

# TOWN OF SUNNYVALE DEVELOPMENT GUIDE



Updated June 2022

## Development Process

Most types of land development or construction require Town of Sunnyvale review and approval. The process can vary depending on the complexity of the project. All or some combination of the elements listed below must be addressed when approving a development. Together, these components of the developmental process ensure that growth within Sunnyvale occurs in a safe and orderly manner in accordance with the desires of the community.



The purpose of this guide is to help applicants through the development process. If there are any questions after reading the guide call or email the Town Planner for further assistance. This contact information can be found [here](#) on the Planning and Zoning Department page.

Applications, checklists, submittal calendars and fee schedules are available online [here](#).

## Zoning

Zoning ordinances divide a city into distinct districts and establish the types of land use permitted on land within each district. Allowed uses for each zoning district are defined in the chart below of the Unified Development Ordinance (UDO) Section 3.04.03 Use Chart.

Zoning districts have been created in accordance with the Town's Comprehensive Plan to help promote the safety, health, and general welfare of the Town of Sunnyvale. The Town's zoning map is available on the Town's website under the Planning and Zoning Department.

The Planning & Zoning staff work to ensure that rezoning requests are thoughtfully considered prior to making a recommendation to the Planning & Zoning Commission and Town Council.

The process by which land is rezoned is controlled by State and local laws: public notice of the proposed change must be published in the official newspaper of record, Mesquite News, letters explaining the proposed change must be sent to all property owners within 200 feet of the tract in question, and notification signs must be posted on the tract of land. When the case is reviewed by the Planning and Zoning Commission and Town Council, the Planning and Zoning Commission will make their recommendation to Town Council after a public hearing. Town Council will then hear the case once in a public hearing and make a final decision during the final reading where the case will likely be on the consent agenda. Public hearings allow input from any citizen either for or against the proposed zoning change.

Public hearings are required for all zoning cases, Comprehensive Plan amendments, Special Use Permits (SUP) and residential replats. Proper notification of a public hearing must be done per State Law. This notification must include a description of the proposed change as well as the time, date, and location of the public hearing. All of the following notifications are required to be made within the time frame:

- Written notice in the newspaper a minimum of fifteen days prior to the Town Council meeting.
- Placement of zoning signs on the property a minimum of ten days prior to the Planning and Zoning Commission Meeting, to remain until acted upon.
- Written notification must be sent to property owners within 200 feet of the proposed zoning change a minimum of ten days before the Planning and Zoning Commission Meetings public hearing.
- Posting of the agenda a minimum of 72 hours before the public hearing.

The State of Texas has built into the zoning process a mechanism by which the property owners immediately adjacent to the subject property may formally protest the change in zoning. A Zoning Protest Form is available online and may be submitted to the Town prior to the first public hearing with the Planning & Zoning Commission. If 20% of the land are objects to the change, then a super majority is required to approve the rezoning. The 20% is not based on number of people protesting but rather on the percentage of the land within the notification boundary.

Below is an example use from the Unified Development Ordinance’s Use Chart referenced above that staff uses to determine zoning compliance. Use this chart to determine what use is allowed in each zoning. There are three classifications that uses can fall under as well as links to supplemental requirements of each use that requires it:

Legend for Use Chart		Residential Zoning Districts						Nonresidential Zoning Districts						
P	Permitted in district indicated	SF-1, Single-Family Residential	SF-2, Single-Family Residential	SF-3, Single-Family Residential	SF-4, Single-Family Residential	SF-5, Single-Family Residential	MF, Multifamily Residential	LR, Local Retail	GB, General Business	HC, Highway Commercial	I, Industrial	L, Lakefront	TC, Town Center	Supplemental Use Standards
	Prohibited in district indicated													
S	Permitted in district upon approval of a Special Use Permit (SUP)													
	Supplemental Development Standard applies													
<b>Residential Uses</b>														
	<a href="#">Accessory Building</a>	P	P	P	P	P	P	P	P	P	P	P	P	<a href="#">3.04.04.A</a>
	<a href="#">Accessory Dwelling</a>	S	S	S	S									<a href="#">3.04.04.g</a>

**Green-** This use is allowed by right and does not require a rezoning request. In the example, Accessory buildings are allowed in all districts.

**Yellow-** This use requires a type of zoning known as a Special Use Permit (SUP) with site plan review. This has the same review and approval time as a rezoning request. In the example, Accessory Dwellings is only allowed upon the approval of a Special Use Permit within Single-Family 1, 2, 3, and 4 zoning districts.

**White-** This use is prohibited within the district and cannot be approved unless a zoning change is made to a district where the use is allowed.

**Supplemental Use Standards-** These are special standards required for uses that may conflict with neighboring properties in order to protect their land’s value. In the example, the use shows a Supplemental Use Standard. All developments with this use must follow the typical requirements of the Unified Development Ordinance as well as the requirements specifically laid out in the corresponding section.

