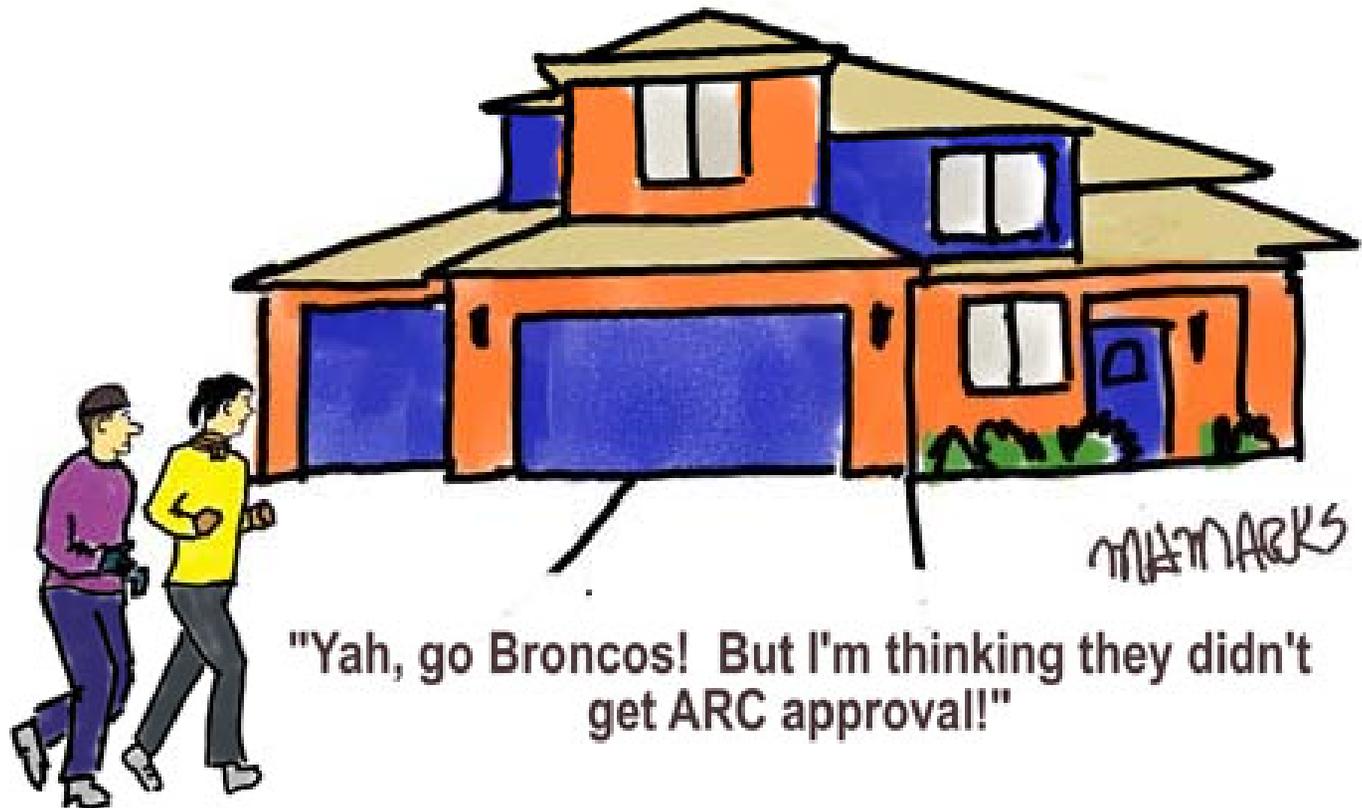


# Special Meeting Planning Commission

June 22, 2015

# Issue #1 1: Architecture and Site Review



# Issue #1 1: 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

Option 1: Maintain existing authority of Architecture and Site Committee

Option 2: Allow Architecture and Site Committee to approve or deny small projects.

Option 3: Eliminate the Architecture and Site Committee.

