TO: HONORABLE CITY COUNCIL
FROM: CITY MANAGER
DEPARTMENT: PLANNING AND COMMUNITY ENVIRONMENT
DATE: NOVEMBER 8, 2004
SUBJECT: SUMMARY OF RECENT STREAMLINING MEASURES

This is an informational staff report. No Council action is required.

BACKGROUND
Over the last several months, the City’s Planning Division has focused significant effort on process efficiency and customer service improvements. In addition to the legislative changes, several administrative measures have been implemented or are in process. Some of these measures were in response to the City Auditor’s Audit of the Development Review process, others were based on feedback from applicants, community members, Planning staff, and board, commission, and Council members.

DISCUSSION
A summary of the results of the City’s efforts is shown in Attachment A; some of the highlights include:

1. Better Public Information
The Planning Division has new ways for the public to be informed about Planning applications.

   • **E-notice** – Each week a list of all new planning applications is posted online. Subscribers receive an e-mail when the list is updated. In the future, this list will include hearings and staff-level decisions. To subscribe, visit [http://www.cityofpaloalto.org/subscribe.html](http://www.cityofpaloalto.org/subscribe.html).

   • **Expanded noticing** – previously, neighbors within 300 feet of a project received notice of a hearing. Notice has been expanded to 600 feet.

   • **Site posting** – For Variances, Conditional Use Permits (CUPs), and Individual Review applications, a sign is posted at the site until final action.

   • **Newspaper and public library notice** – Hearing agendas continue to be posted at the public library and in the Palo Alto Weekly.
• **More frequent Variance and CUP notice** – When the Planning Division receives a new Variance or CUP application, or takes action on an application, neighbors will receive notice. Currently, neighbors only receive notice of hearings.

• **Notice for minor Architectural Review Projects** – Notice cards are mailed to neighbors for all projects reviewed by the Architectural Review Board. Under the previous code, only the largest projects required a notice card mailing.

2. **Simplified CUP and Variance Process**

The prior CUP and Variance process required a minimum of one hearing, and could require three or more hearings in the event of an appeal. Here is a brief summary of the new process:

a. An application is submitted. Notice of the new application is mailed to neighbors, who have 21 days to comment.

b. Staff reviews the application for changes that must be made before the application can be approved.

c. Applicant revises application, if necessary

d. If the Variance or CUP findings can be made, the project may be approved. Conditions may be applied. No Director’s hearing is required, but notice of the decision is mailed to neighbors, who have 14 days to request a hearing.

e. In the event the applicant or another interested party is dissatisfied with the decision, he or she may request a hearing in front of the Planning Commission.

f. The recommendation of the Planning Commission goes on the City Council consent calendar for final action.

3. **Streamlined Architectural Review**

Several administrative measures have been taken to streamline the Architectural Review process:

• **Limited hearing Continuances** – An application is limited to two continuances for major projects and one continuance for minor projects.

• **More minor applications handled at staff level** – As recommended by the City Auditor, more minor applications are handled by Planning staff, requiring less processing time.

• **Standardized appeal period** – A single 14-day appeal period applies to all staff or Director approved projects.
Staff limited its efforts to “quasi-judicial” processes, which are more commonly handled at staff, board, and commission level rather than at Council level and account for the majority of planning applications. The following processes were not affected:

- Zone changes
- Comprehensive Plan amendments
- Planned Community districts
- Subdivisions
- Site and Design Review

**ATTACHMENTS**
Attachment A: Summary of Planning Application Streamlining

**PREPARED BY:**

______________________________
JON ABENDSCHEIN
Administrator

______________________________
HEATHER SHUPE
Administrator

**DEPARTMENT HEAD:**

______________________________
STEVE EMSLIE
Director of Planning and
Community Environment

**CITY MANAGER APPROVAL:**

______________________________
EMILY HARRISON
Assistant City Manager
Process Changes

- **Conditional Use Permits and Variances**
  - 21-day notice cards mailed to 600-foot radius that application has been received
  - No Director’s Hearings
  - Tentative decision made by Director or his designee
  - Tentative decision becomes effective if no hearing is requested within 14 days
  - Planning & Transportation Commission (PTC) hearing only by request
  - PTC recommendation placed on consent calendar for confirmation by City Council
  - City Council can hear item if three or more Council members vote to remove it from the consent calendar

- **Architectural Review Board (ARB)**
  - Major applications are limited to two continuances
  - One continuance is allowed for minor applications
  - On appeal, ARB recommendation/Director decision placed on consent calendar for confirmation by City Council.
  - City Council can hear item if three or more Council members vote to remove it from the consent calendar

- **Appeals**
  - Standard number of days to appeal decisions (14 days) for all applications
  - Standard consent calendar appeal process for Director decisions

- **Home Improvement Exceptions and Individual Review**
  - No process changes at this time, but changes are pending Council consideration (CMR 437:04)

Public Notice Changes

<table>
<thead>
<tr>
<th></th>
<th>Notice cards to neighbors</th>
<th>Notice card radius</th>
<th>Newspaper ads, post@ library</th>
<th>Post at site</th>
<th>E-notice*</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>CUP &amp; Variance</strong></td>
<td>Application received</td>
<td>600 ft</td>
<td>Hearing (if held)</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td></td>
<td>Director’s decision</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Hearing (if held)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Home Improvement</strong></td>
<td>Application received</td>
<td>150 ft</td>
<td>Hearing (if held)</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td><strong>Exception (HIE)</strong></td>
<td>Hearing (if held)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Individual Review</strong></td>
<td>Application received</td>
<td>Adjacent</td>
<td>Hearing (if held)</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td><strong>(IR)</strong></td>
<td>Director’s decision</td>
<td>neighbors</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Hearing (if held)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>All other applications</td>
<td>Hearing (if held)</td>
<td>600 ft</td>
<td>Hearings</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>------------------------</td>
<td>-------------------</td>
<td>--------</td>
<td>-----------</td>
<td>----</td>
<td>-----</td>
</tr>
</tbody>
</table>

* E-notice is a newsletter sent via e-mail to all who subscribe to the service via the City’s website at [www.cityofpaloalto.org/subscribe.html](http://www.cityofpaloalto.org/subscribe.html). The newsletter currently includes a listing of new applications, and will include decisions and scheduled hearings in the future.

** Under Council consideration (CMR 437:04) is a proposal to make HIE notice identical to IR notice, for ease of simultaneous processing of such applications.

**Other Changes**

- Clarified ARB & PTC roles:

  ARB – Recommend on site-specific issues, such as building design, layout, circulation, landscaping, context/setting, and architectural compatibility with surrounding development.

  PTC – Recommend on area and policy issues, such as land use, consistency with the Comprehensive Plan, policy implications, review of environmental documents, transportation reports and programs, recommendation on the adequacy of environmental documents and mitigation.

- Updated Variance language to reflect state phrasing

- Simplified PTC staff report format

- Aligned ARB report format to be compatible with PTC format