**Types of Zoning Reviews:**

**Comprehensive Plan Amendments-** In some cases, a proposed zoning change does not conform to the land uses listed in the Comprehensive Plan. If staff considers the

rezoning to be appropriate in spite of the noncompliance with the Comp Plan, staff may suggest that the applicant request an Amendment to the Comprehensive Plan to accommodate the proposed zoning. This approval must be obtained prior to the tract being rezoned.

**Straight Rezoning-** This process changes the boundaries of any zoning district within the Town limits of Sunnyvale from one zoning district to another.

**Planned Development (PD)-** A PD is a unique type of zoning district. The purpose of this district is to encourage higher quality development in the Town by allowing flexibility for projects. A PD may be used to permit new or innovative concepts in land utilization or diversification that could not be achieved under a conventional zoning district. In this zoning process, several development standards may be modified to better suit the development as a whole. Any combination of residential, commercial, industrial, public or recreational uses may be permitted.

**Special Use Permit-** The uses listed under the various districts as a Special Use Permit (SUP) are so classified because they can intensely affect the area in which they are located. This type of review allows for individual consideration of certain uses based on their specific design. Special conditions may be required to protect adjacent properties.

**Site Plan Approval-** Staff may also use this process to review other types of related plans such as landscape plans, tree surveys, and photometric plans or building related plans such as floor plans and building elevations.

## Special Use Permit (SUP) Submittals

For all properties, a plat must be approved before the SUP application can be accepted. That being said, the process can overlap slightly. Therefore, you can submit for the SUP on the next submittal date after you have submitted the plat. This will be considered at the Planning and Zoning Commission once, and Town Council twice in two meetings on the follow month. Submit on the next available submittal date if a plat is not required. This process is required by State Law. Staff does not have the ability to revise these rules.

a. You will need to submit the SUP application on one of the zoning and special use permit submittal dates. These dates can be found on the Town Website.

b. Documents needed at time of submittal for commercial development is listed in the chart of this document. For residential the following documents are needed:

1. Site Plan
2. Building Elevations
3. Floor Plan

## Subdivision of Land

The sale, development, and subdivision of land are vital functions of the Town of Sunnyvale as they affect the community's quality of life. The requirements of the Subdivision Ordinance are intended to establish a fair and rational procedure for developing and subdividing land such that the land will be developed in accordance with existing physical, social, economic, and environmental conditions.

A final plat or minor plat shall be approved prior to any land division that is subject to these regulations and prior to commencement of any new development. A building permit shall not be issued without an approved plat. All plats, except a final plat, currently require approval from both the Planning and Zoning Commission and Town Council. Final plats require approval from only the Planning and Zoning Commission.

Residential replats must go through the public hearing process required by State Law. These public hearings require notice of adjacent property owners similar to a zoning change and will be treated as such.

The State requires that all plats be considered by the governing body within thirty (30) days after submittal. Because of the complexity of some plats, the time required for thorough review and the time required for the applicant to return revised plans, this 30-day timeframe is not always possible to achieve. If an applicant insists that the plat be brought to the Planning and Zoning Commission within the 30-day timeframe and the review process has not been completed, Staff must schedule the plat for the meeting and recommend denial of the plat. Should this occur, the applicant must begin the process again, including the payment of fees. This is not efficient for either the applicant or the Town. Staff makes every effort to ensure that plats are brought to the Planning and Zoning Commission in a timely manner, with all required elements completed. Plats that meet all the requirements of the Unified Development Ordinance must be approved. See Section 2.02.02 of the Unified Development Ordinance for more information about the 30-day waiver.

### **Types of Plats:**

**Preliminary Plat-** Indicates in general terms where lots and blocks will be placed, provides preliminary drainage and utility plans to ensure that the tract will function as proposed, and establishes entrances from existing and proposed roadways.

