



**CITY OF DEL MAR  
AD-HOC DEVELOPMENT REVIEW PROCESS  
CITIZENS' ADVISORY COMMITTEE  
WORK PLAN**

**Approved by the Committee on 9-1-2015  
Affirmed by the Del Mar City Council on 9-22-2015**

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## INTRODUCTION

The Del Mar City Council has tasked this Ad Hoc Citizen's committee to identify perceived problems with the current development review process in Del Mar.

Where problems are found to be real and correctable, the committee is charged to operate in an open and collaborative way, taking into account input from the public and all stakeholder groups, and to make recommendations for improvements to the various ordinances and practices that govern development review in Del Mar.

This Work Plan is the Ad Hoc committee's effort to set out how it plans to approach and achieve those directives. It is expected that the Work Plan will be subject to approval by the City Council and that, with Council approval, it may be revised from time to time as needed.

## MISSION/PURPOSE

This is the Committee's *Statement of Mission/Purpose*, as articulated and set forth by the Del Mar City Council (City Council Resolution 2015-24):

1. Identify the concerns related to the community impacts of new and remodeled homes.
2. Identify the goal to be achieved in potentially modifying regulations/procedures.
3. Recommend solutions to remedy the situation, including possible amendments to the regulation in the Municipal Code and/or City's development review process.

## GOALS OF COMMITTEE

1. To execute the goals set forth in City Council Resolution 2015-24.
2. To uphold the Del Mar Community Plan, which includes these applicable guiding statements:

*“The overall thrust of this Plan is to preserve the unique environment, low density character, and quality of life within Del Mar. In pursuit of this end, the following goals are to be used to guide the future development of the community and serve as the basic framework for the Del Mar Community Plan. Overall Goal: Preserve and enhance the special character of Del Mar, the elements of which are a village-like community of a substantially single-family residential character, a picturesque and rugged site, and a beautiful beach.”*

*“Central to this Community Plan is the principle that the interests of the community at large should be steadfastly protected within the framework of the essential rights of individual residents, property owners, and those doing business in the community. In implementing the plan, various kinds of conflicts are likely*

*to arise, such as those between private and public interests, between diverse private interests, and between the needs of those who primarily regard their property as a place for living and working and those who regard it as a commodity by which to profit. It is intended that such conflicts be resolved on the basis of the comprehensive and long-term concerns ... and under no circumstances should decisions be specifically directed to benefit any individuals of the community without regard to the interests of other members of the community.”*

*“Historically, although Del Mar has developed as a community of predominantly single-family homes, the citizens of Del Mar have permitted a considerable proportion of multiple housing units to be built within their village. While desiring to maintain this traditional tolerance for varied housing opportunities, the community should not allow its living qualities to be threatened by a trend toward excessively crowded housing. To check this trend by regulation requires that the City determine a proper housing distribution for the future and establish mechanisms for achieving this.”*

*“Del Mar is widely recognized, and most strongly held by its residents, to be a unique place. It is the feeling of most that this uniqueness stems from the community’s own consciousness of the need for preserving the environment and charm with which the community has been bestowed. Accordingly, the primary goal of this Plan is to preserve and protect that unique environmental quality which now is the Del Mar Experience.”*

3. To remain impartial throughout the work program and consider feedback from all interested parties.
4. To make the City’s development process easier, more objective, more open, more transparent, and less contentious for all parties.
5. To present recommendations to the City Council that will result in an improved development review process for all parties and the preservation of neighborhood character for the community.

## TIMELINE

This committee’s goal would be to complete its work within 12 months with quarterly reports to City Council on its progress. The committee will meet at least monthly, with subcommittee meetings also taking place.

The intention is to present final findings to the Del Mar City Council by September 2016.

## APPROACH OF THE COMMITTEE

There is consensus within the committee that a thorough review (the A to Z approach) of all aspects of the development process is necessary to identify all concerns/issues and make the recommendations that City Council is seeking. This review would be accomplished in part by establishing sub-committees to examine specific areas of concern and report back to the full committee and public. Other tactics that the committee may utilize in implementing the work program include:

- Meet with the full DRB to gain their input and insights;
- Meet with the full Planning Commission in the event that the committee makes recommendations that fall within their purview;
- Meet with the City's Planning staff to hear their perspective on problem areas;
- Invite a representative from the city attorney's office to attend a committee meeting and make a presentation on the legal constraints of regulating design and land use. This will be helpful to all in terms of putting the committee's work in an accurate legal context.
- Take public testimony and solicit feedback from residents on issues and concerns;
- Reach out to local residential architects and developers/builders (this could be done with a subcommittee or invite these individuals to a round table of the full committee) to hear their perspective on the process;
- Hold a community workshop to discuss perceived concerns and/or to target specific issues; and
- Review a sampling of completed projects to identify what "worked" and what didn't work, including the potential for field trips into the community of the entire committee or subcommittee(s).

