



## Planning Commission Staff Report

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April 13, 2016  
Item 6.b.

**SUBJECT:** P16-0826

**APPLICANT:** City of Pleasanton

**PROPERTY OWNER:** City-wide

**PURPOSE:** Proposal to consider an amendment to the Pleasanton Municipal Code to allow for concurrent processing of Planned Unit Development (PUD) Zoning Requests and/or PUD Development Plans with Subdivision Map applications

**LOCATION:** City-wide

**GENERAL PLAN:** Various

**ZONING:** Various

**EXHIBITS:** A. [Draft Amendment to the Pleasanton Municipal Code](#)

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### BACKGROUND

Pleasanton Municipal Code Chapter 18.68 governs Planned Unit Development (PUD) Districts and PUD Development Plans. The chapter was last updated in 1976 with several objectives, one of which was to separate the PUD zoning process from the subdivision process. As currently written, the Municipal Code stipulates that no subdivision map may be processed concurrently with a PUD zoning request or PUD development plan. However, the specific reasons for separating the PUD zoning process from the subdivision process are unclear.

In 2006 the City of Pleasanton convened a Customer Service Review Team. The outcome of the Review Team's work was a report that included several recommendations and action items. One of the action items included a Municipal Code amendment that allows concurrent processing of tentative subdivision maps with PUDs. This is consistent with the approach taken in most other jurisdictions in California.

The purpose of this amendment to the Municipal Code is to:

- Implement a key action item in the Customer Service Report; and
- Make better use of staff, Commission and Council time by processing zoning and tentative subdivision maps (or minor subdivision/parcel map) applications simultaneously.

## **PROJECT DESCRIPTION AND DISCUSSION**

The subject Municipal Code amendment would remove the requirement for PUD zoning requests and/or PUD development plan requests to be reviewed and approved prior to a subdivision map. Therefore, a subdivision map may be processed concurrently with a PUD zoning and/or development plan request. The code amendment provides the option to submit for a map subsequent to PUD approval. While staff expects most applicants will prefer to process the PUD zoning and/or development request *concurrently* with the subdivision map request, the proposed code amendment allows for the rare instance when processing the subdivision map after the PUD may be desirable.

Two titles of the Municipal Code are proposed for amendment: Title 18 (Zoning) and Title 19 (Subdivisions).

Staff recommends modifying Section 18.68.130 to:

- Remove the prohibition against concurrent processing of PUD zoning and/or development plan requests, and
- Reference Title 19 - Subdivisions.

The recommended change to Title 19 will clarify when a tentative subdivision map is “deemed complete” for purposes of the Permit Streamlining Act and the date for any vested rights, and will make the tentative subdivision map’s effectiveness subject to approval of the related proposed land use modification. Also, the recommended modification to Title 19 allows the City Council to be able to change a vesting tentative map approved by the Planning Commission if the City Council makes changes to the General Plan, Specific Plan, or PUD zoning designation at the same meeting.<sup>1</sup>

## **PUBLIC COMMENT**

Notice of this public hearing was published in *The Valley Times*. Staff has not received any comments as of the publication of this report, and will forward to the Commission any public comments received after publication of this report.

## **ENVIRONMENTAL ASSESSMENT**

The proposed Municipal Code amendments are statutorily exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3), as it has been determined that the text amendments will not cause a significant negative effect on the environment.

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<sup>1</sup> A tentative map refers to a map made for the purpose of showing the design and improvement of a proposed subdivision. The approval of a *vesting* tentative map confers a vested right to proceed with development in substantial compliance with the city’s zoning and subdivision ordinances, policies and standards in effect on the date the city determines the vesting tentative map application is complete, except in cases where modifications subsequent to being deemed complete are necessary to comply with state and federal law or building code requirements, or to uphold public health and safety.

## **STAFF RECOMMENDATION**

Staff recommends that the Planning Commission take the following actions:

1. Find that the proposed amendment to the Pleasanton Municipal Code is statutorily exempt from CEQA; and
2. Adopt a resolution recommending approval of Case P16-0826, amendment to the Pleasanton Municipal Code as shown in Exhibit A, and forward the proposal to the City Council for public hearing and consideration.

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### **Reviewed/Approved By:**

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