June 28, 2016 Meeting

INFORMATION RECEIVED
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Del Mar Ad-Hoc Development Review Process Citizens’ Advisory Committee Statement of Mission/Purpose:
1) Identify the concerns related to community impacts of new and remodeled homes;
2) Identify the goal to be achieved in potentially modifying regulations/procedures; and
3) Recommend solutions to remedy the situation, including possible amendments to the regulations in the Municipal Code and/or the City’s development review procedures.
(Ref. City Council Resolution 2015-24)

RULES ON PUBLIC COMMENT:
Anyone may address the Committee for three minutes on items listed on the agenda. When recognized by the Committee Chairperson, please step forward and state your name and address. The committee may ask questions of you, to which you may respond. State law precludes the Committee from acting on any topic that is not an action item on the posted agenda. For items not on the agenda, please see: Oral Communications.

1. CALL TO ORDER; ROLL CALL
2. APPROVAL OF MINUTES (June 14, 2016 meeting)
3. CITY COUNCIL LIAISON COMMENTS
4. ORAL COMMUNICATIONS (NON-ACTION ITEMS)
   State law precludes the Committee from acting on any topic that is not an action item on the posted agenda. Your information may be received, placed on the next agenda, or referred to the Committee Chair.
5. CHAIRMAN’S REMARKS
6. REVIEW OF DRAFT PHASE 2 PROBLEMS LIST AND DISCUSSION OF PRIORITIZATION OF PROBLEMS AND PRESENTATION TO CITY COUNCIL
7. SUBCOMMITTEE REPORTS
   □ Improving the CPP or Alternatives (Nancy Doyle, Dean Meredith, John Graybill, Harold Feder)
   □ DRO (Harold Feder, Dean Meredith, Art Olson, Pat Bone)
   □ Related Development Ordinances (Dean Meredith, Richard Jamison, John Giebink, Pat Bone)
   □ Zoning Ordinances (Art Olson, Dean Meredith, Richard Jamison, John Giebink)
   □ Research/DRB Practice in Other Jurisdictions (Nancy Doyle, Anne Farrell, John Graybill, Richard Jamison)
   □ Website (John Giebink)
8. DATE FOR NEXT MEETING & ITEMS FOR AGENDA
9. ADJOURNMENT
DRAFT MINUTES  
Del Mar Ad Hoc Development Review Process  
Citizens’ Advisory Committee  
City Council Liaisons: Don Mosier and Dwight Worden

CITY COUNCIL CHAMBERS – 2010 JIMMY DURANTE BLVD. SUITE #100  
TUESDAY, June 14, 2016 – 6:00 to 8:00pm  
City Council Liaisons: Don Mosier and Dwight Worden

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1) The meeting was called to order at 6:06 PM

2) ROLL CALL  
Council Liaison present: Don Mosier; Council Liaison absent: Dwight Worden  
Staff Member Present: Shaun McMahon

3) APPROVAL OF MINUTES (April 19, 2016 meetings)  
Moved John Giebink; second John Graybill; approved (M-S-C, 6-0).

4) CITY COUNCIL LIAISON COMMENTS  
Liaison Mosier reported that there was a Short Term Rental meeting last night at Powerhouse Park.

5) ORAL COMMUNICATIONS (NON-ACTION ITEMS)  
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There were no oral communications.

6) CHAIRMAN’S REMARKS  
Chairman Feder stated that he appeared before the Council at their last meeting, regarding the CPP revision and handbook/guidebook. The council accepted our recommendations and is having the
staff work on organizing and refining the regulations. There was a question regarding when the regulations would be presented to council; Shaun McMahon said he would report back.

Chairman Feder asked Vice Chair Richard Jamison to discuss the Research data spreadsheet and the document titled “DRAFT Problems & Concerns Phase II.”

Vice Chair Jamison reported that the research table was developed with clear and standardized criteria so that the comparisons were appropriate; the data includes 22 California cities with median incomes above Del Mar’s. He noted some of the points that can be taken from this data include:

- A majority of cities use design guidelines, design review, and a zoning code that backs those up.
- Some cities are unique, but a pattern in these peer-income cities is that there is a prescriptive zoning code that goes along with design guidelines.
- A few cities do not have design guidelines (including Manhattan Beach but it has anti-mansionization measures in its code; it is similar to Del Mar in some ways; Malibu does not have design review but there is considerable zoning review even though no actual architectural design review).
- Belvedere is a city that is largely flood plain so has relevance to parts of Del Mar.
- Ross is the smallest city—they have advisory design review that then goes to city council which sits as the Design Review Board.