## DETAILS OF THE WORK PROGRAM

### Objective 1: Identify the Concerns

*"Identify the concerns related to Del Mar community impacts of new and remodeled homes"*

The Committee is continually refining a list of issues and concerns expressed to date by members of the community, including residents, neighbors, applicants, architects, builders, and others. The most prominent concerns fall under the following key areas:

1. Community Character is being undermined by new residential development that is out of scale and incompatible with Del Mar neighborhoods;
2. Overly purposed exterior living space and structures that support this are allowed at the expense of mature, drought tolerant landscaping, including established specimen, parkway, and protected trees;

3. Uncertainty about whether the DRB—in applying the DRO—has enough tools in its tool box; understands how to use the tools it has; and if neighbors and applicants understand what tools the DRB has;
4. Both neighbors and applicants perceive the DRB process to be too subjective. Applicants report that the process is too long and that neighbors' expectations are unrealistic, while residents feel the process is rushed, and that deadlines for providing feedback are inadequate;
5. A mechanism is needed early in the process to facilitate dialogue and the sharing of project information with a greater number of residents. Both applicants and neighbors judge the CPP process to be ineffective and not conducive to fruitful negotiations.
6. There is an increase of proposed non-FAR features contributing to Bulk & Mass and creating neighborhood compatibility conflicts.
7. There has been a significant loss of mature trees and vegetation in the process of development.
8. There are concerns by some architects, builders, and applicants that the DROs are too vague and subjective, the process is too strict and difficult, the neighbors have too much power, and the process causes strife between neighbors.
9. There is a feeling on the part of residents that some applicants and their representatives are “gaming” the system, with an increasing number of proposed projects that maximize FAR and exempt floor area.
10. The cost of regulatory approvals is too high and takes an excessive amount of time for an applicant to acquire approval of their project.

## **Objective 2: Analysis of Concerns**

*“Identify and analyze the procedures and process, ordinances, and zoning, and research other jurisdictions’ development guidelines in order to make recommendations to the City Council for improvements.”*

In meeting this objective, input will be solicited from residents, applicants, architects, builders, and all stakeholders. This phase of the Work Plan is targeted at identifying the “problems” that various constituencies see with the current process, and the Committee will affirmatively reach out to solicit input in identifying those problems.

### **I. Design Review Procedures & Processes**

#### **A. Applications (DRB & ADR)**

##### **1) Project Notifications to Neighbors and Surrounding Community**

- 2) CPP Process
- 3) Public Review Time Frame
- 4) Plan Substitution Policy
- 5) Story Pole Policy
- 6) Transparency & Disclosure by Applicants

**B. Planning Department Procedures**

- 1) Process for Intake of New Applications & Sequencing
- 2) Preparation of Staff Reports
- 3) Ongoing Project Monitoring Post-Approval

**C. DRB Members**

- 1) Qualifications of Potential Design Review Board Members
- 2) Training for Members
  - a. Understanding How to Read Plans
  - b. Understanding How to Interpret Story Poles
  - c. Understanding of Basic Architectural Terminology
  - d. Development of training videos on the website for applicants and neighbors
  - e. Potential mentor system with experienced volunteers available to consult with applicants and neighbors
- 3) Attendance Policy
- 4) Disclosures
  - a. Site Visit Certification
  - b. Communication with Applicant and Applicant's representatives
  - c. Communication with Neighbors and Concerned Citizens
- 5) Negotiations with Applicants or Neighbors
  - a. Negotiations Prior To DRB Meeting
  - b. DRB Negotiations with Applicant at Hearing
- 6) Role of the Ex-Officio Member
- 7) Granting of Continuances

**D. Post-DRB Approval**

- 1) Substantial Conformance

**II. Design Review Ordinance (DRO) Review (Chapter 23.08)**

- 1) Review of DRO Mission Statement
- 2) Review DRO Definitions
  - a. Unreasonable Standard
  - b. Bulk & Mass
  - c. Views
- 3) Review of Regulatory Conclusions (Including But Not Limited to the Following)
  - a. Community Character
  - b. Privacy
  - c. Lighting & Noise
  - d. Topography and Landscaping

- e. Neighborhood Compatibility
- f. Views – Public & Private
- g. Non-FAR Bulk & Mass

**III. Review of Related Ordinances**

- 1) Zoning ordinances
- 2) Trees
- 3) Trees, Scenic Views & Sunlight
- 4) Land Conservation/Grading
- 5) Basements

**IV. Review of Municipal Code Section 30 Zoning**

**V. Research Development Processes in Other Cities**

- 1) Design Guidelines
- 2) Discretionary Review process
- 3) Other Enhancement Tools to be Identified

**VI. Review Benefits of New “Tools”**

- 1) Tools to Enhance Process
  - a. 3-D Modeling, e.g.
- 2) Tools to Communicate Process Enhancements & Changes (Web & Printed)
  - a. Guide to Residential Development Process in Del Mar
  - b. Brochure for Realtors & Potential Homeowners on Del Mar Community Goals & Design Review Process

**Objective 3: Recommend Solutions**

*“Recommend solutions to remedy the situation, including possible amendments to the regulation in the Municipal Code and/or City’s development review process.”*

- 1. Prepare draft recommendations and post for public comment.
- 2. Amend draft recommendations incorporating comments and suggestions made through the public process and outreach.
- 3. Present draft recommendations to City Council by September 2016 for consideration and implementation.

**Note:** It is possible that recommendations to improve process and procedures are identified early in the committee’s work. These recommendations could be made during the Committee’s quarterly reports to City Council and some of them could be implemented prior to the final draft recommendations.