



City of Sunnyvale

Agenda Item-No Attachments (PDF)

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REPORT TO COUNCIL

SUBJECT

Introduce an Ordinance to Amend Title 19 (Zoning) of the Sunnyvale Municipal Code related to General Procedures and noticing requirements; Adopt a Council Policy to Increase Public Awareness of Development Proposals (Study Issue, 2014-7261); and make a Finding that the Proposed Project is Exempt from the Requirements of the California Environmental Quality Act (CEQA) Pursuant to CEQA Guideline 15061(b)(3)
(Study Issue, Planning File number: 2014-7261)

REPORT IN BRIEF

This study combines two study issues that were ranked highest on the list of 2014 study issues for the Community Development Department (CDD). The original titles of the Study Issues are: Methods of Posting Public Notices on Development Projects; and, Increase Noticing Distance and Related Submittal Requirements for Large Projects (Study Issue Papers, Attachment 1). The study issues were sponsored by the City Council as a result of public comment on a few recent major development projects where some members of the community felt detached from the development review process.

The California Government Code has minimum noticing requirements for planning and land use permits decided through a public hearing; however, many cities choose to increase the amount of public noticing in order to keep their communities informed. Public noticing is addressed in Chapter 19.98 (General Procedures) of Title 19 of the Sunnyvale Municipal Code (SMC). As a standard practice, many of Sunnyvale's noticing efforts go beyond State minimums and are not part of the Municipal Code or adopted policy. A broader discussion involves exploring additional techniques to inform the public about pending projects and to provide options to increase involvement during the project development review.

The Planning Commission considered this item on August 11, 2014 and recommended in accordance with the staff recommendation with one modification-to use a 2,000 foot noticing radius for buildings of six or more stories. The Planning Commission made comments on a desire for continued enhancement of outreach efforts, the use of technology, and the ability for residents to eventually select which noticing distance they were interested in. Staff has included an alternative of the Planning Commission recommendation with a suggestion that if the Council chooses the Planning Commission recommendation of a 2,000 foot radius for a six+ story building then a five story building should have a noticing radius of 1,000 feet.

Staff recommends that the Council introduce an ordinance to amend the existing General Procedures Chapter of the Zoning Code (Attachment 2) and adopt a Council Policy (Attachment 3) that will create additional noticing requirements, increase the noticing radius for taller buildings and implement techniques to increase public awareness on development projects. The changes to current practices

are based on the following key points of the study issue papers:

- Consider additional requirements for larger development projects;
- Increase the noticing distance or other noticing options for projects of certain thresholds (height, size, units, etc.);
- Consider using additional methods of notification to inform the public and receive input;
- Review current guidelines;
- Survey other city approaches;
- Improve how information is posted on the City website or delivered through social media; and
- Revise mailed and posted public notices to include additional project information.

BACKGROUND

In late 2012, the City Council sponsored these study issues based on community request and frustration regarding an office development that was under construction at 505 N. Mathilda Avenue. The City had noticed the project based on the State minimum requirement (further discussed in the next paragraph) of 300 feet which only reached a few of the single-family homes in the nearby residential neighborhood.

The State of California regulates public noticing under California Government Code 65091 with the following standards for projects (the entire text can be found in Attachment 15):

- Notices shall be mailed 10 days in advance of the public hearing to all property owners (and the applicant) within 300 feet of the proposed project.
- Notices shall be posted in three public places.
- Notices shall be published in a newspaper of general circulation.
- Any item that results in more than 1,000 notices can be advertised in the newspaper instead of mailed.