He stated that a majority of these cities have design guidelines, historical preservation restrictions, restrictive hillside design guidelines, anti-mansionization measures such as extra 2nd story setbacks, a daylight plane that reduces bulk, etc. Some use an average front-yard setback, some have impervious surface limitations. These cities have both design guidelines and a zoning code that backs them up in terms of design principles.

In Del Mar, we do not have design guidelines and we have a relatively less restrictive zoning code than other peer income California cities. As a result, we put a lot of stress and responsibility on the DRB—we put more onto our Board than other cities do, due to a lack of design guidelines and zoning that is relatively non-prescriptive.

Committee member John Graybill asked where we go from here. Mr. Jamison said that we all can agree that the Del Mar design review system has worked fairly well; but clearly, there are problems, as reflected by the extensive public comment we received and the public pressure on the City Council to form the Ad Hoc Committee in the first place. To address some of these problems, we may need to address the zoning code. Mr. Jamison noted that as we go through discussion of the problems and concerns, and discussion of problem-solving, we want wherever possible to preserve the parts of the design review process that are working, and make improvements where we can, using the tools we have plus new tools such as design guidelines.

Chairman Harold Feder noted that the Ad Hoc Committee needs to come up with problems/concerns/issues to present to the Council. If they agree with these, we then will make recommendations to those the Council wants us to resolve. Therefore, the first step is to come up with the substantive issues. Through research, we know that we do not need to reinvent the wheel—these same design review issues permeate California, as our data shows. We have seen clearly that the public does not like the subjectivity of the process—although subjectivity and
objectivity are hard words to define. The challenge is not to be overly prescriptive and yet be able to remove some of the subjectivity out of the process.

Member Graybill stated that he had personally spoken with city planners in six different California jurisdictions on the research database. He found that these cities have design guidelines that are well spelled-out, and that most of them have stronger zoning codes than we do in Del Mar. Mr. Graybill, with his background in construction and development, is very aware that there is a fine line between too much restriction and not enough. We will need to come up with compromises.

Member John Giebink remarked on what Vice Chair Jamison stated—that it has been a long-term process in Manhattan Beach to come up with that city’s response to mansionization. He also noted that there are inherent problems in the definition of what is “reasonable” and this is something that frequently arises in design review disputes. Chairman Feder agreed that the definition of “reasonable” or “unreasonable” is a long-standing legal debate that he has often seen in his career as an attorney.

Member Giebink asked where the majority of restrictions are in other cities’ design regulations; Mr. Jamison answered that they were primarily in the zoning codes.

Chairman Feder reminded everyone that the Council’s charge to the Ad Hoc Committee is to identify what we believe are substantive issues/concerns/problems. Once we present those to the Council, they will tell us if they agree or disagree; and then direct us to find potential solutions to those concerns. He reiterated that we are just advisory to the Council. Hopefully, we will come up with solutions the Council believes are reasonable. We know that there are issues with the DRO and zoning codes, we just need to find the compromises.

Vice Chair Jamison stated that it behooves us to talk through the problems and see if there are sensible or reasonable solutions we can propose. Chairman Feder reminded everyone that the document, “Problems & Concerns, Phase II,” is just a draft—not definitive.

PUBLIC COMMENT

HOWARD GAD, 1828 Coast Blvd. Mr. Gad stated that the thing he believes is important is that design review be more codified. He stated he would rather deal with more finite and restrictive guidelines than the current “open” process that has ambiguity. Currently, working with the design review processes in Del Mar is like shooting at a moving target. Depending on the makeup of the DRB, which changes with some frequency with members who are sometimes reasonable, sometimes unreasonable, it can be difficult. Mr. Gad believes that more codification of the design review process would be better. He stated “If you know what you can do and what you can’t do, and the neighbors know it too, there is no arguing.”

Chairman Feder asked Mr. Gad if he talks with others in construction about this matter, and whether he thought they would share his belief. Mr. Gad said that yes, he believed so.

Chairman Feder stated his understanding that people want guidelines that are more definitive. In response, Mr. Gad stated that “I am all for reasonable restrictions. On things like view blockage, you need a human being to decide. However, other things are more objective. At the moment, Del Mar has more subjective than objective design review rules to follow, and that is difficult.”
noted that he has worked in a number of other cities and jurisdictions, and that in places like Laguna Beach, it was more codified than it is in Del Mar.

