



MEMO

TO: City Council
FROM: Andrea Villalobos, AICP, CNU-A, Planning Manager – Planning and Development Services Department
DATE: May 26, 2021
RE: Development Code Update: Planning and Zoning Commission Discussion

SUMMARY

The Planning and Zoning Commission considered the proposed development code amendments at their May 25, 2021 meeting. The Development Code redline and associated justification table in the Council packet reflects the Planning Commission redlines. Below is a summary of all proposed amendments and discussion:

MAIN MOTION: Vice-Chair Kelsey made a motion to approve the Development Code amendments as submitted by staff. The motion was seconded by Commissioner McCarty and carried 9-0 by the following vote:

- For: (9) Vice-Chair Kelsey, Commissioner Costilla, Commissioner Sambrano, Commissioner Agnew, Chair Garber, Commissioner McCarty, Commissioner Rand, Commissioner Spell, Commissioner Moore
 - Against: (0)
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AMENDMENT (passed):

Per the Development Code, the below amendment will require formal authorization by City Council as it was not originally authorized during the May 4th City Council meeting in which the Council provided Initial Authorization of the Development Code amendments.

Chair Garber made a motion for an amendment that staff and City Council look into bringing Planned Development Districts back into the Development Code. The motion was seconded by Commissioner Rand and carried 8-1 with the following vote:

- For: (8) Vice-Chair Kelsey, Commissioner Costilla, Commissioner Sambrano, Commissioner Agnew, Chair Garber, Commissioner McCarty, Commissioner Rand, Commissioner Spell,
- Against: (1) Commissioner Moore

Discussion:

- The Commission asked why they were removed in the past and discussed that they were being abused and that there were issues with enforcement. The Commission also discussed that PDDs do not always create a level playing field with those involved and liked the concept of clear rules for everyone involved.
- The Commission discussed whether PDDs would help resolve the problem with there being a menu of uses in certain zoning districts. The Commission discussed that with a PDD there will be a base level of zoning but you can then be very specific about what you will and won't allow.
- The Commission discussed that with PDDs we would rewrite the code for every new project and enforcement of each item was difficult. They also discussed the need for more flexibility to ensure that we make them build what they are going to build and withholding the occupancy permit
- Staff stated that the item would need to be presented at City Council and receive initial authorization.

AMENDMENT (failed):

Commissioner Moore made a motion to remove proposed code amendment #1 and #2 regarding watershed protection plans and site permits. The motion was seconded by Commissioner McCarty and failed 3-6 with the following vote:

- For: (3) Commissioner Moore, Commissioner McCarty, Commissioner Sambrano
- Against: (6) Vice-Chair Kelsey, Commissioner Costilla, Commissioner Agnew, Chair Garber, Commissioner Rand, Commissioner Spell

Discussion Proposed Amendment #1 (Watershed Protection Plans):

- Commission discussed concerns regarding increasing development costs for small infill development
- Staff discussed the reason for the amendment is because staff would like to see a thorough review associated with a Watershed Protection Plan Phase 2 in terms of environmental analysis by city staff with expertise in watershed reviews. In addition, the amendments would require a separate watershed review process rather than be combined with a site permit in more sensitive environmental areas.
- Commissioner Moore discussed that amendment #1 is redundant because it would already be addressed with a site permit.

Discussion Proposed Amendment #2 (Site Plans):

- Commission discussed concerns with making it more difficult to develop for smaller projects and that the larger projects already have the money for this. The Commission inquired about the cost of a site permit. Staff discussed that the fee schedule is set by the City Council through a formal review and analysis process.
- Staff discussed the reason for the proposed change to the impervious cover threshold of what requires a site permit is because when adding impervious cover that is 1,000 square feet and greater, additional analysis is needed through the site permit process due to the impacts of that amount of impervious cover on the site and surrounding area.
- Commission discussed that this was an opportunity to provide additional environmental protection.

AMENDMENT (failed):

Commissioner Rand made a motion to remove proposed code amendment #5 regarding flush garages. The motion was seconded by Commissioner Moore and failed 3-6 with the following vote:

- For: (3) Commissioner Costilla, Commissioner Rand, Commissioner Moore
- Against: (6) Commissioner Sambrano, Commissioner Agnew, Chair Garber, Commissioner McCarty, Commissioner Spell, Vice-Chair Kelsey

Discussion:

- The Commission stated that it feels like we are changing the code to meet the specific needs of two large scale builders
- Staff explained that the purpose of the original code language to have garages set back from the façade of the house is to further pedestrian-oriented streetscapes and walkability through design. Staff further explained that several of the amendments are directly related to police, fire, and first responder comments and discussions. Staff discussed that amendment #5 adds a new garage design option to a menu of other design options that are exist in the code.
- The Commission discussed that Council has previously approved these garage standards through Alternative Compliance requests and has started to set the policy.

AMENDMENT (passed):

Commissioner Agnew made a motion on Amendment #5 to revise Section 7.1.4.1.C.1.b. Semi-Flush, to increase the allowable percentage that garage doors can extend on the width of the house from 40% to 55%. The motion was seconded by Commissioner McCarty and passed 8-1 with the following vote:

- For: (8) Commissioner Costilla, Commissioner Rand, Commissioner Sambrano, Commissioner Agnew, Chair Garber, Commissioner McCarty, Commissioner Spell, Vice-Chair Kelsey
- Against: (1) Commissioner Moore

Discussion:

- The Commission discussed whether or not there is a need for specific percentages for flush and semi-flush garages or if they could work with the same percentages.
 - Staff discussed that the lot width percentage of 55% proposed for the flush garage design was determined during conversations with homebuilders during the Alternative Compliance requests and was a percentage that met their needs.
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AMENDMENT (did not receive a second):

Commissioner Sambrano made a motion to remove the statement in proposed amendment #5 that states "A single garage door shall not exceed 16' in width. If two garage doors are proposed, each garage door shall not exceed 8' in width." From Section 7.1.4.1.C.1.a.4. The motion failed for lack of a second.

Discussion:

- The commission asked why there were very specific widths and sizes on the garage doors. Staff discussed that it was a standard that originated during discussions with homebuilders during previous Alternative Compliance requests and adds an additional standard for articulation and aesthetics for the overall home.
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OTHER DISCUSSION:

- Commissioner Agnew stated that staff may want to consider revising Amendment #5, specifically section 7.1.4.1.C.1.a.4, to take into consideration three-car garages in the sentence "If two garage doors are proposed, each garage door shall not exceed 8' in width."