



COMMUNITY DEVELOPMENT DEPARTMENT

CITY HALL
10300 TORRE AVENUE • CUPERTINO, CA
95014-3255 TELEPHONE: (408) 777-3308 • FAX: (408) 777-3333
CUPERTINO.ORG

PLANNING COMMISSION STAFF REPORT

Meeting: January 12, 2021

SUBJECT

Consider modifications to the Procedures for Processing General Plan Amendment Applications to implement the Fiscal Year 2020/21 City Work Program items related to quality of life. (Application No(s): CP-2020-003; Applicant(s): City of Cupertino; Location: citywide).

RECOMMENDED ACTION

That the Planning Commission conduct the public hearing and adopt the draft resolution (Attachment 1) recommending that the City Council:

1. Find the action is exempt from CEQA and
2. Amend the Procedures for Processing of General Plan Amendment Applications.

DISCUSSION

Background

Upon a request by Councilmembers Paul and Chao, Staff presented the General Plan Amendment Authorization Procedures to the City Council as a Study Session item, at the July 7, 2020 City Council meeting (see Attachment 2.) At the session, Council provided direction for amending the procedures for the General Plan Amendment Authorization Process. Updating the General Plan Amendment Authorization Procedures was then included as part of the Fiscal Year 2020/21 Work Program.

Analysis

Based on the direction received from the City Council at its July 7, 2020 Study Session, amendments have been proposed to the General Plan Amendment Authorization Procedures. The table on the following page summarizes the changes proposed to the Procedures.

Process and Procedure	Existing	Proposed
Timing and Processing of General Plan Amendment Authorization Applications	Twice a year	Once a Year
Application Timing/Submittal	Designated Date (typically May and November)	Third Monday in January
Planning Commission Review	None	Provide Recommendation to Council
City Council Meeting	Required	No Change
City-Wide Postcard Mailing	Required	No Change
Project Evaluation	<p>Including, but not limited to, the following:</p> <ul style="list-style-type: none"> - Site and Architectural Design and Neighborhood Compatibility - Net Fiscal Impacts - Provision of affordable housing - Environmental Sustainability - General Plan Amendments Requested - Proposed Voluntary Community Amenities - Staff time and resources to process the project 	<p>Existing Project Evaluation and</p> <ul style="list-style-type: none"> - Traffic Impacts - Expected Student Generation
Authorized Project Processing	No Change (Authorized/Not Authorized)	No Change
Resubmission of Non-Authorized Projects with Minor Amendments	May be resubmitted within 30 days to be heard by City Council	<ul style="list-style-type: none"> - May be resubmitted within 6 months. - Re-notice - Reviewed by Planning Commission and City Council.
Voluntary Community Amenities	<p>Defined as facilities, land and/or funding contributions to ensure enhanced quality of life.</p> <p>Examples include:</p> <ul style="list-style-type: none"> - Public open space - Public facilities and utilities - Transportation facilities 	No Change

Process and Procedure	Existing	Proposed
Preliminary Review Requirement	<ul style="list-style-type: none"> - Plans - Description/graphics of GP Amendments and approvals - Explanation of how project meets overall goals of GP and benefits the community - Summary of net fiscal impacts - Term sheet explaining any voluntary community benefits offered 	No Change
Modification to the General Plan Amendment Requests	None	<ul style="list-style-type: none"> - Allow one-time re-application to modify the intensity of amendments - To be heard at a publicly noticed meeting by Council -Citywide postcards

Environmental Review

The proposed ordinance is not a project within the meaning of section 15378 of the California Environmental Quality Act ("CEQA") Guidelines because it has no potential for resulting in physical change in the environment, either directly or ultimately; and further find that in the event that this Ordinance is found to be a project under CEQA, it is subject to the CEQA exemption contained in CEQA Guidelines section 15061(b)(3) because it can be seen with certainty to have no possibility of a significant effect on the environment.

Public Noticing & Outreach

The following noticing has been conducted for this project:

Notice of Public Hearing, Site Notice & Legal Ad	Agenda
<ul style="list-style-type: none"> ▪ Legal ad placed in newspaper (at least 10 days prior to hearing) ▪ Display ad placed in newspaper (at least 10 days prior to hearing) 	<ul style="list-style-type: none"> ▪ Posted on the City's official notice bulletin board (four days prior to hearing) ▪ Posted on the City of Cupertino's Web site (four days prior to hearing)

Additionally, Staff updated the project website with the proposed modifications, www.cupertino.org/gpaauthorizations, with a notification to the email list. Staff also presented proposed modifications at the December 4th Legislative Action Committee.

Postcards were mailed citywide to notify residents of the project and hearing dates for Planning Commission and City Council.

NEXT STEPS

The recommendation made by the Planning Commission will be forwarded to the City Council for consideration. Upon final decision by the City Council, the resolution will be effective 30 days after adoption.

Prepared by: Erick Serrano, Senior Planner

Reviewed and Approved for Submission by: Piu Ghosh, Planning Manager

ATTACHMENTS:

- 1 – Draft Resolution CP-2020-003
- 2 – July 7, 2020 City Council Study Session Packet
- 3 – Redlines
- 4 – Proposed Workflow
- 5 – Existing Workflow