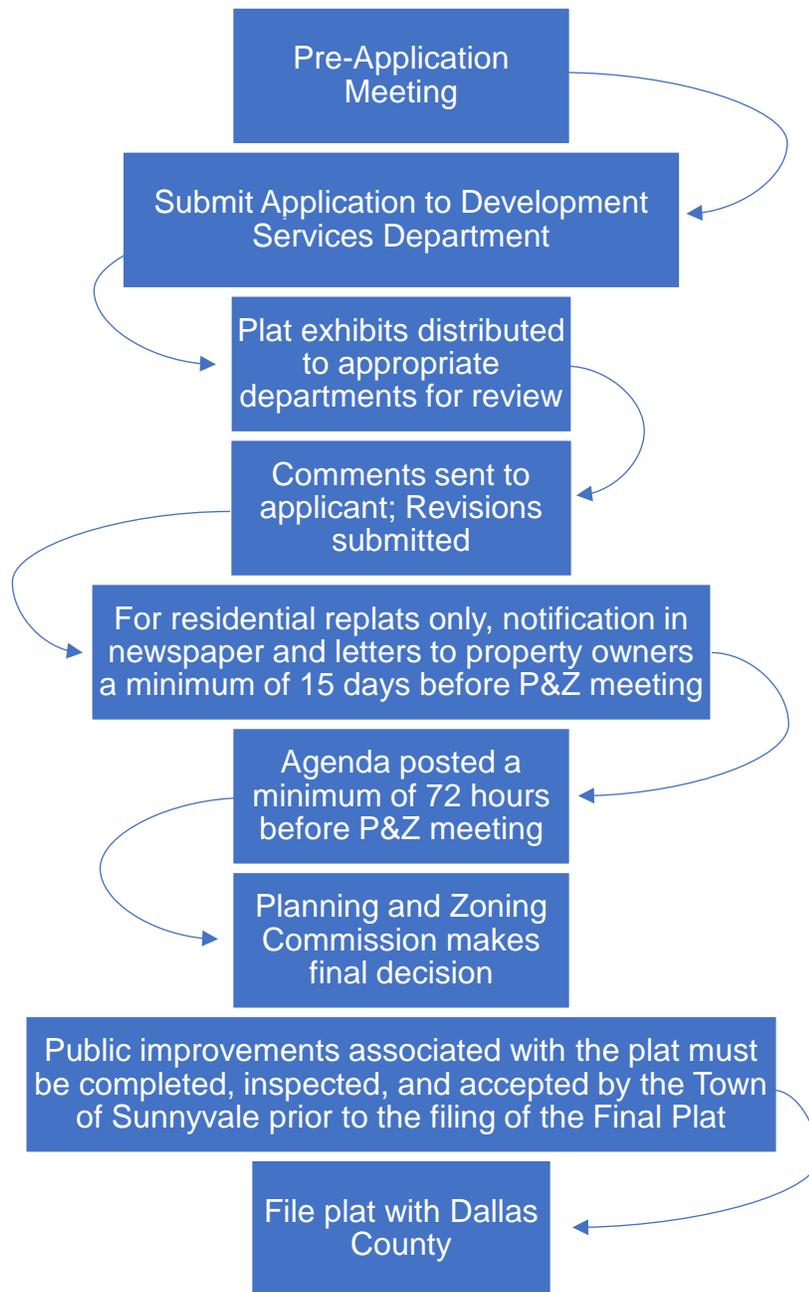
**Final Plat-** May be submitted for all of the area shown on the Preliminary Plat or only a portion of the Preliminary Plat, should the development be constructed in phases. Therefore, a housing community might have several phases of several dozen home lots along with "common area" lots (i.e. those lots that are provided for recreation or aesthetics

and are owned and maintained by the Homeowners' Association). Each of these phases would require a Final Plat.

**Minor Plat-** May be used in place of Preliminary and Final Plat if the proposed division results in no more than four or fewer lots, all lots front onto an existing public street and does not require the extension of any municipal facilities to serve any lot.

**Amending Plat-** Generally used to correct mistakes that may have been made on the original filed plat. These mistakes are of a minor nature and they do not add or remove any lots.

**Plat Vacation-** The purpose of a Plat Vacation is to provide an expeditious means of vacating a recorded Plat in its entirety, consistent with provisions of State law.



## Pre-Application Meeting

A Pre-Application meeting is required for all zoning and subdivision projects, including:

- New, ground up commercial construction
- New residential subdivisions
- Expansion of an existing building or structure
- Platting
- Rezoning's; Proposed uses not permitted in the current zoning districts without Special Use Permit (SUP)
- Development requiring public improvements
- Development in the extraterritorial jurisdiction (ETJ)

A Pre-Application meeting is a preliminary meeting between staff and the applicant to discuss information about the project. These meetings are used for identifying any complications that may arise throughout the process and discuss the process of the submittal. Please contact the Town Planner to set this meeting up and discuss the project. For all projects, the last pre-application meeting date is the previous Tuesday before the week of your submittal. Please follow the instructions below to set up a Pre-Application meeting.

Pre-Application meetings are typically comprised of Town staff from the following departments or divisions:

- a. Planning
- b. Engineering
- c. Fire
- d. Public Works
- e. Building Inspections

Pre-Application Meetings do not vest a permit, application or other type of development approval, pursuant to Chapter 245 of the Texas Local Government Code.

Meetings are typically held every Tuesday starting at 9:00 am -11:00 am on an as needed basis and timeslots are first come first serve.

We use the Pre-Application meeting as a way to bring you into the Town and meet face to face with the primary Department personnel responsible for reviewing and permitting your development project. This is a discovery meeting where we discuss your general plans, needs, constraints, and goals for the property. We have learned through experience that more complicated development projects are often affected by multiple Town ordinances, codes, and requirements of various Departments within the Town.

