

Memorandum

To: Planning Commission

From: Andrew Miner, Principal Planner *Am*

Date: November 7, 2012

Re: 2013 List of Potential Study Issues

Attached is a list of the CDD Study Issues that relate to the Planning Commission that fell below the line or were deferred for 2012, as well as new studies suggested since December 2011. Also listed for your reference are five study issues for which departments other than CDD are responsible that will require Planning Commission consideration.

At the hearing on November 12, 2012, the Planning Commission will recommend to Council whether an item should be ranked, deferred, or dropped (or "no recommendation", if so desired). Planning Commission will then rank those items not recommended for deferral, dropping or with no recommendation. The Planning Commission's recommendations will be transmitted to the Council as input to the decisions on the potential Study Issues.

The annual public hearing on potential Council Study Issues and Budget Issues for calendar year 2012 will be held on Tuesday January 8, 2013. The City Council will rank the Study/Budget issues at the Council Workshop on Friday, February 1, 2012.

**2013 PLANNING COMMISSION
STUDY ISSUES RANKING**

		Rank	Defer	Drop	No Rec.	Ranking
CDD 09-11	Review of the Housing Mitigation Fee					
CDD 11-02	Downtown Development Policies for Parking					
CDD 12-02	Possible Nomination of Non-residential Properties to the Heritage Resource Inventory	HPC	—	—	—	—
CDD 13-01	Appropriate Locations for Bicycle Parking					
CDD 13-02	Considerations of Useable Open Space in Required Front Yards					
CDD 13-03	Single-family Home Parking Requirements					
CDD 13-04	R-3 Height Requirements (Non-townhouses)					
CDD 13-05	Accommodate Wireless Telecommunication Facilities in New Tall Buildings					
CDD 13-06	Require In-lieu Fees for Art in Private Development for Mixed-use Projects					
CDD 13-07	Large Family Day Care Locational Requirements					
CDD 13-08	Review General Plan Amendment Initiation Process					
CDD 13-09	Sustainability Rating System					
CDD 13-10	Financial Assistance for Property Owners of Heritage Resources Structures	HPC	—	—	—	—
CDD 13-11	Examination of Commercial and Residential Structures Located Downtown for Possible Inclusion in the City's Heritage Resource Inventory	HPC	—	—	—	—

**2013 PLANNING COMMISSION
STUDY ISSUES RANKING**

Other Departments Study Issues for which PC Review May be Necessary

ESD 12-03	Impact of Sea Level Rise on Land Use					
ESD 13-04	Extending and Monitoring TDM Program					
ESD 13-05	Ecodistrict Feasibility and Incentives					
DPW 13-06	Review of On-Street Parking at Private Residences in Order to Emphasize Bicyclists Needs					
DPW 13-13	Feasibility of Establishing a Community Animal Farm for Children at the Sunnyvale Landfill.					

2013 Council Study Issue

CDD 09-11 Review of the Housing Mitigation Fee

Lead Department Community Development

History **1 year ago** Deferred **2 years ago** Deferred

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

This study was proposed initially as part of the 2008 Housing Strategy, which was intended to increase the City's ability to provide affordable housing units. In June of 2008 Council directed staff to review this fee program to determine if the amount of the fee, and the indexing method, were appropriate and effective. At that time Council set the fee at \$8.95 per square foot of new building area subject to the fee (high intensity industrial development in excess of the allowable floor/area ratio [FAR] of the zoning district in which it is located); directed staff to adjust the fee annually based on change in the CPI for that year; and require all projects approved after July 1, 2008 to pay the fee in effect at the time of payment. The goal of the study is to review the existing housing mitigation fee structure, rate, and applicability, and consider possibly expanding it to a wider range of development types. The study would include a review of existing conditions in the City and would review other nearby cities' requirements. A nexus study would also be conducted in compliance with the state Mitigation Fee Act.

In September 2009, the Housing and Community Revitalization Element of the General Plan (Housing Element) was adopted with an implementation plan which included this study as an objective to be initiated in 2011, and completed no later than 2014:

3. Affordable Housing Development Assistance

Support development of new housing affordable to extremely low, very low and low income households. Provide financial and regulatory assistance for new affordable housing development, using available funds. Identify new sources of funding. Evaluate expansion of Housing Mitigation Fee in 2011.

In early 2009, this study was considered as a study issue, but given the severe economic recession which began in late 2008, it was deferred in 2010 and 2011 as it was not considered to be an appropriate time to raise fees on employment-generating developments such as those subject to the fee. However, it is not necessary to continue to consider and rank this item as a study issue, as it will be completed as part of CDD's general Housing Element implementation work program, after the LUTE is adopted.

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

HOUSING AND COMMUNITY REVITALIZATION SUB-ELEMENT

GOAL B: Move toward a local balance of jobs and housing

Policy B.2 Continue to require office and industrial development above a certain intensity to mitigate the demand for housing.

Action Statement B.2.a Codify the Housing Mitigation Policy that requires certain developments in industrial zoning districts that exceed established floor area ratios to contribute towards the housing fund or take other measures to mitigate the effects of the job increase upon the housing supply, and index the Housing Mitigation Fee.

LAND USE AND TRANSPORTATION ELEMENT

GOAL C4: Sustain a strong local economy that contributes fiscal support for desired city services and provides a mix of jobs and commercial opportunities.

Policy C4.1 Maintain a diversity of commercial enterprises and industrial uses to sustain and bolster the local economy.

Policy C4.3 Consider the needs of business as well as residents when making land use and transportation decisions.

HOUSING STRATEGY

Issue: To increase resources to provide the subsidy needed to create affordable units. Review the Housing Mitigation Fee ordinance to consider including other industrial and commercial developments to increase housing resources for all loan and development programs. (Study issue already proposed on this item.)

Target: Very Low, Low and Moderate

3. Origin of issue

City Staff Staff

4. Staff effort required to conduct study Moderate

Briefly explain the level of staff effort required

Staff will need to work with Purchasing to issue an RFP for completion of a nexus study; review proposals and assist in selection of the consultant, manage the contract and supervise the consultant, provide significant amounts of in-house data on development trends, land use policies, housing costs and programs, etc. to the consultant, review draft reports, and write an RTC with final recommendations regarding any possible revisions to the fee, as well as work with OCA to make any code revisions necessary to implement such changes. Staff of CDD, OCA, Finance, and possibly ITD will be involved to varying degrees in completing this study.

5. Multiple Year Project? No **Planned Completion Year** 2014

6. Expected participation involved in the study issue process?

Does Council need to approve a work plan? No

Does this issue require review by a Board/Commission? Yes

If so, which? Housing and Human Services Commission,
Planning Commission

Is a Council Study Session anticipated? No

7. Briefly explain if a budget modification will be required to study this issue

Amount of budget modification required 75000

Explanation

A mitigation fee nexus study of this type would be estimated at \$75,000 for a qualified consultant to complete, depending on exactly what scope of work is ultimately defined for the study. This type of study requires highly specialized knowledge, analytical ability, and often costly proprietary economic data, and it would be most cost-effective to hire an experienced consultant to do it, as such studies are often subject to legal challenge. This estimate does not include staff hours estimated to be required to complete this study, which can be provided as part of standard operations. The cost for this study could be funded by the Housing Mitigation Fund, if added as a special project in the FY 2013-14 Budget.

