

ARTICLE 6

Land Use and Development

Permit Procedures

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CHAPTER 17.60 - APPLICATION FILING AND PROCESSING

Sections:

- 17.60.010 - Purpose of Chapter
- 17.60.020 - Authority for Land Use and Zoning Decisions
- 17.60.030 - Concurrent Permit Processing
- 17.60.040 - Application Preparation and Filing
- 17.60.050 - Application Fees
- 17.60.060 - Initial Application Review
- 17.60.070 - Environmental Assessment

17.60.010 - Purpose of Chapter

This Chapter provides procedures and requirements for the preparation, filing, and processing of applications for the land use permits required by this Zoning Code.

17.60.020 - Authority for Land Use and Zoning Decisions

Table 6-1 (Review Authority) identifies the City official or body responsible for reviewing and making decisions on each type of application, land use permit, and other approvals required by this Zoning Code.

17.60.030 - Concurrent Permit Processing

- A. When a single project incorporates different land uses or features so that this Zoning Code requires multiple land use permit applications, the Director may determine that all of the applications shall be filed concurrently, and reviewed, and approved or disapproved, by the highest level review authority assigned by Table 6-1 to any of the required applications. (For example, a project that requires a Zoning Map amendment and a Conditional Use Permit may be reviewed, and approved or disapproved by the Council (after a recommendation from the Commission), where a Conditional Use Permit application by itself may be reviewed and acted upon by the Hearing Officer.)
- B. The Director may authorize use of a single application form and submittal materials for multiple land use applications required by this Zoning Code.

TABLE 6-1 - REVIEW AUTHORITY

Type of Decision	Role of Review Authority (1)				
	See Section	Director/Zoning Administrator/Hearing Officer	DC (2)	BZA/Planning Commission (2)	City Council

Administrative and Amendments

General Plan amendments	17.74			Recommend	Decision
Interpretations	17.02	Decision (3)		(BZA) Appeal	CFR
Master Plans	17.61.050			Recommend	Decision
Planned Developments	17.61.110			Recommend	Decision
Specific Plans	17.68			Recommend	Decision
Zoning Code amendments	17.74			Recommend	Decision
Zoning Map amendments	17.74			Recommend	Decision

Land Use Permits and other Development Approvals

Adjustment Permits	17.61.070			Recommend	Decision
Certificate of Appropriateness	17.62.090	Decision (4)			Appeal/CFR
Code Compliance Certificates	17.61.020	Issued by Director			
Conditional Use Permits	17.61.050	(HO) Decision (3)		(BZA) Appeal	CFR
Creative Sign Permits	17.48.070	Decision	Appeal		Appeal/CFR
Design Review – City Sponsored Projects	17.61.030	Recommend	Recommend		Decision
Design Review – Non-City Sponsored Projects (See Tables 6-2 & 6-3)	17.61.030	Decision	Decision/ Appeal		Appeal/CFR
Development Agreements	17.66			Recommend	Decision
Expressive Use Permits	17.61.060	(ZA) Decision (3)			Appeal/CFR

Type of Decision	Role of Review Authority (1)				
	See Section	Director/Zoning Administrator/Hearing Officer	DC (2)	BZA/Planning Commission (2)	City Council
Land Use Permits and other Development Approvals (Continued)					
Filming Permits	17.61.090	Film Liaison (5)		(BZA) Appeal	CFR
Hillside Development Permit	17.29.010	(HO) Decision (3)		(BZA) Appeal	CFR
Master Sign Plans	17.48.060	Decision	Appeal		Appeal/CFR
Minor Conditional Use Permits	17.61.050	(ZA) Decision (3)		(BZA) Appeal	CFR
Minor Variances	17.61.080	(ZA) Decision (3)		(BZA) Appeal	CFR
Modifications for Persons with Disabilities	17.61.080	(ZA) Decision (3)		(BZA) Appeal	CFR
Sign Exceptions	17.48.050	(ZA) Decision (3)		(BZA) Appeal	CFR
Temporary Use Permits	17.61.040	(ZA) Decision (3)		(BZA) Appeal	CFR
Variances	17.61.080	(HO) Decision (3)		(BZA) Appeal	CFR

Notes:

- (1) "Recommend" means that the review authority makes a recommendation to a higher decision-making body; "Decision" means that the review authority makes the final decision on the matter; "Appeal" means that the review authority may consider and decide upon appeals to the decision of an earlier decision-making body, in compliance with Chapter 17.72 (Appeals); and "CFR" means Call for Review, in compliance with Chapter 17.72 (Appeals).
- (2) "DC" means the Design Commission and "BZA" means Board of Zoning Appeals.
- (3) The Zoning Administrator/Hearing Officer may defer action on permit applications and refer the items to the Board of Zoning Appeals (BZA) for the final decision.
- (4) The Director's decision to issue a Certificate of Appropriateness may first be appealed to the Historic Preservation Commission (HPC) and then to the Council.
- (5) The City's Film Liaison is the applicable review authority for short-term Film Permits and Film Conditional Use Permits, in compliance with Section 17.61.090.