In this meeting, we will provide you with the codes, ordinances and requirements that are applicable to your development. We take this opportunity to explain the process you will be following, provide you with applicable documentation including checklists and timing information, and answer any questions you might have. It is important to us that we get you off to a good start by setting the right expectations and minimizing surprises. This meeting is intended to save you time, money and frustration.

We encourage you to bring any relevant documents such as a site plan, plat, or other documents to the meeting as well as anyone who has been involved with the creation of the documents. At this meeting you will have the opportunity to ask questions of various Departments responsible for reviewing and guiding your development through the development process. Staff will give their reaction to the proposed development and give direction to help the applicant come to town standards. In the meeting the applicant and Staff can discuss any fees, permits, and any studies such as a traffic impact analysis or parking study.

During the meeting, questions will be addressed, and record will be kept so that all parties will have a clear understanding of what was discussed and what is expected.

If you have questions about whether you think a Pre-Application meeting would be helpful, contact the Town Planner at [Philip.Feinhals@townofsunnyvale.org](mailto:Philip.Feinhals@townofsunnyvale.org).

To set up a pre-application meeting please complete the Pre-Application Survey at the bottom of this document, and send to the Town Planner at [Philip.Feinhals@townofsunnyvale.org](mailto:Philip.Feinhals@townofsunnyvale.org) no later than 12:00 pm on Friday of the proceeding week to secure a time-slot. This survey is meant to give Town staff background information of the project and general knowledge. When submitting this survey any plans the potential applicant is wanting discussed can be included and sent with the invite for staff review before the meeting.

## Submittal of Application and Town Review

**Submit project application and plans.** All submissions require an application and the checklists that corresponds with each submission. For required documentation please refer to the chart below and contact the Town Planner if there are any questions. Payments must be made in person at Town Hall through check or credit card on submission days. For fees please refer to the Fee Schedule on the Planning and Zoning section of the Town’s website.

Submission of plans by a particular submittal date does not guarantee automatic scheduling for a specific Planning and Zoning Commission meeting date or Town Council Meeting.

An application must be complete at the time of submittal. All documents must be attached on a flash drive or sent to the Town Planner through email in PDF form, including checklists and all plans. Any applications that are not completely filled out and do not include all required documents will be deemed incomplete.

Application Type	Documents Required	Checklists Required
Minor Plat	<ul style="list-style-type: none"> <li>• Application</li> <li>• Minor Plat</li> <li>• Legal Description</li> </ul>	<ul style="list-style-type: none"> <li>• Minor Plat Checklist</li> </ul>
Preliminary Plat	<ul style="list-style-type: none"> <li>• Application</li> <li>• Preliminary Plat</li> <li>• Preliminary Utility</li> <li>• Legal Description</li> </ul>	<ul style="list-style-type: none"> <li>• Preliminary Plat Checklist</li> </ul>
Final Plat	<ul style="list-style-type: none"> <li>• Application</li> <li>• Final Plat</li> <li>• Legal Description</li> </ul>	<ul style="list-style-type: none"> <li>• Final Plat Checklist</li> </ul>
Replat	<ul style="list-style-type: none"> <li>• Application</li> <li>• Replat</li> <li>• Letter of Intent</li> <li>• Legal Description</li> </ul>	<ul style="list-style-type: none"> <li>• Replat Checklist</li> </ul>
Zoning Change	<ul style="list-style-type: none"> <li>• Application</li> <li>• Letter of Intent</li> <li>• Metes and bounds</li> </ul>	
Specific Use Permit	See site plan submittal below	
Concept Plan	<ul style="list-style-type: none"> <li>• Application</li> <li>• Concept Plan</li> </ul>	<ul style="list-style-type: none"> <li>• Concept Plan Checklist</li> </ul>

Planned Development	<ul style="list-style-type: none"> <li>• Application</li> <li>• Concept Plan or Site Plan Submittal</li> </ul>	<ul style="list-style-type: none"> <li>• Concept Plan Checklist</li> </ul>
Variance	<ul style="list-style-type: none"> <li>• Application</li> </ul>	<ul style="list-style-type: none"> <li>• Variance Checklist</li> </ul>
Site Plan	<ul style="list-style-type: none"> <li>• Application</li> <li>• Site Plan</li> <li>• Landscape Plan</li> <li>• Building Elevations</li> <li>• Photometric Plan</li> <li>• Tree Mitigation Plan</li> <li>• Tree Survey</li> <li>• Preliminary Utility</li> </ul>	<ul style="list-style-type: none"> <li>• Site Plan Checklist</li> <li>• Landscape Plan Checklist</li> <li>• Building Elevation Checklist</li> <li>• Tree Survey Checklist</li> </ul>
Tree Survey/Mitigation	<ul style="list-style-type: none"> <li>• Application</li> <li>• Tree Survey</li> <li>• Tree Mitigation Plan</li> <li>• Updated Landscape plan if needed</li> </ul>	<ul style="list-style-type: none"> <li>• Tree Survey Checklist</li> </ul>

