

2014 Council Study Issue

CDD 14-03 Public Hearings on Legislative Actions (RZ, GPA) Prior to Public Hearings on the Related Development Projects

Lead Department Community Development

Sponsor(s) Planning Commission

History 1 year ago: 2 years ago:

1. **Scope of the Study**

a. What are the key elements of the study?

Cities vary in how they consider changes to General Plan and/or Zoning as well as project specific approvals. Sunnyvale has typically allowed an applicant to decide whether to consolidate the public hearings or to phase them (have separate hearings on rezoning/general plan amendments and project review). Most applicants prefer coordinating the related actions. The advantage to separate hearings is that the policy level decision is clearly separated from project level decisions. Disadvantages to separated actions include: the public has four public hearings to attend (two each to Planning Commission and City Council) rather than two public hearings (one each); costs of processing applications due to the additional staff reports, public hearings and notices.

The study could include:

- The pros and cons of separating legislative decisions, such as General Plan amendments (GPA) and rezones (RZ) from a decision on the development proposal .
- How doing so affects:
 - Development review deadlines
 - Environmental review
 - Customer service (applicant, community members)
 - Staff workload
 - City Council review
- Community outreach

b. What precipitated this study?

The Planning Commission reviews GPA's and RZ's at the same hearing as the actual development project. There has been concern that hearing the legislative actions at the same meeting creates pressure and an expectation to approve the project. In 2013, Council modified a Downtown Specific Plan amendment and referred the related development project application back to the Planning Commission.

c. Is this a multiple year project? No Planned Completion Year 2014

2. **Fiscal Impact**

a. Cost to Conduct Study

- i. Level of staff effort required (opportunity cost)
- Major Moderate Minor

- ii. Amount of funding above current budget required \$0
 Will seek budget supplement Will seek grant funding

iii. Explanation of Cost:

b. Costs to Implement Study Results

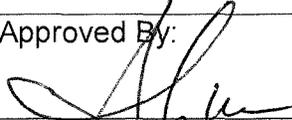
- No cost to implement.
 Unknown. Study would include assessment of potential costs.
 Some cost to implement. Explanation: If the separate hearings option is selected, there will be additional staff time needed to prepare for and staff the public hearings. Development fees can be increased to cover the additional cost.

3. **Expected participation in the process**

- Council-approved work plan
 Council Study Session
 Board/Commission Review by Planning Commission

4. **Staff Recommendation**

- a. Position: Drop
- b. Explanation: This item will be reviewed as part of the 2013 study issue regarding General Plan Initiations. Also, it can resolved operationally on a case-by-case basis as each situation will differ on whether legislative actions should be heard concurrently with the project or separately.

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| Reviewed By: | Approved By: |
|  |  |
| Department Director | City Manager |
| Date 10/10/13 | Date 10-15-13 |