

DRAFT 7/28/14 *K. Berry*

RESOLUTION NO. ____-14

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF SUNNYVALE ADOPTING A COUNCIL
POLICY TO INCREASE PUBLIC AWARENESS OF
DEVELOPMENT PROPOSALS**

WHEREAS, the Council Policy No. ____, "Public Outreach for Pending Land Use and Development Proposals" ("Policy"), which proposes to increase public outreach of development activity in the community through traditional methods of on-site and newspaper publications and through digital media, website and social media; and

WHEREAS, the City desires to adopt the Policy to increase public awareness of development proposals.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SUNNYVALE:

The City Council Policy No. ____ entitled, "Public Outreach for Pending Land Use and Development Proposals," which policy is attached hereto as Exhibit "A" and incorporated herein by this reference as though fully set forth herein, is hereby adopted.

Adopted by the City Council at a regular meeting held on ____, 2014, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

RECUSAL:

ATTEST:

APPROVED:

City Clerk
(SEAL)

Mayor

APPROVED AS TO FORM:

City Attorney

COUNCIL POLICY MANUAL

Policy x.x.x (Title: Public Outreach for Pending Land Use and Development Proposals)

POLICY PURPOSE:

The City of Sunnyvale is committed to providing information and opportunities to encourage community members to follow development activity in their neighborhoods and to actively participate in the land use development process. The intent of this policy is to establish standards for delivering information to the public related to development activity and to encourage communication between City staff, applicants and the public.

The City Charter section 708 provides that the City Council shall adopt, by ordinance, procedures for the publication of notices or other matters required by law to be published and such procedures may include alternative means of giving legal notice including posting to the City Website using Internet or other appropriate technology where publication is not feasible and where such alternative methods are permitted by law. Title 19 of the Sunnyvale Municipal Code (SMC) specifies the types of notice required for pending land use and development proposals. At a minimum public hearing notices shall be sent to all property owners within a 300-foot radius of a development site a minimum of ten (10) days prior to the hearing. To meet the objectives of improving communication and providing the community with as much notification of proposed projects as possible, the City's policy goes beyond the State requirements for notification of major development proposals. The policies specified below are in addition to the legal requirements of the SMC and are intended to provide greater notice for certain development proposals.

POLICY STATEMENT:

The following processes shall be used by the Community Development Department to increase public awareness and foster community involvement in pending land use and development proposals in addition to the legal notice requirements provided by city ordinances and City Charter.

1. Community Meetings

The purpose of community meetings is to inform community members and other interested parties about the proposed development or policy issue and answer questions, receive public comment and address project issues before the Public Hearing. In an effort to create more public dialog prior to the project hearing(s), the Community Development Department will do the following:

- A. For projects requiring a Planning Commission or City Council Hearing:
 - I. Continue to conduct community outreach meetings and/or surveys on non-specific site applications.
 - II. Require applicants of Site-specific Applications (not including applications involving one single-family dwelling) that involve new construction to conduct community outreach with surrounding neighborhoods. The project applicant will

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also coordinate with City staff to assure that a staff member is in attendance at an applicant sponsored meeting.

- B. For projects that do not Require a Planning Commission or City Council Hearing:
 - I. Encourage applicants of Site-specific Applications that may generate wide public interest (as determined by the Community Development Director) to conduct community outreach with surrounding neighborhoods. The project applicant will also coordinate with City staff to assure that a City staff member is in attendance at this applicant sponsored meeting.

2. On-Site Noticing

On-site noticing can be an effective way to notify the community of an upcoming public hearing by providing information to members of the public regarding a development application on file for the subject property. In an effort to alert the public to pending projects, the Community Development Department will require the project applicant to do the following:

- A. For all single-family second story additions:
 - I. Post a streetscape elevation and public notice board in front of the single-family dwelling at least ten (10) days prior to the end of the required comment period.
- B. For projects that require a public hearing:
 - I. Post public notices for Site-specific Applications on the project site at least ten (10) days prior to a scheduled hearing. For applications that involve new construction, encourage applicants to post a color rendering of the proposal with notices.
- C. For projects that require a Planning Commission or City Council hearing:
 - I. Post public notices for Site-specific Applications on the project site at least ten (10) days prior to a scheduled hearing. For an application that involves new construction, require applicants to post a color rendering of the proposal with notices.