While the State only requires public information to be relayed to the community in the above-mentioned ways the City of Sunnyvale delivers public information above the minimum requirements as a standard practice. Following are City practices that exceed the State minimum requirements:

- Mailed notices go to residential and non-residential tenants, in addition to property owners; expanded noticing beyond the minimum distance has also been applied for specific projects with wide neighborhood interest.
- Community outreach meetings are held for most study issues and policy issues.
- Community outreach meetings by developers are encouraged for site-specific applications.
- Webpages are created for most area plans and study issues.
- Public Notices are often e-mailed to neighborhood association contacts.
- Online surveys are conducted to increase responses on study issues and policy issues.
- Since November 2013 (after the City Council identified these as potential Study Issues), staff has expanded the public notice delivery radius for large development projects similar to the policy adopted for the Peery Park District (based on number of stories in a development).
- Since June 2014, staff has added a map link on the major development update spreadsheet so members of the public are able to see where specific projects are located.

Other Cities

Every city and county in California is required to follow the State requirements for noticing; however, many cities go beyond those requirements. Attachment 14 is a table that shows how other cities

exceed (or maintain) the state requirements for public noticing.

As shown in the table, many cities have not codified the ways they exceed the State minimum and tend to do this on a case by case basis at the discretion of the Community Development Director. Frequently, noticing radii and methods for noticing projects are expanded for large development projects. A few cities, such as San Jose, have adopted a Council Policy to address these requirements; however, most of the cities surveyed expand noticing based on project specifics and do not include thresholds for expansion of noticing in their municipal code (or an adopted Policy).

Sunnyvale Outreach Efforts in Other City Departments

The Sunnyvale Public Works Department (including Parks) uses a 1,000 foot mailed noticing radius for all master planning issues. A master planning issue is a project that changes an existing City property (not including routine replacement of equipment in parks or City facilities). In addition to the 1,000 foot noticing radius the Public Works Department also conducts a survey for all master planning issues, holds at least two community meetings (one on the weekend and one in the evening), and posts a notice on the project site that advertises the community meeting, survey and gives additional project information. Staff feels that these types of development projects may warrant a wider noticing radius because they are projects that are proposed on public property. Since these projects may have a direct impact on the community increased noticing and outlets for public comment are important to raise public awareness.

EXISTING POLICY

GOAL CV-1 Community Engagement - Achieve a community in which citizens and businesses are informed about local issues and City programs and services.

Policy CV-1.1 - Assure that all community members have reasonable access to City information, services and programs within budgeted resources.

Policy CV-1.2 - Provide accurate and thorough information in a timely manner to ensure that community members have an opportunity to respond effectively.

Policy CV-1.3 - Ensure an integrated approach to informing community members about local issues, City programs, and services that reaches all segments of a diverse community.

ENVIRONMENTAL REVIEW

Although the modifications to the ordinance and the creation of the policy paper are considered a project under the California Environmental Quality Act (CEQA), staff has concluded that adopting the proposed modifications can be exempt from CEQA under Guideline 15061(b)(3) because it can be seen with certainty that these modifications alone will not have a significant effect on the environment. Projects that are subject to the requirements of the amended SMC chapter and policy paper will be environmentally evaluated on an individual basis.

DISCUSSION

The City of Sunnyvale is committed to providing information about development activities and to providing opportunities for the public (residents and businesses) to follow development activity in their neighborhoods and to actively participate in the land use development review process. This study examines changes to current regulations and practices that establish standards for delivering information to the public related to development activity and improve communication between City

staff, applicants and the public by expanding existing practices. At the end of the report are recommendations for expanded outreach for City-initiated Community Development studies (such as study issues and area plans).

The City uses several methods of public noticing to get development proposal information to the community; it is clear that no method of noticing will reach every interested community member. Increasing methods of public noticing, such as expanding the mailed notice radius and posting public notices on the City website, have the potential to deliver information to more interested parties and could result in increased public awareness, which is a goal of the City.

As this study is primarily concerned with larger development proposals, the first part of this report focuses on a definition for large development project.

