



# CITY OF DEL MAR

TO: Design Review Board Members and Interested Parties

FROM: Matt Bator, AICP, Principal Planner

DATE: June 23, 2021

RE: DRB Special Training Agenda Item #3 - Staff and DRB Discussion and Recommendations Regarding Use of the Citywide Design Guidelines

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The primary topic and goal for the June 23, 2021 Design Review Board (DRB) Quarterly Training meeting is to: 1) revisit and discuss the intended use and application of the Citywide Design Guidelines by the DRB; and 2) identify and discuss specific Guidelines which staff and the DRB feel are in need of revision, interpretation, or potential removal. Given the limited amount of time afforded for the meeting, the purpose of this memo is to provide a framework to guide the conversation.

## Topic 1 – Use of the Guidelines

The City's Design Review Ordinance (DRO) section 23.08.090 states: *“By resolution, passed from time to time, the Design Review Board may announce design guidelines, which, though not binding, are intended to provide guidance to applicants.”*

At the recommendation of the City's Ad-Hoc Development Review Process Citizens' Advisory Committee (DRPCAC) in October 2016, the City Council directed staff to proceed with the review and selection process of a qualified consultant to assist in the preparation of design guidelines for future development in Del Mar. From January through October of 2017, staff and the selected consultant, RRM Design Group, worked with the DRPCAC to produce the single-family design guidelines. Those guidelines, along with additional guidelines for multi-family and commercial development, were approved by the City Council on November 6, 2017.

In the three-plus years that the Design Guidelines have been in use, there have been concerns raised from time-to-time by residents, design professionals, and most recently by City Council members (the latter during review of the comprehensive update to the DRB's Policy Manual), that the guidelines are often used as binding “regulations” and not as the objective and quantitative “recommendations” they were intended at time of adoption.

The Design Guidelines were presented to the City Council and the community in November 2017 as representing “an interpretive link between the expectations established by the City's Community Plan and the standards of the DRO meant to carry out those

expectations.” While the Design Guidelines may be used as a recommended “baseline” when considering various applicable project design elements, it is important to remember that the legal authority for the creation of the Design Guidelines does not allow for them to be regulatory or “binding.”

Topic 2 – Status and Use of Specific Design Guidelines

As with other municipal documents, design guidelines require periodic revision, clarification and/or deletions to remain contemporary and useable by staff, residents and the development community. Since implementation in 2017, staff has been making note of various issues arising from the use and/or interpretation of specific Guidelines. It is staff’s intent to present a comprehensive list of suggested revisions to the City Council when a status report of the Design Guidelines is given in the near future.

What follows are staff’s notes and recommendations regarding both various Guideline sections and specific Guidelines - some of which have been suggested by DRB members and the public over the last three years. These notes vary and include suggestions such as: needed DRO section references, suggested text modification of some Guidelines, alternative interpretations, and even the recommended deletion of a few specific Guidelines. The notes and suggestions follow the order of the Guidelines as they are presented in the document. Please review and be prepared to speak at the training meeting about any of the listed comments or suggestions and/or if you have any additional suggestions for consideration.

Overall Comment – The lettering scheme of the individual Guidelines should be changed to be lower case.

Section B – Good Neighbor Design Considerations

Relevant DRO	Guideline	Comment/Suggestion
23.08.077 (G)		Wrong DRO Citation; should be 23.08.077 (H)
	B.1 (B)	The DRB and staff observed during the review of a vacant lot that the “Borrowed View” maximum allowable obstruction percentages are difficult if not impossible to meet. Consideration should be given to increasing these.
	B.1 (C)	This Guideline <b>requires</b> visual simulations from up to three neighboring PLA’s. Consider replacing “applicants are required to” with “applicants are encouraged to.”
	B.2 (C)(3)	Consider revising this sub-Guideline to be a standalone guideline, applicable to any orientation of a second-story deck. Also, it is staff’s interpretation that the recommended 100 sf limitation is not cumulative.

	B.3 (B)	This Guideline discourages something that is not allowed by Zoning. It should be removed. If a variance is approved to allow a fireplace/chimney within a yard setback area, DRB denial should be based on a specific adverse impact, not a general preference.

Section C – Site Planning and Design

Relevant DRO	Guideline	Comment/Suggestion
Missing		Missing references to relevant DRO's. Need to add Sections 23.08.077 C, D (1-6) and F.
	Needed	Consider adding an additional guideline to C.1 (Neighborhood Compatibility) encouraging the preservation of natural light and air between homes.
	C.1 (A)	Add "including corner lots" to the end of the guideline.
	C.1 (G)	Provide a photo to demonstrate. This guideline was meant to reinforce the "rural" aesthetic of the hillside where informally and natural appearing vegetation is a typical "edge treatment" along the street.
	C.3 (C)(4)	Remove "and/or"
	C.4 (B)	Clarify whether a cantilevered portion of an upper story should also be discouraged from encroaching into suggested hillside setbacks.  Provide a diagram.
	C.5 (B)(2)	After the word "developed," add "directly adjacent to"
	C.6 (C)	The purpose of this Guideline was to limit the perception of mass when terracing retaining walls by suggesting a height limitation of four (4) feet. This has been misinterpreted to mean that no single retaining wall should exceed four (4) feet in height. Staff recommends adding the following language to the end of the guideline, "in terraced retaining wall situations."

	C.8 (B)	This is likely the most questioned and controversial individual guideline. This Guideline should be reviewed for revision and studied for modifications that would eliminate issues such as one vs. two story construction, rounding up/down, definition of "landscape," should permeability be emphasized near or adjacent to bluffs (?), etc.
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Section D – Building Design

Relevant DRO	Guideline	Comment/Suggestion
	D.1 (A)(5)	Change "must" to "should"
	D.1 (L)	This Guideline should be considered for removal. The City's Average Adjoining Grade requirement already provides an objective calculation (based on site topography and building design) that limits the horizontal run of development.
	D.1 (N)	Add the following at the end of the guideline: "...and appearance of bulk and mass."
	D.3 (A)	Does the DRB feel these percentages are appropriate based on past applications and experience?  Should there be language to the effect that in applying the guidelines, the DRB should consider the extent to which non-FAR square footage contributes to Bulk and Mass?
	D.6 (O)	Add language to encourage the tinting of skylights to reduce the possibility of light trespass and sky glow.
	D.6 (R)	Should revise to say: "Avoid locating glass walls that would be visible from neighboring homes and open space/natural areas to minimize light trespass and building glow."