

PLANNING & REDEVELOPMENT DEPARTMENT STAFF REPORT PLANNING COMMISSION MEETING APRIL 10, 2008

Prepared by: Mike Isom, Senior Planner

ITEM V-A:

ZONING ORDINANCE AMENDMENT — DESIGN REVIEW FOR COMPACT RESIDENTIAL DEVELOPMENT (PROJECT #2008PL-026)

REQUEST

Staff is forwarding modifications to the Zoning Ordinance to require design review for Compact Residential Development projects to the Planning Commission for review and recommendation. The proposed text amendments are consistent with the Council's direction to implement design review for Compact Residential Development upon adoption of the revised Community Design Guidelines and the Community Design Visioning Committee's recommendations.

BACKGROUND

On March 19, 2008, the City Council unanimously adopted the Community Design Visioning Committee's recommendations, including adoption of the updated Community Design Guidelines document. A component of the Council's action was to direct staff to immediately initiate a Zoning Ordinance Amendment to implement design review for Compact Residential Development projects. Note that Planning staff is also concurrently working on the larger Zoning Ordinance update, which is also scheduled for Planning Commission consideration on April 10th as a separate agenda item.

In forming and providing direction to guide the work of the CDVC, the Council instructed that the Sierra Vista and Creekview Specific Plans be exempted from the requirements of the Compact Residential Design Guidelines, as these specific plans would be required to adopt their own design guidelines. The Sierra Vista and Creekview Specific Plans have not yet been annexed into the City. The Zoning Ordinance cannot specifically exempt an area from regulation if the property to be exempted is not within the City's jurisdiction. At the time these specific plans are brought forward for consideration, the Zoning Ordinance would need to be amended again to exempt these areas, should that be the direction of the Council.

The following evaluation identifies the sections of the Zoning Ordinance that require modification to implement the Council's direction for compact residential. The proposed revisions are indicated in strikeout / double underline format in Exhibit A and are further explained below.

EVALUATION

Chapter 19.95 - Definitions

Proposed Text Revisions

19.95.030 - Compact Residential Development: Attached or detached single-family housing units on a parcel or parcels with a general plan land use designation of medium density residential or higher (seven dwelling units per acre or higher, as depicted on the general plan land use map).

Objective of Revisions

1) To incorporate a definition of Compact Residential Development into the Zoning Ordinance that is consistent with terminology utilized in the Community Design Guidelines adopted by the Council.

Chapter 19.74 - Permit and Variance Requirements

Proposed Text Revisions

19.74.010.D - Design Review Permit for Residential Subdivisions (DRRS) - A design review permit for residential subdivisions shall be obtained when required in Article II concurrent or following processing an application for a tentative residential subdivision map, to establish design standards for a residential subdivision or as a separate permit when modifying existing design standards. The approving authority for design review for residential subdivisions is the planning commission. A DRRS application may be referred to the design committee by either the planning director or a project applicant if there is an interpretation that a project is not consistent with the compact residential development component of the community design guidelines. If referred, the design committee shall provide an advisory recommendation to be considered by the planning commission.

> Objectives of Revisions

1) Identify the entitlement that will be required for review of Compact Residential Development projects.

The DRRS entitlement is currently utilized for residential development projects in the Small Lot Residential (RS) zone district where modifications to the Supplemental Design Standards are proposed. The supplemental design standards are applied in addition to the RS development standards (setbacks, coverage, etc.) and include the following:

- **1. Front Yard Stagger:** Two (2) feet between adjacent residential units, measured from the front yard setback.
- 2. Stagger For Third Car Garage: Two (2) feet between third car bay and two car garage.
- **3.** Two Story Unit Mix: No more than three (3) two story units may be located adjacent to one another regardless of street frontage.
- **4. Separation Between Second Story Elements:** A minimum of twenty (20) feet shall be provided between second story elements of adjacent two story dwellings.

The existing DRRS entitlement is currently required only when modifications to any of the four supplemental design standards are requested by an applicant. The proposed revisions would require a DRRS entitlement for all Compact Residential Development, as defined on page 3. Within the last five years, DRRS applications have become more commonplace, particularly as lots become progressively smaller and lot yield becomes more important. The most common request for deviation is from the two story unit mix requirement. Projects would still be allowed to deviate from the supplemental design standards, provided the product type met the intent of the Compact Residential Design Guidelines.

2) Implement the review process recommended by the CDVC and endorsed by the City Council.

The review process endorsed by the Council introduces the Design Committee in an advisory role to the Planning Commission in instances where disagreements arise between the City and an applicant concerning a project's consistency with the Compact Residential Design Guidelines. Referring a project to the Design Committee is an optional step in the process in which the Design Committee would provide a third party perspective and recommendation to the Planning Commission. Flow charts outlining the process adopted for review of Compact Residential Development projects are included as Attachments 1 and 2.