Defining “Large Development Project” to Create a Threshold

The original study issue papers identify that the main purpose of these study issues is to increase noticing requirements (and public awareness) on taller and larger development proposals. The study does not include increasing the requirements for projects associated with single-family homes or other projects that generate minimal public opinion (administrative permits). Staff recommends that a *large development project* include any project that requires a public hearing with the Planning Commission (and may also require a City Council hearing) that involves new construction but is not associated with one single-family dwelling. Planning Commission applications include single-family homes exceeding a 45% floor area ratio (FAR), multi-family residential projects, new industrial construction above 35% or 45% FAR, new commercial office or commercial development greater than 10,000 square feet, and Rezoning and General Plan Amendments.

Items that are heard by the Zoning Administrator are typically more minor in nature (small single family subdivisions, single family variances, fence permits and accessory structures), do not require increased environmental review, and generally do not create much public interest. Some of the expanded notification methods may be used for applications requiring a Zoning Administrator public hearing.

Based on public concerns with notification on recent development it appears that overall size or height should be used to set the threshold. The type of hearing could also be an indicator of threshold.

Staff surveyed 21 projects that had been approved within the last five years (Attachment 16) that had more than 100 units or more than 100,000 sq. ft. of floor area. Staff found that these large development projects were all three stories or higher and all but one required a Planning Commission hearing and some required a City Council hearing. The one project that required a Zoning Administrator Public Hearing was a Use Permit for a Public Storage facility. Using height as the threshold would guarantee that larger projects as well as a number of other smaller projects (e.g. an eight unit 3-story townhouse development) were included in expanded notice efforts.

In an effort to increase public awareness for projects that may not go to the Planning Commission and/or City Council but may have the potential to have a high degree of public interest, staff has included proposed provisions in the Municipal Code (Attachment 2) and drafted a proposed new Council Policy (Attachment 3, Exhibit A) where noticing and requirements may be expanded.

Key Ideas to Expand Noticing and Increase Public Awareness

The study issue papers identify several approaches to increase public awareness and community involvement in the development review process. Additional information can be found in the draft Council Policy (Attachment 3, Exhibit A) and is summarized below.

1. *Require additional noticing methods for larger development projects.*

Public awareness of larger projects could increase without creating significant cost or time burden on an applicant by:

- Including a visual representation of the proposed project (e.g. perspective rendering or photo simulation) with posted and mailed notices;;
- Increasing the size of notice boards for specified projects; and
- Requiring applicants of major site-specific developments to hold community outreach meeting (s) in conjunction with City staff.

Visual Representation of Project: Adding a perspective rendering or photo simulation on posted and mailed notices provides a visual of the proposed project that helps community members decide if they might have concerns about the proposal. It could also decrease public concern in some cases if community members are comfortable with the proposal and do not feel the need to obtain more information. The content and format of notices is discussed below.

Notice Size: Currently, staff posts at least one notice per site of scheduled public hearings for all public hearing applications. The notice is an 8½ inch x 11 inch notice fixed to an 11 inch x 17 inch poster board with NOTICE in large red letters across the top. The notice is attached to a wooden stake and hammered into the ground or attached to a building. Design Review applications for single-family homes require a larger poster with a streetscape view of the proposed home; the notice is prepared and is posted by the project applicant and a photo or other record of the posting is sent to the project planner. The City could specify a larger notice board size for major projects, and require the applicant to prepare and post the notice.

Outreach Meetings: Holding a community outreach meeting by the applicant is a practice that staff already encourages. Staff requests the applicant to advise the project planner of any planned meetings so that staff may attend. Some outreach meetings are held without staff notification. The City cannot restrict meetings between applicants and the public; however we can require at least one outreach meeting with staff in attendance. Staff attendance allows staff to hear firsthand what the concerns are from the public and the responses from an applicant. Staff can clarify the process; answer General Plan and zoning questions, and address features of a project relative to City development standards. Staff attendance also gives the public a chance to meet the project planner. Developers could also present additional site renderings or perspectives from surrounding neighborhoods at these meetings so community members could better understand potential impacts to their neighborhoods.