## Review Timeline

After submittal of a project staff will review and make comments about items that do not meet the Town's requirements if there are any. This review is typically returned to the applicant within 10 business days of submittal. The applicant can take as much time as they want to make the changes needed. However, as marked on the submittal calendar final plans, meaning that the plans have been reviewed with all staff comments addressed, must be approved by staff before the date marked so it can go on the following Planning and Zoning Commission Meeting agenda. All plats must be acted upon within 30 days of submittal. If plans do not meet the requirements of the Town denial will be recommended by staff or a 30-day extension signed by the property owner will be required to be turned in to the Planning and Zoning Commission to consider an extension.

**Plat Recordation.** Once a plat is approved by Town Council five full size (22" x 34") physical copies shall be submitted to the Permit Tech front desk at Town Hall with all signatures and notations required by owner and surveyor to acquire Staff and prospective officials signatures before applicant files the plat with Dallas County. After the plat is recorded with Dallas County, the applicant will need to bring one physical copy to the Town Planner to have on Town record.

**Address Coordination.** Once a plat is returned to the Town of Sunnyvale signed and recorded with Dallas County, an address will be assigned for the new and existing parcels.

**Civil Plan Review.** After submittal of plans, civil plans may be required. Civil plans can be submitted on the first business day of the month to the Town Engineer. For subdivisions, Civil plans may be required before plat submittal. Contact the Town Engineer with any questions you may have.

**Building Permit Submittal.** Once a plat has been recorded and civil plans have been stamped by the Town Engineer, building permits can be requested through submittal of the online portal.

**Permit Review and Comments.** Plans are reviewed by the Building Official to make sure they are compliant and up to code. Once found satisfactory, a permit will be issued for construction.

**City Inspections.** While under construction, inspections will be scheduled by the General Contractor for the Town's Building Inspector to come to the site of the development.

**Final Acceptance / Certificate of Occupancy issued** Once all inspections are complete and up to code, a Certificate of Occupancy can be issued by the building official. For any questions contact the building department.

## Planning and Zoning Commission Meeting

The Planning & Zoning Commission are citizens who are appointed for a two year term by the Town Council. It is expected that members of the Commission study the impact of the requested zoning change from many perspectives. Factors to consider include consistency with the Comprehensive Plan, which is the guiding document of the Town, potential impact on adjacent development, availability of utilities and access, traffic impact, site conditions, timing of the development, and any other factors considered pertinent to the case.

**Planning and Zoning Commission Review.** After plans are final they will be presented to the Planning and Zoning Commission. The Planning & Zoning Commission votes to recommend approval, denial, or to make a report of findings to the Council without a recommendation. If the Commission votes to recommend denial of the zoning change, the Town Council must achieve a 75% “super-majority” vote in order to override the Commission’s recommendation. All zoning requests are required by State Law to provide the proper public notice at both the Planning and Zoning Commission and Town Council level. The Planning and Zoning Commission meets on the third Wednesday of each month at 6:00 pm. Agendas for the Planning and Zoning Commission are posted 72 hours before each meeting and can be accessed through the Town’s website and is posted at Town Hall.

## Town Council Meeting

The Town Council are elected citizens of the Town who serve a role of government officials of the Town.

**Town Council Review.** After a recommendation or report from the Planning and Zoning Commission is given, Town Council will act on the proposal and make a final decision. The Town of Sunnyvale has a two-reading requirement for Ordinances at Town Council. Submittal timelines for zoning cases average 90-120 days from submittal to completion.

### **Public Hearing**

During this part of the meeting, any citizen of the Town of Sunnyvale can comment on a proposed zoning change. Comments can be presented to the commission by mail, email, and in person at the meeting. For all speakers, their name and address must be provided for the record.

### **Zoning Change Protest**

Property owners immediately adjacent to the subject property can affect the change in vote. If a minimum of 20% of the land area from the 200 foot buffer is in opposition and returns the mailed notice to the Town, a super majority of 75% vote to pass the zoning change will be required. The 20% is not based on number of people protesting but rather on the percentage of the land within the 200 foot buffer.

## Site Plan Submittals

The site plan is a set of architectural plans that illustrates the key components of a development's layout and design, including the property boundaries, setbacks, landscaping, lighting, building locations, elevations, access and fire lanes. The site plan does not include construction drawings and documents for buildings and other structures.

After all comments are addressed, an approval letter will be issued to the applicant and can proceed by submitting Civil Plans to the Town Engineer on the first business day of the month if this has not been done already.

### Development Types Requiring Site Plan Submittals

- New commercial development
- Expansion of a commercial development
- Special Use Permit request
- New parking lots
- New parking lot expansions

After the first review of a development's site plan, civil plans can be submitted to the Town Engineer.