# Issue #11B: Timing of Design Permit Review

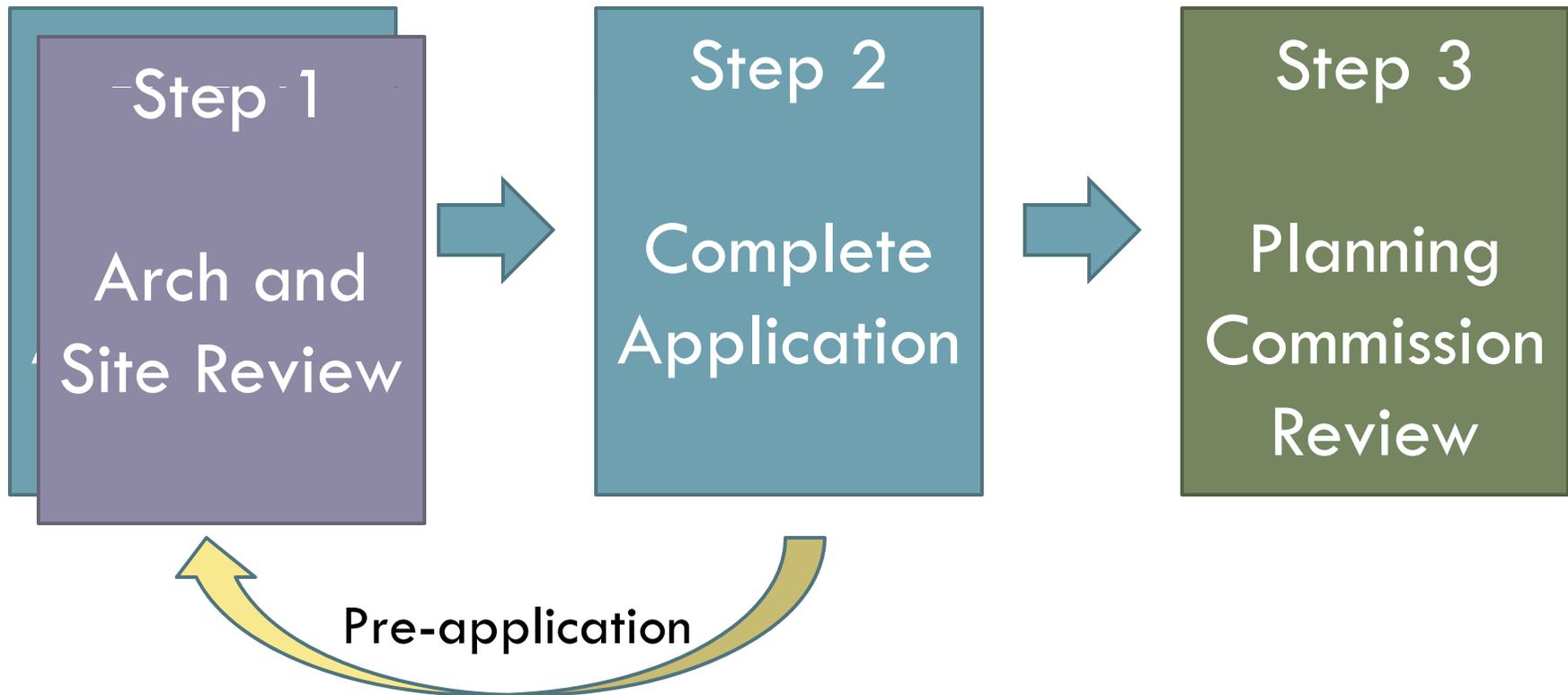
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## Current Process



# Issue #11B: Timing of Design Permit Review

## Stakeholder Suggestion



# Issue #1 1 B: 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

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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



