



City of Sunnyvale

Notice and Agenda

City Council

Friday, February 7, 2014

8:30 AM

Council Chambers and West Conference
Room, City Hall, 456 W. Olive Ave.,
Sunnyvale, CA 94086

Special Meetings - Council Study Issues and Budget Issues Workshop and Closed Session

CALL TO ORDER

Call to order in the Council Chambers.

SALUTE TO THE FLAG

ROLL CALL

PUBLIC COMMENT

This category is limited to 15 minutes with a maximum of three minutes per speaker. If you wish to address the Council, please complete a speaker card and give it to the City Clerk. Individuals are limited to one appearance during this section. NOTE: The Public Hearing for the Proposed 2014 Study and Budget Issues was held on January 7, 2014.

INTRODUCTION BY THE INTERIM CITY MANAGER

FISCAL OUTLOOK PRESENTATION

OVERVIEW OF THE STUDY ISSUES/BUDGET ISSUES WORKSHOP PROCESS

STUDY ISSUES: REVIEW, DISCUSSION AND PRIORITY SETTING

REVIEW OF BUDGET ISSUES

CLOSING REMARKS

AVAILABILITY OF RANKING RESULTS/NEXT STEPS

ADJOURNMENT TO CLOSED SESSION

CALL TO ORDER IN THE WEST CONFERENCE ROOM**ROLL CALL****CONVENE TO CLOSED SESSION**

The public may provide comments regarding the Closed Session item just prior to the Council beginning the Closed Session. Closed Sessions are not open to the public.

14-0168 Closed Session held pursuant to California Government Code
Section 54957: PUBLIC EMPLOYEE APPOINTMENT
Title: City Manager

ADJOURN SPECIAL MEETING**NOTICE TO THE PUBLIC**

The agenda reports to council (RTC's) may be viewed on the City's Web site at sunnyvale.ca.gov after 7 p.m. on Thursdays or at the Sunnyvale Public Library, 665 W. Olive Ave. as of Fridays prior to Tuesday City Council meetings. Any agenda related writings or documents distributed to members of the City of Sunnyvale City Council regarding any open session item on this agenda will be made available for public inspection in the Office of the City Clerk located at 603 All America Way, Sunnyvale, California during normal business hours and in the Council Chamber on the evening of the Council Meeting, pursuant to Government Code §54957.5. Please contact the Office of the City Clerk at (408) 730-7483 for specific questions regarding the agenda.

PLEASE TAKE NOTICE that if you file a lawsuit challenging any final decision on any public hearing item listed in this agenda, the issues in the lawsuit may be limited to the issues which were raised at the public hearing or presented in writing to the Office of the City Clerk at or before the public hearing. PLEASE TAKE FURTHER NOTICE that Code of Civil Procedure section 1094.6 imposes a 90-day deadline for the filing of any lawsuit challenging final action on an agenda item which is subject to Code of Civil Procedure 1094.5.

Pursuant to the Americans with Disabilities Act, if you need special assistance in this meeting, please contact the Office of the City Clerk at (408) 730-7483. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35.106 ADA Title II).



**CITY OF SUNNYVALE
OFFICE OF THE CITY MANAGER**

January 31, 2014

TO: Honorable Mayor and Members of the City Council

FROM: Robert Walker, Assistant City Manager 

SUBJECT: Council Study/Budget Issues Workshop

Overview

The purpose of the workshop is to identify study issue priorities for the 2014 calendar year and budget issues priorities for the coming fiscal year.

This Council packet augments the workshop binder that you received in December. It includes:

- Final Workshop Agenda
- New study issues proposed before or after the January 7 public hearing (on blue paper to differentiate them from previously submitted issues)
- New budget issues (also on blue paper) proposed before or after the January 7 public hearing

Study Issues

The study issues process lays the foundation upon which Council examines and establishes City policy each year. The process allows the City Council to consider and compare at one time all policy topics of interest or concern, as identified throughout the calendar year by members of the public, boards and commissions, City Council members or City staff. In this manner, the process provides a structured approach for addressing the large number of issues that are raised each year, allowing Council to rank the issues and set priorities within the limits of time and resources. Council may also drop a study issue from any further consideration, or defer the examination of a study issue to a future calendar year.

Study Issues with a Fiscal Impact

Any non-budgeted costs to complete a study will require funds to be reduced from an existing project or operating program, or will require the identification of a new revenue source. Staff recommends any Council-prioritized study issues that require funding be resubmitted as a budget supplement for consideration within the context of all new requests for funding in the fiscal year FY 2014/15 Recommended Budget. This is consistent with past practice.

Ranking Process

At this workshop Council will be asked to review potential study issues one department at a time following the steps suggested below:

- By Department, Council questions or clarification on any study issue submitted (includes new items for 2014 and deferred items from 2013).
- Before ranking, issues may be combined, dropped or deferred from ranking consideration by a majority vote of Council.
- Council discussion and deliberation.

Council is encouraged to drop rather than defer proposed study issues when a strong interest does not exist, as it is possible that an item can find its way onto the calendar even though there is little interest in it. This is a poor use of Council and staff time that could be better directed to other priorities or a department's internal study program.

Staff Recommendation and Priority Ranking

Please note that each study issue paper has a section for staff's recommendation which indicates whether or not staff thinks the issue should be considered by Council as a priority, deferred to the next year, dropped from further consideration at this time, or no recommendation. In addition, each department has submitted a priority rank for each issue that is recommended for study; the priority is listed on Council's ranking sheets and on each department's Summary Worksheet.

Budget Issues

Budget issues are proposals to add a new service, eliminate a service or change the level of an existing City service. Budget issues can be proposed by the City Council or Boards and Commissions; any item proposed by a member of the public must be sponsored by one of these groups. Council votes on each budget issue, deciding to either drop, defer, or refer each to the FY 2014/15 Recommended Budget. Budget issues that are referred to the Recommended Budget are considered as budget supplements. Service level changes proposed by staff will be identified and highlighted in the City Manager's Recommended Budget presented in May.

Study Issues Proposed for Initiation in 2014

On March 4, staff will present a Report to Council identifying the study issues that can be initiated in 2014, consistent with Council's priority order and within departmental resource constraints. Once approved by Council, the study issue presentation dates will be added to the Tentative Council Meeting Agenda Calendar.

Council Summary Worksheet
2014 Proposed Study Issues

#	Title	Required Staff Effort	Cost of Study	Cost to Implement?*	Dept Rank	B/C Rank
OCA 14-01	Consider Adding Campaign Contribution Information to RTCs; Consider Barring Councilmembers from Voting on Items Involving Parties that Contributed to a Councilmember Campaign	Moderate	\$0	No	N/A	
OCA 14-02	Charter Amendment to End Numbered Council Seats	Minor	\$0	Some	2	
OCA 14-03	Clarify Inclusion of Electronic Cigarettes in Smoking Regulations; Expand Smoking Regulations to Prohibit Smoking near Doorways and Outdoor Areas of Retail and Commercial Businesses	Minor	\$0	No	1	

* Indicates whether there will be a one-time capital cost and/or ongoing annual costs upon implementation.
See Study Issue Paper for detail.

2014 Council Study Issue

**OCA 14-01 Consider Adding Campaign Contribution Information to RTCs;
Consider Barring Councilmembers from Voting on Items Involving Parties that
Contributed to a Councilmember Campaign**

Lead Department: OCA

Sponsor(s) Meyering, Whittum

History 1 year ago: 2 years ago: Second Issue Dropped

1. **Scope of the Study**

a. What are the key elements of the study?

The Political Reform Act (PRA), which is administered by the Fair Political Practices Commission (FPPC), establishes state regulations regarding conflicts of interest and disqualification for public officials. Covered officials must disqualify themselves from a proceeding if they have received contributions of more than \$250 during the previous 12 months from a party with a financial interest in the proceedings. Directly elected officials, like city councilmembers, are expressly exempted from the definition of covered officials. This study issue would examine and analyze going beyond the requirements of the PRA to include directly elected councilmembers as covered officials required to disqualify themselves if they have received campaign contributions from a party with a financial interest in the proceedings. Additionally, it would discuss adding a disclosure statement section to Reports to Council (RTC) noting whether a particular councilmember received a campaign contribution from a particular applicant. Staff would review existing laws and regulations, and research legal and policy issues related to the issue.

b. What precipitated this study?

This was precipitated by Councilmember Meyering's opinion that campaign contributions influence voting.

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 \$ N/A

Will seek budget supplement Will seek grant funding

iii. Explanation of Cost: N/A

b. Costs to Implement Study Results

No cost to implement.

Unknown. Study would include assessment of potential costs.

Some cost to implement. Explanation:

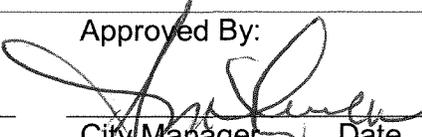
3. **Expected participation in the process**

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

4. **Staff Recommendation**

- a. Position: None

- b. Explanation: N/A

Reviewed By:	Approved By:
 5/3/13	 5/15/13
Department Director Date	City Manager Date

2014 Council Study Issue

OCA 14-02 Charter Amendment to End Numbered Council Seats

Lead Department Office of the City Attorney

Sponsor(s) Whittum, Meyering

History 1 year ago: None 2 years ago: None

1. **Scope of the Study**

a. What are the key elements of the study?

Sunnyvale Charter Section 601 provides that each Council seat is numbered and a separate elective office, although the election for each seat is "at-large" by all voters in the City. This study issue would consider a charter amendment to remove the numbered seats, so that all candidates would run for the council at-large against all other candidates instead of for an individual seat

b. What precipitated this study?

The Council selected the numbered seat charter provision as one of the priority sections for review by the 2006-2007 Ad Hoc Charter Review Committee. The Charter Review Committee, after discussion of the numbered seats versus seats at-large council member election structure, recommended to the Council that the current numbered seat system not be changed. The Council followed Charter Review Committee's recommendation and did not put a charter amendment changing Section 601 to delete numbered seats on the November 2007 ballot. Councilmember Whittum raised the issue through the study issue process in 2008 and 2009, but it was not ranked. Councilmember Whittum is asking that it be revisited.

Argument For:

Voters should have freedom to choose among all candidates.

