in a neat and healthy condition at all times. A maintenance program, including manual irrigation methods, may be required for review and approval by the Director of Community Development.

C. Site Improvements

- (I) Minor site improvements, such as parking lot repairs, can be imposed if they are related to the trailer use.

D. Signage

- (I) Signs which are part of the vehicle's paint scheme, such as the organization's name painted name on the side of the trailer, shall be exempt from the Municipal Code sign requirements.
- (II) Any additional signage not part of the vehicle's paint scheme shall be considered a ground sign or wall sign subject to the Municipal Code sign requirements for commercial uses. All signs shall be reviewed and approved by the Director of Community Development.

((Adopted: RTC # (date) Amended: RTC # (date) etc.)

Lead Department: Community Development

For reference, see also:

I verify that the content presented in this policy represents the direction given or action taken by Council.	
_____ <i>[signature]</i> _____	Date _____
Director, _____ <i>[Department name]</i> _____	

**DONATION CENTERS
SURVEY OF OTHER CITIES**

City	Permitted?	Where (zoning district)	Permit Type	Notes
Campbell	yes	C-1 C-2	Conditional Use Permit	
Cupertino	yes	CG (general commercial)	Use permit	
Fremont	yes	C-N (neighborhood commercial) C-C (community commercial) C-B-D (central business) C-R (regional commercial) C-G (general commercial) C-T (thoroughfare commercial)	Conditional Use Permit	
Los Altos	yes	Commercial Zone	Use permit	would only be part of a use permit for larger store
Los Gatos	no	n/a	n/a	
Milpitas	yes	CO C2	Conditional Use Permit	
Mountain View	yes	Any Commercial or Industrial zone	Conditional Use Permit	
Palo Alto	no (except temporary use)	Any Commercial Zone	Temporary (45 days or less) temporary use permit, longer than 45 days it would be considered a structure and have to comply with building code	
San Francisco	yes	C-2 C-3 C-M	Conditional Use Permit	
Santa Clara	yes	Any Commercial or Industrial zone	Special Permit or temporary permit for shorter time	In industrial zone it would be a staff decision, in the commercial zone it would be a City Council decision
Santa Rosa	yes	CD CN	Less than a year: Temporary Use Permit More than a year: Conditional Use Permit	
Saratoga	yes	Any Commercial Zone	Conditional Use Permit	
Sunnyvale	yes	C-2 (Highway Commercial) C-3 (Regional Retail) C-4 (Service Commercial)	Use permit	1.5 mile separation

MAP OF COMMERCIAL ZONING DISTRICTS

Our apologies, due to technical difficulties the small version of this map is still being prepared. A full size map will be available at the Planning Commission public hearing.

RECOMMENDED ORDINANCE TO ALLOW DONATION CENTERS FOR USED GOODS IN THE NEIGHBORHOOD COMMERCIAL (C-1) ZONING DISTRICT AND TO ELIMINATE THE SEPARATION REQUIREMENT DONATION CENTERS.

TABLE 19.20.030

Permitted, Conditionally Permitted and Prohibited Uses in Commercial Zones

In the table, the letters and symbols are defined as follows:

- P = Permitted use
- UP = Use permit required
- MPP = Miscellaneous plan permit
- N = Not permitted, prohibited

COMMERCIAL ZONES	C-1	C-2	C-3	C-4
1. Retail Commercial				
<i>A. – D. no change</i>				
E. Donation centers for used goods²	UP	UP	UP	UP
<i>No further changes to this table</i>				

² Donation centers in C-1 are only allowed on sites of 4 or more acres and shall be reviewed for compliance with Council Policy on operations, location, and appearance.

3- 8 no change