8. Briefly explain potential costs of implementing study results, note estimated capital and operating costs, as well as estimated revenue/savings, include dollar amounts

Are there costs of implementation? No

Explanation

A restructure of the housing mitigation fee program could be revenue neutral, or it could result in additional revenues for housing programs. Estimates and analysis of additional revenue are a key components for this study. Implementation costs would include the costs to revise the Municipal code and fee schedule as needed to implement the study recommendations, however these are not anticipated to be significant and most likely can be absorbed within the operating budget.

9. Staff Recommendation

Staff Recommendation Drop

If 'Support', 'Drop' or 'Defer', explain

A study issue is no longer required because this work was incorporated into the Housing Element Implementation Plan (Objective 3). Staff is tentatively planning to complete this study in FY 2013-14, after adoption of the LUTE, assuming adequate funding is approved in the adopted FY 2013-14 Projects Budget.

Reviewed by



Department Director

10/3/12
Date

Approved by



City Manager

10-4-12

Date

2013 Council Study Issue

CDD 11-02 Downtown Development Policies for Parking

Lead Department Community Development

History 1 year ago Deferred 2 years ago Deferred

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

Redevelopment of sites within the downtown is governed by both the Downtown Specific Plan (DSP) and the development standards contained within the Zoning Code. For individual projects, tensions can arise between meeting the goals and vision of the DSP and the standards in the Zoning Code. This study would examine those potential tensions with respect to parking requirements.

Recent proposals for redevelopment projects in the downtown have highlighted tensions between the DSP and the Zoning Code. Parking is a particular challenge, as the City's Parking Maintenance Assessment District has limited capacity and there is no potential for expansion under current policies. As a result, redevelopment projects are required to use on-site parking to satisfy all additional parking requirements resulting from intensification of the site. This requirement has the potential to encourage development patterns that are not consistent with the City's overall vision for downtown, such as increased land area devoted to surface parking. It is also a potential barrier to the redevelopment of smaller individual sites in the downtown, which may be more constrained in their options for locating the required on-site parking facilities. One such property owner has contacted staff on numerous occasions to request staff support for a deviation to the parking requirements or payment of an in-lieu fee.

This study would examine the City's downtown development policies to identify and explore alternative solutions for meeting future downtown parking needs, including alternative ways to achieve effective off-site parking downtown, including shared and joint-use parking. It could also examine the potential for providing additional parking supply in the Parking District, including a current needs assessment, exploration of financing options, and consideration of legal issues.

Although this study issue has been deferred two years in a row, it may be worthwhile to continue to have it as part of the study issues in order to be prepared to rank it once the downtown redevelopment is further along.

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

LAND USE AND TRANSPORTATION

Policy LT-2.1 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.

* **LT-2.1a** Prepare and update land use and transportation policies, design guidelines, regulations and engineering specifications to reflect community and neighborhood values.

Policy LT-2.2 Encourage nodes of interest and activity, such as parks, public open spaces, well planned development, mixed use projects, and other desirable uses, locations and physical attractions.

* **LT-2.2a** Promote downtown as a unique place that is interesting and accessible to the whole City and the region.

3. Origin of issue

Board or Commission Planning Commission

4. Staff effort required to conduct study Moderate

Briefly explain the level of staff effort required

Close coordination with the Downtown businesses and DPW Traffic and Transportation would be required.

5. Multiple Year Project? No Planned Completion Year 2013

6. Expected participation involved in the study issue process?

Does Council need to approve a work plan? No
Does this issue require review by a Board/Commission? Yes
If so, which? Planning Commission
Is a Council Study Session anticipated? No

7. Briefly explain if a budget modification will be required to study this issue

Amount of budget modification required 25000

Explanation

Consultant cost estimated at \$25,000 for parking studies and an updated parking needs study for build-out of the uses in the Downtown Parking Maintenance District. Staff time is budgeted in Planning, Economic Development and Public Works operating budgets. Moderate cost is between 101-299 staff hours.

8. Briefly explain potential costs of implementing study results, note estimated capital and operating costs, as well as estimated revenue/savings, include dollar amounts

Are there costs of implementation? No

Explanation

One possible solution that may be chosen is an impact fee for future parking structures in the downtown maintenance district. The fee could be set to cover administrative costs associated with managing an impact fee.

9. Staff Recommendation

Staff Recommendation Defer

If 'Support', 'Drop' or 'Defer', explain

It is possible that the Town Center mix of uses and design will change to meet the new owners interests. Given this uncertainty, and lack of substantial active uses, deferring this item would ensure that the actual mix of uses and final development is better known in order to best analyze the parking situation. Staff recommends not dropping the issue, but to continue to defer it until further progress is made on the redevelopment of downtown.

Reviewed by

[Signature]
Department Director

10/1/12
Date

Approved by

[Signature]
City Manager

10-4-12
Date

2013 Council Study Issue

CDD 13-01 Appropriate Locations for Bicycle Parking

Lead Department Community Development

History 1 year ago None 2 years ago None

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

Bicycle racks and lockers are required on certain types of new development, but there may be areas in the city where no formal bicycle parking is available and people use street poles and street furniture to lock up their bicycles. The municipal code allows the city traffic engineer to determine if the establishment of a bicycle parking zone is reasonably necessary or desirable for the regulation of traffic, and new planning projects typically include requirements to add bicycle parking on the site.

This study would look into whether the locking of bicycles to poles and other street furniture should be clearly regulated. Typically, people use street poles and furniture to lock up their bicycles because of a lack of other parking in the immediate area. If they are locked to street poles, it may be due to a lack of bike racks near a transit location, in which case VTA or the City could add racks.

Regulations to enforce bicycle parking on city light poles and street furniture would raise several issues, including: how to know who owns the bike, knowing at what point to cut a lock, where to store the confiscated bike, etc.

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

GOAL LT-4 QUALITY NEIGHBORHOODS AND DISTRICTS

Preserve and enhance the quality character of Sunnyvale’s industrial, commercial and residential neighborhoods by promoting land use patterns and related transportation opportunities that are supportive of the neighborhood concept.

Municipal Code 13.08.360.(g) Permit or maintain any encroachment of any nature which impedes, obstructs or denies pedestrian or other lawful travel within the limits of a public street, or which impairs adequate sight distance for safe pedestrian or vehicular traffic

3. Origin of issue

Board or Commission Planning Commission

4. Staff effort required to conduct study Minor

Briefly explain the level of staff effort required

Close coordination with DPW Traffic and Transportation would be required.

5. Multiple Year Project? No **Planned Completion Year** 2013

6. Expected participation involved in the study issue process?

Does Council need to approve a work plan? No
Does this issue require review by a Board/Commission? Yes
If so, which? Bicycle and Pedestrian Advisory Commission, Planning Commission
Is a Council Study Session anticipated? No

7. Briefly explain if a budget modification will be required to study this issue

Amount of budget modification required

Explanation

8. Briefly explain potential costs of implementing study results, note estimated capital and operating costs, as well as estimated revenue/savings, include dollar amounts

Are there costs of implementation? No

Explanation

9. Staff Recommendation

Staff Recommendation Drop

If 'Support', 'Drop' or 'Defer', explain

Staff recommends not pursuing this study issue for the following reasons:

- There is existing code that allows the City to provide more bike parking at public locations.
- The pending parking code amendments will address on-site bicycle parking requirements for a wider variety of uses; new developments are required to add bike parking on site.

Reviewed by



Department Director

10/2/12
Date

Approved by



City Manager

10-4-12
Date

2013 Council Study Issue

CDD 13-02 Consideration of useable open space in required front yards

Lead Department Community Development

History 1 year ago None 2 years ago None

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

Useable open space is required for multi-family residential projects in the city: By code, landscaped areas in the required front yard cannot be counted towards useable open space. Small townhouse developments have requested and been approved to count this front yard area towards the minimum useable space requirement. This study would review open space regulations and evaluate whether there are instances or criteria that would permit required front yard areas to be counted towards required useable open space and not be deemed a deviation from the code.