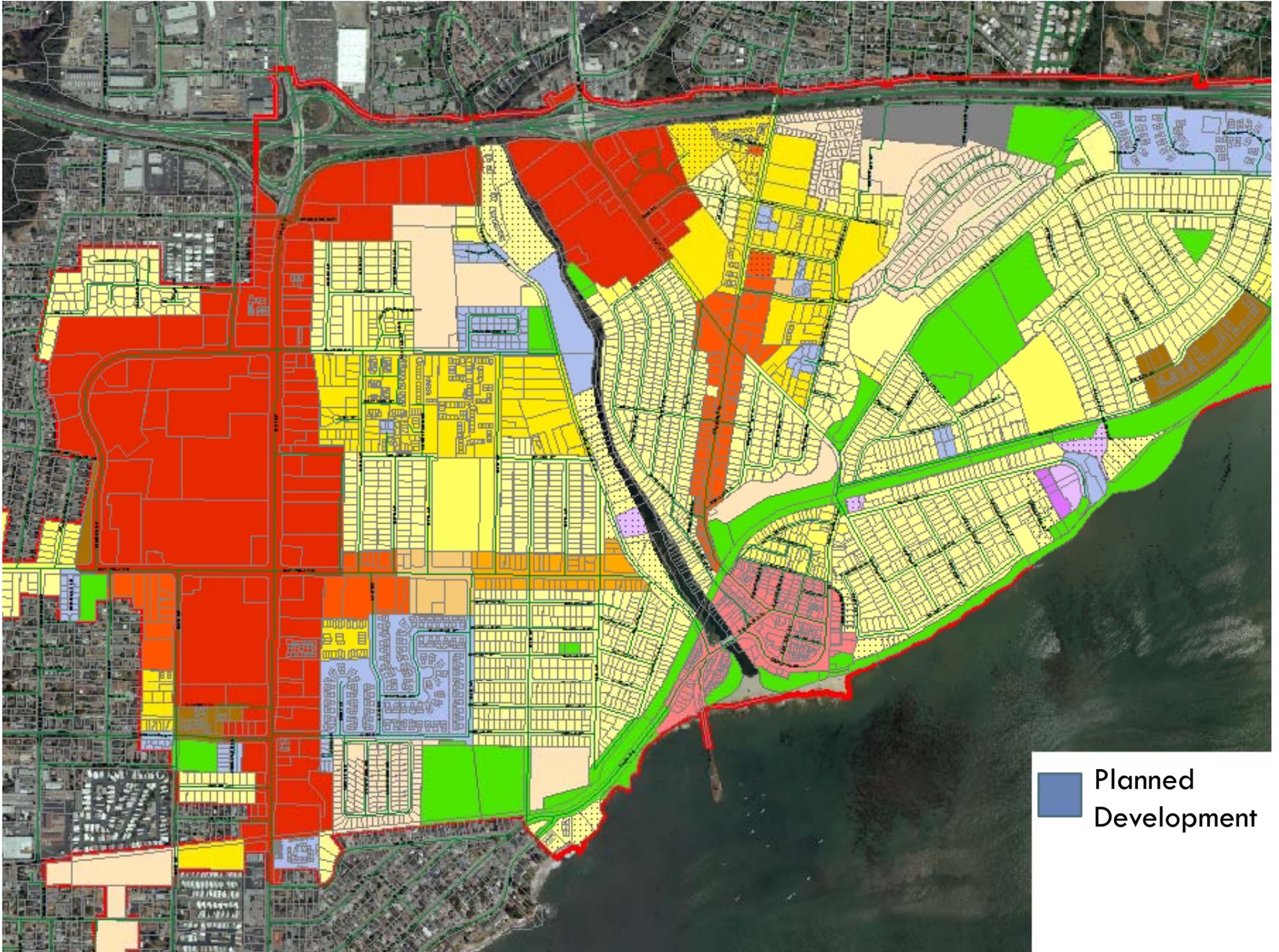
## **Architects**

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



## **Residents**

- Spot zoning
- Allows incompatible development



Planned  
Development

# Issue #13: Planned Development

Option 1: Maintain existing regulations.

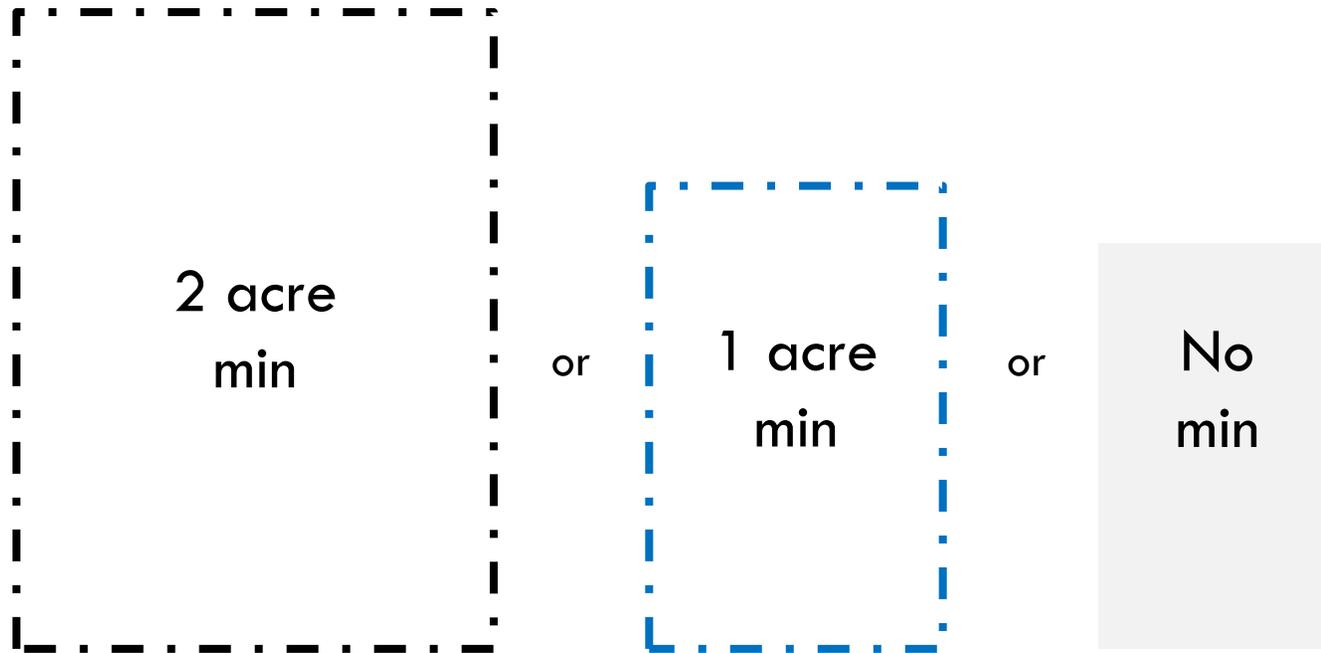
Chapter  
17.39  
Planned  
Development  
District