2. *Increase the noticing distance and other noticing options for projects of certain thresholds (height, size, units, etc.).*

Noticing Distance: The noticing distance (or radius) could be increased from the minimum 300 feet for specified projects similar to Council direction on the Peery Park District.

Staff recommends expanded noticing for larger development proposals. The proposed increased

noticing follows a similar approach used in the Peery Park District which bases noticing on height of a project (or number of stories). Staff is recommending the following for expanded noticing (projects in the Peery Park District will continue to adhere to the noticing radii recommended by the City Council in October 2013):

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

Webpage: To augment newspaper publication required by State law, a Public Notice Webpage could be created on the City's website. From this page, community members could access public notices and project information for major development proposals and see when items are scheduled for a public hearing. The webpage would contain public notices for Zoning Administrator, Planning Commission and/or City Council hearings and project information for major development projects. Further details of this webpage will be discussed between the Community Development Department and the Information Technology Department following the City Council recommendation; however, a draft sample of what this webpage could look like (based on preliminary discussions between the two departments) is provided in Attachment 5.

3. *Revising mailed and posted public notices to include additional information.*

Public notices need to balance ease of understanding for the public and adequate legal information. About two years ago the public hearing notices were changed to color postcards to save paper and expense and make the notice readily accessible to the reader (no requirement to open an envelope). Anecdotally, staff has received fewer complaints about not receiving a mailed notice; however, feedback has included concerns that the postcards resemble junk mail. For most major projects staff has switched back to using notices sent in an envelope.

Staff has made modifications to the public notice that will be mailed prior to a public hearing. The modifications include the following:

- A project description that is easy to understand;
- A heading that shows the hearing date/time in large print;
- Staff contact information that is easy to find; and
- A map of the project site that is easy to read.

In addition to these items, public hearing notices for development proposals that require a Planning Commission and/or City Council hearing will also include:

- A visual simulation of the proposed project.

Existing notices can be seen in Attachments 6 and 7 and the new notice designs can be seen in Attachments 8 and 9.

The community also suggested that notices include definitions for planning terms that may not be easy for a lay reader to understand. Staff agrees that definitions are helpful; to balance comprehension with size of the notice staff recommends listing the detailed definitions on the public

notice webpage since the modified notice is already two full pages in length.

4. *Alternate methods of notification-newspaper and City Manager blog.*

Newspaper Ads: The minimum state requirement is to publish notice of public hearings for land use policy decisions or plans (e.g. general plan amendments) in a “newspaper of general circulation.” Both the Sunnyvale *Sun* and the San Jose *Mercury News* have been qualified as newspapers of general circulation for Sunnyvale. The on-line survey showed that most respondents who subscribe to or regularly receive a newspaper get the Sunnyvale Sun; subscribers to the Mercury News also receive the Sun. The legal ads in both newspapers can be accessed online without a subscription through the digital version of the Mercury News or the Sun. Staff acknowledges that published notices in a newspaper have limitations. However, since published notice is required by State law and the Sunnyvale Sun is online and available for free, staff recommends continuing to post legal ads and display ads in this publication.

City Manager’s Blog: At community outreach meetings for this study issue, members of the public mentioned the City Manager’s Blog as an effective tool to increase the public’s awareness by discussing major development projects and large study and policy issues. Staff currently provides the City Manager information about new applications and community outreach meetings. Notice of public hearings is not provided in the City Managers’ blog. Increasing the amount of information in the City Manager’s blog to include information about upcoming community meetings and project proposals could be an effective tool in increasing community involvement.

5. *Improving how information is posted on the City website or delivered through social media.*

Notices and Pending Major Development Projects Webpage: Creating the project webpage, posting public notices, posting project information for major development projects and the continued use of individual webpages for large-scale development projects and policy and study issues should increase the amount of project information that is available to the public. The benefit to having information on the City website is that it is available 24 hours a day and 7 days per week. The notice and pending major development projects webpage (a sample of this page can be seen in Attachment 5) will include project descriptions for each project, a link to the public notices (when they are available), environmental studies (if applicable), and representative project plans. Staff hopes to include project plans on this website in the future; however, this may not be possible under our current website capabilities. Staff will continue to work with ITD on this item and hopes plans can be included in the future. Utilizing the City webpage is essential to increasing public awareness because of its availability. The City should continue to look at new ways to use the website and other technology to deliver information. In addition to improving information on the city webpage, efforts should be considered to direct interested public to the City webpage.