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

POLICY LT-2.2 Encourage nodes of interest and activity, such as parks, public open spaces, well planned development, mixed use projects and other-desirable uses, locations and physical attractions.

- LT-2.2d Maintain public open space areas and require private open space to be maintained.

GOAL LT-4. QUALITY NEIGHBORHOODS AND DISTRICTS Preserve and enhance the quality character of Sunnyvale's industrial, commercial and residential neighborhoods by promoting land use patterns and related transportation opportunities that are supportive of the neighborhood concept.

3. Origin of issue

Board or Commission Planning Commission

4. Staff effort required to conduct study Moderate

Briefly explain the level of staff effort required

Review prior projects to determine the effectiveness of open space provided, review other cities requirements, provide outreach to public and residential developers.

5. Multiple Year Project? No **Planned Completion Year** 2013

6. Expected participation involved in the study issue process?

- Does Council need to approve a work plan?** No
- Does this issue require review by a Board/Commission?** Yes
- If so, which?** Planning Commission
- Is a Council Study Session anticipated?** No

7. Briefly explain if a budget modification will be required to study this issue

Amount of budget modification required

Explanation

8. Briefly explain potential costs of implementing study results, note estimated capital and operating costs, as well as estimated revenue/savings, include dollar amounts

Are there costs of implementation? Yes

Explanation

9. Staff Recommendation

Staff Recommendation Support

If 'Support', 'Drop' or 'Defer', explain

Clarifying the open space requirements by specifically stating the conditions and situations where the front yard can be counted will streamline the review process.

Reviewed by



Department Director

10/2/12

Date

Approved by



City Manager

10-4-12

Date

2013 Council Study Issue

CDD 13-03 Single-Family Home Parking Requirements**Lead Department** Community Development**History** 1 year ago None 2 years ago None**1. What are the key elements of the issue? What precipitated it?**

The zoning code requires two covered and two uncovered parking spaces for a single-family home. Older homes often have one car garages, which would make them legal non-conforming. If a home with a one-car garage expands to exceed 1,800 square feet in size (garage is included) or adds a fourth bedroom, a second covered parking area must be added. Converting a garage (or portion of one) requires two covered parking spaces on the property.

Recent applications to convert a garage to living space resulted in the inability to provide two covered parking spaces outside of the required setbacks. As a result, Planning Commission asked to have the single family residential parking requirements reviewed as part of a study issue.

The study could include:

- * Review of single-family homes parking requirements either city-wide or for specific areas;
- * Determine whether there are different levels of needs for covered parking;
- * Review what areas have required variances for garage conversions;
- * Determine whether there should be flexibility on covered or uncovered parking spaces;
- * Consider criteria to possibly reduce the need for variances; and
- * Review whether the 1,800 sf threshold should be exclusive of garage space.

As an option to doing a full study, staff could review the 1,800 square foot threshold for requiring two covered parking spaces by removing the garage from that calculation as a part of the Zoning Code Retooling. This would allow only living area to be counted toward the parking requirements, but it would have no effect on the conversion of a two-car garage.

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

POLICY LT-2.1: Recognize that the City is composed of residential, industrial and commercial neighborhoods, each with its own individual character; and allow changes consistent with reinforcing positive neighborhood values.

GOAL LT-4 QUALITY NEIGHBORHOODS AND DISTRICTS: Preserve and enhance the quality character of Sunnyvale's industrial, commercial and residential neighborhoods by promoting land use patterns and related transportation opportunities that are supportive of the neighborhood concept.

LEGISLATIVE MANAGEMENT

Policy 7.3B.3: Prepare and update ordinances to reflect the current community issues and concerns in compliance with federal and state laws.

Action 7.3B.3b: Consider changes to ordinance to reflect changes in community standards and state and federal laws.

3. Origin of issue**Board or Commission** Planning Commission**4. Staff effort required to conduct study** Moderate

Briefly explain the level of staff effort required

The are potentially several aspects to this study, all of which should be considered. Staff will research other city requirements and will provide public outreach.

5. **Multiple Year Project?** No **Planned Completion Year** 2013

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

Does Council need to approve a work plan? No

Does this issue require review by a Board/Commission? Yes

If so, which? Planning Commission

Is a Council Study Session anticipated? No

7. **Briefly explain if a budget modification will be required to study this issue**

Amount of budget modification required

Explanation

8. **Briefly explain potential costs of implementing study results, note estimated capital and operating costs, as well as estimated revenue/savings, include dollar amounts**

Are there costs of implementation? No

Explanation

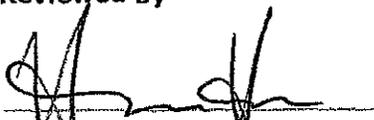
9. **Staff Recommendation**

Staff Recommendation Drop

If 'Support', 'Drop' or 'Defer', explain

Staff will review the single family residential parking requirements regarding the 1800 square foot threshold as part of the zoning ordinance retooling. Staff does not feel this study issue to review other residential parking requirements is necessary at this time.

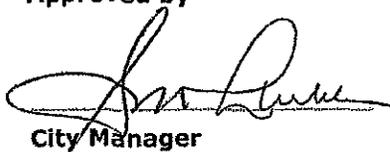
Reviewed by



Department Director

Date 10/10/12

Approved by



City Manager

Date 10-11-12

2013 Council Study Issue

CDD 13-04 R-3 Height Requirements (non-townhouses)**Lead Department** Community Development**History** **1 year ago** None **2 years ago** None**1. What are the key elements of the issue? What precipitated it?**

During the review of an apartment project by the Planning Commission there was discussion about the different height standards for townhouses and other R-3 developments.

In 2005, Council considered the study titled, "Height Limit in R-3 Zoning Districts" and made no changes to the height requirements. This was reviewed by Council again in 2006 as a part of a study on how to encourage home ownership, and the Council adopted changes to the zoning code that addresses the height of townhouses only in the R-3 zone.

Since the 2006 study, approximately 24 R-3 projects have been considered; most of the projects were townhouse style developments and by code were permitted three stories and up to 35 feet in height. Over half of these townhouse style projects were approved to exceed the 35 foot height limit by a few feet. Only three projects were for other styles of development (condominium flats and apartments). In all three of these circumstances the projects were approved with deviations to the maximum height of three stories and 30 feet (the standard for non-townhouse style developments in the R-3 zoning district). After the most recent of these projects the Planning Commission suggested this study issue to see if it is appropriate to revisit the height standard for R-3 developments.

The study would include the review of existing height requirements in Sunnyvale and in other County cities. The study would include a discussion about the purposes for different building heights, including a review of different types of construction, site constraints, and development goals, and whether flexibility can be included for different heights based on other factors (i.e. setbacks). Staff will also review criteria for flexibility to reduce the need for code deviations or variances.

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

- Goal LT-2 Attractive Community — Preserve and enhance an attractive community, with a positive image and a sense of place, that consists of distinctive neighborhoods, pockets of interest, and human scale development.
- GOAL CC-3 Well-designed Sites and Buildings — Private Development: Ensure that buildings and related site improvements for private development are well designed and compatible with surrounding properties and districts.

3. Origin of issue**Board or Commission** Planning Commission**4. Staff effort required to conduct study** Moderate**Briefly explain the level of staff effort required**

Review prior projects to determine the how often height exceptions was approved as part of a project, review other cities requirements, provide outreach to public and residential developers.