Sunnyvale does not have districts and voters do not benefit by having their choices limited. At present if a voter believes candidate A and B are the best for the City, they cannot vote for both A and B, if A and B are running for the same artificial number. Meanwhile, the seat system in practice appears to promote conflict between candidates --- candidates who may well agree on the issues. The result is that candidates in practice oftentimes focus on their opponents, and campaign against them, promoting discussion of their personal weaknesses as candidates.

This measure would discourage negative campaigning and promote a focus on issues. At-large elections allow voters to vote for the candidates they think are best, while still preserving the ability to defeat an unpopular incumbent.

Under the numbered seat system, it sometimes happens that an incumbent is unchallenged, thus reducing their incentive to engage in campaign activities, outreach, discussion and debate. Under an at-large system, every incumbent faces every challenger --- and every other incumbent --- increasing the incentive for office-holders to be accountable to the voters, to articulate and to defend their views on topics of the day. Elimination of this artificial system would discourage the formation of slates in election season, and thus promote a harmonious and collegial work ethic among those elected.

Argument Against:

Numbered seats prevent "fringe" candidates from reaching elective office. The seat system insures candidates will focus on their opponents, and campaign against them, promoting discussion of their weaknesses as candidates. In addition, as it is rare for

more than two candidates to run for one seat, the seat system tends to insure that anyone elected to council is supported by a majority of voters. Also, at large elections favor incumbents making it difficult to change the status quo.

- c. Is this a multiple year project? No. Planned Completion Year: 2014; however, if Council wanted to place a measure on the ballot to change the charter, that could not occur until the next general election, which is in November 2016.

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: n/a

b. Costs to Implement Study Results

No cost to implement.

Unknown. Study would include assessment of potential costs.

Some cost to implement. Explanation: There would be costs associated with putting a measure on the ballot.

3. Expected participation in the process

Council-approved work plan

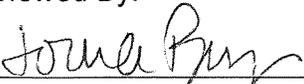
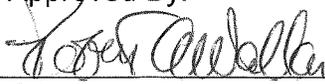
Council Study Session

Board/Commission Review by

4. Staff Recommendation

- a. Position: Study issue unnecessary.

b. Explanation: While this is a policy issue worthy of Council's consideration, staff does not believe that a study issue is necessary. The pros and cons of numbered seats have been identified and discussed in the past. Councilmembers wishing a change in the status quo should simply seek an agenda item to allow Council to vote on whether or not to place this charter amendment on a future ballot.

Reviewed By:	Approved By:
 12/10/13	 12-12-13
Department Director	Date
	City Manager
	Date

2014 Council Study Issue

OCA 14-03: Clarify Inclusion of Electronic Cigarettes in Smoking Regulations; Expand Smoking Regulations to Prohibit Smoking near Doorways and Outdoor Areas of Retail and Commercial Businesses

Lead Department: OCA

Sponsor(s) Griffith, Hendricks

History 1 year ago: 2 years ago:

1. **Scope of the Study**

a. What are the key elements of the study?

Mayor Griffith raised the issue of whether electronic cigarettes, commonly referred to as e-cigarettes, are included in the City's current smoking regulations, and, if not, whether the regulations should be amended to include e-cigarettes. Councilmember Hendricks expressed concern about businesses located in close proximity to each other, such as in strip shopping centers, where people smoke close to entrances and exits causing smoke to waft into businesses. This study issue would review the City's current regulations and identify amendments that would address the concern. The City's smoking regulations were recently reviewed and updated in March 2012 (RTC-12-072), when the City took action to prohibit smoking in City parks, excepting golf courses. At that time, staff also recommended amending the existing ordinance, which requires restaurants with outdoor dining to reserve at least sixty percent of the area for non-smokers, to completely ban smoking in outdoor dining areas. The Council did not approve a complete ban.

b. What precipitated this study?

Some members of the business community have complained about smoke from customers of neighboring businesses wafting over into their businesses, requiring them to either close their doors or endure the smoke odor and impacts.

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 x Minor

ii. Amount of funding above current budget required \$

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:

3. **Expected participation in the process**

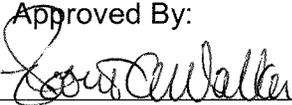
- Council-approved work plan
- Council Study Session
- Board/Commission Review by

4. **Staff Recommendation**

a. Position: Support

b. Explanation:

Minimal effort would be required on staff's part to provide related study materials for Council's consideration. Revisiting RTC 12-072 with minor additions should be sufficient for Council to determine its preferred policy direction governing e-cigarettes and whether to expand smoking regulations for outdoor areas adjacent to commercial and retail businesses. Adopting this as a study issue would promote community awareness and input regarding the issue prior to Council action.

Reviewed By:		Approved By:	
	1/21/14		1-21-14
Department Director	Date	City Manager	Date

Council Summary Worksheet
2014 Proposed Study Issues

#	Title	Required Staff Effort	Cost of Study	Cost to Implement?*	Dept Rank	B/C Rank
OCM 14-01	Consider Adopting a Local Minimum Wage Ordinance Modeled on the City of San Jose Initiative	Moderate	\$0	Unknown	Drop	

* Indicates whether there will be a one-time capital cost and/or ongoing annual costs upon implementation.
See Study Issue Paper for detail.

**Study Issues Status Report
Office of the City Manager**

Continuing Study Issues

Number	Name <i>Continuing Status</i>
OCM 10-04C	<p data-bbox="550 457 1528 968"><i>Civic Center Buildings: Renovate, Replace, or Relocate? Direction was provided by City Council during its joint study session with the Library Board of Trustees early in FY 12-13. Council expressed its interest in further exploring the concept of a branch library at the Lakewood Park/School site in partnership with the Sunnyvale School District, with capital costs to be covered by the proceeds from the pending sale of the Raynor Activity Center. Council further expressed continued interest in the redevelopment of the existing Civic Center Campus buildings via a public-private partnership model, with the main library relocated to the Community Center Campus. The exploration of public-private partnership models would not be limited to those involving the sale of civic center property but would also explore the concept of leasing City property to private developers in exchange for new or improved City buildings.</i></p> <p data-bbox="550 1003 1528 1077"><i>Staff's efforts are currently focused on the branch library project, including community outreach, and confirmation of a funding source.</i></p>

Completed Study Issues

Number	Name	Status
	N/A	

2014 Council Study Issue

OCM 14-01 Consider Adopting A Local Minimum Wage Ordinance Modeled On The City Of San Jose Initiative

Lead Department OCM

Sponsor(s) Griffith, Moylan

History 1 year ago: n/a 2 years ago: n/a

1. **Scope of the Study**

a. What are the key elements of the study?

The study would look at requirements for adopting a minimum wage ordinance in the City of Sunnyvale, similar to the one recently adopted by the voters in San Jose. The study would consider the programmatic and community consequences of the ordinance, including costs of implementation, enforcement, impacts on businesses, and public outreach.

b. What precipitated this study?

At the June 11, 2013 City Council meeting, Councilmember Jim Davis recommended that the City put a ballot measure on the 2013 general election asking voters to increase minimum wage, in Sunnyvale, to \$10 per hour. Council did not approve putting this issue on the ballot. Vice-mayor Griffith and Councilmember Moylan asked that this item be considered as a study issue. Vice-mayor Griffith asked that staff look at adopting a minimum wage ordinance similar to the ordinance that was recently approved in San Jose.

c. Is this a multiple year project? Planned Completion Year: 2014

No. The study issue would be completed in one year; the program, if adopted, would be on-going.

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 \$

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:

3. **Expected participation in the process**

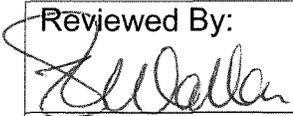
- Council-approved work plan
- Council Study Session
- Board/Commission Review by

4. **Staff Recommendation**

a. Position: Drop

b. Explanation: AB 10 (Alejo) Minimum wage: annual adjustment. was signed by the Governor on September 25, 2013. This bill will increase the minimum wage in California, on and after July 1, 2014, to not less than \$9 per hour with a second increase on January 1, 2016 to not less than \$10 per hour.

Should Council rank this study issue in January 2014, staff estimates the timing to enact a local ordinance would likely result in the City adopting a \$10 per hour minimum wage ordinance only a few months before the state's mandated increase. Based on existing resources and the enactment of AB 10, staff recommends Council drop this study.

Reviewed By:	Approved By:
	
10-2-13	10/8/13
Department Director	City Manager
Date	Date

Council Summary Worksheet
2014 Proposed Study Issues

#	Title	Required Staff Effort	Cost of Study	Cost to Implement?*	Dept Rank	B/C Rank
CDD 11-02	Downtown Development Policies for Parking	Moderate	\$25,000	No	Defer	8 of 9 Planning
CDD 12-02	Possible Nomination of Non-Residential Properties to the Heritage Resource Inventory	Moderate	\$25,000	Some	Defer	1 of 2 Heritage
CDD 13-02	Consideration of Useable Open Space in Required Front Yards	Moderate	\$0	No	6	6 of 9 Planning
CDD 14-01	Explore the Use of Stacker and Tandem Parking Spaces to meet Parking Requirements	Moderate	\$0	No	4	7 of 9 Planning
CDD 14-02	Review City Policies Governing Housing Density and Bonus Density Calculations	Moderate	\$0	No	2	3 of 9 Planning
CDD 14-03	Public Hearings on Legislative Actions (RZ, GPA) Prior to Public Hearings on the Related Development Projects	Minor	\$0	Some	Drop	4 of 9 Planning
CDD 14-04	Study Individual Lockable Storage Requirements on Multi-Family Housing	Moderate	\$0	No	8	9 of 9 Planning
CDD 14-05	Review General Plan Policies Regarding Noise Impacts to Residential Developments Near Major Transportation Thoroughfares	Moderate	\$0	No	Drop	Defer Planning
CDD 14-06	Review Ratio of Second Story to First Story in Single Family Homes	Moderate	\$0	No	Drop	5 of 9 Planning
CDD 14-08	Increase Notice and Submittal Requirements for Taller Projects	Moderate	\$0	No	3**	1 of 9** Planning
CDD 14-09	Comprehensive Update of the Precise Plan for El Camino Real	Major	\$50,000	No	1**	2 of 9** Planning
CDD 14-10	Update to the Murphy Avenue Design Guidelines	Moderate	\$25,000	Unknown	9	2 of 2 Heritage
CDD 14-12	Optimizing Public and Private Motor Vehicle Parking Supply	Major	\$150,000	Unknown	Drop	Defer Planning 5 of 5 Bic. & Ped.
CDD 14-13	Methods of Posting Public Notices on Development Projects	Moderate	\$0	No	3**	1 of 9** Planning
CDD 14-14	Address Non-commercial Properties in Precise Plan for El Camino Real	Major	\$30,000	No	1**	2 of 9** Planning
CDD 14-15	Consideration of Appeal Process for Land Use Projects	Moderate	\$0	No	7	Too late to rank
CDD 14-16	Reduce the Maximum Density in the Downtown Specific Plan and Prohibit Conversion of Existing Commercial Space to Non-commercial Use	Moderate	\$50,000-\$100,000	No	Drop	Too late to rank
CDD 14-17	Impacts of Major Apartment Renovation Projects in Tenants	Moderate	\$0	Some	Drop	
CDD 14-18	Understanding the Relevance of the Balanced Growth Profile as it Relates to the General Plan	Moderate	\$0	\$0	5	Too late to rank

** Rank based on combining these issues.

* Indicates whether there will be a one-time capital cost and/or ongoing annual costs upon implementation.
See Study Issue Paper for detail.