## Variance Submittals

Variance submittals are reviewed by the Board of Adjustment. Variance cases can be granted if they are shown not to be contrary to the public interest if, owing to special conditions, where a literal enforcement of the provisions of an ordinance or regulation will result in an undue hardship. A hardship must be proven in order to have a variance granted. A true hardship applies to a situation when a landowner is unable to comply with the regulations because of some unique or peculiar aspect of a property itself. A hardship is not considered a personal need or wish of the landowner, a hardship only applies to the quality of the property itself. A hardship cannot be self-created or financial.

### **Variance Applications:**

A variance is a request to deviate from a literal requirement of the zoning, subdivision, or sign ordinances due to special circumstances of a property. It is not considered a change in municipal law, but a waiver of a certain requirement of the ordinance. If granted, it permits the owner to utilize their land in a way that is ordinarily not permitted by the ordinance.

All variance requests must be reviewed by the Board of Adjustment (BOA). An administrative official of the Town of Little Elm cannot approve a variance. It is important to note that use variances cannot be legally granted via a variance, as that is considered to be rezoning and is governed by a different process. Additionally, self-imposed hardships and economically related hardships are insufficient findings to grant a variance. This chart is used to assist the Board of Adjustments in its decision making concerning variance requests.

An applicant must meet with planning staff prior to submitting a request for a variance. Staff will evaluate the issue and instruct the applicant on what staff's recommendation will be to the Board of Adjustment. As always, the applicant has the legal right to pursue the relief sought through the variance process. If a variance is denied, the application fee is not refunded to the applicant.

Board of Adjustment meetings are the first Monday of each month. Submittal calendars can be found on the Planning and Zoning section of the Town's website. All Board of Adjustment meetings are required to have a public hearing, and will therefore require notice to adjacent properties.

The Board of Adjustment must look at each case they are presented separately and determine if a hardship is present. The following are the qualifications for a hardship the board must look at:

## **Criteria for Zoning Variance Approval**

No Variance shall be granted without first having given public notice and having held a public hearing on the Variance request in accordance with Public Hearings and Notification Requirements for Zoning Related Applications and unless the Zoning Board of Adjustment finds all the following criteria are met.

### **1. Unique Circumstances**

- That there are special circumstances or conditions affecting the land involved such that the Application of the provisions of Section 3 Zoning Regulations would deprive the Applicant of the reasonable use of his/her land.

### **2. Minimum Necessary Relief Required to Alleviate the Undue Hardship**

- That the Variance, if granted, would be the minimum necessary relief required to alleviate the undue hardship.

### **3. Preservation of Property Rights**

- That the Variance is necessary for the preservation and enjoyment of a substantial property right of the Applicant.

### **4. No Substantial Detriment to the Public Good**

- That the granting of the Variance will not be detrimental to the public health, safety or welfare, impair the purposes and intent of Section 3 Zoning Regulations and the Comprehensive Plan or be injurious to other property within the area.

### **5. Orderly Use of Land**

- That the granting of the Variance will not have the effect of preventing the orderly use of other land within the area in accordance with the provisions of Section 3 Zoning Regulations.

### **6. Precedent**

- That the granting of an individual Variance will not set a precedent.

### **7. Finding of Undue Hardship**

That an undue hardship exists, using the following criteria:

- a. That literal enforcement of the controls will create an undue hardship or practical difficulty in the development of the affected property; and
- b. That the situation causing the hardship or difficulty is neither self-imposed nor generally affecting all or most properties in the same zoning district; and
- c. That the relief sought will not injure the permitted use of adjacent conforming property; and
- d. That the granting of a Variance will be in harmony with the spirit and purpose of these regulations.
- e. Financial hardship alone is not an “undue hardship” if the property can be used, meeting the requirements of the zoning district in which the property is located.
- f. Under any circumstances, if the property can reasonably be developed or used meeting the requirements of the zoning district in which the property is located, the ZBA shall not grant a variance

## Engineering Plans

Approved civil plans are required prior to final plat submittal. Construction of public improvements is allowed after approval of a final plat and pre-construction meeting. A building permit may be released once these are finalized. The Town Engineer shall be the responsible party for approval of civil construction plans; however, if an outside consultant is contracted to review the plans, then the applicant shall reimburse the Town for the review fees.

If the development is being platted and constructed in phases, improvements shall be completed as platted areas are approved and phases are constructed. The applicant is responsible for contacting all utility providers and securing all necessary on-site and off-site easements. Should the improvements be constructed after recordation of the final plat, a development agreement shall be utilized and accompanied by provision of security.

If all improvements are completed, inspected, tested (if applicable), and determined by the Town to be in conformance with UDO regulations and with the Town's engineering design standards and all inspection fees have been paid, then the Town Engineer and Director of Public Works shall issue a Letter of Final Acceptance to the Applicant, thereby notifying the Applicant of the Town's acceptance of any proposed dedications (including right-of-way and public improvements) offered on the final plat.