5. Multiple Year Project? No **Planned Completion Year** 2013**6. Expected participation involved in the study issue process?**

Does Council need to approve a work plan? No
 Does this issue require review by a Board/Commission? Yes
 If so, which? Planning Commission
 Is a Council Study Session anticipated? No

7. Briefly explain if a budget modification will be required to study this issue

Amount of budget modification required

Explanation

8. Briefly explain potential costs of implementing study results, note estimated capital and operating costs, as well as estimated revenue/savings, include dollar amounts

Are there costs of implementation? No

Explanation

9. Staff Recommendation

Staff Recommendation Support

If 'Support', 'Drop' or 'Defer', explain

Staff supports the review of height standards for residential projects in the R-3 zoning districts because it would likely result in a consistent standard that provides good direction for property owners, staff and decision-makers; one that is similar to a majority of approved townhouse developments approved in recent years.

Reviewed by



Department Director

10/10/12
Date

Approved by



City Manager

10-11-12
Date

2013 Council Study Issue

CDD 13-05 Accommodate Wireless Telecommunication Facilities in New Tall Buildings

Lead Department Community Development

History **1 year ago** None **2 years ago** None

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

Wireless telecommunication carriers need to place antennas above obstructions, such as buildings and trees. As a result, they look for sites with either a tall element on site, such as a building, or look to add a pole or tower. This study originated because of visually obtrusive antenna screening techniques used on existing buildings and recent changes in Federal law that limits a city's authority in future wireless co-locations. It is not possible for the City to determine where wireless carrier facilities should be located in the community, but designing new, taller buildings to support the future possibility of antenna facilities could promote good design.

This study would consider methods to have provisions for wireless telecommunications facilities to be included in new project designs for new taller buildings (greater than two-stories). Guidance on how to best incorporate the antenna design into the building architecture would be included to ensure antennas could be added without having to make future alterations to the building.

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

GOAL LT-2 Attractive Community

Preserve and enhance an attractive community, with a positive image and a sense of place, that consists of distinctive neighborhoods, pockets of interest, and human scale development.

Policy LT-4.1 Protect the integrity of the City's neighborhoods; whether residential, industrial or commercial.

Policy LT-4.2 Require new development to be compatible with the neighborhood, adjacent land uses, and the transportation system.

Policy LT-4.4 Preserve and enhance the high quality character of residential neighborhoods.

Zoning Code:

19.54.040.(b): All facilities shall be designed to minimize the visual impact to the greatest extent feasible, considering technological requirements, by means of placement, screening, and camouflage, to be compatible with existing architectural elements and building materials, and other site characteristics. The applicant shall use the smallest and least visible antennas possible to accomplish the owner/operator's coverage objectives.

3. Origin of issue

Board or Commission Planning Commission

4. Staff effort required to conduct study Moderate

Briefly explain the level of staff effort required

There are potentially several aspects to this study, such as telecommunication carriers needs, building owners expectations and limitations, all of which should be considered. Staff will research other city requirements and conduct public outreach.

5. Multiple Year Project? No Planned Completion Year 2013

6. Expected participation involved in the study issue process?

Does Council need to approve a work plan? No
 Does this issue require review by a Board/Commission? Yes
 If so, which? Planning Commission
 Is a Council Study Session anticipated? No

7. Briefly explain if a budget modification will be required to study this issue

Amount of budget modification required

Explanation

8. Briefly explain potential costs of implementing study results, note estimated capital and operating costs, as well as estimated revenue/savings, include dollar amounts

Are there costs of implementation? No

Explanation

9. Staff Recommendation

Staff Recommendation Drop

If 'Support', 'Drop' or 'Defer', explain

Although this study could help provide viable options for telecommunication carriers in locating wireless facilities, it is possible to address the issue by including it in City-wide Design Guidelines. Including these types of policies in the zoning code is difficult to administer because specific design criteria varies from site to site, and the zoning code is less flexible. The change can be handled administratively, although staff would likely present the information to the Planning Commission before modifying the standards.

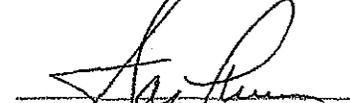
It would be better to work with each site separately and consider whether the location and design of the new building would be feasible for a wireless carrier.

Reviewed by


 Department Director

10/10/12
 Date

Approved by


 City Manager

Date

Amount of budget modification required

Explanation

- 8. Briefly explain potential costs of implementing study results, note estimated capital and operating costs, as well as estimated revenue/savings, include dollar amounts

Are there costs of implementation? No

Explanation

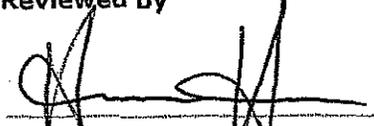
9. Staff Recommendation

Staff Recommendation Drop

If 'Support', 'Drop' or 'Defer', explain

Currently, if a site is two acres or larger, a project is subject to art requirements provided a commercial use is included. Mixed use projects are therefore already required to comply with the art in private development requirements, so no study is required.

Reviewed by

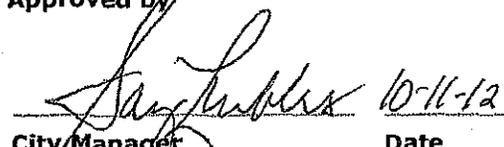


 Department Director

10/10/12

 Date

Approved by



 City Manager

10-11-12

 Date

2013 Council Study Issue

CDD 13-07 Large Family Day Care Locational Requirements

Lead Department Community Development

History 1 year ago None 2 years ago None

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

Recently, there have been a few use permit applications for large family day care (LFDC) uses located within 300 feet of an existing LFDC; in one case the Planning Commission decision was appealed to the City Council. Concern from the public is the impact LFDC's have on the surrounding neighbors and nearby area. During the City Council meeting, members of the public pointed out concerns with other LFDC sites that were not subject to the use permit requirements.

This study would consider the limitations that State law has on regulating LFDC's, specifically that LFDC's shall be treated the same as any other residential use. State law allows a city to prescribe reasonable standards, restrictions, and requirements concerning spacing and concentration, traffic control, parking, and noise control, which would be the crux of this study. One option to explore is having operational criteria for all LFDC (e.g hours of operation, parking, noise).

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

Policy LT 4.14. Support the provision of a full spectrum of public and quasi-public services (e.g., parks, day care, group living, recreation centers, religious institutions) that are appropriately located in residential, commercial and industrial neighborhoods and ensure that they have beneficial effects on the surrounding area.

Action statement LT 4.14d Encourage employers to provide on-site facilities such as usable open space, health club facilities, and child care where appropriate.

Policy LT 4.3. Support a full spectrum of conveniently located commercial, public and quasi-public uses that add to the positive image of the City.

State Law: Has determined that a family day care is a residential use and precludes cities from regulating small family care and allows limited regulations for large family care.

3. Origin of issue

Council Member(s) Moylan, Spitaleri, Whittum

4. Staff effort required to conduct study Moderate

Briefly explain the level of staff effort required

Background research of State law and other cities' approaches; public outreach to the general public and day care operators, preparation of reports; and, public hearings.

