



PLANNING AND BUILDING  
REGULATIONS DEPARTMENT

# AGENDA REPORT

**DATE:** December 19, 2006  
**TO:** Mayor and Members of the City Council  
**FROM:** Richard Mitchell, Planning Director  
**SUBJECT:** Design Review Modifications

## **STATEMENT OF THE ISSUE:**

During its approval of a budget allocation to develop citywide design standards, Council members requested that staff recommend revisions to the City's design review ordinance that might clarify the process and bring it in line with other jurisdictions.

## **RECOMMENDED ACTION:**

Authorize staff to prepare modifications to the current design review process, including modifications to underlying ordinances, and return to Council with the modifications and or options for approval by March 30, 2006.

## **FINANCIAL IMPACT OF RECOMMENDATION:**

Financial impacts include the cost of staff time to prepare the ordinance modifications and new procedures. The cost of the design review process is completely reimbursed through application fees.

**DISCUSSION:**

During its approval of a budget allocation to develop citywide design standards, members of the Council requested that staff recommend revisions to the design review ordinance that might clarify the process and bring the City’s procedures into alignment with those of other jurisdictions. Staff has developed suggestions for modifications to the City’s design review ordinance which are intended to improve architectural quality, clarify steps, reduce confusion and improve communication between the community, architects and designers.

Recommendations for amending the current Design Review process include the following:

- A) Establish residential design standards for existing neighborhoods (authorized and under way).
- B) Prepare and implement a significant education and outreach effort to homeowners, contractors, developers, designers and builders about architectural heritage, rehabilitation methods and community design.
- C) Link design standards to a ‘form based code’ for redevelopment of commercial corridors specified in the updated General Plan.

Issues that have been consistently raised by applicants and community members related to the current Design Review ordinance are listed in the following table. The recommended modifications represent options for the Council to consider and are not intended to reflect modified ordinance language.

**Matrix of Design Review elements and recommended modifications:**

<b>Current Design Review process</b>	<b>Recommended modification</b>
<ul style="list-style-type: none"><li>• The Design Review Board actively designs or redesigns architectural schemes because they are submitted prematurely and without sufficient screening. Applicants don’t readily accept staff suggestions for modification and staff is not sufficiently trained to recognize problems and recommend modifications prior to design review.</li></ul>	Design guidelines are being developed for residential construction and modification. A “form based code” program is under development for commercial corridors. Therefore it is recommended that creation of an “Office of the City Architect” be considered. The role of the City Architect will be to review and refine all substantial design proposals based upon established community objectives. Projects would be forwarded to a smaller Design Review Board only if agreement cannot be reached with the City Architect.*

Current Design Review process	Recommended modification
<p><b>15.04.930.020 Application:</b></p> <ul style="list-style-type: none"> <li>Developers are required to secure design review approval <b>prior</b> to receiving Planning Commission land use approval. Under such circumstances most developers are reluctant to commit significant resources to project design since they have no assurance that the proposed land use will be approved.</li> </ul>	<p>Reverse the sequence so that land use is approved with specific density and massing objectives included as conditions prior to referral for Design Review. Developers will feel more comfortable making the required investment in design because they will have conditional entitlement to build.</p>
<p><b>15.04.930.030 Administrative Design Review</b></p> <ul style="list-style-type: none"> <li>The Design Review Board schedule is often overcrowded because it includes small projects that exceed the 1500 square foot and 15 foot height threshold for staff approval.</li> </ul>	<p>With the establishment of clear design standards and the assistance of the proposed City Architect, administrative approval thresholds should be eliminated. Formal design review would be triggered by other factors such as location, site conditions, historic or special district significance or other exceptional conditions.</p>
<p><b>15.04.930.070 Design Review Board</b></p> <ul style="list-style-type: none"> <li>The Design Review Board is composed of seven members. It is difficult and time consuming for a body of this size to reach consensus on the broad range of projects that are proposed.</li> </ul>	<p>Consider reducing the size of the Design Review Board from seven to three members. The Board would make design determinations only on projects where a dispute develops between the applicant, staff and the City Architect.</p> <hr/> <p>Alternatively, the DRB could be split into two groups of three, one group would review residential projects and the other would review commercial / retail/ projects. Each group would meet monthly.</p>
<p><b>15.04.930.080 Technical Review Committee</b></p> <ul style="list-style-type: none"> <li>As written, the Design Review Ordinance requires that the Technical Review Committee meet weekly. The nature and volume of project proposals does not support this meeting frequency.</li> </ul>	<p>Modify the ordinance to specify that TRC meetings may be convened as necessary by the Planning &amp; Building, CED, Public Works, Fire or Police Departments.</p> <p>Shift the TRC to the City's Building code section.</p>
<p><b>15.04.930.090 Application</b></p> <ul style="list-style-type: none"> <li>Plan submittals for renovation and new construction are presented in a wide range of formats that are often inconsistent and incomplete because the wording of the ordinance is not clear enough to generate consistency.</li> </ul>	<p>Modify the ordinance to increase consistency. Require professional preparation of plans for all new construction and for most renovation proposals.</p>

Current Design Review process	Recommended modification
<p><b>15.04.930.110 Findings/Conditions of Approval</b>  As written, this section of the ordinance requires the DRB to make findings related to the General Plan, Zoning ordinance, CEQA and Traffic LOS. Findings of this nature should be made by the Planning Commission.</p>	Remove this language from the DRB ordinance and focus the design review process on architecture, adherence to the principles of 'New urbanism', 'Traditional neighborhood design' and the principles of 'Place making'.
<p><b>Design Review as a separate board</b></p> <ul style="list-style-type: none"> <li>The current ordinance establishes the seven person board as advisory to, but separate from the Planning Commission. The Board proceeds independently on design items that don't require a modification in land use, however the Board has been drawn into land use policy interpretation.</li> </ul>	Consider incorporating design review into the Planning Commission review process. A subcommittee could be appointed that would discuss design proposals that have been approved by the City Architect. This subcommittee could meet in the time period that is currently occupied by the Development Review Committee (DRC) meeting.
<p><b>Industrial Structures (machines, columns)</b></p> <ul style="list-style-type: none"> <li>The current Design Review Ordinance treats industrial, commercial and residential structures equally. This creates a problem when new industrial equipment installations are proposed.</li> </ul>	Industrial structures would be subject to administrative design review and the imposition of conditions. Potential visual impacts would determine the degree of review.
<p><b>Landscape Design Review</b></p> <ul style="list-style-type: none"> <li>The Design Review Board spends a disproportionate amount of time reviewing landscape schemes for existing and proposed projects.</li> </ul>	Landscape plans should be reviewed and approved at the Administrative level using updated landscape guidelines with the assistance of a designated landscape designer. Included in the updated guidelines would be a requirement that all masonry walls be irrigated and planted to support their complete coverage by vines. Structures proposed for construction on corners would be subject to special landscape and design specifications.
<p><b>Proposals for projects on property controlled by the City or using City or RCRA funds:</b></p> <ul style="list-style-type: none"> <li>Developers respond to City sponsored requests for proposals that are subject to broad interpretation. The resulting proposals often meet with community opposition and the outcomes proposed by developers can be less than satisfactory.</li> </ul>	Agency and City Departments could increase the level of pre-proposal review, including the possible retention of 'Town Planners' who would work with the community to develop of project designs that meet aesthetic and quality objectives prior to issuance of a request for proposal.

\*All design reviews and determinations will be publicly noticed. Disputes are appealable to the three-person Design Review Board and finally the City Council.

**ATTACHMENTS:**

1. Design Review Ordinance (existing)