



DATE: January 22, 2019
TO: Mayor and City Council
FROM: Development Services Director
SUBJECT: Standardizing Conditions of Approval Update

RECOMMENDATION

This agenda item is informational only and no action by the City Council is required.

SUMMARY

The Development Services Department - Planning Division has been leading the effort to evaluate and update standard conditions of approval for development projects as part of ongoing process improvements related to the City's development review process.

BACKGROUND

In early 2018, Development Services staff started to re-evaluate the development review process and work collaboratively with other City departments to develop a set of standardized conditions of approval that apply to planning projects. The main objectives of this effort were to: 1) update the existing conditions with consistent language and format that is clear and concise; 2) revise the conditions to incorporate any timelines and project milestones to reflect adopted policies and to communicate City expectations; 3) evaluate the existing development review process and identify process improvements; and 4) expand inter-departmental communication.

Council Economic Development Committee: As a part of stakeholder outreach, staff presented several draft conditions to the Council Economic Development Committee (CEDC) on October 29, 2018 that specifically relate to the phasing of commercial space as part of mixed-use projects and the provision of affordable housing for residential projects. The feedback provided by the CEDC and from the developers allowed staff to refine certain conditions to be clear and concise to meet community expectations.

DISCUSSION

Starting in the August 2018, the Planning Division conducted face-to-face interviews with staff from eight (8) different divisions to evaluate the development review process to standardize conditions of approval. While the initial goal was to meet or exceed the objectives

listed above, Development Services staff identified new opportunities for improvement that could expedite and streamline the overall development review process, as well as update the conditions to reflect Council directives related to the construction and timing of project components, such as frontage improvements, project amenities, public open space, etc.

While the majority of conditions of approval are “project-specific” and will vary by project, many conditions are “standard” and reflect adopted policies and regulations to mitigate public nuisances, minimize liability, and reduce environmental impacts. Upon review, there are several conditions that are overly broad and do not incorporate a timeline or provide a reasonable expectation for compliance. Staff has been revising many of these conditions to reflect current adopted policy and better incorporate timelines for compliance. In addition, some conditions have been added and/or revised to address new policy and Council directives, including but not limited to, HOA responsibilities, mailboxes for multi-family projects, and the delivery of affordable housing and commercial space for mixed-use and planned development projects. As an example, staff has included some of the updated and revised conditions for Site Plan Review from the Planning Division (Attachment II). While this list does not include “project specific” conditions, it does provide a snapshot of the kind of conditions that would be applicable for the most common type of planning application processed by the Planning Division.

To help streamline the overall development review process, the Planning Division has also created a development review template and uploaded this template onto Sharepoint to allow each department a seamless and integrated way to electronically incorporate project comments and add conditions of approval in real time. This new format allows departmental staff the ability to better share requirements with other staff and provides a more structured framework to help identify the essential application requirements from the more general list of project comments and conditions. The new electronic template also improves overall staff efficiencies and reduces the amount of paper used by reducing the number of hardcopy materials required. The Planning Division launched this new development review template last November and is currently interviewing department staff to solicit feedback to gauge overall efficiencies and effectiveness.

Public Outreach: As a standard practice for project entitlement within the Planning Division, staff provides applicants with the draft conditions of approval prior to any decision or public hearing in an effort to manage expectations, address questions or inconsistencies, and provide a more proactive dialogue with applicants including next steps.

STRATEGIC INITIATIVES

This agenda item supports the Complete Communities Strategic Initiative. The purpose of the Complete Communities Strategic Initiative is to create and support structured services and amenities to provide inclusive and equitable access for all with the goal of becoming a thriving and promising place to live, work and play. This item supports the following goal and objective:

Goal 1: Improve quality of life for residents, business owners, and community members in all Hayward neighborhoods.

Objective 2: Foster a sense of place and support neighborhood pride.

Objective 4: Create resilient and sustainable neighborhoods

Objective 5: Actively value diversity and promote inclusive activities

Goal 2: Provide a mix of housing stock for all Hayward residents and community members, including the expansion of affordable housing opportunities and resources.

Objective 2: Facilitate the development of diverse housing types that serve the needs of all populations

Objective 4: Increase supply of affordable, safe and resilient housing in Hayward

ECONOMIC IMPACT

There are no identified economic impacts associated with the development of standard conditions of approval.

FISCAL IMPACT

There may be a fiscal impact related to specific projects as a result of these modified conditions of approval but the development of standard conditions of approval will not have a fiscal impact.

NEXT STEPS

Development Services staff will continue to collaborate with other City departments to revise and update the conditions of approval on a more frequent basis. The City Council and Planning Commission will have an opportunity to review and amend these conditions when project applications are forwarded for consideration.

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