Please be aware, civil plan applications are submitted per their own review schedule. Submissions are allowed on the first business day of each month.

### **Construction Design**

Design and construction of public improvements must conform to the minimum standards, criteria, and requirements of the UDO Section 2.05.01 General Standards.

All construction work, such as street grading, street paving, storm sewers, curb and/or gutter, sanitary sewers or water mains performed by the owner, developer, or contractor shall be subject to observation during construction by the proper authorities of the Town. Applicants are allowed to submit on the first business day of the month. The first review will take no more than 30 calendar days after submittal. The second and any subsequent submittal after, will take 15 calendar days or less for proper review from staff

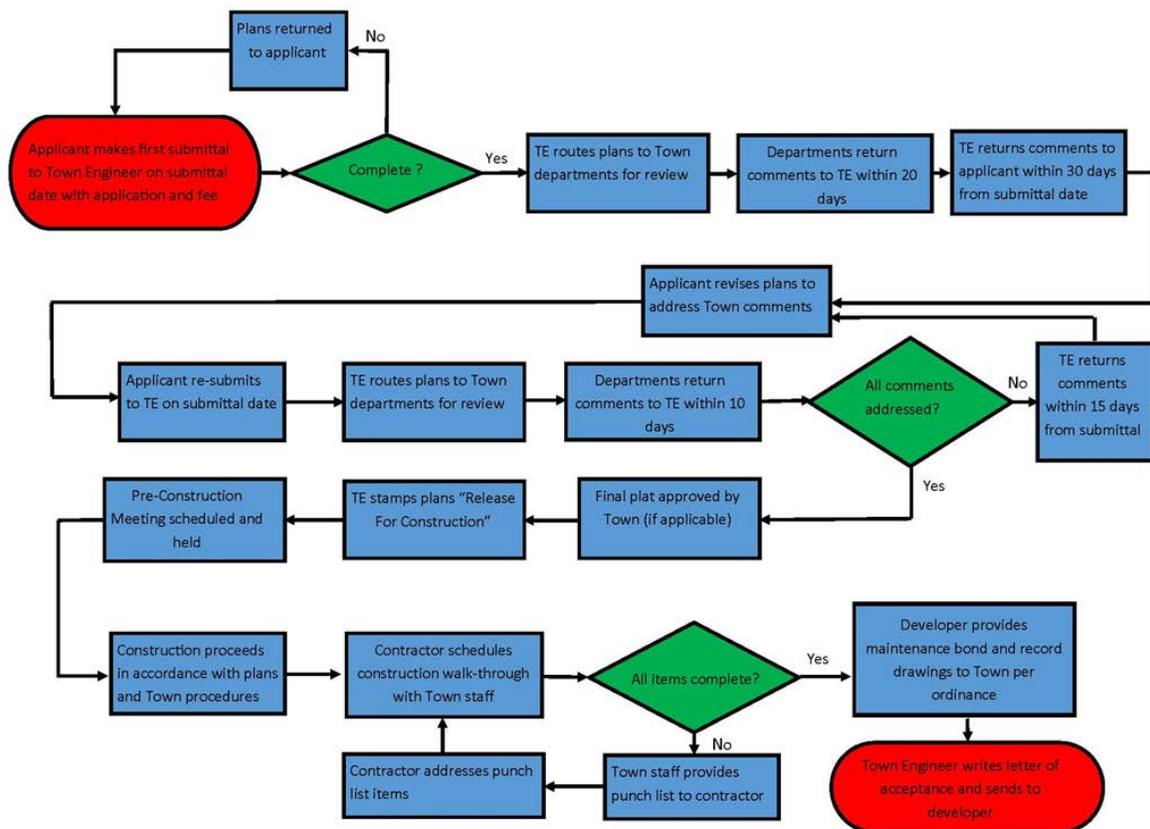
### **Impact Fees**

There is a direct correlation between the increased demand on public facilities that is created by a new development and the Town's requirements to dedicate right-of-way and easements and construct a fair and proportional share of public improvements that are

necessary to offset such impacts. A fair and proportional share shall be determined as the level or standard of service that is required to adequately serve a new development.

Standards relating to the dedication or construction requirements shall be roughly proportional (see UDO definition Proportionality/Proportional Share) to the nature and extent of the impacts created by the proposed development on the Town's water, wastewater, storm drainage, parks, or roadway system.