5. Multiple Year Project? No **Planned Completion Year** 2013

6. Expected participation involved in the study issue process?

Does Council need to approve a work plan?	No
Does this issue require review by a Board/Commission?	Yes
If so, which?	Planning Commission
Is a Council Study Session anticipated?	No

7. Briefly explain if a budget modification will be required to study this issue

Amount of budget modification required

Explanation

8. Briefly explain potential costs of implementing study results, note estimated capital and operating costs, as well as estimated revenue/savings, include dollar amounts

Are there costs of implementation? No

Explanation

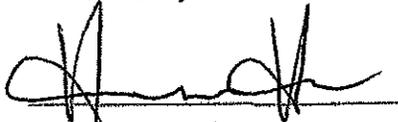
9. Staff Recommendation

Staff Recommendation Support

If 'Support', 'Drop' or 'Defer', explain

State law considers large and small family child care uses as residential uses the same as any other home. Cities can prescribe reasonable standards, restrictions, and requirements concerning spacing and concentration, traffic control, parking, and noise control. This study could provide better guidance to the community, staff and decision-makers about the location and operating requirements of LFDC's.

Reviewed by


Department Director

10/1/12
Date

Approved by


City Manager

10-4-12
Date

2013 Council Study Issue

CDD 13-08 Review General Plan Amendment Initiation Process

Lead Department Community Development

History **1 year ago** None **2 years ago** None

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

As a charter city, Sunnyvale can develop its own rules for managing changes to the General Plan. Accordingly, in order for property owners and developers to propose a change to the City's General Plan, the code requires that the City Council initiate the request. This initiation can be done any time of the year, and gives the Council a chance to review a request and let an applicant know whether they would consider a formal application to amend the Plan. If the Council has a majority vote to initiate the amendment, the applicant must then file a formal application, along with related applications (i.e. rezone and development plans). If the Council denies the initiation request, the amendment option dies. The Initiation does not grant any approval, but merely grants an applicant the opportunity to file a formal application. Beyond the posting of the City Council agendas, initiation requests are not posted, published or sent to nearby owners or residents.

The information necessary to initiate a GP request consists of general information and preliminary project plans. Formal plans and documents would be required if the initiation is approved by Council.

This study would provide options for considering the review of requests to change the city's General Plan. Those options could include providing public notification of the request and other efforts to solicit public feedback. Additionally, there is currently no limit on the number of requests that can be considered by the Council each year. This study would consider option such as limiting or grouping these requests throughout the year, or consider requests at set intervals (e.g. quarterly). This could allow for a universal perspective as opposed to intermittent changes to one of the City's major planning documents.

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

Council Policy- Legislative Management:

Goal 7.3A Assess community conditions and make appropriate changes to long range, mid-range and short-range plans.

Policy 7.3A.1 Utilize the General Plan as the City's principal long-range planning tool; utilize the Resource Allocation Plan and Program Outcome Statements as the City's principal mid-range planning tool; and utilize the Council Study Calendar as the City's principal short-range planning tool.

3. Origin of issue

City Staff Staff

4. Staff effort required to conduct study Moderate

Briefly explain the level of staff effort required

Review State law concerns, review other city processes, and conduct outreach with the community.

5. Multiple Year Project? No Planned Completion Year 2013

6. Expected participation involved in the study issue process?

Does Council need to approve a work plan? No
 Does this issue require review by a Board/Commission? Yes
 If so, which? Planning Commission
 Is a Council Study Session anticipated? No

7. Briefly explain if a budget modification will be required to study this issue

Amount of budget modification required

Explanation

8. Briefly explain potential costs of implementing study results, note estimated capital and operating costs, as well as estimated revenue/savings, include dollar amounts

Are there costs of implementation? No

Explanation

9. Staff Recommendation

Staff Recommendation Support

If 'Support', 'Drop' or 'Defer', explain

The City has the authority to establish how to consider changes to the General Plan. The current method gives applicants an opportunity to appear before the Council with a proposal to change the General Plan without first preparing the large amount of information typical for a development application. Notification is not used because no project approval results from the initiation. Recently, concern has been raised about the level of public input into the initiation process. This study could resolve those concerns with clear, understandable direction from Council on how to proceed with these proposals in the future.

Reviewed by


 Department Director

10/12/12
 Date

Approved by


 City Manager

10-15-12
 Date

2013 Council Study Issue

CDD 13-09 Sustainability Rating System**Lead Department** Community Development**History** 1 year ago None 2 years ago None**1. What are the key elements of the issue? What precipitated it?**

This study issue was recommended by the Sustainability Commission. The goal of the study would be to look at creating a new sustainability rating, based on metrics, or for projects (public or private) or policies where there are multiple options or alternatives with the goal to assist in decision making.

The City has adopted a Green Building program, with requirements in the zoning code and adopted by resolution by Council. The City also uses the State-mandated CalGreen code to building construction. In addition, there are local and State mandated requirements for stormwater, air quality and other impacts to the environment. There are currently numerous rating systems used to evaluate various aspects and levels of sustainability criteria. Examples of these systems include:

- Build It Green
- LEED® (Leadership in Energy and Environmental Design)
- BREEAM (Building Research Establishment's Environmental Assessment Method)
- CASBEE (Comprehensive Assessment System for Building Environmental Efficiency)GBTool
- Green Globes™ U.S.

Each system has its pros and cons. The majority of rating systems utilized, including the systems identified here, focus on buildings and development projects and would not be applicable for evaluating policies unrelated to building. Additionally, there are high levels of variation between the systems for the same 'grade' or 'rating' than might be expected. For example, BREEAM Excellent, LEED Platinum, and a 6-Star Green Star office buildings are not equivalent in terms of sustainability features or environmental impact. This study could identify the most appropriate rating system based on the desired criteria in use by other local governments or develop a unique rating system for Sunnyvale.

2. How does this relate to the General Plan or existing City Policy?**Policy 1.1.7 Environmental Quality Regulations**

POLICY PURPOSE: The California Environmental Quality Act of 1970, as amended, ("CEQA") requires cities and other units of local government to adopt objectives, reports, criteria and procedures for the evaluation of projects and the preparation of environmental impact.

Policy 1.1.9 Sustainable Development and Green Buildings

POLICY PURPOSE: This policy is designed to encourage sustainable development throughout the City of Sunnyvale, to provide education and information to the community, and to serve as an acknowledgement by the City Council of the importance of sustainable development concepts and practices.

3. Origin of issue**Board or Commission** Sustainability Commission**4. Staff effort required to conduct study** Major**Briefly explain the level of staff effort required**

This study would require significant staff effort. It would require the identification of the variables

and metrics to be included in the rating system, a reliable methodology for determining the rating value for each variable and a program for implementation and evaluation of the rating system. It is anticipated that in order to complete this study an outside consultant would be necessary due to current staffing constraints. Staff spent well over 200 hours preparing the Initial Green Building Ordinance, which includes the LEED and Build It Green Rating systems.

5. **Multiple Year Project?** Yes **Planned Completion Year** 2014

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

Does Council need to approve a work plan? No
Does this issue require review by a Board/Commission? Yes
If so, which? Planning Commission, Sustainability Commission
Is a Council Study Session anticipated? Yes

7. **Briefly explain if a budget modification will be required to study this issue**

Amount of budget modification required 100000

Explanation

This study would require the services of an outside consultant. Depending on the scope of the study, it is anticipated that the cost to create a rating system could be in the area of \$100,000.

8. **Briefly explain potential costs of implementing study results, note estimated capital and operating costs, as well as estimated revenue/savings, include dollar amounts**

Are there costs of implementation? No

Explanation

Direct costs for the implementation of this study may result based on the how the the rating system is applied. Costs may be incurred, if staff time is required to validate or verify sustainability ratings, through plan reviews or site visits. If used strictly as a decision making tool additional costs may be limited to periodically updating the rating system based on new science, methodologies and evolving information.

