

EARLY PROJECT REVIEW

Early Review of Development Projects Requiring Legislative Approval provides a structured framework for early consideration of private development projects involving legislative amendments. The intent of the process and this implementing policy is to provide a clear, consistent, and predictable pathway for the City, developers, and stakeholders for early consideration of projects, prior to allocation of substantial additional resources by either the City or the developer in preparing and processing such applications.

This policy shall apply to any private development project requiring legislative approval, such as, but not limited to, a change to a property's General Plan Land Use Designation, Specific Plan Land Use Designation, or Zoning, or subject to annexation by the City of Pleasanton. This policy shall not apply to:

- Any project proposed as a 100% affordable (Below Market-Rate) housing development,
- A project on a site of less than an acre, involving construction of 5 or fewer residential units, or 5,000 square feet of commercial development, or a combination thereof.

Such projects may proceed to submittal of a formal application to the City, without an Early Project Review Hearing. This provision only exempts the above project types from the requirement to be taken to the City Council for the early determination on whether resources should be allocated towards processing. It does not exempt such projects from any necessary discretionary review and approval process if legislative action is needed to allow the project to move forward, and the City Council shall retain full discretion in any such future approvals.

REVIEW PROCESS OVERVIEW

An Early Project Review application may be submitted at any time to the Planning Division of the Community and Economic Development Department. There shall be at least one Early Project Review Hearing per calendar year, typically in the Spring. The City Manager or their designee can schedule additional Council Prioritization Hearings, if necessary, based on the volume and complexity of Early Project Review applications received during the year.

Applications must be submitted and deemed complete more than 90 days before a scheduled City Council Authorization Hearing. Any application submitted and deemed complete less than 90 days before a scheduled City Council Authorization Hearing will be heard at a subsequently scheduled hearing.

Once an application is deemed complete, surrounding property owners and tenants within 1,000 feet of the project site will be mailed notice by the City of the Hearing. On-site project notification shall also be required, in conformance with the [City's adopted policy](#), with such notification the responsibility of the applicant to install.

Project applicants shall have the opportunity to deliver a presentation on their proposed project during the Council Prioritization Hearing, subject to time limits or other procedural guidelines established by the Mayor or applicable Council policies.

Review. The City Council shall evaluate each Early Project Review application and may require modifications to the project application as a condition of prioritizing the project. Unless otherwise specified by Council motion, revisions mandated by a majority vote during the Hearing shall become prerequisites for both the filing of a formal planning permit application and its continued processing by the City.

Determination. At the conclusion of the Council Prioritization Hearing, the Council may take one of the following actions on each Project application:

- i. Authorize allocation of staff resources to processing a formal planning permit application.
- ii. Defer authorization of allocation of staff resources to processing such application until a specified date.
- iii. Decline to authorize allocation of staff resources to processing a formal planning permit application. In such cases, the applicant must wait a minimum of two years from the date of submission of the subject Early Project Review application before resubmitting a substantially similar application unless the Council, by majority vote, authorizes resubmission of an Early Project Application at an earlier time.

Project Approval Not Guaranteed. A decision to allocate staff resources to a formal planning permit application shall not be construed as a guarantee of final project approval. Early Project Review applications are subject to the same subsequent discretionary review and approvals as all non-Early Review authorized development projects, inclusive of review pursuant to the California Environmental Quality Act.

Development Agreements. In recognition of the unique benefits conferred by City Council approval of a legislative amendment, all Early Project Review applicants shall be required to execute a development agreement with the City of Pleasanton prior to or concurrent with final enactment of the requested legislative amendment(s). A development agreement is necessary to ensure that the project features and community benefits, which influenced the City Council's decision to approve the legislative amendment, are memorialized and enforceable.

Study Sessions. All Early Project Review applications advancing to the formal planning permit application stage must undergo at least one Study Session with both the Planning Commission and City Council during the development review process. Furthermore, the City may convene additional Study Sessions with either or both decision-making bodies if necessary to obtain further policy or project guidance.

Expiration. Once staff resources are allocated to a project pursuant to this Section, the following actions shall require the project to return to the City Council for reauthorization consistent with the application submittal requirements and hearing procedures of the Pleasanton Municipal Code and this City Council Policy.