### Engineering Review Process - Civil Plans

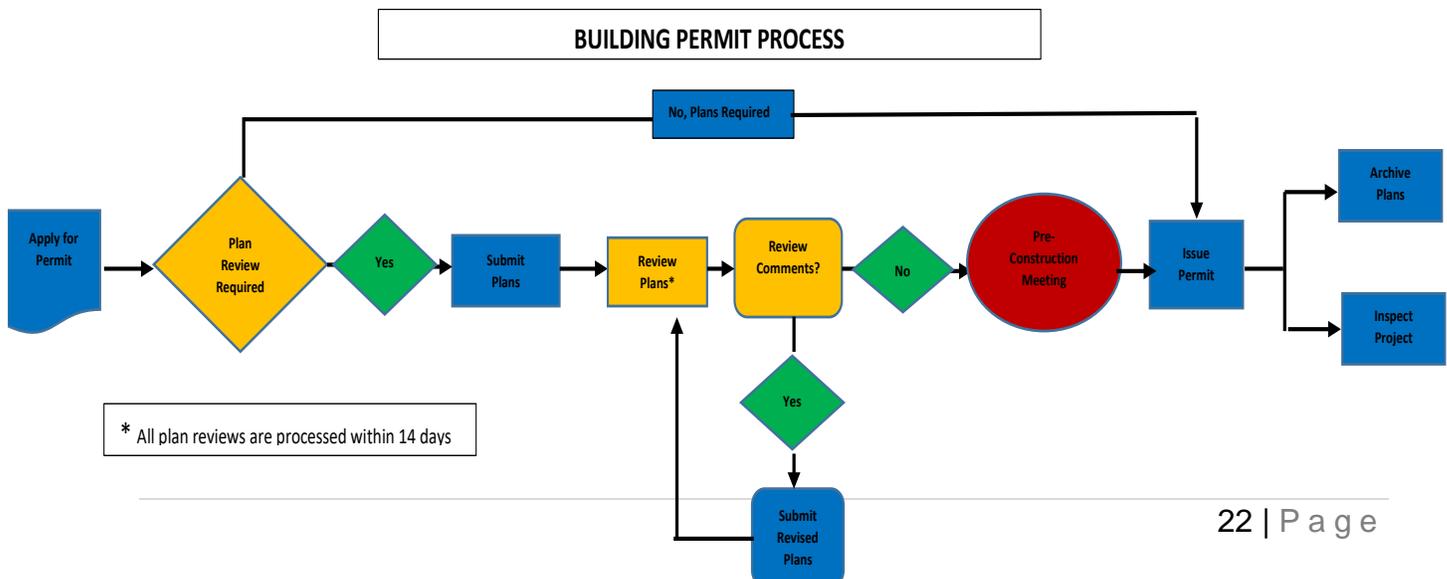


## Building Permits

The purpose of a building permit is to ensure that vertical structures are properly designed in accordance with health and safety codes such as the International Building Code, the International Fire Code, and the International Energy Code. A building permit is required prior to the construction, alteration, remodel, repair, or expansion of new and existing structures in the Town of Sunnyvale. Upon issuance of a building permit, construction may begin.

### Timing of Building Permit

- Building permits will not be accepted without approved Civil Plans for new construction and property being platted.
- For Single Family Residential developments, infrastructure must be accepted, and open space landscaping and amenities must be fully installed (per the adopted Landscape Plans) prior to building permits being issued.
- Within the Form Based Code Districts, either a mandatory Public Improvement District (PID) shall be created, or a development agreement will be executed between the developer and the Town to ensure adequate funding for maintenance in perpetuity and replacement of Streetscape, Open Space, Trail System, fencing, irrigation, and other common areas before infrastructure can be accepted.
- Impact fees shall be assessed at the time the plats are released for recordation. No building permit shall be granted for new construction of any property, nor shall any original water or sewer service connection be made, or service commenced unless and until impact fees required are assessed and collected or a contract providing for payment as approved by the Town is entered.
- No building permit shall be issued for a lot or building site unless the lot or site has been officially recorded by a final plat approved by the Town of Sunnyvale, and all public improvements as required for final plat approval have been completed.



## Certificate of Occupancy

The Certificate of Occupancy (CO) is a document which certifies a non-residential or multi-family building is safe for human occupation. Obtaining a CO is the final step in the development process. Without a CO, a project may not open for business. After construction is complete and all inspections have been passed, the Building Official will issue a Certificate of Occupancy that allows the building to open for business.

\*Please note that a CO is not required for the occupation of a single-family or duplex structure. Occupancy of a model home will follow the CO process.

### **Conditional Certificate of Occupancy**

The Town of Sunnyvale allows CCO's on a case by case basis and requires a full CO process for occupancy. For multi-phased projects, a CO discussion is required at time of pre-construction and shall be established to deliver a minimum of lot and /or block completion.

For new construction, additions, remodels, and tenant finish-outs, a CO will be required at time of building final. A separate CO application is required.

A CO application is required for the following:

- Change in name of an existing building
- Change in ownership of an existing building
- Change in ownership of an existing business
- Change in tenant

\*For more information regarding the CO process, please contact Building Safety Division at (972)203-4188.