17.60.040 - Application Preparation and Filing

The preparation and filing of applications for land use permits, amendments (e.g., General Plan and Zoning Map), and other matters pertaining to this Zoning Code shall comply with the following requirements.

- A. Standard procedures.** The standard procedures contained in this Section apply to all applications for discretionary permits required under this Zoning Code and under Municipal Code Title 16 (Subdivision Ordinance).
- B. Compliance with procedures.** All permits shall be processed in compliance with the standard procedure, except as otherwise provided by this Zoning Code, or State or Federal law.

C. Preapplication conference.

1. **Purpose.** The purposes of a preapplication conference is to:
 - a. Achieve better projects through early consultation between City staff and applicants;
 - b. Coordinate reviews of projects among City staff and City departments;
 - c. Familiarize applicants for the projects with the regulations and procedures that apply to the projects;
 - d. Avoid significant investment in the design of a project without preliminary directions from City staff;
 - e. Identify issues that may arise during review of the projects (e.g., conformance with any applicable design guidelines, conformance with the goals, policies, and objectives of the General Plan and the purpose and intent of any applicable specific plan, environmental requirements and possible recommended mitigation measures, possible recommended conditions of approval, requirements for public improvements, and possible concerns from adjoining neighborhoods);
 - f. Provide opportunities for discussion about the projects and an exchange of information on potential issues between City staff and the applicants for the projects; and
 - g. Inform the Council and the public of proposed development projects defined in the administrative guidelines to be of communitywide significance, by presenting the preapplication conference report at a Council meeting. This presentation shall only be for the purpose of informing the Council and the public of a proposed project, and not for the purpose of discussing the merits of the proposed project.
2. **Applicability.**
 - a. **Mandatory review.** A preapplication conference shall be required for projects subject to one or more of the following approvals:
 - (1) Master Plans or amendments to Master Plans;
 - (2) Multi-family projects consisting of ten or more dwelling units;
 - (3) New residential structures in the Hillside Development (HD) overlay districts that are located on lots with an average slope greater than 15 percent, and require a Hillside Development Permit in compliance with Section 17.61.050;
 - (4) Projects involving new construction of more than 25,000 square feet of nonresidential gross floor area;
 - (5) Projects that are located within the boundaries of a specific plan, if the review is required by the Director;

- (6) Projects that are defined in the administrative guidelines to be of communitywide significance;
- (7) Street vacations;
- (8) Subdivisions of land into five or more lots; and
- (9) Subdivisions of land in the Hillside Development (HD) overlay districts.

b. **Optional review.** The preapplication conference shall be conducted if requested by an applicant for a project that would require a discretionary land use entitlement or a Zoning Map amendment.

3. Procedures.

a. **Scheduling.** A preapplication conference shall be conducted before deeming an application complete, in compliance with Section 17.60.060 (Initial Application Review), below. However, the Director may authorize subsequent phases of a preapplication conference to be conducted after the application is deemed complete.

b. **Meeting.** The preapplication conference shall be conducted at a meeting in which the applicant for a project is invited and the applicable/responsible City department staff are in attendance.

c. **Applicable/responsible staff.** The City Manager, or designee, shall determine which City departments shall participate. The Director shall designate the staff person(s) to be responsible for scheduling and conducting the preapplication conference.

d. **Disclaimer.** Neither the preapplication conference nor information or pertinent policies provided by the City Departments shall be construed as a City recommendation for approval or disapproval of the application/project.

e. **Written report.** A written report containing the results of the preapplication conference and the staff comments on the project shall be provided to the applicant. For projects that are defined in the administrative guidelines to be of communitywide significance, the written report shall also be presented to the Council.

4. **Administrative guidelines.** The City Manager, or designee, shall issue administrative guidelines for implementation of the preapplication conference process.