**Study Issues Status Report
Community Development Department**

Continuing Study Issues

Number	Name <i>Continuing Status</i>
CDD 13-04C	R-3 Height Requirements (non-townhouses) <i>Item in progress. Schedule modified due to staffing shortages during summer 2013. Scheduled to be considered by the Planning Commission in February 2014 and City Council in March 2014.</i>
CDD 10-06C	Toolkit for Commercial/Residential Mixed Use Development. <i>To be completed in 2014 as part of the Lawrence Station Area Plan; City Council hearing expected mid-2014. More information is available at LawrenceStation.inSunnyvale.com which redirects to LawrenceStationInSunnyvale.org</i>
CDD 08-11C	Preparation of Peery Park Specific Plan. <i>To be completed in 2014. Project was on hold due to budget concerns. In 2013 Council approved budget which includes grant from Peery Park property. Consultant selected and hired, data collection and technical team have met to discuss potential land use, design and market conditions; community outreach meeting held in October 2013. Community survey and other project information available at PeeryPark.inSunnyvale.com</i>

Completed Study Issues

Number	Name	Status
CDD 13-13	Standards for Bird-safe Buildings	Completed 1/28/14
CDD 13-12	Payday Lending Establishments	Completed 9/24/13
CDD 13-07	Large Family Day Care Locational Requirements	Completed 10/22/13

CDD 13-08	Review General Plan Amendment Initiation Process	Completed 12/10/13
CDD 11-07C	Comprehensive Sign Code Revisions	Completed 6/25/13
CDD 12-06	Regulations for Telecommunication Facilities Located in the Public Right of Way	Completed 12/3/13
CDD 12-11C	Consider Adding Criminal Background Checks to Below Market Rate (BMR) Program Qualification Process	Completed 12/17/13

2014 Council Study Issue

CDD 11-02 Downtown Development Policies for Parking

Lead Department Community Development

Sponsor(s) Planning Commission

History 1 year ago: Deferred 2 years ago: Deferred

1. Scope of the Study

a. What are the key elements of the study?

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.

Downtown parking is 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.

b. What precipitated this study?

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.

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 \$ 25,000

Will seek budget supplement Will seek grant funding

iii. Explanation of Cost: 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.

b. Costs to Implement Study Results

- No cost to implement.
- Unknown. Study would include assessment of potential costs.
- Some cost to implement. Explanation:

3. **Expected participation in the process**

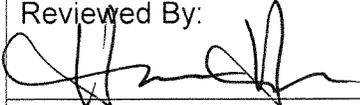
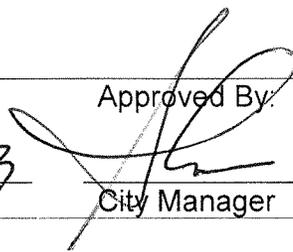
- Council-approved work plan
- Council Study Session
- Board/Commission Review by Planning Commission

4. **Staff Recommendation**

a. Position: Defer

b. Explanation: 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.

Although this study issue has been deferred several 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. Staff recommends not dropping the issue, but to continue to defer it until further progress is made on the redevelopment of downtown.

Reviewed By:	Approved By:
	
10/28/13	10-20-13
Department Director	Date
Date	City Manager
	Date

2014 Council Study Issue

CDD 12-02 Possible Nomination of Non-Residential Properties to the Heritage Resource Inventory

Lead Department Community Development

Sponsor(s) Heritage Preservation Commission

History 1 year ago: Deferred 2 years ago: Deferred

1. Scope of the Study

a. What are the key elements of the study?

In 2009, a study was completed that identified new Heritage Resources and possible Heritage Districts. The study included a survey of homes and residential neighborhoods within the City. The Heritage Preservation Commission has recently suggested further research be completed of the City's non-residential development to identify possible additions into the City's Heritage Resource inventory. The study would examine such properties and structures to determine if additional protections are warranted based on the criteria for designation.

Similar to previous studies, a windshield survey would be conducted to map the various nonresidential properties. The Commission has noted that there are several examples of commercial architecture representative of the period that they were constructed throughout the City. A historic consultant would assist in the identification of possible notable architectural structures as well as research the history of any technological innovations that may have occurred at certain sites for possible incorporation to the Heritage Resource inventory.

In 2013, the Heritage Preservation Commission requested the addition of the following language to clarify the intent of the study: "The study could be used as a marketing tool and bring further awareness of Sunnyvale's key role in the development of Silicon Valley through the recognition of certain locations where technological and industrial innovations have occurred."

b. What precipitated this study?

The Heritage Preservation Commission sponsored the study during a meeting in 2011 after a discussion of notable commercial buildings throughout the City. Since a study had been recently completed of residential neighborhoods, recognition of non-residential structures and locations was considered worth further study. Although related to another previously considered study, Commissioners have noted that this study could recognize certain locations in Sunnyvale where historic technological events have taken place.

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 \$ 25,000
Will seek budget supplement Will seek grant funding

iii. Explanation of Cost:

The funds would be used to hire a consultant to conduct the survey of the City's non-residential structures

b. Costs to Implement Study Results

- No cost to implement.
- Unknown. Study would include assessment of potential costs.
- Some cost to implement. Explanation: There may be additional consultant costs if properties identified in the study are determined to need further historic evaluation.

3. **Expected participation in the process**

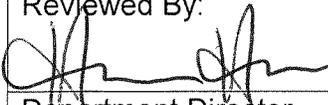
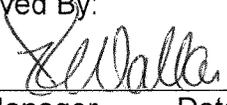
- Council-approved work plan
- Council Study Session
- Board/Commission Review by

Heritage Preservation Commission

4. **Staff Recommendation**

a. Position: Defer

b. Explanation: A comprehensive study has not been conducted since the 1990s of the City's non-residential properties to determine whether such properties or structures warrant additional protections as those listed in the City's Heritage Resource Inventory. Staff is recommending deferral of the focused study due to budget constraints.

Reviewed By:	Approved By:
	
11/4/13	11-4-13
Department Director	City Manager
Date	Date

2014 Council Study Issue

CDD 13-02 Consideration of Useable Open Space in Required Front Yards

Lead Department Community Development

Sponsor(s) Planning Commission

History 1 year ago: Deferred 2 years ago: N/A

1. Scope of the Study

a. What are the key elements of the study?

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. 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.

b. What precipitated this study?

Small townhouse developments have requested and been approved by the Planning Commission the ability to count the required front yard area towards the minimum useable space requirement.

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:

3. Expected participation in the process

Council-approved work plan

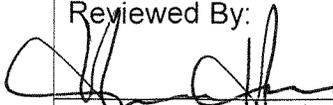
Council Study Session

Board/Commission Review by Planning Commission

4. Staff Recommendation

a. Position: Support

b. Explanation: 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:	Approved By:
	
Department Director	City Manager
Date	Date
10/28/13	10-30-13

2014 Council Study Issue

CDD 14-01 Explore the Use of Stacker and Tandem Parking Spaces to meet Parking Requirements

Lead Department Community Development

Sponsor(s) Griffith and Martin-Milius

History 1 year ago: 2 years ago:

1. **Scope of the Study**

a. What are the key elements of the study?

There are no specific City regulations and policies that address the use of stacker or tandem parking spaces. Stacker parking is a variant of tandem parking. Stackers are vertically stacked, and traditional tandem spaces are horizontally configured (one behind the other). With the exception of mobile homes and single-family driveway aprons the zoning code parking regulations do not allow the use of tandem parking spaces to satisfy the parking requirement for a site. Tandem or stacker spaces are allowed provided they are in addition to required parking spaces. The prohibition is due to the difficulties in using the interior spaces (the outside vehicle has to be moved first). A similar issue exists for stackers where the lower car may need to be pulled out before the upper vehicle can be used. It may be appropriate to allow stacker parking spaces as well as tandem parking spaces in certain zoning districts or types of development.

The study would include:

- Review of current parking stall requirements in residential developments
- Survey of projects using stackers and tandem spaces
- Survey of standards from other cities that allow stackers and tandem spaces to satisfy required parking.
- Proposed parking management policies for using stackers and tandem spaces
- Consider allowing stackers/tandem spaces based on zoning or geography (e.g. high density residential, Downtown, Lawrence Station) or only in projects that provide affordable housing options
- Community outreach

b. What precipitated this study?

The City has received applications for higher density residential developments in the Downtown requesting the use of parking stackers to meet project parking requirements. These requests are an outcome of the increasing values of residential land and the desire to achieve higher unit counts.

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:

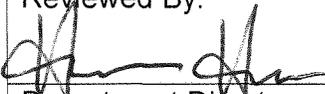
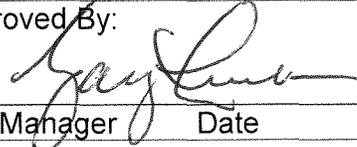
3. **Expected participation in the process**

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

4. **Staff Recommendation**

a. Position: Support

b. Explanation: Tandem and stacked parking may be appropriate in some areas of the city, such as those well served by transit. This option may allow households to park vehicles that are used less frequently but perhaps not on a routine basis, especially in areas well served by transit, or close to services such as stores, restaurants and jobs.

