

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF SUNNYVALE AMENDING RESOLUTION NO. 1002-20,
THE CITY'S FEES, RATES AND CHARGES RESOLUTION,
PERTAINING TO APPEALS OF INCOMPLETENESS
DETERMINATIONS**

WHEREAS, the City Council of the City of Sunnyvale ("City") adopted Resolution No. 1002-20, the Master Fee Schedule, on June 23, 2020; and

WHEREAS, Government Code Section 65943 requires agencies to provide a process for applicants to appeal a determination that their application for a development permit is incomplete; and

WHEREAS, Government Code Section 65943 further requires appeals of incompleteness determinations to be decided within sixty days, including any subsequent appeal to a higher body; and

WHEREAS, under certain circumstances, in order to hear appeals of incompleteness determinations in the timeline required by Government Code Section 65943, the City may have to call special meetings, which would result in additional expenses that are not covered by the existing fee for appeals of Planning Commission decisions; and

WHEREAS, the City Council is empowered to impose reasonable fees, rates, and charges to offset the costs for municipal services; and

WHEREAS, the City desires to implement a new fee for the appeals of incompleteness determinations as set forth in Exhibit "A."

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

1. Section 4.02(g), "Planning Commission Hearings" of the Master Fee Schedule, is hereby adopted as set forth in Exhibit "A", attached hereto and incorporated herein.
2. The establishment of fees herein is exempt from the requirements of the California Environmental Quality Act pursuant to Public Resources Code 15378(b)(4) because it is related to the creation of government funding mechanisms or other fiscal activities which do not involve any commitment to any specific project.
3. All other provisions of Resolution No. 1002-20 shall remain in effect.

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

AYES:
NOES:
ABSTAIN:
ABSENT:
RECUSAL:

ATTEST:

APPROVED:

City Clerk
(SEAL)

Mayor

APPROVED AS TO FORM:

City Attorney

EXHIBIT A

	Fiscal Year <u>2020/21</u>	FY 2020/21 SDP	FY 2020/21 Charge Code	FY 2021/22 Oracle Prog	Object Level OL 3&4 Combined <u>3 & 4</u>		Natural Account
<u>4.02(c) STAFF LEVEL PERMITS AND REVIEWS - NO PUBLIC HEARINGS</u>							
Design Review: Except SFH/DUP (Architecture, Landscaping, Lighting, etc.)	<u>\$416.00</u>	234.15 - Zoning Design Review	234150	10413	1650	1650-00	432019
Short-Term Rental Director Review	<u>\$70.00</u>	234.09 - Zoning Administration	234090	10409	1650	1650-00	432019
Extension of Time: Major/Minor Permits and Tentative Maps	<u>\$917.00</u>	234.09 - Zoning Administration	234090	10409	1650	1650-00	432019
Family Day Care - Large (not within 300 ft. of another)	<u>No Fee</u>						
Miscellaneous Plan Permit Residential <3 units (MPP or Unspecified)	<u>\$206.00</u>	234.14 - Zoning Misc Applications	234140	10412	1650	1650-00	432019
Miscellaneous Plan Permit Residential 3 or more and non-residential (MPP or Unspecified)	<u>\$412.00</u>	234.14 - Zoning Misc Applications	234140	10412	1650	1650-00	432019
Mobile Vendor Permit	<u>\$416.00</u>	234.14 - Zoning Misc Applications	234140	10412	1650	1650-00	432019
Preliminary Project Review	<u>\$1,030.00</u>	234.14 - Zoning Misc Applications	234140	10412	1650	1650-00	432019
Re-Naming of Private Streets	<u>\$917.00</u>	234.14 - Zoning Misc Applications	234140	10412	1650	1650-00	432019
Temporary and Unenclosed Uses	<u>\$171.00</u>	234.14 - Zoning Misc Applications	234140	10412	1650	1650-00	432019
Transportation Demand Management Plan - New or Revised Plan	<u>\$917.00</u>	234.14 - Zoning Misc Applications	234140	10412	1650	1650-00	432019
Tree Removal Permit	<u>\$310.00</u>	234.16 - Zoning Tree Removal Permits	234160	10414	1650	1650-00	432019
Tree Removal Permit with Certified Arborist Report	<u>\$171.00</u>	234.16 - Zoning Tree Removal Permits	234160	10414	1650	1650-00	432019
Tree Removal Permit (PG&E)	<u>No Fee</u>	234.16 - Zoning Tree Removal Permits	234160	10414	1650	1650-00	432019
Waiver of Undergrounding	<u>\$1,727.00</u>	234.14 - Zoning Misc Applications	234140	10412	1650	1650-00	432019
Zoning Exception	<u>\$141.00</u>	234.14 - Zoning Misc Applications	234140	10412	1650	1650-00	432019
Appeal of a Decision of the Community Development Director to Planning Commission	<u>\$206.00</u>	234.09 - Zoning Administration	234090	10409	1351 - 1	1351-01	430715
Appeal of Non-Public Hearing Decision	<u>\$206.00</u>	234.09 - Zoning Administration	234090	10409	1650	1650-00	432019