D. **Application contents and fee.** The Director shall establish in writing the submittal requirements for permit applications required by this Zoning Code. All applications shall include the following submittal materials, as well as any additional materials identified by the Director:

1. A signed application form;
2. The application fee, if required, in compliance with the Council's Fee Resolution;

3. A completed environmental assessment form if the project is subject to the California Environmental Quality Act (CEQA), unless the form has been submitted with a previous application for the project; and
 4. Where the application requires mailed a public notice in compliance with Chapter 17.76 (Public Hearings), a map showing the location and street address of the project and all lots within the required notice-mailing radius for the permit, and a mailing list, keyed to the map, containing the names and addresses of the record owners of each lot, as shown on the County's latest equalized property tax assessment roll, in compliance with Chapter 17.76 (Public Hearings).
- E. Eligibility, filing.** All land use permit and other applications required by this Zoning Code shall be filed with the Department. Applications may be made by:
1. The owner of the subject property; or
 2. Any authorized agent or representative, with the written consent of the property owner.
- F. Filing date.** The filing date of an application shall be the date on which the Department receives the last submission, map, plan, or other material required as a part of that application by Subsection A., in compliance with Section 17.60.060 (Initial Application Review) and deemed complete by the Director.
- G. Revised materials.** Whenever an applicant desires/needs to file revised materials, the materials shall be submitted at least 10 days before a public hearing on the application. However, the Director may choose to accept revised materials after that time, upon determining that there is sufficient time to review them before the hearing date. In addition, the applicable review authority may continue an application until the next available meeting date in order to adequately evaluate materials received after the date of receipt of the application package.

17.60.050 - Application Fees**A. Filing fees required.**

1. The Council, by resolution, shall adopt a schedule of fees and charges for the various applications, approvals, extensions, filings, inspections, licenses, permits, reviews, services, and other actions required or provided for under this Zoning Code or required by State or Federal law or regulation and pertaining to any action specified in this Zoning Code. This schedule of fees and charges shall be referred to in this Zoning Code as the Council's Fee Resolution.
2. These fees and charges shall not exceed the reasonable estimated costs of the City expended in filing, performing the inspection, processing the application, providing the service, or undertaking the action or review required or provided by this Zoning Code.
3. The schedule of fees may be changed from time to time only by resolution of the Council.
4. City action shall not be taken with regard to any application, approval, extension, filing, inspection, license, permit, review, service, or other action until payment of the applicable fee or charge is made to the City.
5. Initial processing shall not commence on an application until all required fees/deposits have been paid. Without the application fee, or a deposit if appropriate, the application shall not be deemed complete.
6. The City is not required to continue processing any application unless additionally required fees/deposits (e.g., additionally required "real cost" deposits) are paid in full.
7. Failure to pay the applicable fees/deposits is grounds for disapproval of the application.

B. Refunds and withdrawals.

1. Recognizing that filing fees are utilized to cover City costs of public hearings, mailing, posting, transcripts, and staff time involved in processing applications, no refunds due to a disapproval are allowed.
2. In the case of a withdrawal, the Director may authorize a partial refund based upon the prorated costs to date and determination of the status of the application at the time of withdrawal.

17.60.060 - Initial Application Review

All applications filed with the Department in compliance with this Zoning Code shall be initially processed as follows.

- A. **Completeness review.** The Director shall review all applications for completeness and accuracy before they are accepted as being complete in compliance with Section 17.60.040.B (Application contents and fees) above.
1. **Notification of applicant.** The applicant shall be informed in writing within 30 days of submittal either that the application is complete and has been accepted for processing, or that the application is incomplete and that additional information, specified in the letter, shall be provided. All additional information needed shall be identified in the letter providing notice of an incomplete application.
 2. **Appeal of determination.** Where the Director has determined that an application is incomplete, and the applicant believes that the application is complete or that the information requested by the Director is not required, the applicant may appeal the determination in compliance with Chapter 17.72 (Appeals).
 3. **Environmental information.** The Director may require the applicant to submit additional information needed for the environmental review of the project in compliance with Section 17.60.070 (Environmental Assessment), below.
 4. **Expiration of application.** If the applicant does not provide the additional information required in compliance with Subsection A.1, above, within 120 days after the date of the letter requesting the additional information, the Director may consider the application withdrawn if the Director determines that reasonable progress toward completion of the application has not occurred. Application processing shall not resume thereafter until a new application is filed, including fees, plans, exhibits, and other materials that are required for any project on the same site.
 5. **Criteria for acceptance.** An application shall not be accepted as complete unless or until the Director determines that it is:
 - a. In compliance with zoning district requirements applicable to the site, except for a Zoning Map Amendment, Variance, or rezoning filed in compliance with Chapter 17.74 (Amendments); and
 - b. Includes all information and materials required by Section 17.60.040.B (Application contents and fees).
 6. **Violations on the site.**
 - a. The Director shall not find the application complete, and shall not process or approve the application, if conditions exist on the site in violation of this Zoning Code or any permit or other approval granted in compliance with this Zoning Code, except for an application for a permit or entitlement, if any, needed to correct the violation.