Social Media and Surveys: Social media can be used to alert subscribers to upcoming community meetings. Advertising for community meetings through the existing Twitter and Facebook City pages is one way to increase the Community Development Department’s social appearance. Staff from CDD and the Communications Division will work together on this effort. Other social media sites provide tools to increase community engagement; for example, MindMixer, Measured Voice. CrowdBrite.com or Survey Monkey use questions and surveys to poll the community on a variety of topics (links to MindMixer, Measured Voice and CrowdBrite.com are presented as Attachments 18, 19, and 20). While staff already uses Survey Monkey to conduct policy and study issue surveys, it may be beneficial to look into MindMixer, which could also be used for other City outreach efforts.

Measured Voice and/or other similar platforms allow community members to participate in the public process online when they cannot attend a meeting. Participation in surveys has been more robust than outreach meetings which do not typically attract large audiences.

Interactive Maps on Webpages: Community members have also suggested interactive maps that let them see location of pending and approved planning applications and can click on a link to more information about an application. The suggestion is that this tool would allow them to better determine their interest in development applications even when they are outside of a noticing radius. Staff has examined other cities' websites and found that several provide this feature to the community. Information Technology Department (ITD) and Community Development Department would need to work together to create this website feature. The tool could have city-wide applications also, such as mapping and providing on-going information on current public works projects. Creating this mapping tool may have a budget implication that will require appropriation of funds which is discussed further in the fiscal impact section. As an interim solution, geo-links have been added to the Development Update spreadsheet (available on the CDD webpages) to show the application location on a map.

- The map could allow community members to zoom into their neighborhoods and see activity around them;
- The map could potentially provide links to all development proposals, building permit, etc. and be utilized by other City Departments;
- The map may have the potential to allow people to sign up to receive notifications on projects that are proposed within their neighborhood or designated radius.

Summary of Recommendations

Staff is proposing the following modifications to increase public awareness:

- Update the zoning code to reflect minimum noticing standards and to refer to a Council policy on public outreach and notification for development applications.
- Create a Council Policy on public outreach and notification for development applications
- Create a Public Notice and Pending Major Development Projects Webpage on the City website where project information and all current public notices will be posted;
- Require applicants of major development projects to post color renderings along with the public notice on their project site, and increase the minimum size of the posted information;
- Update the mailed notice to make it more clear and easy for the public to understand (include a rendering in the notice for projects that require a Planning Commission and/or City Council hearing);
- Expand the mailed notice delivery radius for taller projects pursuant to proposed Council Policy;
- Require applicants to conduct community outreach meetings, with City staff present, for all major projects (typically those that require at least a Planning Commission public hearing);
- Use the City Manager's Blog when possible to advertise community outreach meetings and other project information;
- E-mail public notices of major permit applications to all neighborhood association contacts (as listed on the City's Neighborhood Association webpage) and to interested parties; and
- Look into increasing the Community Development Department's (CDD) presence on existing social media sites (Twitter, Facebook, etc.).

Upon final Council recommendation on this Study Issue, staff will develop guidelines for implementation of the provisions of the new proposed Council Policy; the guidelines would be captured in the Administrative Policy Manual. This policy will further expand the sections from the Council Policy to show who the responsible party will be for the requirements, standards for each requirement (size of the noticing boards, size of renderings, etc.) and other pertinent information that applicants and the public will need. This document will then be used in support of the adopted Council Policy and Sunnyvale Municipal Code to help applicants understand the requirements.

