RESOLUTION NO. 17-8435

A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA, ADOPTING AN EARLY CONSIDERATION POLICY FOR GENERAL PLAN AMENDMENT APPLICATIONS

BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, on March 28, 2017, the City Council expressed a desire to implement an early consideration process whereby proposed General Plan Amendment applications would be presented to the City Council shortly after the application has been received by the city.

WHEREAS, the Early Consideration Policy for General Plan Amendment Applications would provide an opportunity early in the application process for the City Council to review proposed General Plan Amendments prior to the significant investment in time and cost by the applicant and City staff.

WHEREAS, the Early Consideration Policy would be utilized for all formally submitted General Plan Amendment applications.

WHEREAS, as part of their early consideration of proposals, the City Council would identify whether the General Plan Amendment is consistent with the General Plan Major Strategies and Long-term Policies.

WHEREAS, through the early consideration process, the Council can direct staff to continue processing the General Plan Amendment application, or the Council can preemptively deny the proposed General Plan Amendment request as inconsistent with the City's General Plan goals and policies.

WHEREAS, the Early Consideration Policy process was determined to be Categorically Exempt under CEQA Guidelines Section 15306, Information Collection, in that the proposed policy process dictates application processing steps as part of a study that may lead to a future approval action.

NOW THEREFORE, BE IT FURTHER RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

1. That the City Council hereby finds that the above Recitals are true and correct and by this reference makes them a part hereof.

2. That the City Council establishes the Early Consideration Policy for General Plan Amendment Applications for all formally submitted General Plan Amendment applications.

3. That the City Council hereby finds that the Early Consideration Policy was determined to be Categorically Exempt under CEQA Guidelines Section 15306.

4. Constitutionality, severability. If any section, subsection, sentence, clause, phrase, or word of this resolution is for any reason held by a court of competent jurisdiction to be unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of the resolution. The City of Santa Clara, California, hereby declares that it would have passed this resolution and each section, subsection, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more section(s), subsection(s), sentence(s), clause(s), phrase(s), or word(s) be declared invalid.

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5. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 16th DAY OF MAY 2017, BY THE FOLLOWING VOTE:

AYES:	COUNCILORS:	Davis, Kolstad, Mahan, O'Neill, and Watanabe and Mayor Gillmor
NOES:	COUNCILORS:	None
ABSENT:	COUNCILORS:	Caserta
ABSTAINED:	COUNCILORS:	None

ATTEST: _____
for ROD DIRIDON, JR.
CITY CLERK
CITY OF SANTA CLARA

Attachments:
1. Policy for Early Consideration of General Plan Amendment Applications

City of Santa Clara
The Center of What's Possible

May 9, 2017

Early Consideration Policy for General Plan Amendment Applications

PURPOSE / INTENT

The Early Consideration Policy provides an opportunity early in the application process for the City Council to review and comment on whether a proposed General Plan Amendment should continue through with a complete application process or whether the request should be denied.

This Early Consideration Policy provides an opportunity for the City Council to review proposed General Plan Amendments prior to the significant investment in time and cost by the applicant and City staff required to complete the full review process. Additionally, the early consideration can save the public time that they would otherwise spend tracking and commenting on the proposal, and it can provide clarity for future applicants on the types of land use conversions that would generally not be supported by the City Council.

APPLICABILITY

The Early Consideration Policy is utilized for all formally submitted General Plan Amendment applications. A formal General Plan Amendment application submittal is required; preliminary review applications will not go through the early consideration process.

TIMING / PROCESS

Following submittal, at least one community meeting would be conducted for the project and the project would be evaluated by the Project Clearance Committee (PCC) before the Council's early consideration of the request. If a community meeting was recently conducted for the General Plan Amendment request, said community meeting may, at the discretion of the Director of Community Development, substitute for the community meeting for the formal application.

Staff will prepare a report for Council's consideration that summarizes the community feedback received to date, significant concerns stemming from the PCC review, an initial analysis of the General Plan Amendment's consistency with the General Plan Major Strategies, and a recommendation as to whether the application should be allowed to proceed through a full Planning review.

The City Council's early consideration of the General Plan Amendment request will typically be conducted within ninety (90) days of the General Plan Amendment submittal.

OUTCOMES

Through the Early Consideration Policy, the Council can direct staff to continue processing the application or the Council can preemptively deny the proposed General Plan Amendment request as inconsistent with the City's General Plan goals and policies.

Should the City Council provide direction to continue processing the application, staff would complete the review process for the proposed General Plan Amendment, including environmental analysis of the proposed project consistent with the California Environmental Quality Act (CEQA). Upon completion of the City's review and the necessary CEQA documentation, the proposed General Plan Amendment would proceed with the standard public hearing process with a presentation to the Planning Commission for recommendation and to the City Council for a decision. At that time, the City Council would determine whether to approve or deny the request. Should the Council's vote to have the application proceed through the full review process, said action in no way obligates or commits the Council to ultimately approve the proposal.

Should the City Council preemptively deny the proposed General Plan Amendment during the Early Consideration Policy, the site would retain its current General Plan Land Use designation, and partial refund of the application fees would be provided based on the work completed, staff time, and other City expenses to date.

I:\PLANNING\Advance Planning\Council Policies\GPAs – Early Consideration\Early Consideration of GPAs Policy