**BILL MICHALSKY** stated that he understands Mr. Gad’s concerns, and feels that much of the resolution of current conflicts could be addressed through changes in the Zoning Code. There, expectations are different. He believes to try to address issues of subjectivity through the DRO is challenging; and that the Committee should consider addressing issues through the Zoning Code.

Member John Graybill asked Mr. Michalsky (who is a current member of the DRB) whether it would be helpful if Del Mar had formal Design Guidelines. Mr. Michalsky said that he believed they would be helpful. He also felt that being specific about design guidelines within different zones of the city could also be very helpful.

**GREG ROTHNEM, 9th St.**, had a few thoughts he wanted to share. He stated that we know the Ad Hoc Committee needs to identify the problems on a factual, objective basis, as was requested by City Councilman Terry Sinnott. Mr. Rothnem felt the committee should identify the factual basis for each of these problems and also their root cause. Evidence supports any argument in court; in this case, data is needed to support identification of problems. In terms of the research, he asked if the Committee was basing it on public testimony alone or information from outside sources, city staff, or independent research. He felt there should identification of what is being used as a basis. He also referenced a list from Tina Thomas (9/3/2015). Finally, he asked the Committee to consider cost, complexity, balance of neighbor versus applicant rights, and the development of objective standards.

**ELLEN Haviland**, Rimini Road, offered congratulations to the Ad Hoc Committee on the presentation to the City Council and on their work thus far. She wanted to comment not so much on the specifics of the list, but noted that the work of the Ad Hoc Committee was relevant because of some of the other things going on in the City, such as the climate action plan (CAC), including the CAC policy to increase the tree canopy, and other related issues that can be impacted by the DROs or the zoning code. She also noted that the current debate over Short Term Rentals might be relevant, as issues of “what is a neighborhood?” are discussed—is a house for a family or does it become like a hotel with short-term visitors moving in and out?

**TIM HAVILAND**, Rimini Road, stated that as a DRB member, what he has heard over and over from neighbors and applicants is that they want more pictures and images to help them understand projects—whether 3D renderings, or photos that illustrate view blockage, for instance. Images make things more clear for everyone who is not an architect and can understand 2-D plans. By not having that kind of transparency, the design review process becomes the “dartboard” for an applicant, as Mr. Gad described. Another issue Mr. Haviland raised is the availability of architectural plans during the DRB process and before. He recommends that they somehow be accessible on-site and that there should be greater access than just at City Hall during certain business hours. Mr. Haviland recalled that at the joint DRB/Ad Hoc meeting earlier in the year, there was discussion of enforcement, noting how difficult it is to correct mistakes or intentional changes after the fact. He feels it is very important to catch issues early. If there are additional penalties to ensure enforcement, he feels that ultimately this can help applicants by giving them greater definitiveness and clarity.
Vice Chair Jamison noted that there is a lot of pressure on the DRB, but Mr. Haviland said there is also a lot of pressure on applicants and builders. That is why this Ad Hoc Committee’s review process is so important.

7) REVIEW OF PROBLEMS & CONCERNS PHASE II
The Committee discussed ten issues that were extrapolated from public testimony, correspondence, subcommittee discussions, and other input received by the Committee. Vice Chair Jamison noted that we have also compiled significant research outside Del Mar, looking at other cities and studying them in terms of their design review processes. The research shows that there are a number of cities that do things differently from Del Mar, in some cases better, and we should learn from that.

1) Bulk & Mass
One thing that research has shown is that most jurisdictions ensure that new residential development is similar in mass, bulk, and scale to the immediate neighborhood. Neighborhood compatibility is an important value to retaining the character of a community. It is important to address the visual impact of new development as viewed from the street and adjoining properties in terms of bulk and mass. Because of increased property values as well as changes in lifestyle, there is no doubt homes are getting bigger in terms of bulk and volume, moving closer to minimum street and side yard setbacks, utilizing land more intensively, and that is changing how neighborhoods look. There historically were a variety of setbacks in Del Mar, but now projects go for the minimum setbacks in most cases. Del Mar is not alone in this; every city struggles with this issue.

One problem we have identified is that we have one Design Review Ordinance but twelve different zones in the city, with widely varying geography and character. Thus, zone-specific design guidelines may be an effective tool for improving the design review process. Bulk and mass remain the key issues; it hard to get at them completely through the code, which is why so many cities have design guidelines.