<u>Chapter 19.10 – Residential Zones</u>

Proposed Text Revisions

19.10.050 - Design Review Required for Compact Residential Development

- <u>A. Applicability. Design review shall be required for compact residential development projects that qualify under either of the following:</u>
 - 1. Attached or detached single-family housing units on property with a general plan land use designation of medium density residential or higher (seven dwelling units per acre or higher, as depicted on the general plan land use map), or
 - Residential projects of any density on a parcel or parcels zoned small lot residential (RS) where modifications to the RS supplemental design standards are requested.
- B. Approvals Required. Compact residential development projects shall require approval of a design review permit for residential subdivision (DRRS). The approving authority for the DRRS shall be the Planning Commission, provided, however, that modifications may be approved in accordance with subsection 19.10.050(D).
- C. Exceptions. The residential development standards identified in Section 19.10.030(A) applying to compact residential development projects may be modified, expanded or eliminated through the approval of a design review permit for residential subdivision (DRRS), as provided for in Article V of this Title.
- <u>D.</u> <u>Modifications.</u> <u>Modifications to a DRRS previously approved by the planning commission may be approved by the planning director, pursuant to the requirements of Section 19.76.180.</u>

> Objectives of Revisions

1) Identify the circumstances under which design review is required for a compact residential project, consistent with the CDVC's recommendations.

As outlined in the updated Community Design Guidelines, attached or detached residential projects are subject to design review if the land use designation is Medium Density Residential or higher. In addition, projects with RS zoning and a General Plan Land Use designation other than MDR that seek approval to modify any of the four supplemental design standards (e.g., all two story units) are also subject to design review. This could include projects in the upper range of the Low Density Residential land use category with RS zoning when modifications to the supplemental design standards are proposed. Note that projects with standard Single Family Residential (R1) zoning will not be subject to design review under these revisions.

2) Identify the approving authority for Compact Residential Development projects (Planning Commission).

As noted on page 2, the Planning Commission is the approving authority for Compact Residential Development. This is because the Planning Commission is the approving authority for Tentative Subdivision Maps, which will typically accompany a CRD project.

3) Specify that modifications to a DRRS previously approved by the Planning Commission may be approved administratively by the Planning Director.

Similar to the current administrative approval process outlined in the Zoning Ordinance for Design Review Permit Modifications and other administratively approved permits, staff proposes that the Director be given the authority to approve minor changes to a previously approved DRRS, provided the change is consistent with the original approval or does not change any of the findings of the original approval.

4) Create a process to allow deviations from the Small Lot Residential development standards for Compact Residential Development (i.e., setbacks, coverage, etc.) that does not require an overlay zoning district through approval of a rezone.

One of the incentives recommendations of the CDVC was to explore ways to make exceptions to setbacks and other development standards easier to obtain to encourage well-designed compact residential products. The current process for deviating from prescriptive development standards is to modify the RS zoning through the use of an overlay zoning district (e.g., RS/DS). This process requires a hearing and recommendation by the Planning Commission to the City Council, followed by two Council hearings, followed by a 30-day referendum period. The entitlements are costly and, due to statutory requirements (i.e., noticing), processing timeframes can be quite lengthy.

The City has recently approved several Compact Residential Development projects. All of these recent projects were associated with a Rezone and requested modifications to the underlying development standards (e.g., setbacks). Depending on the size of the lots proposed in compact neighborhoods, deviations from the development standards may be warranted or necessary to achieve target densities. As such, a process is needed that would allow consideration of deviations without the need for a Rezone.

In response to this need, staff recommends that the DRRS be used as the mechanism to approve deviations to zoning standards for Compact Residential Development projects. As explained on page 2, the DRRS would now be the entitlement required for all compact residential projects. Through review of the DRRS, the Planning Commission could approve modifications to the zoning standards. The Planning Commission would be the final approving authority, unless appealed to the Council. This process provides a significant incentive through entitlement cost and time savings associated with a Rezone.

The intent is that DRRS applications would be reviewed concurrent and in concert with Tentative Maps to ensure that the design of the subdivision is suitable for the unit types proposed. Although concurrent processing is most desirable, a process is provided for subsequent review of DRRS applications following Tentative Map approvals, should that be necessary or desired by project applicants.

CONCLUSION

The proposed text amendments will effectively implement the Community Design Visioning Committee's recommendations, and Council's direction, concerning design review for Compact Residential Development. Further, in keeping with the Council's direction to explore incentives, the proposed provision to allow deviations from zoning standards through the DRRS process streamlines the approval process for Compact Residential Development. Staff therefore recommends that the Planning Commission recommend approval of the proposed text amendments to the City Council.

ENVIRONMENTAL DETERMINATION

The proposed Zoning Ordinance Text Amendments will implement an administrative procedure to require architectural review for specified residential housing types. Adoption of these text amendments constitutes an organizational or administrative activity of government that will not result in a direct or indirect physical change to the environment. As such, action on the text amendments is not considered a "project" pursuant to Section 15378(b)(5) of the CEQA Guidelines and is therefore not subject to environmental review pursuant to Section §15061(b)(3) ("General Rule").

RECOMMENDATION

The Planning & Redevelopment Department recommends that the Planning Commission:

A. Recommend that the City Council approve the **ZONING ORDINANCE TEXT AMENDMENT** amending Chapters 19.10, 19.74, & 19.95 of the Roseville Municipal Code (Zoning Ordinance) – **PROJECT #2008PL-026** as provided in **Exhibit A**.

ATTACHMENTS:

- 1. Review Process Flow Chart for Compact Residential (Tentative Map and DRRS)
- 2. Review Process Flow Chart for Compact Residential (Tentative Map only)

EXHIBITS

A. Zoning Ordinance Text Amendments