Additional Items to Consider

In addition to the items staff has recommended, the City Council may want to direct staff to do more research on a few other items that were suggested by the community, Planning Commission and/or staff but would take additional funds and further discussion between City divisions and outside sources.

- Provide an interactive map on the City website that shows all pending and recently approved major applications
- Look at social media platforms (MindMixer, Measured Voice, CrowdBrite.com, Twitter, Facebook, etc.) to increase public awareness on projects, community meetings and policy issues. (Links to MindMixer, Measured Voice and CrowdBrite.com are presented as Attachments 18, 19, and 20).

Related Sunnyvale Municipal Code Amendments

Staff is also recommending related modifications to Title 19 of the Sunnyvale Municipal Code that address general noticing requirements. A table showing ordinance modifications is found in Attachment 4. These modifications are part of the keeping with the Zoning Code Retooling effort and include:

- Change the minimum noticing radius to 300 feet for all projects. Some types of permits currently require a 200 foot noticing radius or noticing to adjacent properties only; retain the 1,000 foot noticing radius for Place of Assembly uses in the Industrial zoning district.
- Move code sections that are currently located in 19.98 General Provisions into sections of the code where they are better suited. For example, moving the Design Review specifics into the Design Review section instead of the General Provisions section;
- Modify the requirement for Donation Centers for Used Goods to match similar Miscellaneous Plan Permit procedure where a notice is mailed prior to the decision instead of noticing the approval decision (as currently required in SMC 19.98.040(c)(1);
- Fix two errors in the table in SMC section 19.20.030;
- Change the requirement that a newspaper ad must be published 30 days in advance of a public hearing regarding Heritage Resources to match the 10 day requirement that all of the other permits follow.
- Remove the requirement that staff mails notice of a demolition in R-0, R-1 and R-2 zoning districts to adjacent neighbors and move this requirement to the Council Policy Paper.

As mentioned above, many of the existing noticing radii are increased in the code modifications and most of the other changes that are proposed will help us streamline our processes. This streamlining of processes should help the community as well as City staff understand the permit procedures and in turn increase community awareness of projects that occur in a community member's neighborhood.

FISCAL IMPACT

If the City Council follows the staff recommendation, the potential costs to the City to implement the modifications could include:

- **Staff training on new procedures**
 - Additional Planning Division staff time to learn the new requirements, explain the new requirements to applicants and the public and to implement the new Council Policy (Attachment 3). Staff anticipates that no budget changes are required at this time.
- **Maintaining the Public Notice and Pending Major Development Projects Webpage**
 - This task would require coordination between the CDD and ITD to create the page. It would also require weekly upkeep and monitoring to ensure the information posted stays current and correct. This new activity would probably require about 50-100 hours a year to implement depending on the number of projects.
- **Staff Participation at Community Meetings**
 - Staff participation at after-hours meetings may go outside of regularly budgeted hours for staff members; however, an existing fee (Planner Attendance at After Hour Meetings) is a part of the fee schedule to cover staff time for attendance at community meetings, Planning Commission meetings, and/or City Council hearings. This fee would be added to the costs of the development application and would not result in additional cost to the City. Staff estimates that staff would attend 30-40 outreach meetings per year, requiring about 100 hours of overtime.
- **Maintaining Social Media Platforms**
 - This task would require coordination between CDD staff and staff from the Communications Division; however, after the initial discussion it should be minimal and should not require any change to existing budgeted hours. Staff would monitor whether the extra effort is affecting other budgeted time.
- **Increased Mailing of Public Notices**
 - The cost of increased mailing radii has already been calculated and is reflected in the adopted fee resolution. The addition of a project rendering will require additional staff time to coordinate with the applicant and to place the rendering in the notices to be printed. The move away from postcard style notices will increase the costs (detail of these costs is provided in Attachment 13).

