Special Meeting
Planning Commission

June 22, 2015
Issue #11: Architecture and Site Review

"Yah, go Broncos! But I'm thinking they didn't get ARC approval!"
Issue #11: Architecture and Site Review

Three Sub-Issues:

- Authority of Architecture and Site Review Committee
- Timing of Design Permit Review
- Composition of Architecture and Site Committee
Issue #11A: Authority of Architecture and Site Review Committee

Stakeholder Input:

- Public confusion and surprise that Committee only recommends and does not approve Design Permits
- Suggestion to empower Committee to approve small projects without Planning Commission approval
- Suggestion to remove Arch and Site Committee from required review process.
### Issue #11A: Authority of Architecture and Site Review Committee

<table>
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<tr>
<th>Option 1: Maintain existing authority of Architecture and Site Committee</th>
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<td>Option 2: Allow Architecture and Site Committee to approve or deny small projects.</td>
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<td>Option 3: Eliminate the Architecture and Site Committee.</td>
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Issue #11B: Timing of Design Permit Review

Current Process

Step 1: Complete Application

Step 2: Arch and Site Review

Step 3: Planning Commission Review
Issue #11B: Timing of Design Permit Review

Stakeholder Suggestion

- **Step 1**
  - Arch and Site Review

- **Step 2**
  - Complete Application

- **Step 3**
  - Planning Commission Review

Pre-application
Issue #11B: Timing of Design Permit Review

Option 1: Maintain existing timing of Architecture and Site Review.

Option 2: Repurpose the committee to be a pre-design committee
Issue #11C: Composition of Architecture and Site Committee

**Current Composition**

- Architect/home designer
- Landscape architect
- Historian
- Planning staff
- Public works staff
- Building staff
Issue #11C: Composition of Architecture and Site Committee

Suggested Composition

- Replace w/ City Architect
- Architectural Peer Review Committee
- Add New Members: Sewer District, Water District, Fire Neighborhood Representative
Issue #11C: Composition of Architecture and Site Committee

Option 1: Maintain existing composition of Architecture and Site Review.

Option 2: Replace the committee with a City Architect.

Option 3: Replace committee with an Architectural Peer Review Committee

Option 4: Revise committee to add different members
Issue #13: Planned Development

Chapter 17.39
Planned Development District

- Rezoning that allows deviation from development standards
- Min. 4 acres, with exceptions
- Two step process:
  - Preliminary Development Plan
  - General Development Plan
Issue #13: Planned Development

Architects
- Valuable tool
- 4 acre min impractical
- Council should review PDP

Residents
- Spot zoning
- Allows incompatible development
Issue #13: Planned Development

Option 1: Maintain existing regulations.

- Maintain:
  - Min. 4 acres, with exceptions
  - Two step process: Preliminary Development Plan, General Development Plan

Chapter 17.39 Planned Development District
Issue #13: Planned Development

Option 2: Reduce or eliminate minimum parcel size requirement

- 2 acre min
- 1 acre min
- No min
Issue #13: Planned Development

Option 3: Modify approval process.

Current Process
- Preliminary Development Plan
- Planning Commission Review
- General Development Plan
- Planning Commission and City Council Review

New Process
- Planning Commission and City Council Review
- Planning Commission and City Council Review
- Planning Commission and City Council Review
Issue #13: Planned Development

Option 4: Eliminate PD

To deviate from standards, an applicant would need a variance, a rezone, or some other exception to development standards.

Chapter 17.39 Planned Development District
Issue #13: Planned Development

Option 1: Maintain existing regulations.

Option 2: Reduce or eliminate minimum parcel size requirement.

Option 3: Modify approval process.

Option 4: Eliminate PD.
Issue #9: Secondary Dwelling Units

“Dwelling unit” means one or more rooms in a dwelling designed for occupancy by one family for living or sleeping purposes and having only one kitchen.
Issue #9: Secondary Dwelling Units

“Secondary dwelling unit means a self-contained living unit, either attached to or detached from, and in addition to, the primary residential unit on a single lot”
Issue #9: Secondary Dwelling Units

Existing Code:

- Allowed on 5,000 sf minimum lot in the R-1 zoning district
- Attached and 1-story detached secondary dwelling units are approved through an administrative permit process if they comply with design standards
- 2-story detached secondary dwelling units or units that do not comply with design standards are approved by the Planning Commission
Issue #9: Secondary Dwelling Units

Design Standards in Existing Code (partial list):

- Must provide parking for combined square foot of habitable space on lot
- Maximum size based on lot size (500-800 sf)
- 5 feet side and 8 feet rear setbacks (detached)
- One-story/15 feet maximum height (detached)
- Property owner must reside on site
Issue #9: Secondary Dwelling Units

Conflicting public input on issue

Benefits
- Adds affordable housing
- Provides property owners with revenue source

Concerns
- Parking
- Privacy
- Noise
Issue #9: Secondary Dwelling Units

Option 1: Maintain existing code allowances/limitations for secondary dwelling units
Issue #9: Secondary Dwelling Units

Option 2: Amend the code to encourage development of additional secondary dwelling units.

Possible Changes:

- Decrease minimum lot size requirement
- Increase threshold for Planning Commission review
- Allow all secondary dwelling units to be approved through an administrative process
- Eliminate the current residency requirement and allow both the primary and secondary dwellings to be rented
Option 3: Amend the code to encourage development of additional secondary dwelling in specific areas of the City only.

Areas based on criteria:
- Availability of on-street parking
- Existing densities
- Adjacent land use
**Issue #9: Secondary Dwelling Units**

| Option 1: Maintain existing code allowances/limitations for secondary dwelling units |
| Option 2: Amend the code to encourage development of additional secondary dwelling units. |
| Option 3: Amend the code to encourage development of additional secondary dwelling in specific areas of the City only. |
Issue #18: City Council Appeal of Planning Commission Decision

- The City Council has appealed Planning Commission decisions over the years.
- The existing code states that “the actions of the planning commission are subject to review by the city council at its discretion” for design review, conditional use permits, and variances.
In a recent lawsuit (Woodys Group, Inc. v. City of Newport Beach) the Court found:

- It was illegal for a City Council member to appeal a Planning Commission when not a “interested party”
- The council erred in allowing the City Council member to sit as adjudicator of his own appeal.
Issue #18: City Council Appeal of Planning Commission Decision

Option 1: Maintain existing appeal process.

- City Council member cannot participate in vote.
Issue #18: City Council Appeal of Planning Commission Decision

Option 2: Add “call-up” procedure without requirement of majority vote by CC to call-up an application.

- Call up must occur within specified time (14 days for example)
- Call up may be made at Council meeting or by filing a form with City Clerk
- Option: Call up requires request from two members of Council
Issue #18: City Council Appeal of Planning Commission Decision

Option 3: Add “call-up” procedure and require majority vote by City Council to call-up an application.

- Requires majority vote of Council
- Call up must occur within specified time (14 days for example)
Issue #18: City Council Appeal of Planning Commission Decision

Option 1: Maintain existing appeal process.

Option 2: Add “call-up” procedure without requirement of majority vote by CC to call-up an application.

Option 3: Add “call-up” procedure and require majority vote by City Council to call-up an application.