Reviewed By:	Approved By:
	
Department Director	City Manager
Date 5/15/13	Date 5-16-13

2014 Council Study Issue

CDD 14-02 Review City Policies Governing Housing Density and Bonus Density Calculations

Lead Department Community Development Department

Sponsor(s) Griffith, Martin-Milius

History 1 year ago: 2 years ago:

1. **Scope of the Study**

a. What are the key elements of the study?

The study would review the criteria used to determine density or intensity of a residential project. Density is a method of determining the impacts a project would have on an area, including size, scale, traffic, etc. Currently, the number of units in a project determines the density, because density is calculated as units per acre. For instance, a 100 unit one-bedroom apartment complex has a higher density than a 50 unit two-bedroom complex, even if the overall square footage of the projects is the same. In addition to zoning requirements for land area per dwelling unit, zoning standards of height, setback, open space, etc. also affect the size of resulting structures developed on a site.

This study would review zoning methods used to consider the size and scale of a project in addition to the density based on the number of units. Floor area ratios, number of bedrooms, and average unit sizes are examples of density/intensity controls that will be examined. Density may not best define the size and scale of a project, but it provides a basis for estimating other impacts on a community such as traffic, noise and student generation. One notable exception is that numbers of bedrooms is the basis for determining required parking for residential projects. The study would also consider how the state density bonus law (for provision of affordable housing) would apply with new standards; state law refers to housing units.

b. What precipitated this study?

A project was reviewed by the Council where the requested density was reduced and the applicant needed to redesign the project. When the project returned, it had the same footprint and bulk as the previous project. The applicant reduced the number of housing units by increasing the number of two and three bedroom units while keeping the same building size and scale. The project ended up have a lower density calculation because housing projects are based on the number of units rather than the size and square footage of the buildings.

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:

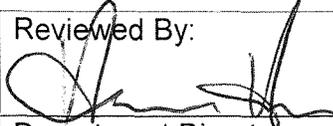
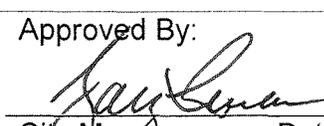
3. **Expected participation in the process**

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

4. **Staff Recommendation**

a. Position: Support

b. Explanation: Providing the decision-makers with more information in reviewing residential development projects would clarify how projects are designed and the impact the project will have on an area.

Reviewed By:	Approved By:
	
Date 8/15/13	Date 8/19/13
Department Director	City Manager

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

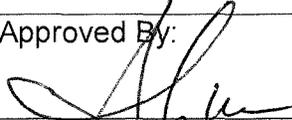
- No cost to implement.
 Unknown. Study would include assessment of potential costs.
 Some cost to implement. Explanation: If the separate hearings option is selected, there will be additional staff time needed to prepare for and staff the public hearings. Development fees can be increased to cover the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

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

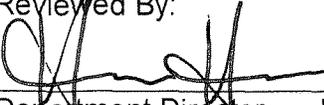
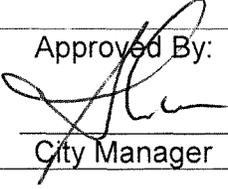
3. **Expected participation in the process**

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

4. **Staff Recommendation**

a. Position: Support

b. Explanation: It is more common for multi-family residential complexes to include more one-bedroom units, in which case smaller storage units could make sense since fewer people are likely to live in those units. The study could provide policy for proper requirements for smaller rental units.

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

2014 Council Study Issue

CDD 14-05 Review General Plan Policies Regarding Noise Impacts to Residential Developments Near Major Transportation Thoroughfares

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?

More projects are proposed along major transportation corridors, such as El Camino Real, Mathilda Avenue and Caltrain, which have higher traffic volumes and more traffic and operational noise.

The study could include:

- Review of current General Plan noise standards
- Review of General Plan noise measurement methodologies
- Analysis of specific noise problems for residential projects
- Survey of current noise remediation methodologies
- Survey of standards from other cities
- Community outreach

b. What precipitated this study?

Recent development projects proposed along major corridors have raised the concern about methods to reduce noise to future residences.

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:

3. **Expected participation in the process**

Council-approved work plan

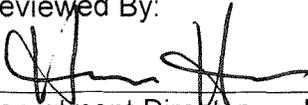
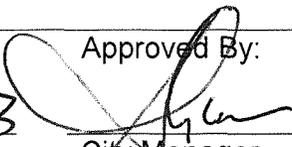
Council Study Session

Board/Commission Review by Planning Commission

4. **Staff Recommendation**

a. Position: Drop

b. Explanation: The Safety and Noise Chapter of the General Plan is scheduled for update in 2014 after adoption of the new Land Use and Transportation Element. Staff recommends that noise policies be reviewed in a comprehensive manner at that time.

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

2014 Council Study Issue

CDD 14-06 Review Ratio of Second Story to First Story in Single Family Homes

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?

There have been several recent applications for projects adding a second story in predominantly single-story neighborhoods. In these single-story neighborhoods, the Single-family Design Techniques include a standard that second story floor area should not exceed 35% of the first story floor area. This requirement is especially critical in single-story neighborhoods because a home that has a second floor ratio greater than 35% of the first floor would result in a home with much greater massing on two floors than other homes in the neighborhood. A concern may be that restricting possible second floor area could limit reinvestment in an area.

The study could include:

- Review of current guideline requirements
- Survey of standards from other cities
- Consider providing additional design techniques to allow a larger second floor area while not negatively impacting the neighborhood
- Consider if the 35% limitation impacts neighborhoods with smaller homes more than those with larger homes
- Community outreach

b. What precipitated this study?

The Planning Commission has recently reviewed projects on appeal which staff denied partially because of a request to have a second floor that exceeds the 35% limitation.

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

d. 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:

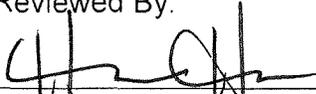
e. Expected participation in the process

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

f. Staff Recommendation

a. Position: Drop

b. Explanation: The Techniques are guidelines, not code requirements, and there are instances when a home design that exceeds 35% is a good design. A new home is reviewed taking into account all guidelines of the Techniques, and amending one aspect (the 35% ratio) would not be appropriate without also reviewing the remainder of the document. Staff does not recommend revising the Techniques for one specific issue, but the entire guidelines should be reviewed if a change is proposed.

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

2014 Council Study Issue

CDD 14-08 Increase Noticing Distance and Related Submittal Requirements for Large 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?

Recent projects larger and taller than typical for an area have created concerns from surrounding areas about the visibility of the new structures and concern about traffic impacts, visual impacts (e.g. loss of privacy, light and glare), and land use compatibility. Larger projects have the same submittal and noticing requirements as any other similar project, but the increased height and larger scale of these projects may affect more people.

The study could include:

- Review of current guidelines;
- Survey other city approaches;
- Consider additional submittal requirements for projects greater than a specific height (such as three stories or more). These could include photosimulations or other visualization tools of the proposed project from the surrounding area;
- Increase the noticing distance or other noticing options for projects over a specific size or height, such as a 500 foot or more notice for projects that are three stories or more;
- Consider a method of noticing that includes owners and occupants of any property with a view of the proposed project.

b. What precipitated this study?

Recent development projects near residential areas brought up concerns about how public hearing notices were sent and the visual impacts to a neighborhood. Current requirements are for a 300 foot notice.

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:

3. **Expected participation in the process**

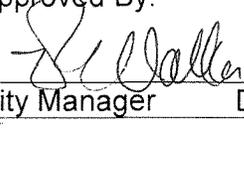
- Council-approved work plan
- Council Study Session
- Board/Commission Review by Planning Commission

4. **Staff Recommendation**

- a. Position: Support and combine with CDD 14-13.
- b. Explanation: Requiring additional noticing requirements for larger scale projects is a reasonable solution to a relatively new concern in the city. These types of projects can create greater impacts for a broader part of the community, and increased noticing could ensure input is given.

It is a goal to have standard noticing requirements listed in the code. Care must be given when having different requirements for different types of uses to avoid confusion and inefficiency. Noticing distance requirements could change based on the application type and proximity to residential areas.

This study issue should be combined with related study issue CDD 14-13, which would consider methods for improving noticing for planning projects.

Reviewed By:	Approved By:
	
11/8/13	11-8-13
Department Director	Date
City Manager	Date

2014 Council Study Issue

CDD 14-09 Comprehensive Update of the Precise Plan for El Camino Real

Lead Department Community Development

Sponsor(s) Staff

History 1 year ago: 2 years ago:

1. **Scope of the Study**

- a. The current Precise Plan for El Camino Real was prepared and adopted in 2007. Since that time, more development interest has been raised along the El Camino Real corridor, and the Precise Plan's policies are not direct enough to cover the issues raised. The design guidelines are useful, but could also be reviewed, specifically to address mixed-use projects. Additionally, the Grand Boulevard Initiative was at its initial formation when the Precise Plan was written, and the Guiding Principles (which have been adopted as Council Policy) could be more specifically included in the Precise Plan.

Recently, the Council discussed whether commercial uses would be required for both commercial and residential-zoned property, and what level of commercial uses. The current Precise Plan is not clear how to address this issue, and the suggested update would address that issue by clarifying the policy and providing standards and/or guidelines.

The study would review:

- Determine appropriate proportion of commercial and residential uses for mixed-use sites;
- Determine what level of mixed use development can occur in node and non-node locations;
- Market analysis to determine expected changes and trends in the land use demands;
- Appropriate densities, heights and other development standards for mixed use projects;
- Appropriate mix of uses; commercial and residential;
- Sidewalk standards along the street;
- Specific requirements for Node versus non-Node locations;
- Updated implementation measures;
- Clarification of policies on certain uses, such as child care centers, fast food restaurants, and residential projects in mid-block locations;
- Review the sign design guidelines to ensure they meet current sign code and the aesthetic goals for the street;
- Negative declaration of the changes.

- b. What precipitated this study?

Recent interest in large mixed-use projects along El Camino Real has shown a need to update the Precise Plan. The Precise Plan update could address issues that have arisen since the plan was adopted in 2007.

- c. Is this a multiple year project? Yes Planned Completion Year 2015

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 \$50,000

Will seek budget supplement Will seek grant funding

iii. Explanation of Cost: \$50,000 for an environmental document, depending on the level of plan amendments.

b. Costs to Implement Study Results

No cost to implement.

Unknown. Study would include assessment of potential costs.