Potential costs to the City of other concepts:

- **Interactive map** - It is unknown at this time what the potential cost to the City would be for this idea because further development of the idea must be assessed. Staff is currently working with ITD to determine if it is feasible for us to do this map in house or whether it would be better for an outside consultant to provide this mapping service.
- **Social Discussion Platform Similar to MindMixer, Measured Voice or CrowdBrite.com** - Staff is exploring the procurement of an online discussion forum tool for community engagement, particularly for major policy planning projects and other City efforts. Very preliminary discussions with MindMixer have indicated that the cost for the program (and customer support) would be around \$20,000 for three years. This is only an estimate and there are other platforms (mentioned above) that do similar things that may warrant exploration.

PUBLIC CONTACT

Public contact regarding these study issues was made through the following ways:

1. Posting the Council agenda on the City's official-notice bulletin board outside City Hall, at the Sunnyvale Senior Center, Community Center and Department of Public Safety; and by making the agenda and report available at the Sunnyvale Public Library, the Office of the City Clerk and on the City's website;
2. Publication of a display ad about the study and the public hearings in the *Sun* newspaper;
3. E-mail notification of the hearing dates sent to all interested parties, neighborhood associations and developers (public comment letters can be found in Attachment 17);
4. Two community outreach meetings (summarized below) held with interested parties to discuss the study issues; and
5. A survey regarding the topic was posted online from May 27, 2014 until June 22, 2014 (summarized below).

Community Outreach Meetings

Staff conducted two community outreach meetings; one in the morning on June 11, 2014 and the second in the evening on June 18, 2014. Twelve people attended the two meetings (one developer/consultant and 11 residents) and provided feedback/comments on the study issue and proposed recommendations. The following are items suggested by the community that staff is recommending (a full summary of comments from the outreach meetings has been provided as Attachment 11):

- Provide a Public Notice Webpage.
- Develop criteria for the placement of public notice boards (including renderings) for development proposals that require a Planning Commission or City Council hearing.
- Provide definitions of planning terms on the public notice webpage for community members to reference in regards to terms commonly found on the public notices.
- Simplify the project description to provide better understanding by the general public and to make it look less like junk mail.
- Expand noticing radius for taller projects.
- Require community outreach meetings for development proposals that require a Planning Commission or City Council hearing and encourage them for specific development proposals that require a Zoning Administrator approval. Staff would also require the applicant to coordinate with the City to have the project planner (or a staff member) at the meeting and to decide on appropriate meeting logistics.
- Continue to use the City Manager's blog to alert the public to community meetings for major development proposals.

Online Survey

Staff also conducted an online survey that ran for 27 days and received 67 responses. The following is a summary of the results (the full results of the survey is in Attachment 12):

- 93% of the respondents are residents of Sunnyvale;
- 68% of respondents think a public notice webpage would be a helpful tool to find information;
- 89% of respondents are in a neighborhood association but only 40% were aware that the City send out public notices via e-mail to neighborhood association contacts;
- Most of the respondents subscribe to or receive the San Jose *Mercury News* or Sunnyvale *Sun* (the *Sun* is delivered to all *Mercury News* subscribers in Sunnyvale);
- 61% of the respondents said that the City should focus improvement on the mailed public

notice vs. 35% who said the City should focus improvement on the City website to deliver project information; and

- The majority of the respondents (83%) do not tune into the local Sunnyvale television station (KSUN-15) to watch public meetings.

Planning Commission Study Session

A study session was held with the Planning Commission on June 23, 2014. At that meeting staff discussed some of the potential recommendations and asked the Commission for feedback on those items and any other ideas they may have on the topic. The following are items that were suggested by the Planning Commission and that staff is recommending (a full summary of the study session discussion is Attachment 10):

- Public Notice Webpage (with a long term goal of an interactive map).
- Include staff members in community outreach meetings for site-specific development proposals and the requirement for such meetings.
- Use of the City Manager's blog to keep the community informed of community meetings.

Ask developers of site-specific development proposals to provide additional renderings and perspectives at community outreach meetings to further illustrate the proposed project to the community.