1. Change in ownership of project parcel(s). If a parcel included within the project site of the Early Review project application changes ownership prior to submitting a formal planning application, unless a new owner has submitted, in writing, their agreement to all relevant terms, requirements or direction provided as part of the City Council's authorization.
2. Expiration. A formal planning application for the project has not been submitted to the Planning Division within one (1) year of City Council authorization. This one (1) year period shall not begin until after any deferral required by the Council.
3. Change in project. Substantial changes to the project as determined by the Director of Community and Economic Development to be a deviation of ten (10) percent or more from the original project authorized, including, but not limited, to the number of units, land use type, square footage or community benefits.

SUBMITTAL REQUIREMENTS

The following is a list of plans and documents required for a complete application. Additional data or documents not listed below may be required for sites with special conditions (e.g., projects located outside of the City limits, in an active seismic fault zone, with sensitive natural resources, or involving a historic resource, etc.). Please consult with planning staff prior to submittal. All application fees are due at the time of submittal. All documents, reports and plans must be uploaded to the Planning Division through the [Electronic Planning Submittal](#) portal.

1. **Application and Fee:** An [Application for Development Review form](#) is required with submittal. The property owner must sign the application form or provide a written letter of authorization upon submittal. The Early Project Review application fee, as stated in the City's Master Fee Schedule and updated each calendar year, is due at the time of submittal.
2. **Project Narrative:** The narrative must state in detail all elements of the project, including but not limited to the proposed project characteristics, location, proposed uses, unit and/or building sizes, key characteristics, proposed density and intensity of development, and operational characteristics.
3. **Photographs:** Summary and photographs of the existing site, site conditions, and adjacent neighborhood context.
4. **City Strategic Plan and other City Goals Statement:** Provide a statement enumerating how the application aligns with, advances or supports City Strategic Plan and other City goals. Provide specific detail about each of the goals and policy items listed below.
 - a. **Alignment with Citywide Strategic Plan:** The City of Pleasanton has adopted a Citywide Strategic Plan in 2023, the [ONE Pleasanton Strategic Plan](#), which sets forth the mission, vision and values that guide the City's priorities and actions. The Plan includes key strategic goals and strategies for the plan period (2023-2028). Relevant goals and strategies of ONE Pleasanton with respect to evaluation of Early Review Applications are as follows:
 - i. **Goal A: Funding Our Future: Fiscal Sustainability.** Support financial health and sound fiscal policies through long-term planning, cost recovery, increased revenue, and cost containment.
 1. Projects should demonstrate a neutral or positive fiscal balance with respect to any new direct and indirect revenues associated with the project, versus any new or additional costs to provide public services to the project.
 2. Projects should minimize or avoid generating new or additional long-term, unfunded maintenance or service obligations for the City, and pay Development Impact Fees in accordance with the City's adopted programs and the PMC, with the preference for such fees to be levied at the rates in place at the time of building permit issuance whenever possible.
 - ii. **Goal C: Investing in Our Environment. Infrastructure, Public Facilities and Sustainability. *Promote effective use of existing facilities through maintenance and repair and plan for future facilities, amenities and infrastructure to benefit the community with a focus on environmental stewardship.***
 1. Projects should advance or support project(s) identified in the City's four-year Capital Improvement Plan, and/or investments in the City's

parks, bicycle and pedestrian infrastructure and amenities, facilities, and public art. (Strategy 1, Strategy 7)

2. Project should advance or support environmental sustainability goals of the adopted Climate Action Plan through incorporation of advanced energy efficiency measures, green building and site design features, and promotion of multi-modal transportation. Such features shall generally reflect measures that exceed the requirements of the City's Green Building Code, and California Building Code. (Strategy 6)

iii. **Goal D: Safeguarding our City Public Safety and Emergency Preparedness**

1. Project should support or advance the provision and enhancement of emergency services, including items identified in the Livermore Pleasanton Fire Department (LPFD) Strategic Plan, and Pleasanton Police Department Strategic Plan, and/or contribute to the improvement of emergency services facilities and equipment (Strategies 5 and 6)

iv. **Goal E: Building a Community Where Everyone Belongs: Livability and Community Development.** *Foster community engagement and conduct effective planning to promote a livable and economically vibrant community.*