Chairman Feder reminded everyone that our Committee’s charge is whether we believe these issues are, in fact, the problems.

Vice Chair Jamison asked how much effort we want to go through to define “neighborhood”? The question is relevant in Del Mar because Del Mar is so eclectic. Should we try to do that, or put the onus on the applicant? We use the word “neighborhood” in the DRO, but it is never defined. Chairman Feder stated that this is one of the analyses we must make—how precise do we need to be in that definition?

Liaison Don Mosier stated his belief that the impetus for the formation of the Ad Hoc Committee was to reduce conflict between neighbors and applicants. That seems to him the overriding problem to be solved. He stated that he felt defining “neighborhood” may be too deep in the weeds.

Chairman Feder replied that if you can have clearer and more objective guidelines, you will have a standard to meet and therefore there will not be so many battles over subjectivity.

Chairman Feder asked what was Mr. Mosier’s view on how to present our work to the Council at the next stage? Mr. Mosier stated that he felt the Committee should present problems that can be solved by zoning changes, refining of the DROs, and improving the DRB training. He stated that if
Council sees a list of ten problems, it is too many. The Committee should instead focus on the four or five tough problems.

Chairman Feder stated that he feels these issues need discussion by the subcommittees.

Councilmember Mosier replied that if the Committee is going to narrow the list down, it is important to be focused on things where you can foresee a solution that can be solved with zoning code changes, etc. He thinks the Committee should come with strong recommendations, but fewer of them. He believes the Council would like to see fewer problems identified, but some solutions as well.

2) Preserving neighborhood character by encouraging the retention/remodeling of existing homes
Vice Chair Jamison asked if there currently are disincentives in our zoning code to remodel homes (50% valuation worksheet)—and if this part of the Code (nonconformities) is creating neighborhood compatibility problems?

3) Preserving access to public and private views while applying a standard of reasonableness
The Committee agreed that we may never get to a standard of reasonableness but we could establish view preservation principles. Addressing this issue is a challenge.

4) Preserving the Del Mar streetscape
One of the pleasures of Del Mar is that it is a walking community, and we do not want that to change. Thus, it is important that projects leave a natural edge on a property—that is something that is not always assured in new developments, and could be changed by DRO or zoning modifications.

5) The lack of zoning design standards that reflect neighborhood diversity within our community
There are a number of issues that could be addressed by zone-specific codes. For example, in the flood overlay zone, if there was a special design standard for addressing compliance with FEMA restrictions and neighborhood compatibility, it could be less onerous for the DRB. Another example is the 14-foot height limit in the Bluff/Slope/Canyon zone; that zone could benefit from a zone-specific design guideline with further guidance on how the height restriction should be applied.

6) Retaining and enhancing the open natural atmosphere of Del Mar
There was considerable testimony that the land conservation ordinance is one of the least-used by the DRB, yet one of the most important DROs in meeting the goal of retaining the open, natural atmosphere of Del Mar.

7) Reducing the effective bulk and environmental impact of hillside development
Hillside integration is critical, and is something that many other cities have addressed in their design guidelines and ordinances: how a house fits into a hillside. There is also an issue with excess bulk/volume on hillside homes and how that affects the natural character of Del Mar.

8) Minimizing the privacy intrusions
One question to be asked is whether we can codify the things that intrude on privacy of neighboring properties so that they are less controversial and there are fewer neighbor disputes over privacy?
9) Minimizing nuisance noise impacts and impacts from outdoor lighting
Many other cities have ordinances that address specific impacts associated with lighting (Santa Barbara is an example); does Del Mar need a similar lighting ordinance?

10) Achieving water efficiency and consistency with Climate Action Plan goals
This is another critical issue. The DRO and zoning code need to comport with the Climate Action Plan and the State Water Efficient Landscaping Ordinance (WELO) that has been adopted by Del Mar. We are not out of the woods on water conservation. Design guidelines and zoning can address such things as water and energy conservation through landscape and other means.

Chairman Feder asked that each subcommittee should determine which of these ten are priorities, which could be consolidated, and asked that everyone come to the next meeting with their stated priorities from this list of ten, or suggest others if they identify them.

PUBLIC COMMENT

GREG ROTHNEM: He recalled that former planner Adam Birnbaum had stated that bulk/mass, privacy, and view disputes caused 85% of the problems with the DRB process. He felt the Ad Hoc Committee should focus on those three things. He stated that if the committee came up with objective standards for those three things, a lot of animosity would be dissipated.