Some cost to implement. Explanation:

3. **Expected participation in the process**

Council-approved work plan

Council Study Session

Board/Commission Review by Planning Commission

4. **Staff Recommendation**

a. Position: Support contingent on approval of a budget modification of \$50,000 and combine with CDD 14-14.

b. Explanation: Much has changed since the Precise Plan was prepared in 2007, including a greater interest in mixed-use projects and anticipation of the new LUTE. The study would result in a revised precise plan, with clearer direction on the policy for mixed-use projects, understanding market trends for the corridor, and addressing aspects not currently described clearly in the existing plan.

This study issue should be combined with related study issue CDD 14-14, which only addresses whether commercial uses should be required for new non-commercial developments. Combining the two studies would result in an estimated cost of \$80,000.

Reviewed By:

Approved By:

Department Director

Date

City Manager

Date

Judi Ryan 11/8/13

[Signature] 11-8-13

2014 Council Study Issue

CDD 14-10 Update to the Murphy Avenue Design Guidelines

Lead Department Community Development

Sponsor(s) Heritage Preservation Commission

History 1 year ago: 2 years ago:

1. Scope of the Study

a. What are the key elements of the study?

The Murphy Avenue Design Guidelines were originally published in 1980 and included a development plan that incorporated significant public improvements to the street, as well as design guidelines to encourage renovations by private business owners.

By 1994, when an update to the Design Guidelines was completed, many of the buildings had been renovated or newly constructed. The 1994 revisions removed the development implementation measures of the plan, which had largely been completed by that time, and included minor modifications to the text, illustrations and graphics of the former document. The body of the guidelines was not substantially changed and no changes to policies were made. Streetscape standards were prepared in 2005.

It has been approximately 20 years since the adoption of the most recent design guidelines. With recent construction and several approved redevelopment projects underway in the surrounding downtown, the context of the historic 100 block of South Murphy Avenue has been transformed. The new study would reexamine the importance of maintaining Murphy Avenue's historical integrity and unique architectural characteristics. New guidelines could provide further design specificity to business owners as well as provide further direction to Heritage Preservation Commissioners and decision makers when considering new proposals for renovation. Consideration may also be given to expand the scope of the guidelines to future redevelopment south of Washington Avenue.

b. What precipitated this study?

During recent public hearing discussion, Commissioners have noted that the current Murphy Avenue Guidelines provide limited direction in certain areas and could be updated due to an evolving downtown. Discussion has also included a desire for more specificity with regards to color selection and the possible use of the Munsell Color System to better harmonize design and create connectivity along Murphy Avenue. The intent would be to provide more objective design criteria and improve the overall structure of the document.

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 \$25,000
 - Will seek budget supplement
 - Will seek grant funding
- iii. Explanation of Cost: Funds would be used to hire a consultant for the recommended limited scope with specific knowledge and experience in historic colors and materials across 100+ years.

b. Costs to Implement Study Results

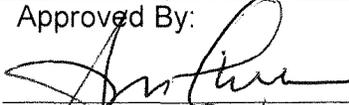
- No cost to implement.
- Unknown. Study would include assessment of potential costs.
- Some cost to implement. Explanation:

3. **Expected participation in the process**

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

4. **Staff Recommendation**

- a. Position: Support contingent on approval of a budget modification up to \$25,000 for consultant cost
- b. Explanation: The 100 block of S. Murphy Avenue has been designated a Heritage Landmark District. The guidelines are intended to maintain a link to Sunnyvale's historic commercial area. Staff agrees that more direction and specificity on colors and materials would make the guidelines more useful and easier to implement. Consultants assistance would be required.

Reviewed By:  Department Director	Approved By:  City Manager
Date 10/24/13	Date 10/24/13

2014 Council Study Issue

CDD 14-12 Optimizing Public and Private Motor Vehicle Parking Supply

Lead Department Community Development Department

Sponsor(s) Bicycle and Pedestrian Advisory Commission

History 1 year ago: 2 years ago:

1. Scope of the Study

a. What are the key elements of the study?

This study would look at optimizing motor vehicle parking supply to reduce the tendency to overuse on-street parking and examine how private individuals could be required or incentivized to use on and off-street parking more efficiently to match legitimate needs for car storage and to free up space for bikes on the street. An objective of the study would be to make recommendations on reasonable amounts of off-street parking as compared to available linear feet of parking on street. The study could involve changes to the parking code and comprehensive supply and demand surveys in neighborhoods. An outcome could be a general formula of how many vehicles are essential for each household. Unbundled parking for multi-family uses would also be evaluated. Garage parking would be taken into account in a parking study.

b. What precipitated this study?

The BPAC is interested in examining methods for reducing the amount of space utilized for motor vehicle parking, and tools for encouraging the reduction of the number of vehicles owned by private households. Reduced parking and motor vehicles could improve conditions for bicycling and incentivize the use of bicycles.

c. Is this a multiple year project? Yes Planned Completion Year
2015

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 \$ 150,000

Will seek budget supplement funding Will seek grant funding

iii. Explanation of Cost:

Consultant services for parking data collection, expert opinion on parking management.

b. Costs to Implement Study Results

- No cost to implement.
 Unknown. Study would include assessment of potential costs.
 Some cost to implement. Explanation:

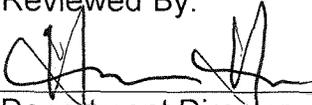
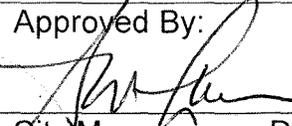
3. **Expected participation in the process**

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

4. **Staff Recommendation**

- a. Position: Drop
- b. Explanation: Staff understands that one of the objectives of the study issue is to reduce the need for on-street parking in residential areas so that parking spaces could be converted to bikelanes. The scope of the proposed study is very broad but could involve reevaluating the City's parking standards for residential uses through an extensive survey of residential parking needs and adjusting the zoning standards for on-site parking accordingly. Staff does not believe that the City's on-site parking standards are inadequate and need an extensive study; additionally, these standards do not allow credit for available street parking. Zoning code provisions are already in place to consider reduced parking, flexible or shared parking, provisions for adjusting guest/resident parking, and effective parking management programs. Thus, staff does not believe the expense for obtaining a consultant to collect parking data and perform a comprehensive study is warranted.

Staff believes that it would be very difficult to legislate or regulate the number of cars owned by residents or to offer effective incentives to reduce car ownership, except perhaps at locations with good transit options. While the study could also explore unbundled parking (i.e. separating apartment rent from the cost for a parking space), that could also have the undesired consequence of shifting parking off site; i.e. tenants who may wish to avoid paying for on-site parking if street parking is abundant and unrestricted.

Reviewed By:	Approved By:
	
10/24/13	11-28-13
Department Director	Date
Date	City Manager
	Date

2014 Council Study Issue

CDD 14-13 Methods of Posting Public Notices on Development Projects

Lead Department Community Development

Sponsor(s) City Council

History 1 year ago:

2 years ago:

1. **Scope of the Study**

a. What are the key elements of the study?

Currently, the zoning code requires notification of development applications to the community in different methods, including direct mailings, posting at public places and publication in a newspaper. For newspaper publication, the code requires publishing a copy of the notice at least once in a newspaper of general circulation in the city. The *Sunnyvale Sun* is typically the paper used for these postings.

Public notices in a newspaper may not be easily seen by the general public, and not all community members receive the local newspaper. The study would consider other methods of notifying the community about upcoming hearings and meetings, including other newspapers and electronic methods.

The study could include:

- Consider using other methods of newspaper notification other than the *Sunnyvale Sun*, including electronic methods or other newspapers;
- Improving how information on development projects are posted on the City's webpage;
- Revising mailed and posted public notices to include additional information, such as renderings or simulations.

b. What precipitated this study?

Recent development projects near residential areas brought up concerns about how effective the current method of public hearing notices.

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:

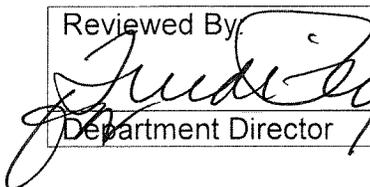
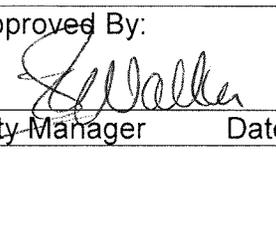
3. **Expected participation in the process**

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

4. **Staff Recommendation**

- a. Position: Support and combine with CDD 14-08.
- b. Explanation: The goal for any noticing is to provide the public with the information necessary to understand a development proposal and decide how to be involved in the discussion. Although it is difficult to rely solely on email or social media notification because of the potential for messages to be undelivered or that not all people make use of the technologies, expanding the options for noticing could assist the public in participation for planning applications.

This study issue should be combined with related study issue CDD 14-08, which would consider increasing the notice and submittal requirements for larger projects.

Reviewed By:	Approved By:
	
11/8/13	11-8-13
Department Director	Date
	City Manager
	Date

2014 Council Study Issue

CDD 14-14 Address Non-commercial Properties in Precise Plan for El Camino Real

Lead Department Community Development

Sponsor(s) City Council

History 1 year ago: 2 years ago:

1. **Scope of the Study**

- a. The Precise Plan for El Camino Real, adopted in 2007, includes a policy that new mixed use projects should include a commercial component that is 25% of the floor area ratio (FAR) for the property. The purpose of that requirement is to maintain the street as an important commercial corridor for the community. This policy pertains to all properties along the corridor and does not distinguish between commercial and residential zoning. The ECR combining district only defines a 20% FAR requirement for commercially-zoned properties in the nodes.

Currently, approximately 17% of the land uses along the El Camino Real corridor in Sunnyvale is residential. Most of those properties are multi-family residential units, mainly apartments.

Recently, the Council discussed whether commercial uses should be required for both commercial and residential-zoned property, and what level of commercial uses. The current Precise Plan does not specifically address whether commercial uses would be required if a residential property is redeveloped. This study would consider that issue. It would also be appropriate to reevaluate the 20-25% FAR policy/requirement with consideration of the latest commercial and retail market trends.