Planning Commission Public Hearing

Staff e-mailed the staff report and attachments to approximately 200 interested parties (neighborhood association contacts, community members who had attended the community meetings, business owners, etc.) prior to the August 11, 2014 Planning Commission hearing. One member of the public spoke at the public hearing and requested that public notices be sent to a three (3) mile radius for all projects.

ALTERNATIVES

1. Introduce the attached Ordinance to Amend Title 19 (Zoning) of the Sunnyvale Municipal Code related to General Procedures and noticing requirements.
2. Adopt a Council Policy to Increase Public Awareness of Development Proposals.
3. Find that the Proposed Project is Exempt from the Requirements of the California Environmental Quality Act (CEQA) Pursuant to CEQA Guideline 15061(b)(3).
4. Introduce an ordinance or policy with modifications to the staff recommendation and/or direct staff to look into additional ideas.
5. Introduce the attached ordinance and adopt a policy with the Planning Commission recommendation of 2,000 foot noticing radius for six story buildings and give direction on whether five story buildings should have a 1,000 foot noticing radius.
6. Do not amend Chapter 19.98 or create the Council Policy and make no changes to the current practice at this time.

STAFF RECOMMENDATION

Alternatives 1, 2, and 3: Introduce an Ordinance to Amend Title 19 (Zoning) of the Sunnyvale Municipal Code related to General Procedures and noticing requirement; Adopt a Council Policy to Increase Public Awareness of Development Proposal; and Find that the Proposed Project is Exempt from the Requirements of the California Environmental Quality Act (CEQA) Pursuant to CEQA Guideline 15061(b)(3).

The recommendations to expand noticing for large development projects along with implementing additional noticing techniques (the webpage, posting on-site, more detailed notices) are based on the notion that a broader range of noticing sources, with improved use of technology will deliver the information to the widest array of community members. Staff finds that these changes will aid in keeping the community informed about development projects that may be relevant to their interests or within their neighborhood. Staff also expects that these modifications will help community members connect with City staff if they have questions or concerns about proposed projects and help foster good customer service relationships.

BOARD/COMMISSION RECOMMENDATION

The Planning Commission heard this item at their August 11, 2014 regular meeting. At that meeting the Commission voted 6-0 (one member absent) to recommend Alternatives 1, 2, 3, and 4.

Alternative 4 was recommended because the Planning Commission felt that the noticing radius for a six+ story building should be 2,000 feet instead of 1,000 feet. If the Council were to accept this modification the table in the Council Policy (Attachment 3) would be modified to reflect the following:

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

The Planning Commission also mentioned that they would like to see the City using new technology when it is available to continue to improve public awareness on projects in the community. They would also like to see the City use an interactive mapping tool for permits and hope that someday community members will be able to choose what level of noticing they receive on an individual basis through technological advances. Aside from the above mentioned change in noticing radius from 1,000 feet to 2,000 feet, the Planning Commission felt that the recommended changes from staff were a good place to begin increasing public awareness on development proposals.

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Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. Study Issue Papers
2. Draft Ordinance
3. Draft Resolution and Council Policy
4. Table Showing Ordinance Modifications
5. Example of Potential Web Page for Public Notices and Pending Major Development Projects
6. Existing Planning Commission Public Notice
7. Existing Zoning Administrator Public Notice

8. Proposed Planning Commission Public Notice Sample
9. Proposed Zoning Administrator Public Notice Sample
10. Planning Commission Study Session Summary
11. Community Outreach Meeting Summary
12. Study Issue Survey Results
13. Noticing Cost Estimates and Noticing Radius Map Used for Cost Estimates
14. Noticing Procedures in Other Cities
15. California Government Code 65091
16. Sample List of Approved Projects Over 100 Units and 100,000 Sq. Ft. 2009-2013
17. Public Comment
18. Hyperlink - MindMixer
19. Hyperlink - Measured Voice
20. Hyperlink - CrowdBrite
21. Draft Minutes from the August 11, 2014 Planning Commission Meeting