9. **Staff Recommendation**

Staff Recommendation Drop

If 'Support', 'Drop' or 'Defer', explain

Staff recommends dropping this study issue. The usefulness of this system would be limited in scope because private projects have constraints limiting their options, including a fixed location and requirements beyond what has already been evaluated. In addition, the time and cost involved in developing a sustainability rating is of concern. The City already utilizes rating systems CalGreen, Build It Green and LEED as part of its Green Building Program. While there are limits to these programs, they are widely accepted and utilized by industry and local governments.

Reviewed by		Approved by	
	11/7/12		11/7/12
Department Director	Date	City Manager	Date

2013 Council Study Issue

ESD 12-03 Impact of Sea Level Rise on Land Use

Lead Department Environmental Services

History 1 year ago Deferred 2 years ago None

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

This study issue was initiated by the Sustainability Commission. The Commission recommended a study to evaluate the potential environmental and economic impacts surrounding land use in Sunnyvale based on existing City Policy and General Plan (and pending General Plan Update) statements in light of vulnerabilities associated with projected sea level rise. The basis and outcome of this study is the creation of a whitepaper that may support a future study issue creating recommendations for adaptation strategies.

The Bay Conservation and Development Commission (BCDC) has developed a background report titled "*Living With A Rising Bay: Vulnerability And Adaptation In San Francisco Bay And On the Shoreline*" (April 7, 2009). The report identifies vulnerabilities in the Bay Area's economic and environmental systems, as well as the potential impacts of climate change on public health and safety. This background report provides the basis for all versions of the proposed findings and policies concerning climate change.

2. How does this relate to the General Plan or existing City Policy?**Policy 2.4.1 Seismic Safety and Safety — Mission Statements (Goals), Policies and Key Initiatives (Action Strategies)**

Mission Statement A: Ensure that natural and human-caused hazards are recognized and considered in decisions affecting the community, and that land uses reflect acceptable levels of risk based on identified hazards and occupancy

Policy A2 Flood Hazards

Take measures to protect life and property from the effects of a 1% (100 year) flood.

Mission Statement B: Ensure that the City, its community members, business, industry, faith-based organizations, community organizations, and special needs populations are prepared to effectively respond to major emergencies.

Policy B3 Emergency Planning & Coordination

Provide an integrated approach to planning and management for emergencies and disasters.

Policy B5 Business and Industry

Provide information and assistance to business and industry to encourage their own planning and preparedness for emergencies and disasters.

Policy B6 Community

Provide the community members of Sunnyvale information, encouragement and assistance with emergency planning and preparedness.

Policy 1.0.1 Land Use and Transportation — Goals, Policies and Action Statements

THE CITY AS PART OF A REGION

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

THE NEIGHBORHOODS

Goal N1- Preserve and enhance the quality character of Sunnyvale's industrial, commercial, and residential neighborhoods by promoting land use patterns and related transportation opportunities that are supportive of the neighborhood concept.

Policy 1.1.9 Sustainable Development and Green Buildings

POLICY PURPOSE

This policy is designed to encourage sustainable development throughout the City of Sunnyvale, to provide education and information to the community, and to serve as an acknowledgement by the City Council of the importance of sustainable development concepts and practices.

3. Origin of issue

Board or Commission Sustainability Commission

4. Staff effort required to conduct study Moderate

Briefly explain the level of staff effort required

Staff support for this study may range from moderate to major. This study would require staff to review the current General Plan and other city policies against the BCDC vulnerability and adaptation report identifying anticipated sea level rise impacting Sunnyvale.

5. Multiple Year Project? Yes Planned Completion Year 2014

6. Expected participation involved in the study issue process?

Does Council need to approve a work plan? No

Does this issue require review by a Board/Commission? Yes

If so, which? Planning Commission, Sustainability Commission

Is a Council Study Session anticipated? Yes

7. Briefly explain if a budget modification will be required to study this issue

Amount of budget modification required 0

Explanation

8. Briefly explain potential costs of implementing study results, note estimated capital and operating costs, as well as estimated revenue/savings, include dollar amounts

Are there costs of implementation? Yes

Explanation

No capital or operating costs would result from this study; anticipate study to be completed by staff. The study has the potential to inform the City by identifying vulnerabilities to Sunnyvale as a result of anticipated sea level rise. The study may provide information that allows the City to make General Plan and policies decisions based on the study results.

9. Staff Recommendation

Staff Recommendation Defer

If 'Support', 'Drop' or 'Defer', explain

Staff recommends deferral of this study. Staff believes that this study may be a worthy exercise when a regional framework has been identified. Additionally, the City is currently revising the Land Use and Transportation Element (LUTE) of the General Plan in which many policies may be changed and new policies added. To initiate this study at this time would be premature given the changes that are expected from the completion of the Horizon 2035 Committees work on the LUTE and Climate Action Plan.

Reviewed by


Department Director

10-1-12
Date

Approved by


City Manager

10-6-12
Date

ESD 13-04 Extending and Monitoring TDM Program

Lead Department Environmental Services

History **1 year ago** None **2 years ago** None

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

This study was proposed by the Sustainability Commission. The proposal is for a study to evaluate existing staff capacity for TDM monitoring and enforcement and determine the level of staffing necessary for the administration of the City's Transportation Demand Management program (TDM) so the City can better monitor and enforce TDM requirements and extend TDM to smaller entities.

TDM is required for many employers in Sunnyvale. The City has an existing enforcement mechanism for employers that do not meet their TDM requirements. At this time, TDM monitoring is conducted on a self-reporting basis. Staff is limited in their capacity to review compliance reports and take follow-up action. This study would evaluate existing staffing levels and staffing levels necessary to better monitor and enforce TDM requirements. The study would also explore ways to extend and implement TDM to smaller entities in the City, for example, neighborhood villages and commercial complexes not currently subject to TDM.

Planning and Engineering staff members are currently working with the businesses that have a TDM Program requirement to modify the plans and standardized the compliance reporting. For example, some of the older programs are based on number of employees, versus new programs where reduction goals are based on the number of trips anticipated for the site. More recently prepared TDM programs require an annual objective counting of trips to and from the site; surveys of employees supplements the actual performance data. There is not currently an issue with businesses being out of compliance with their TDM programs. This streamlining effort will make monitoring easier for staff.

TDM Programs are most effective when there are a large number of employees that can share ideas and resources. In the Moffett Park area businesses have partnered to facilitate their individual TDM programs. Smaller businesses have a harder time administering TDM programs.

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

Council Policy 1.1.15 Residential Transportation Demand Management

General Plan

Policy EM-11.6 Contribute to a reduction in Regional Vehicle Miles Traveled. (Previously Air Quality Policy C.3)

Policy EM-11.5 Reduce automobile emissions through traffic and transportation improvements . (Previously Air Quality Policy A.2)

Policy EM-11.8 Assist employers in meeting requirements of Transportation Demand Management (TDM) plans for existing and future large employers and participate in the development of TDM plans for employment centers in Sunnyvale. (Previously Air Quality Policy B.2)

The Moffett Park Specific Plan requires TDM Programs for developments over the base zoning and that projects taking advantage of a Green Building Program incentive (residential or non-residential) are required to have a TDM Program

3. Origin of issue

Board or Commission Planning Commission, Sustainability Commission

4. Staff effort required to conduct study Major

Briefly explain the level of staff effort required

It is estimated staff time necessary to conduct this study would be in excess of 400 hours. The study requires a review of current staffing levels, review of the amount of time spent on TDM currently, and the amount of time and effort necessary to monitor and enforce existing TDM requirements, while expanding the program to entities not currently required to participate in TDM. Currently, businesses required to implement TDM self-report their results each year. As the study would only have to deal with the smaller businesses—staff is already taking care of the concern about self-reporting administratively. It will take a lot of time to work with smaller businesses/sites. They are not going to be happy, so outreach will take a while.