- b. What precipitated this study?
Recently, properties along El Camino Real zoned residential are being considered for redevelopment. It has been debated whether these sites would be required to include a commercial component with the redevelopment.
- c. Is this a multiple year project? Yes Planned Completion Year 2015

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 \$30,000
 Will seek budget supplement Will seek grant funding
- iii. Explanation of Cost: \$30,000 for a market/economic analysis to assess the viability of commercial uses for the corridor.

b. Costs to Implement Study Results

- No cost to implement.
- Unknown. Study would include assessment of potential costs.
- Some cost to implement. Explanation:

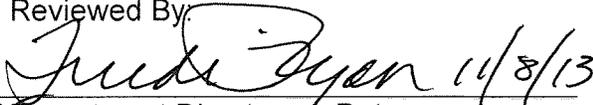
3. **Expected participation in the process**

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

4. **Staff Recommendation**

- a. Position: Support contingent on approval of a budget modification of \$30,000 and combine with CDD 14-09.
- b. Explanation: The revised Precise Plan should address recent interest regarding whether commercial uses should be required or optional for residentially-zoned properties along El Camino Real and provide guidelines or standards for this designation.

This study issue could be combined with related study issue CDD 14-09, which is a comprehensive review of the Precise Plan for El Camino Real. Combining the two studies would result in an estimated cost of \$80,000.

Reviewed By:	Approved By:
	
Department Director	City Manager
Date	Date
11/8/13	11-8-13

2014 Council Study Issue

CDD 14-15 Consideration of Appeal Process for Land Use Projects

Lead Department Community Development

Sponsor(s) City Council

History 1 year ago: 2 years ago:

1. **Scope of the Study**

- a. This study would examine the current regulations and procedures related to appeals of a planning permit decision. Currently the code provides that “any person aggrieved, including a member of the planning commission or city council, of a decision ... may file an appeal ...” This study would look at issues such as the valid grounds for filing an appeal (e.g. define an “aggrieved person”), the appropriate fee for an appeal and who must pay the fee, and whether “call-up” provisions by the City Council should be considered. The City costs for various types of appeals would be estimated and options on how high the fee should be would be provided. The study would also look at the scope of an appeal (limited to items raised in an appeal letter or a de novo hearing as is the current practice) and clarify circumstances under which a Councilmember should recuse him/herself.
- b. What precipitated this study? The City Council has recently considered several appeals of Planning Commission decisions. Some of those appeals have been from City Councilmembers and some have been from community members. Councilmember participation in the appeal process has differed based on the questions and possibly prejudicial statements contained in their appeal letter. The Council sponsored this study issue in order to clarify and resolve the issues covered above. A question was also raised about whether Councilmembers should pay the appeal fee and if the current fee (\$150.50) paid by appellants is sufficient to cover the staff cost for processing an appeal.
- 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
 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:

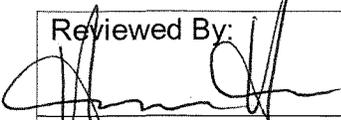
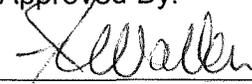
3. **Expected participation in the process**

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

4. **Staff Recommendation**

- a. Position: Support. This study issue can be incorporated into the current Zoning Code Retooling effort.

- b. Explanation: Several of the issues raised are already planned to be addressed in the zoning code retooling. Staff could expand that component of the Zoning Code Retooling project to include the additional items.

Reviewed By:		Approved By:	
Department Director	Date: 12/19/13	City Manager	Date: 12-20-13

2014 Council Study Issue

CDD 14-16 Reduce the Maximum Density in the Downtown Specific Plan and Prohibit Conversion of Existing Commercial Space to Non-commercial use

Lead Department Community Development

Sponsor(s) Whittum, Meyering

History 1 year ago:

2 years ago:

1. **Scope of the Study**

- a. The study would evaluate the current allowance for commercial and residential uses in the Downtown Specific Plan (DSP) and determine if the current balance of uses is appropriate and if the quantity, density and location of commercial and residential uses should be adjusted. Another issue would be to consider possible policies for retaining existing commercial uses and minimizing the conversion of commercial properties for residential development.

As part of the study, an inventory of current land uses would be completed to determine the existing amount and proportion of residential, office and retail uses in the DSP area. Staff would evaluate available market data and the attributes and characteristics of other downtown transit locations. Public outreach to property owners and residents would also occur. Based on this assessment, the Council could determine if the current mix of uses in the DSP area is appropriate or should be adjusted. The DSP could be amended to emphasize or deemphasize certain uses to guide future redevelopment projects. Specific land use changes to certain DSP blocks could also be considered. If plan amendments are proposed, corresponding zoning code amendments would be prepared as needed, including possible changes to maximum density and other development standards. A traffic impact analysis (TIA) and environmental review would be required if the amendments to the DSP and zoning are significant.

- b. What precipitated this study? The City Council recently considered redevelopment of commercially-used properties to residential use, and concerns have been raised about the loss of commercial uses in the downtown area if the trend continues. One property on Mathilda (Block 14) was approved for multi-family housing consistent with the land use designation in the DSP, although the property is currently developed with office uses. Another property on the north side of Evelyn was changed from commercial to residential and then incorporated into the Downtown Specific Plan.
- 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 - \$50,000 to \$100,000
 Will seek budget supplement Will seek grant funding

- iii. Explanation of Cost: The estimated cost would be for consultant services to prepare the TIA and environmental review document and depends on the scope of proposed DSP amendments.

b. Costs to Implement Study Results

- No cost to implement.
- Unknown. Study would include assessment of potential costs.
- Some cost to implement. Explanation:

3. **Expected participation in the process**

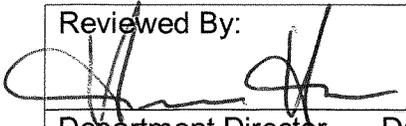
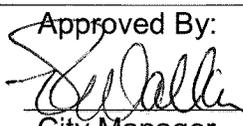
- Council-approved work plan
- Council Study Session
- Board/Commission Review by Planning Commission

4. **Staff Recommendation**

a. Position: Drop

b. Explanation: The Downtown Specific Plan was prepared with consideration of promoting an appropriate variety and balance of office, residential, retail, restaurant and entertainment uses in the downtown area. The primary blocks where future displacement of existing commercial uses might occur under the DSP are the blocks on the west side of Mathilda and on the east side of Sunnyvale Avenue (e.g. Blocks 7, 14, 15 and 16). These blocks are located at the perimeter of the downtown area and the DSP supports residential uses at these locations to introduce quieter uses that would provide a transition with the adjacent lower density residential neighborhoods. Residential uses on these blocks are required to step down in height where adjacent to lower density residential uses. The DSP permits some commercial uses on these blocks, and the City Council or Planning Commission could require a commercial component when development proposals are reviewed (e.g. a mixed use project with a corner parcel). Up to 44,000 square of retail uses are allowed on these blocks, and an additional 36,000 square feet of office uses are allowed on Block 7.

Staff believes that the DSP promotes an appropriate balance of land uses to create a cohesive mixed use downtown environment. Commercial uses are emphasized in the core downtown area, such as Murphy Avenue and Town Center (Blocks 2, 3 and 18). Residential uses at currently allowed densities are appropriate on the perimeter blocks to support the commercial uses and transit use, and the DSP does not preclude commercial uses on these blocks.

Reviewed By:		Approved By:	
	1/10/14		1-13-14
Department Director	Date	City Manager	Date

2014 Council Study Issue

CDD 14-17

Impacts of Major Apartment Renovation Projects on Tenants

Lead Department Community Development

Sponsor(s) Whittum, Meyering

History 1 year ago: 2 years ago:

1. Scope of the Study

a. What are the key elements of the study?

The study would evaluate what tenant protections are currently provided through California tenant-landlord law related to noticing tenants and minimizing disturbances to tenants during major renovation of an apartment complex, and whether there are any gaps in the law that could and/or should be addressed by the City through either regulatory means or education/voluntary compliance efforts. For example, current state law limits the reasons for which a landlord can enter an occupied rental unit to make necessary or agreed-upon repairs or other purposes. It generally requires landlords to provide notice to tenants at least 24 hours prior to entry, and requires landlords to maintain units in a habitable condition. In addition, landlords may choose to provide lease termination notices to month-to-month tenants prior to undertaking major renovation work, or allow tenants to remain and work around them with adequate notice. Specific provisions beyond the state law may also be spelled out in the rental contract between the landlord and tenant.

The study would also attempt to distinguish between renovation projects undertaken primarily for the purpose of addressing building/health and safety code compliance and/or property maintenance issues, and projects undertaken primarily to upgrade the properties for aesthetic or marketability reasons, such as removing shared laundry facilities and installing laundry machines in each apartment unit, or adding upgraded flooring or countertops.

b. What precipitated this study?

Email from local resident to Council regarding concerns about major renovation work at the apartment complex where the resident resides. Concerns included alleged lack of timely notice for water shut-off, tenant's perception that work was an unnecessary upgrade solely for landlord's benefit, that entry into tenant's unit without tenant's consent for such purpose was in conflict with California law, the possibility of rents increasing after completion of the work, and potential displacement of some tenants from property. Resident was referred to Project Sentinel, which had received several complaints from various tenants at the same property affected by the same project. Most of these cases had been resolved or had begun mediation process with Project Sentinel as of early January 2014.

c. Is this a multiple year project? No Planned Completion Year 2015

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:

The level of staff effort is moderate and assumes one or several community outreach meetings to receive community input on the issues of concerns and to identify possible remedies. This assumes that the outcome might be implementing an approach of education and voluntary compliance similar to that used with local child care providers. However, if municipal code amendments are desired to create new mandatory requirements for rental property owners, the study would require additional staff time and effort from CDD and OCA staff, with hearings before the Housing and Human Services Commission and City Council.

b. Costs to Implement Study Results

- No cost to implement.
- Unknown. Study would include assessment of potential costs.
- Some cost to implement. Explanation:

Similar to the above explanation, if an education/voluntary approach is implemented, costs are anticipated to be relatively minor, consisting of printing of educational brochures for use at the One-Stop Center and allowing a minor amount of staff time to educate applicants and answer questions from the public and those affected by the program. If the approach implemented is to create new requirements applicable to Building Permit applicants for major apartment renovation projects, the costs to implement would include similar costs as noted above for initial education/outreach by staff and publication of brochures, plus eventual costs of enforcement, which would require additional staff time (either Neighborhood Preservation or Building staff) to investigate complaints, issue citations, hold hearings, and so on, plus the possible costs of involvement in any litigation that might arise involving the City and the new ordinance.