BILL MICHALSKY stated his opinion that some of these items could be combined or consolidated. For example, neighborhood diversity, bulk/mass, etc., could be seen as one issue. As a DRB member, he feels that some of the concerns of the Beach Colony are fairly straightforward; but it is more challenging in the south R-2 and up the hill in terms of neighborhood diversity. He stated his opinion that eliminating roof decks could solve many problems. Vice Chair Jamison asked if they could be eliminated by a change in the zoning code; Mr. Michalsky said he believe they could, and that other issues, such as lighting, made more sense to be addressed by ordinance.

Vice Chair Jamison noted that in the original Ad Hoc Committee work plan, it was recommended that the Committee meet with the City Attorney. He asked if that was still necessary. Council Liaison Mosier replied that work of the Committee will have legal review in any case, and the Committee can always ask staff to convey questions to the City Attorney if necessary; he did not feel a special meeting was necessary.

8) ITEMS FOR NEXT AGENDA (JUNE 28, 2016)
Because of scheduling conflicts, the next Ad Hoc meeting will begin at 6:15PM on June 28 in the new temporary City Hall chambers.

Chairman Feder strongly encouraged each subcommittee to meet before then, and for each Committee Member to please prioritize the list of 10 items prior to June 28.

9) ADJOURNMENT
Patricia Bone moved for adjournment; John Graybill seconded; by a vote of 6-0, the meeting adjourned at 7:27pm.
PROBLEM 1): Ensuring that new residential development is similar in mass, bulk, and scale to the immediate neighborhood.

SPECIFIC EXAMPLES

a) Single family residential building bulk/mass as viewed from the street and adjacent properties
b) Definition of Neighborhood/Neighborhood Compatibility
c) Reducing the effective bulk of hillside development
d) Encouraging the retention/remodeling of existing homes to preserve neighborhood character
e) The lack of zoning design standards that reflect neighborhood diversity within our community
f) Non FAR bulk and mass/definition of “Floor Area”

RELEVANT CITATIONS

i) DRO 23.08.077 C. The design is out of scale with other structures in the neighborhood.

ii) DRO 23.08.077 D. The design is not harmonious with or is functionally incompatible with the surrounding neighborhood in one or more of the following respects: 2. Structural siting on the lot; 3. Existing improvements or natural elements in the area; Architectural features and ornaments; 5. Type and quality of material.

iii) DRO 23.08.077 E. The component elements of the design are not in proportion to one another.

iv) DRO 23.08.078 A. The proposed development fails to coordinate the components of exterior building design on all elevations with regard to color, materials, architectural form, and detailing to achieve design harmony and continuity.

v) DRO 23.08.078 B. The proposed development fails to limit the number of materials on the exterior face of the building resulting in inharmonious design and lack of continuity.

vi) DRO 23.08.078 E. The proposed development fails to limit the amount of design components that unnecessarily add bulk and mass to the building but which are not calculated as floor area ratio (FAR) pursuant to DMMC Title 30, the Zone Code. [Ord. 647, Sec. 2]

vii) DRO 23.08.076 I. The proposed development fails to utilize landscaping to effectively compliment building elevations and soften the appearance of structures.

viii) DRO 23.08.077 L. The proposed development fails to avoid similar or identical building facades on the same or adjacent parcels.
ix) **DRO 23.08.072 I.** The proposed development does not functionally use open space between separate structures.

x) **DRO 23.08.077 B.** The design detracts from the natural beauty of the coastal area.

xi) **DRO 23.08.077 D.** The design is not harmonious with or is functionally incompatible with the surrounding neighborhood in one or more of the following respects: 2. Structural siting on the lot; 3. Existing improvements or natural elements in the area

**PROBLEM 2): Retaining and enhancing the open natural atmosphere of Del Mar.**

**SPECIFIC EXAMPLES**

a) Preserving access to public and private views
b) Protecting the Del Mar streetscape
c) Achieving water efficiency and consistency with Climate Action Plan goals in landscape plans
d) Protecting natural landforms and established landscaping from unreasonable modification

**RELEVANT CITATIONS**

i) **DRO 23.08.077 H.** The proposed development unreasonably encroaches upon primary scenic views of neighboring property.

ii) **DRO 23.08.072 B.** The design will create a private or public nuisance.

iii) **DRO 23.08.072 E.** The design will cause the surrounding neighborhood to depreciate materially in appearance or value.