3. Public Hearing Notice

The City Council recognizes the importance of using larger radius noticing as a tool to broaden the awareness of community members in the immediate area of a pending land use or development action. Therefore, the City's Policy goes beyond the State requirements for notification to keep the community informed about land use and development decisions and to promote an open process that encourages genuine and effective involvement with all stakeholders. In an effort to keep the community informed, the Community Development Department will do the following:

- A. For projects that require a mailed notice:
 - I. Continue to exceed the state requirement by mailing the public notice to tenants within the mailing radii, in addition to the property owners, applicants and applicable government agencies.
 - II. Deliver a public notice to a larger radius than 300 feet that:
 - a. Has a general project description that is easy to understand;

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- b. Clearly shows the hearing date/time/place and hearing body in large print;
 - c. Contains staff contact information that is easy to find; and
 - d. Contains a map/text or diagram of the project location that is easy to read.
- B. For projects that require a public hearing:
 - I. Increase noticing radii requirements for projects based on the height of the building per the following table:

Application Type/Special Uses	300 feet	500 feet	1,000 feet
1-2 stories (or up to 30')	X		
3-5 stories (or up to 50')		X	
6+ stories (or above 50')			X

- II. Expand the noticing radius (at the Community Development Director's discretion) beyond what is required for applications that involve public noticing and have the potential to have a high degree of interest from surrounding neighborhoods.
- C. For projects that require a Planning Commission or City Council hearing:
 - I. Require applicants of Site-specific Applications that involve new construction or that modify the appearance of the project site to submit a compressed digital copy of a rendering to include in the public notice.
 - II. Continue to use the noticing radii requirements for projects within the Peery Park District based on the Council decision in October 2013. (Council decision 10/8/13).
- D. For Projects that do not Require a Planning Commission or City Council Hearing:
 - I. Encourage applicants of Site-specific Applications that may generate wide community interest (as determined by the Community Development Director) and that modify the appearance of the project site to submit a compressed digital copy of a rendering to include in the public notice.

4. Other Modes of Outreach

- A. **E-mail** – Staff will maintain an e-mail contact list of neighborhood association contacts, interested parties and companies that do business within the City of Sunnyvale. Staff will use this e-mail list (when appropriate) to send public notices, information on community outreach meetings and other pertinent project information.
- B. **Website**
 - I. Public Notices – City staff will maintain a place on the City's website where public notices for items requiring a public hearing will be posted. The notices will be posted on this site at least 10 days prior to the hearing date and will remain on the site until the appeal period for the project is concluded. This website will also

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- include definitions of terms used on the public notices that may not be understood by the general public.
- II. Pending Projects – Staff will maintain a place on the City’s website where project information for major development projects will be posted. This information will be posted shortly after a formal project application is filed.
 - III. Public Hearing Agendas - Staff will continue to make the public hearing agendas and project report available on the City’s website.
- C. **City Manager Blog** – City staff will use the City Manager’s blog to inform the public about upcoming community meetings and pertinent project information.
 - D. **City Bulletin Boards** – City staff will post public notice display ads for Planning Commission hearings on the City’s official-notice bulletin board outside City Hall. A copy of the agenda, project report and environmental documents (when applicable) are also available for review at the Sunnyvale Library..
 - E. **Social Media** – When possible, staff will use forms of approved social media to inform the public about community meetings, project surveys and other pertinent project information.
 - F. **Demolition Notice** – At the time the permit is issued, staff will mail a notice of demolition to occupants and owners of immediately adjacent properties for all projects involving the complete demolition of a residential structure in the R-0, R-1 and R-2 zoning districts when the demolition permit is issued separately and is unconnected to any other type of discretionary permit. Staff may also send a notice of demolition permit for projects involving the demolition of a major non-residential structure, as determined by the Community Development Director, to occupants and owners of immediately adjacent R-0, R-1 and R-2 residential properties when the permit is issued separately and is not connected to any other type of discretionary permit.

Lead Department: Community Development

I verify that the content presented in this policy represents the direction given or action taken by Council.

Signature

Date _____

Director, _____
Department Name