3. **Expected participation in the process**

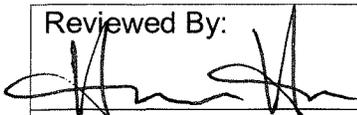
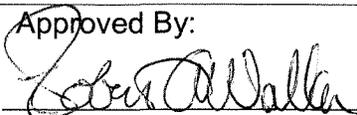
- Council-approved work plan
- Council Study Session
- Board/Commission Review by

4. **Staff Recommendation**

a. Position: Drop

b. Explanation:

Staff believes that the problem identified by this proposed study issue would best be handled through the existing mediation services provided by Project Sentinel under contract with the City. A study issue is not necessary to implement possible education/outreach efforts to landlords and contractors that could address this issue. Staff can discuss with Project Sentinel and the California Apartment Owners Association, Tri-County Division, about preparing educational material that can be provided at the One-Stop and posted on the City's website. The material would include suggestions for minimizing disputes and tenant inconveniences when applicants come in for building permits for major renovation projects at multi-family complexes.

Reviewed By: 	1/20/14	Approved By: 	1-22-14
Department Director	Date	City Manager	Date

2014 Council Study Issue

CDD 14-18 Understanding the Relevance of the Balanced Growth Profile as it Relates to the General Plan

Lead Department Community Development

Sponsor(s) Griffith, Hendricks

History 1 year ago: 2 years ago:

1. **Scope of the Study**

a. What are the key elements of the study?

The original Balanced Growth Profile (BGP) was a result of the Community Vision prepared in 2007. The study issue will explore the purpose of the BGP, develop guidelines for how it is to be used and applied, and evaluate what are the appropriate indicators. The study issue will require the involvement of DPW and ESD to explore infrastructure and parks indicators. Also, discussion with school districts will occur with regards to school indicators.

In January 2014 the Planning Commission approved a motion for the Chair to send a letter to the Mayor requesting a Joint Study Session with the Council regarding the General Plan and Balanced Growth Profile. Staff has suggested that this Study Issue summary can serve as the official letter requesting the study session. Planning Commissioners expressed concern that the rate of office/industrial/commercial land use approvals and the rate of residential land use approvals do not seem in balance. There are questions about how the BGP should be used and whether it is appropriate to use as a growth management tool or an infrastructure planning tool. A joint study session could serve as an initial step to refine the scope of the study on the BGP.

While this study would define the purpose, framework and guidelines for applying the BGP, the quantitative goals or targets defined in the BGP would be correlated with the land use capacity in the updated Land Use and Transportation Element that is in progress.

b. What precipitated this study?

Recent new office/industrial building approvals have raised concerns that the rate for these developments may not be in balance with other development or not consistent with General Plan policies. There are differing viewpoints and confusion on how the Balanced Growth Profile should be understood and used. This study would clarify the original purpose of the BGP and revisit and refine (as needed), the intended purpose and use of the BGP.

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

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:

3. **Expected participation in the process**

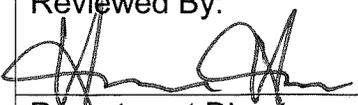
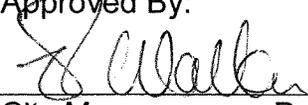
- Council-approved work plan
 Council Study Session
 Board/Commission Review by Planning Commission

4. **Staff Recommendation**

a. Position: Support

b. Explanation:

The Balanced Growth profile can provide useful information about the City and whether priorities about growth and infrastructure need to be changed to keep the community in "balance." However, the City has limited control on some of the indicators (e.g. the economy may affect how quickly or slowly development occurs; population could increase or decrease even if no new housing is built; jobs are a function of the types of industries and the economy). An update to the Balanced Growth Profile provides an opportunity to have more clarity on the role and purpose of the BGP, to reduce existing confusion, and to select indicators best suited to the desired purpose. The result of the study would be a framework identifying appropriate indicators and measures with an understanding of how they can be used to monitor growth and change in the community.

Reviewed By:	Approved By:
	
Department Director	City Manager
Date 1/28/14	Date 1-28-14

Council Summary Worksheet
2014 Proposed Study Issues

#	Title	Required Staff Effort	Cost of Study	Cost to Implement?*	Dept Rank	B/C Rank
ESD 12-03	Impact of Sea Level Rise on Land Use	Moderate	\$0	Unknown	Defer	3 of 8 Sustainability Defer Planning
ESD 14-01	Ban on the Use of Gas-powered Leaf Blowers	Moderate	\$0	Unknown	2	7 of 8 Sustainability
ESD 14-02	Community Choice Aggregation	Moderate	\$30,000	Unknown	1	1 of 8 Sustainability
ESD 14-04	Full Cost-Analysis and Carbon Pricing in City Operations	Major	\$25,000	Unknown	Drop	2 of 8 Sustainability

* Indicates whether there will be a one-time capital cost and/or ongoing annual costs upon implementation.
See Study Issue Paper for detail.

**Study Issues Status Report
Environmental Services Department**

Continuing Study Issues

Number	Name <i>Continuing Status</i>
ESD 12-01C	Community and Operational Greenhouse Gas Inventory <i>Funding to carry out this study issue was dependent on receipt of grant funding which has not been secured. Additionally, timing this study for after Council consideration of the Climate Action Plan (CAP) would be a more efficient use of resources, as the CAP policies and adopted actions will better define the data collection needs. The CAP is anticipated to go to Council in 2014.</i>
ESD 13-05C	Eco-district Feasibility and Incentives <i>Funding of approximately \$50,000 needed to carry out this study issue was dependent on receipt of grant funding which has not been secured. Staff will continue to attempt to secure grant funding. In the event that grant funding is not available, Council could consider funding this study from the General Fund as part of the annual budget process. In addition, staff has recommended that this study be deferred until the Climate Action Plan (CAP) and Land Use and Transportation Element (LUTE) are considered by the Council, as adopted actions would likely have implications for eco-district objectives and parameters. The CAP and LUTE are anticipated to go to Council in 2014.</i>
ESD 13-01	Power Purchase Agreements for Alternative Energy Allocation <i>The Power Purchase Agreements for Alternative Energy Allocation Report to Council is expected to go before the Sustainability Commission, January 21, 2014 and to Council, February 11, 2014.</i>

Completed Study Issues

Number	Name	Status
ESD 09-14C	Joint Powers Authority (JPA) Approach to Countywide Recycling & Waste Reduction Programs and Services.	Completed 07/16/2013
ESD 12-04C	Community Solar Program	Completed 07/26/2013

2014 Council Study Issue

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

Lead Department Environmental Services Department

Sponsor(s) Sustainability Commission

History 1 year ago: 2 years ago:

1. **Scope of the Study**

a. What are the key elements of the study?

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 statements in light of vulnerabilities associated with projected sea level rise. The outcome of this study is the creation of a whitepaper that may support a future study issue for recommendations of adaptation strategies.

b. What precipitated this study?

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.

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 \$ N/A

Will seek budget supplement Will seek grant funding

iii. Explanation of Cost: 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 policy decisions based on the study results.

b. Costs to Implement Study Results

No cost to implement.

Unknown. Study would include assessment of potential costs.

Some cost to implement. Explanation:

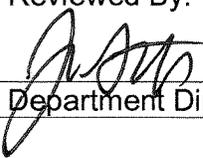
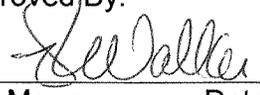
3. **Expected participation in the process**

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

4. **Staff Recommendation**

a. Position: Defer

b. Explanation: 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 Committee's work on the LUTE and the Climate Action Plan

Reviewed By:	Approved By:
	
10-31-13	11-4-13
Department Director	Date
	City Manager
	Date

2014 Council Study Issue

ESD 14-01: Ban on the Use of Gas-powered Leaf Blowers

Lead Department Environmental Services Department

Sponsor(s) Sustainability Commission

History 1 year ago: 2 years ago:

1. **Scope of the Study**

a. What are the key elements of the study?

This study issue would examine banning two-cycle gasoline leaf blowers in the City. While popular among landscape management businesses and professionals, gas blowers are a major source of both air and noise pollution in Sunnyvale.

The California Air Resources Board (CARB) documents that gas leaf blowers emit 500 times the amount of hydrocarbons and 26 times the amount of carbon monoxide compared with newer cars. CARB also found that leaf blowers emit 8-49 times the particulate matter of a light duty vehicle. In addition to pollution from toxic exhaust fumes, gas leaf blowers blow mold, pollen, animal feces, pesticides and fertilizers into the air. Particulate matter remains suspended in the air for hours and is so small that it is easily assimilated into the lungs.

The Bay Area Air Quality Management District recommends nine things the public can do to make clean air choices every day. One of those is to "avoid using gas powered lawn mowers and leaf blowers."

California cities that have banned or restricted gas leaf blowers include Berkeley, Belvedere, Claremont, Del Mar, Indian Wells, Laguna Beach, Lawndale, Los Altos, Menlo Park, Malibu, Mill Valley, Piedmont, Santa Monica, Hermosa Beach, West Hollywood, Palo Alto and Los Angeles. Citizens in other cities such as Orinda and St Helena are working toward banning gas leaf blowers.

b. What precipitated this study?

This study issue was proposed by the Sustainability 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 \$
 Will seek budget supplement Will seek grant funding

iii. Explanation of Cost:

The cost associated with this study would be the result of staff time to study, craft an ordinance, and conduct outreach to the community. ESD staff would lead the study and coordinate potential ordinance development with Community Development and Office of the City Attorney staff. It is anticipated that the study can be incorporated as part of staff's annual workplan.

b. Costs to Implement Study Results

- No cost to implement.
- Unknown. Study would include assessment of potential costs.
- Some cost to implement. Explanation:

3. **Expected participation in the process**

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

4. **Staff Recommendation**

a. Position: Support

b. Explanation: Staff supports the study to examine the feasibility of banning gas leaf blowers in Sunnyvale. Gas leaf blowers are a prevalent source of greenhouse gas emissions and contribute to overall air pollution as identified in the study scope. Alternatives exist in the marketplace to replace gas leaf blowers. An ordinance banning gas leaf blowers would be a proactive measure for reducing community greenhouse gas emissions and be consistent with goals and actions included in the draft Climate Action Plan. The CAP goal identified as Off-Road Equipment (OR) seeks to minimize emissions from off-road, lawns and garden and construction equipment.