iv) **DRO 23.08.076 K.** The proposed development fails to minimize hardscape surfaces and limit excessive paving.

v) **DRO 23.08.076 A.** The natural state topography or landscaping is not being preserved insofar as practical, by minimizing tree and soil removal.

vi) **DRO 23.08.076 C.** The proposed development does not minimize the disruption of existing natural features such as trees and other vegetation, natural ground forms, and view.

vii) **DRO 23.08.076 D.** The proposed development fails to blend the proposed grading with the contours of adjacent properties.

viii) **DRO 23.08.076 F.** The proposed development unreasonably disrupts the existing natural topography or vegetation.

ix) **DRO 23.08.076 J.** The proposed development uses landscaping which is not well suited to Del Mar's climate without the use of extensive irrigation.

x) **Community Plan Environmental Management Element Goal 3.F.4.** Promote site development that Limits impact on and protects the natural integrity of topography, drainage systems, and water bodies.
xi) Community Plan Environmental Management Element Goal 1.G.8. Hazard and resource areas with the following characteristics shall be considered questionable and in some areas possibly unsuited for urban development and should only be allowed to develop if development can be done in accordance with the City of Del Mar and NPDES requirements: flood prone areas; wetlands; riparian corridors and areas generally with slopes of 25% grade or greater.

xii) Community Plan Environmental Management Element Goal 1.E.5. Establish special controls to protect the natural environment in areas of bluffs, slopes, and canyons having special conservation sensitivity.

xiii) Community Plan Environmental Management Element Goal H.4. Insure that future development results in a minimum disturbance of existing or natural terrain and vegetation and does not create soil erosion, silting of lower slopes, slide damage, flooding problems and/or severe cutting or scarring.

xiv) Land Conservation Permit DMMC 23.33.040 Denial of Application. The application shall be approved unless the Design Review Board makes one or more of the following findings based upon the evidence submitted at the public hearing: B. The proposed excavation or grading project will force the topography to be subservient to the development of the site; D. The excavation or grading project will alter the natural formations unnecessarily; E. The excavation or grading project does not provide for the restoration of the natural state of the site, to the degree feasible; F. The excavation or grading project does not minimize the loss of major vegetation, to the degree feasible.

PROBLEM 3): Need for “Good Neighbor” design principles / Relationship to adjacent properties

SPECIFIC EXAMPLES

a) Minimizing the privacy intrusions on adjacent homes from new development including the placement, location, and size of decks, doors and windows, etc.

b) Minimizing nuisance noise impacts and impacts from outdoor lighting such as glare, light trespass, and sky-glow

RELEVANT CITATIONS

i) DRO 23.08.072 D. The design will create an unreasonable invasion of the privacy of neighboring properties.

ii) DRO 23.08.072 J. The proposed development locates structures so as to unreasonably, adversely impact upon outdoor areas on adjacent properties

iii) DRO 23.08.077 F. The design would adversely affect the lighting or noise quality of the local neighborhood.

iv) DRO 23.08.077 I. The proposed development fails to minimize noise created by the proposed project (traffic, air conditioning, use, etc.) that may negatively affect the proposed project.

v) DRO 23.08.077 K. The exterior lighting is not functional, subtle or architecturally integrated with the building’s style, materials, or colors.
June 28, 2016

To: Mayor Sherryl Parks, Councilmembers Al Corti, Don Mosier, Terry Sinnott, Dwight Warden  
CC: DRO Ad-Hoc Committee  

From: Business Support Advisory Committee  

Re: Design Review Ordinance  

This committee has been encouraged to get involved with the Ad-Hoc committee that is looking into ways to improve the Design Review Ordinance as well as the process. After many discussions, we believe that the ordinance is not the problem. Implementation and the process seem to be where issues arise. Time and cost are both prohibitive. It is quite different for the businesses than it is for the residents, and having a separate process for commercial should be considered.

We believe it is the zoning ordinances rather than the design review ordinances that is preventing most of the business community from investing in and improving their properties. The floor area ratio, height restrictions, and parking ratio regulations are the most cumbersome for new and existing businesses.

At this point, we ask the DRO Ad-Hoc committee be aware that changes to the ordinance and the process will affect businesses as well as residences. If there are changes that will directly affect the businesses, we hope that the liaisons or city staff will bring it to our attention so that we may be involved in the discussion.

Submitted on behalf of the Business Support Advisory Committee

KC Vafiadis