1. Economic Development (Commercial Projects). Project should support or advance key goals and initiatives from the Five-Year Economic Development Strategic Plan, including retail revitalization, ensuring the vibrancy of Pleasanton's Downtown, business retention and expansion and workforce development. (Strategy 4)
2. Affordable Housing (Residential Projects): Project should support or advance key objectives of the Housing Element, including increasing the supply of affordable housing in accordance with the City's adopted Inclusionary Zoning Ordinance (IZO), and efforts to address homelessness. (Strategy 6)
3. **Regional Housing Needs Allocation (RHNA):** Projects should positively contribute to the City's ability to meet its RHNA obligations, as documented in the City's adopted Housing Element, with a particular interest in meeting below-market-rate housing targets.

b. **Other Policy Items:** The following additional policy goals reflect key themes of the [Pleasanton 2005 General Plan](#), with respect to new development and change in use. Note that the policies cited are not exhaustive, and conformance to other General Plan or Specific Plan policies may be considered in evaluation of specific proposals.

i. **Location and Neighborhood Compatibility**

1. Project should provide appropriately scaled and designed buildings that fit into the overall neighborhood context and provide appropriate setbacks and transitions to any adjacent or adjoining residential developments. (General Plan Land Use Element Policy 5, Policy 8)

ii. **Proximity to community facilities and services**

1. Project location should provide its occupants with convenient access to services and facilities, such as schools, shopping and employment areas, transit stops, parks and other amenities, and promote multimodal connectivity to activity centers and amenities to the extent possible. (Evaluation of this goal should be made in consideration of the project type and expected occupancy) (General Plan Land Use Element Goal 1, Program 1.2; Policy 2 and related programs)

iii. Project Design and Livability:

1. Project should provide a high-quality of design, inclusive of adequate on-site parking, prioritizing preservation of protected trees and any on-site natural resources, and provision of quality shared and private open space and amenities for project occupants. (General Plan Community Character Element, Goal 6, Policy 15, Policy 17 and related programs)

5. **General Plan & Land Use Summary:** Summary of current General Plan, any applicable Specific Plan Zoning (including any applicable Planned Unit Development requirements), and Existing Uses, description of surrounding uses, land use and zoning designations
6. **Legislative Amendment Summary:** Summary of proposed legislative amendment, including General Plan, Zoning, and/or specific plan amendment.
7. **Statement of proposed community benefits:** Community Benefit is defined as a voluntary, project-related public amenity, program or contribution offered by the applicant beyond what is required by the City's Municipal Code or other standards, CEQA mitigation, or standard conditions of approval, intended to advance adopted City goals, adopted plans and programs, and provide measurable public value to the community.
8. **Affordable Housing:** Statement of how the affordable housing proposal will comply with the City's [Inclusionary Zoning Ordinance](#) (IZO)
9. **Fiscal impact assessment:** which shall either be prepared by the applicant and subject to peer review by the City or prepared by the City or its qualified consultant on behalf of the applicant.
10. **Preliminary Title Report:** Provide a current (dated within six months of application date) preliminary title report for projects that involve the construction of a new building or expansion of an existing building footprint and/or new site improvements such as landscaping, special paving, utilities and accessory structures. Provide all recorded easements and restrictions.
11. **Site Plan:** Existing site plan showing existing topography, site development features (buildings, parking areas, circulation, etc.), vegetation, natural features, existing utilities, title encumbrances
12. **Project Plans:**
 - a. Proposed site plans, depicting building locations, setbacks, vehicular and non-vehicular circulation, landscape concept, off-street parking, public and private open space, with project data sheets as necessary to summarize key project statistics such as parking counts and size of proposed open space area.
 - b. Representative Building Elevations
 - c. Conceptual renderings, inclusive of on-site and off-site (public) viewpoints

- d. Site sections, showing relationship of proposed project to adjacent development.
- e. Fire access: Provide a fully dimensioned emergency vehicle access plan showing fire engine turnarounds, road width, road material, slope, and vertical clearance.