Reviewed By:	Approved By:
	
10-2-17	10/8/13
Department Director	Date
	City Manager
	Date

2014 Council Study Issue

ESD 14-02 Community Choice Aggregation

Lead Department Environmental Services Department

Sponsor(s) Sustainability Commission

History 1 year ago: 2 years ago:

1. **Scope of the Study**

a. What are the key elements of the study?

In development of Sunnyvale's Draft Climate Action Plan (CAP), it was identified that electricity use was the 2nd largest factor (after transportation) in GHG emissions in the city. The draft CAP identifies that significantly shifting energy consumption away from traditional electricity and natural gas would achieve over 50% of the targeted emission reduction goal. This can be done by creating or joining a Community Choice Aggregation (CCA) program. CCA is a system enabled by State legislation, which allows cities and counties to aggregate the buying power of individual customers in order to secure alternative or renewable energy supplies.

This study would evaluate and quantify multiple unknowns including:

- Which communities would likely join and partner in a South Bay CCA
- Costs and risks to the City should Sunnyvale participate in the establishment in a CCA
- Which actions of the draft CAP that might be assigned and implemented through the charter of a CCA to facilitate emission reductions for the City
- How would a CCA best be established (what agency or founding of an agency could lead the effort) and framework that would guide CCA establishment

b. What precipitated this study?

This study was proposed by the Sustainability Commission. The City created a Sustainability Commission CCA Subcommittee that has been researching CCA programs since August 2012. The Subcommittee performed extensive research on CCA and created a presentation that was provided to staff in preparation for a prospective informational meeting with the City Council in conjunction with the draft Climate Action Plan.

The Subcommittee has been following the progress of cities in Marin County who have been participating in a CCA for over 2 years and have experienced better than predicted results [add a couple examples of their success – e.g., higher than expected participation, better than expect cost of energy]. The Sonoma County Water Agency, after issuing RFPs for its planned CCA, has found that response and costs associated with establishing its CCA for Sonoma County are more attractive than forecast. The City and County of San Francisco has initiated operation of its CCA, CleanPowerSF.

The Subcommittee has found that the potential for the City of Sunnyvale to make a major reduction of GHG emissions through establishment and participation in a CCA appears strong.

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 \$30,000

Will seek budget supplement Will seek grant funding

iii. Explanation of Cost:

The cost associated with this study would be a preface to a full feasibility study on CCA. Based on early research, a full study is expected to cost between \$250,000 and \$300,000. This funding is likely to be recoverable should an entity proceed with implementing a CCA. The cost of the full study can be shared among multiple cities, this study issue would identify potential cost sharing partners interested in participating in the establishment of a CCA in the South Bay, identify the costs and risks Sunnyvale might have if it participated and develop a comprehensive outline of how a CCA would be established. An outside consultant would likely be engaged.

b. Costs to Implement Study Results

No cost to implement.

Unknown. Study would include assessment of potential costs.

Some cost to implement. Explanation:

3. **Expected participation in the process**

Council-approved work plan

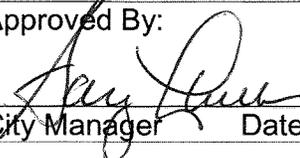
Council Study Session

Board/Commission Review by: Sustainability Commission

4. **Staff Recommendation**

a. Position: Support

b. Explanation: Staff recommends supporting this study. Community Choice Aggregation (CCA) is one action in the draft Climate Action Plan that can achieve more emission reductions than all other actions combined. It is a model that has been successfully implemented in Marin and soon to go into effect in Sonoma County and San Francisco. CCA offers an opportunity for community choice, has the potential to create permanent local jobs, fund local renewable energy projects, including accelerating local solar installations, and help fund energy efficiency programs for the community. If a grant is not awarded, a budget modification would be needed to fund the study.

Reviewed By:	Approved By:
	
10-2-13	10/8/13
Department Director	City Manager
Date	Date

2014 Council Study Issue

ESD 14-04 Full Cost-Analysis and Carbon Pricing in City Operations

Lead Department Environmental Services Department

Sponsor(s) Sustainability Commission

History 1 year ago: 2 years ago:

1. **Scope of the Study**

a. What are the key elements of the study?

In the evaluation of various options for choices made in city operations, the true cost of the alternatives does not monetize the environmental impacts as part of the analysis. For instance, in evaluating various vehicles purchases, the lifecycle cost used does not monetize environmental impacts; rather they are treated separately and somewhat optionally as quality measures. Clearly, as the climate changes, we are recognizing that there are economic impacts associated with the choices made, but those costs have not been related directly back to the actions.

Recently, James Hanson (former NASA director) suggested that measures of CO₂e can be used as one of these criteria. Dr. Hanson recommended that, today, a cost of \$20/metric ton of CO₂e be used, and that the cost be increased year by year at a rate greater than inflation until it reaches \$100/MTCO₂e at current currency rates. His recommendation was that for now a 6% increase per year would be sustainable and appropriate until that \$100 figure is achieved. (At \$100/MTCO₂e, if applied to gasoline, one gallon would cost roughly \$1.00 more over current prices.) Barbara Boxer, sponsor of Climate Protection Act S. 322 and Steven Chu, former Energy Secretary, both of California, have agreed that monetizing decisions is the single most effective way to rationalize environmental controls.

This study issue combines two related study issues proposed by the Sustainability Commission that would identify what the City can do to 1) determine, in monetary terms, the relative environmental impacts and comprehensive, true lifecycle costs of operational decisions and determine how these environmental costs can be factored into the City's decision making process, and 2) establish a reasonable price for carbon emissions (in \$/ton carbon over the lifecycle of the product) to be factored in when the City purchases vehicles and major equipment.

The study would develop the procedures and practices necessary to incorporate the environmental costs and price of carbon purchasing decisions starting with major purchases such as vehicles or major equipment. As part of this study, staff would determine:

- Operational activities where monetization would be required
- Basic methods and techniques to be used in regard to associating costs to GHG emissions, including a price for carbon
- Identify examples of recently implemented decisions that may be used as learning experiences by providing a contrasting analysis to decisions planned but not yet implemented
- Identify how existing carbon trading regulations might impact City operations in the future

b. What precipitated this study?

This study was proposed by the Sustainability 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 \$25,000

Will seek budget supplement Will seek grant funding

iii. Explanation of Cost: If approved, costs associated with this study will be the result of consultant services to research this monetization concept and how it would apply to operational activities. Staff time would be associated with the consultant selection process and review of future impacts on City operations based on the consultant's work. Because the study includes the determination of a pricing value for carbon in purchasing decisions, it is expected that whatever price is determined will raise the City's cost of purchases (for lower carbon-emitting products or services) compared to current purchasing procedures.

b. Costs to Implement Study Results

No cost to implement.

Unknown. Study would include assessment of potential costs.

Some cost to implement. Explanation:

3. **Expected participation in the process**

Council-approved work plan

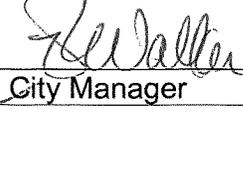
Council Study Session

Board/Commission Review by: Sustainability Commission

4. **Staff Recommendation**

a. Position: Drop

b. Explanation: Staff recommends dropping this study issue. Staff expects that this issue will be addressed after adoption of the Climate Action Plan. Resources will need to be identified in the budget for CAP implementation including this evaluation.

Reviewed By:	Approved By:
	
Department Director	City Manager
10-31-13	11-4-13
Date	Date

Council Summary Worksheet
2014 Proposed Study Issues

#	Title	Required Staff Effort	Cost of Study	Cost to Implement?*	Dept Rank	B/C Rank
FIN 14-01	Financing for Energy-Efficiency, Renewable-Energy and Water-Efficiency Improvements on Commercial Properties	Moderate	\$0	Unknown	Drop	4 of 8 Sustainability

* Indicates whether there will be a one-time capital cost and/or ongoing annual costs upon implementation.
See Study Issue Paper for detail.

2014 Council Study Issue

FIN 14-01 Financing for Energy-Efficiency, Renewable-Energy and Water-Efficiency Improvements on Commercial Properties

Lead Department Department of Finance

Sponsor(s) Sustainability Commission

History 1 year ago: 2 years ago:

1. **Scope of the Study**

a. What are the key elements of the study?

This study would research the feasibility of implementing a financing program in Sunnyvale that would lend businesses money for energy-efficiency, renewable-energy and water-efficiency projects at no up-front cost to the business owner, and then are paid back through a regular payment made to the jurisdiction through utility or property tax bills.

This study would include identification of advantages, disadvantages, administrative requirements and any risks to the City. The study will evaluate organizations that provide turnkey Property Assessed Clean Energy (PACE) financing and also evaluate the possibility of the City acting as the lender. If feasible, this study would include a recommended pathway toward setting up a financing option for Sunnyvale businesses, including a preferred method of financing the loans and any associated costs to the City.

b. What precipitated this study?

This study issue was proposed by the Sustainability Commission. According to the U.S. Environmental Protection Agency, a significant amount of the energy used in commercial buildings is wasted, resulting in higher costs to businesses for energy than necessary.

The upfront investment needed to implement energy, water, and other resource efficiency measures is often cited as the reason more businesses do not pursue these types of improvements despite the potential for long-term financial savings. To overcome the initial investment barrier, some jurisdictions throughout the country and in California have implemented financing programs.

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:

The cost associated with this study is staff time required to research and evaluate the options and fiscal impacts of a financing program.

b. Costs to Implement Study Results

- No cost to implement.
- Unknown. Study would include assessment of potential costs.
- Some cost to implement.

Explanation: Providing financing through the City would require significant upfront capital provided by the City. Like all loan programs, there is a level of risk involved with repayment and possible default that the City would need to evaluate as part of the study. Further, it is anticipated that there will be additional costs associated with administering the program, including significant staff time.

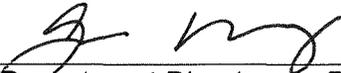
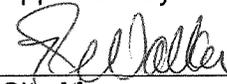
3. **Expected participation in the process**

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

4. **Staff Recommendation**

a. Position: Drop

b. Explanation: Staff recommends dropping this study issue. PACE programming is identified as a potential action in the draft Climate Action Plan and may be considered after Council consideration of the draft Climate Action Plan. Additionally, this type of financing is outside the City's core service scope, would require that significant upfront capital be provided by the City, and creates an unnecessary level of financial risk.

Reviewed By:	Approved By:
	
10/29/13	11-4-13
Department Director	Date
Date	City Manager
	Date