5. Multiple Year Project? Yes **Planned Completion Year** 2014

6. Expected participation involved in the study issue process?

Does Council need to approve a work plan? No

Does this issue require review by a Board/Commission? Yes

If so, which? Bicycle and Pedestrian Advisory
Commission, Planning Commission,
Sustainability Commission

Is a Council Study Session anticipated? No

7. Briefly explain if a budget modification will be required to study this issue

Amount of budget modification required 250000

Explanation

A budget modification would be necessary to complete this study. Due to current staff capacity, it is anticipated that a consultant would be required to perform this study. In order to determine the time involved to monitor and enforce TDM, field investigations would need to be conducted. Field investigations of this nature require significant time to monitor and evaluate self-reporting results.

8. Briefly explain potential costs of implementing study results, note estimated capital and operating costs, as well as estimated revenue/savings, include dollar amounts

Are there costs of implementation? Yes

Explanation

Capital and operating costs could vary considerably in order to determine appropriate staffing levels to monitor, enforce and expand TDM. It is likely that options will be identified as a result of this study that will require additional, substantial funding, as well as operating costs in future years. The implementation costs would be incurred through staff time to monitor, track and

develop guidelines for expanding the TDM program to entities not currently required to participate in TDM. There are no monetary savings or revenues for this program outside of regulatory fines for noncompliance. The impact of this study would be realized in potential greenhouse gas reductions as a result of alternative commute solutions. This study would support measures identified in the Climate Action Plan to reduce vehicles miles traveled, which contribute significantly to the City's overall greenhouse gas contribution.

9. Staff Recommendation

Staff Recommendation Drop

If 'Support', 'Drop' or 'Defer', explain

Staff anticipates working on the Peery Park Specific Plan this next year. It is likely that TDM will be a component of that plan, which would then require TDM programs for over half of the industrial areas. The first part staff has taken care of. The second part is not timely. The concept is lovely, but premature.

Reviewed by



Department Director

10-1-12

Date

Approved by



City Manager

10-1-12

Date

ESD 13-05 Ecodistrict Feasibility and Incentives

Lead Department Environmental Services

History 1 year ago None 2 years ago None

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

An Ecodistrict is a neighborhood or district with a broad commitment to accelerate neighborhood-scale sustainability. Ecodistricts commit to achieving ambitious sustainability performance goals, guiding district investments and community action, and tracking the results over time. The aim of an Ecodistrict is to integrate objectives of sustainable development and planning and reduce the ecological footprint of a project.

This study issue would determine the feasibility of the Ecodistrict concept in Sunnyvale. The study would also identify and make recommendations for incentives the City can offer developers to implement strategies for enhancing neighborhood sustainability, such as energy and water management systems, green streets, and resource conservation, similar to how the City provides FAR incentives for LEED.

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

General Plan

Policy CC-1.4

Support measures which enhance the identity of special districts and residential neighborhoods to create more variety in the physical environment. (Previously Community Design Policy A.3)

Policy CC-1.4a

Encourage diversity and develop programs to emphasize the unique features of special districts

Policy CC-3.1

Place a priority on quality architecture and site design which will enhance the image of Sunnyvale and create a vital and attractive environment for businesses, residents and visitors, and be reasonably balanced with the need for economic development to assure Sunnyvale's economic prosperity (Previously Community Design Policy C.1)

Policy CC-3.2

Ensure site design is compatible with the natural and surrounding built environment. (Previously Community Design Policy C.2)

Policy LT-1.11

Protect regional environmental resources through local land use practices. (Previously LUTE Policy R1.11)

Policy LT -2.1

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. (Previously LUTE Policy C1.1)

3. Origin of issue

Council Member(s) Martin-Milius/Griffith

4. Staff effort required to conduct study Major

Briefly explain the level of staff effort required

This study would require significant staff time to complete. The Ecodistrict concept is a fairly new and emerging concept with limited examples of implementation. Due to staff expertise and workload, it is anticipated that a consultant would be necessary to complete this study.

5. Multiple Year Project? Yes **Planned Completion Year**

6. Expected participation involved in the study issue process?

Does Council need to approve a work plan? No

Does this issue require review by a Board/Commission? Yes

If so, which? Board of Building Code Appeals,
Heritage Preservation Commission,
Planning Commission, Sustainability
Commission

Is a Council Study Session anticipated? No

7. Briefly explain if a budget modification will be required to study this issue

Amount of budget modification required 50000

Explanation

This study would in all likelihood require the services of an outside consultant. Depending on the scope of the study, it is anticipated that the cost to identify the feasibility for Sunnyvale and level of incentives necessary for a developer to implement an Ecodistrict would be in the ballpark of \$50,000. Funding would likely be from the General Fund.

8. Briefly explain potential costs of implementing study results, note estimated capital and operating costs, as well as estimated revenue/savings, include dollar amounts

Are there costs of implementation? Yes

Explanation

Capital and operating costs could vary considerably. It is likely that options will be identified as a result of this study that will require additional, substantial funding, as well as operating costs in future years to implement the Ecodistrict concept. The implementation costs would be incurred through staff time to develop guidelines for the Ecodistrict strategy and unknown capital and operating costs associated with ongoing implementation and support if the City is an active participant in the strategy. The impact of this study would be realized in potential greenhouse gas reductions as a result of the sustainability measures implemented. This study would support measures identified in the Climate Action Plan, General Plan and Land Use and Transportation Element. Costs associated with the implementation of this study issue would also be based on the incentives identified. Costs may be monetary or in the form of deviations from current development requirements, depending on the outcome of the study.

9. Staff Recommendation

Staff Recommendation Defer

If 'Support', 'Drop' or 'Defer', explain

Staff recommends deferring this study issue pending the outcome of the Climate Action Plan (CAP) and Land Use and Transportation Element (LUTE). The impact of implementing the CAP and LUTE is not clear. Staff believes it would be prudent to take up this study issue after their implementation when staff has the ability to more fully evaluate their impact on staff time and resources.

Reviewed by



Department Director

10-15-12

Date

Approved by



City Manager

10-16-12

Date

2013 Council Study Issue

DPW 13-06 Review of On-Street Parking at Private Residences in Order to Emphasize Bicyclists Needs

Lead Department Public Works

History 1 year ago None 2 years ago None

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

This study would seek to identify methods to ease the impact of on-street parking removal for installation of bike lanes. Steps such as relaxed on-site parking standards to allow more parking off-street (i.e. allowing paving of side yards, landscaped areas), rationalized on-site parking standards, development of satellite parking facilities, provision of special event parking permits for limited duration on-street parking, bike sharing, car sharing or other creative means to lesson the perception of ownership and need of public on-street parking by adjacent residents would be explored. The purpose would be to improve the City's ability to provide safe street space for bicycling. The outcome of the study could be recommendations for regulations and programs related to public and private parking of motor vehicles.

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

LT-5.4f Manage on-street parking to assure safe, efficient traffic flow.

GOAL CC-2 Attractive Street Environment — Create an attractive street environment which will complement private and public properties and be comfortable for residents and visitors.

3. Origin of issue

Board or Commission Bicycle and Pedestrian Advisory Commission

4. Staff effort required to conduct study Major

Briefly explain the level of staff effort required

The breadth of this study would require considerable research to identify, develop, and scope parking programs and facilities to meet the study objective.