## **Maintain:**

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

# Issue #13: Planned Development

Option 2: Reduce or eliminate minimum parcel size requirement



# Issue #13: Planned Development

Option 3: Modify approval process.



# 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



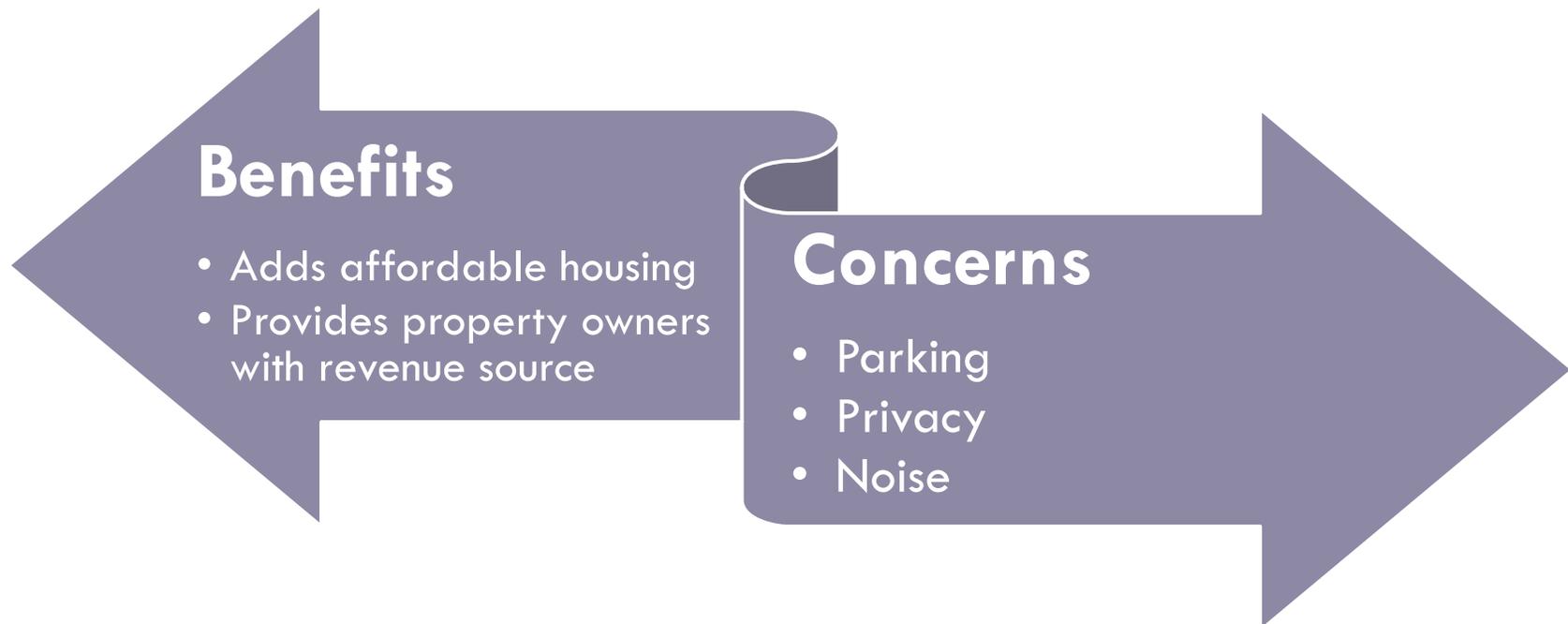
## **Design Standards in Existing Code (partial list):**

- 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

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## Conflicting public input on issue



# 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

# Issue #9: Secondary Dwelling Units

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

# Issue #18: City Council Appeal of Planning Commission Decision

- 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.