

PLANNING COMMISSION CITY OF PLEASANTON

ALAMEDA COUNTY, CALIFORNIA

RESOLUTION NO. PC-2016-XX

RESOLUTION RECOMMENDING APPROVAL OF AN INTERIM POLICY TO ESTABLISH CRITERIA AND PROCEDURES FOR LEGISLATIVE CHANGE APPLICATIONS PROPOSING RESIDENTIAL OR MIXED-USE PROJECTS THAT INCLUDE A RESIDENTIAL COMPONENT (RESIDENTIAL POLICY CHECK)

- WHEREAS, staff currently reviews requests for General Plan Amendments, Specific Plan Amendments, Planned Unit Developments (PUDs), PUD Major Modifications, property rezonings, collectively known as legislative changes, in conjunction with individual development proposals; and
- WHEREAS, the current process for reviewing and processing these legislative changes is not ideal for applicants and the larger community since the City and community have invested a great deal of time and energy developing existing policies and regulations to guide development in the community, and a piecemeal approach to changing these policies and regulations undermines the long-range planning vision for the community, and creates uncertainty for applicants who request legislative changes to undertake their development projects and residents who live around these development sites; and
- WHEREAS, the current approach does not allow staff, the Planning Commission and the City Council to consider the applications in the context of other requests, the City's growth management objectives, and other policy considerations, and does not provide applicants requesting legislative actions with early feedback on their projects, resulting in uncertainty; and
- WHEREAS, staff has drafted an interim policy ("Residential Policy Check") that establishes criteria and procedures for General Plan Amendments, Specific Plan Amendments, PUDs, PUD Major Modifications, and rezoning applications, including changes to zoning district boundaries and downzoning/upzoning or other changes for residential or mixed-use projects that have a residential component; and
- WHEREAS, at its duly noticed public hearing of April 27, 2016, the Planning Commission considered all public testimony, relevant exhibits, and recommendations of the City staff concerning this policy; and
- WHEREAS, this interim policy is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3), as it has been determined that it will not cause a significant negative effect on the environment, and will in

fact provide defined criteria for legislative amendments and preserve the overall objectives of the General Plan.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF PLEASANTON RESOLVES THE FOLLOWING:

- Section 1. Recommends approval of an interim policy to establish criteria and procedures for legislative change applications proposing residential or mixed-use projects that have a residential component as follows:
1. For applications requesting a general plan amendment, specific plan amendment, modifications to the boundary of a zoning district, or rezoning, including a request for PUD zoning, or a PUD Major Modification request, initiated by a party other than the City in order to accommodate a residential or mixed-use project that has a residential component and not deemed complete at the time of adoption of this policy, the application shall first be forwarded to the planning commission and city council for determination of the application.
  2. The applicant shall submit a deposit fee equivalent to the proposed legislative act(s), accompanied by a simple drawing identifying the proposed site and a letter requesting review by the planning commission and city council. Said letter shall include information about the proposed request, information about any studies that have affected the subject property or area or the subject text or map of the general plan, specific plan, or zoning code, information about the potential fiscal impact of the proposal including any measures proposed by the applicant to offset any adverse fiscal impacts, written justification of how the proposal meets the findings identified in section 1.5 below, and any other information the applicant feels pertains to the planning commission's and city council's review. If the request does not receive authorization to proceed, the fee shall be refunded.
  3. Upon receipt of such request, the planning commission and city council shall schedule consideration of the application. Unless otherwise directed by city council, said consideration shall be scheduled at an annual joint meeting between the planning commission and city council. The city council may, upon receipt of a favorable recommendation from the Director of Community Development, authorize such requests to proceed for review outside of this annual joint process. The application may also proceed if required by State law or governed by a development agreement providing rights to proceed. For applications not deemed complete at the time this policy is adopted, the City Manager, on a limited basis, may authorize applications to be exempt from this policy.

4. Information provided to the planning commission and city council regarding this consideration shall include the applicant's request and required application materials and a report from staff, noting existing and scheduled city resource commitments and a summary of other general plan, specific plan or zoning considerations affecting the subject property or area or topic of the proposed amendment within the past three (3) years.
5. In determining whether or not the proposal shall proceed, the planning commission and city council shall consider the following:
  - a. Whether the request would be generally consistent with the broader goals and policies of the General Plan and other applicable policy documents, including those pertinent to growth and quality of life;
  - b. Whether the request should be combined with other requests, deferred until it can be combined with additional requests or otherwise coordinated with other pending amendment considerations;
  - c. Whether the current application request affects the same or similar properties, or if the same or similar text of the general plan, specific plan, or zoning code have been studied within the past three (3) years, particularly with respect to the fairness of committing additional resources to areas or properties that have been studied extensively in the past;
  - d. Whether there are adequate staff resources to process and study the request, including environmental analysis and taking into account the priority of this request relative to other work items;
  - e. Whether there are sufficient amenities and / or community benefits proposed to justify the request; and
  - f. The potential fiscal impact of the development allowed by the proposed amendment to the general plan, a specific plan, or the zoning code relative to the existing allowed development.
6. Upon the planning commission's and city council's determination of the appropriateness of an application to amend the general plan, specific plan, or zoning code, the request shall be forwarded to the Director of Community Development for further review and evaluation. The determination by the planning commission and city council is not an approval. Any further action on said proposal shall be conducted in accordance with the relevant procedures set forth in Title 18 and other provisions of the Pleasanton Municipal Code.

THIS RESOLUTION ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF PLEASANTON ON THE 27<sup>TH</sup> DAY OF APRIL 2016 BY THE FOLLOWING VOTE:

AYES:  
NOES:  
ABSTAIN:  
RECUSED:  
ABSENT:

ATTEST:

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Adam Weinstein  
Secretary, Planning Commission

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Herb Ritter  
Chair

APPROVED AS TO FORM:

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Larissa Seto  
Assistant City Attorney