5. Multiple Year Project? No **Planned Completion Year** 2013

6. Expected participation involved in the study issue process?

Does Council need to approve a work plan? No

Does this issue require review by a Board/Commission? Yes

If so, which? Bicycle and Pedestrian Advisory Commission, Planning Commission

Is a Council Study Session anticipated? No

7. Briefly explain if a budget modification will be required to study this issue

Amount of budget modification required 30000

Explanation

An outside consultant would be needed to develop and evaluate programs that could reduce the need for on-street parking.

- 8. **Briefly explain potential costs of implementing study results, note estimated capital and operating costs, as well as estimated revenue/savings, include dollar amounts**

Are there costs of implementation? Yes

Explanation

This study could result in adoption of policy or procedures that would allow the City to consider the costs and benefits of implementing measures to mitigate the elimination of on-street parking as part of future projects. Modification of streets would have an associated, unknown cost. The study could also recommend the adoption of new programs and/or facilities to reduce parking demand. These programs would have an associated, unknown cost.

- 9. **Staff Recommendation**

Staff Recommendation Drop

If 'Support', 'Drop' or 'Defer', explain

This issue is likely to be highly controversial and as currently scoped, have potential impacts to many city residents. The general topic and the broad nature of the proposals to be considered makes this a difficult study to effectively engage the public at large, and therefore it would be difficult to identify and craft policies and procedures that truly reflect a reasonable and effective balance between the interests of the cycling community and the general City population. Elements of this proposal, such as car share programs, bike share programs, or changed parking regulations or programs could benefit future bike corridors, but the far-reaching nature of this proposal would make the logistics of conducting an effective study very difficult.

Staff feels the impacts created by the removal of on-street parking are very neighborhood specific. This proposed study would do little to reduce the need for good neighborhood outreach and site specific analysis when the removal of the on-street parking is proposed.

Reviewed by

Kent Steffens

Department Director

10-1-12

Date

Approved by

Jay L...

City Manager

10-2-12

Date

2013 Council Study Issue

DPW 13-13 Feasibility of Establishing a Community Animal Farm for Children at the Sunnyvale Landfill.

Lead Department Public Works

History **1 year ago** None **2 years ago** None

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

This study issue was proposed by Council member Davis. The study would examine the general feasibility and costs associated with establishing a community venture featuring a venue where children from surrounding schools can come to a farm-like setting to interact with animals in a nurturing and learning environment.

It would specifically explore the feasibility of allowing Animal Assisted Happiness (AAH), a 501(C)(3) non-profit organization, leasing portions of "Recycle Hill" and "West Hill" at the Sunnyvale Landfill for the purpose of locating its operation and providing services. AAH is currently located in Morgan Hill and desires to relocate to Sunnyvale so that it is strategically positioned to provide services in Santa Clara County. Its mission is to serve children and adults with special needs through therapeutic animal interaction services. AAH has developed a proposal for the leasing and improvement of portions of the landfill and the operation of its programs. Phase I of the proposal calls for temporary use of "Recycle Hill" and includes the installation of perimeter fencing on the west side of the site, portable stalls for animals and portable buildings for the storage of supplies. At this stage only "small" animals would be used, such as miniature horses, pot belly pigs, dwarf goats and other smaller species. Phase II involves long-term improvements to "West Hill" including fencing, storage barn, round pens, riding arena, animal barns, office building, pasture, utilities and a parking lot. Programs would utilize small and large animals including horses. AAH submitted a proposal to the City in 2010 and was told that the topic was not a priority for study due to City resource issues.

The Sunnyvale Landfill was certified "closed" in 1994. Post-closure use of the landfill is governed by a State-approved Post-closure Maintenance Plan. Unlike the current pedestrian, cycling and bird watching uses at the landfill, the proposed use by AAH is not presently contemplated by this plan. Thus, implementing the AAH proposal would require (in addition to negotiation of a lease document) regulator approval of a revision of the Post-closure Plan and possibly interactions and approvals from the Regional Water Quality Control Board and Bay Area Air Quality Management District.

It should be noted that the Public Works Department (Parks Division) is planning to work with the Environmental Services Department (Solid Waste Division) on long range planning for recreational use of the landfill. In 2009, Council directed the Department of Community Services and Department of Public Works to work together to develop a long-term plan for the recreational use of the West Hill, Recycle Hill and South Hill portions of the landfill (RTC 09-183). At this point this broader study of future uses of the landfill has not been scheduled.

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

General Plan Goal LT-8 "Adequate and Balanced Open Space". Provide and maintain adequate and balanced open space and recreation facilities for the benefit of maintaining a healthy community based on community needs and the ability of the city to finance, construct, maintain and operate these facilities now and in the future.

General Plan Goal LT-9 "Regional Approach to Open Space". A regional approach to providing and preserving open space and providing open space and recreational services, facilities and amenities for the broader community.

Municipal Code 9.62.070 Conduct-Prohibited acts. No person in a park shall: (e)Lead, ride, drive or let loose any cattle, horse, mule, goat, sheep, swine, dog or fowl of any kind; provided that this shall not apply to dogs when led by a cord or chaig, not more than six feet long.

3. Origin of issue

Council Member(s) Davis, Spitaleri

4. Staff effort required to conduct study Moderate

Briefly explain the level of staff effort required

Staff from the departments of Public Safety, Public Works, Community Development and Environmental Services would need to collaborate to determine the feasibility of this proposal with regard to; local, state and federal regulations governing the use of landfills, long range planning for the use of the landfill and municipal code restrictions concerning farm animals in parks. Environmental Services Department staff should complete a master plan for the landfill before considering its use for this proposal.

5. Multiple Year Project? Yes **Planned Completion Year**

6. Expected participation involved in the study issue process?

Does Council need to approve a work plan? No
Does this issue require review by a Board/Commission? Yes
If so, which? Parks and Recreation Commission,
 Planning Commission
Is a Council Study Session anticipated? No

7. Briefly explain if a budget modification will be required to study this issue

Amount of budget modification required 10000

Explanation

Cost is estimated for a consultant to develop a master plan for the landfill. The base cost of this study is approximately \$100,000. The incremental cost to include the AAH proposal as an additional alternative is approximately \$10,000.

8. Briefly explain potential costs of implementing study results, note estimated capital and operating costs, as well as estimated revenue/savings, include dollar amounts

Are there costs of implementation? Yes

Explanation

Leasing of the land could generate revenue but there may be costs related to landfill improvements and their use including utilities, regulatory requirements and secondary costs caused by increased use of the site.

9. Staff Recommendation

Staff Recommendation Defer

If 'Support', 'Drop' or 'Defer', explain

Defer until a master plan for the landfill is completed. Staff acknowledges that the AAH proposal

could be an appropriate and valuable use of the landfill property. However, in considering the AAH proposal the City should consider other potential uses of the property. Sports fields or other active recreation uses could be suitable for the landfill property and have not been studied at this point. This proposal which leases the land to a specific private group would also be best considered with an open competitive process. If the City determined the property was available for lease for recreational purposes, shouldn't it make the property available through a competitive request for proposal process? Decisions about the landfill property will inevitably have a long-lasting effect. Changing the current use of the landfill involves an update to the City's landfill post-closure plan which would require State approval. Once a use is established it will likely be there for many years even if other civic uses of the property were identified at a later point.

Reviewed by

Kent Steffens 11-8-12
Department Director Date

Approved by

Gary Lunde 11-8-12
City Manager Date