- b. The Director's authority under this Subsection shall apply whether:
 - (1) The current applicant was the owner of the subject property at the time the violation occurred; or
 - (2) The applicant is the current owner of the subject property with or without actual or constructive knowledge of the violation at the time of acquisition of the subject property.
- c. The Director's decision may be appealed in compliance with Chapter 17.72 (Appeals).

B. Referral of application. At the discretion of the Director, or where otherwise required by this Zoning Code, State, or Federal law, any application filed in compliance with this Zoning Code may be referred to any public agency that may be affected by or have an interest in the proposed land use activity.

17.60.070 - Environmental Assessment

After acceptance of a complete application, the project shall be reviewed as required by the California Environmental Quality Act (CEQA) and the City's *Environmental Policy Guidelines*.

CHAPTER 17.61 - PERMIT APPROVAL OR DISAPPROVAL

Sections:

- 17.61.010 - Purpose of Chapter
- 17.61.020 - Code Compliance Certificates
- 17.61.030 - Design Review
- 17.61.040 - Temporary Use Permits
- 17.61.050 - Conditional Use Permits and Master Plans
- 17.61.060 - Expressive Use Permits
- 17.61.070 - Adjustment Permits
- 17.61.080 - Variances
- 17.61.090 - Filming Permits
- 17.61.100 - Public Art Component

17.61.010 - Purpose of Chapter

- A. Permit review procedures.** This Chapter provides procedures for the final review and approval or disapproval of the land use permit applications established by this Zoning Code.
- B. Subdivision review procedures.** Procedures and standards for the review and approval of subdivision maps are found in Title 16 of the Municipal Code.
- C. Application filing and initial processing.** Where applicable, the procedures of this Chapter are carried out after those described in Chapter 17.60 (Application Filing and Processing), for each application.

17.61.020 - Code Compliance Certificates

- A. Purpose.** This Section provides a procedure for issuing a Code Compliance Certificate which is a form provided by the City, certifying that a use, structure, or sign complies with this Zoning Code. It shall include a statement that the applicant is the property owner, tenant, or authorized agent.
- B. Certificated issued in error.** A Code Compliance Certificate issued in error or based on false, incomplete, or misleading information shall be deemed void.
- C. Business License.** A Business License shall not be issued unless a Code Compliance Certificate has been issued by the responsible City official.
- D. Signs.** Signs not required to have a Building Permit shall receive a Code Compliance Certificate before their installation or application.

17.61.030 - Design Review

- A. Purpose.** Design Review is intended to implement urban design goals and policies and the Citywide design principles in the General Plan and to apply the City's adopted design guidelines to Design Review. More specifically, the purposes of Design Review are to:
1. Apply Citywide urban design principles to ensure that new construction supports the best of the City's architectural traditions;
 2. Encourage new structures that show creativity and imagination, add distinction, interest, and variety to the community, and are environmentally sustainable;
 3. Promote architectural and design excellence in new construction and discourage poor-quality development;
 4. Ensure that future development should:
 - a. Reflect the values of the community;
 - b. Enhance the surrounding environment;
 - c. Visually harmonize with its surroundings and not unnecessarily block scenic views; and
 - d. Avoid nostalgic misrepresentations that may confuse the relationships among structures over time.
 5. Ensure that new landscaping provides a visually pleasing setting for structures on the site;
 6. Promote the protection and retention of landmark, native, and specimen trees and if feasible mature canopy trees and other significant landscaping of aesthetic and environmental value;
 7. Ensure that the design, quality, and location of signs are consistent with the character and scale of the structures to which they are attached and are visually harmonious with surrounding development; and
 8. Promote the conservation, enhancement, preservation, and protection of historic resources.
- B. Applicability.** All projects are subject to Design Review in compliance with this Section, excluding exempted projects identified in Subparagraph 5., below.
1. **Review authority.** The review authority for Design Review is specified in Tables 6-2 and 6-3, below.
 2. **Design Commission may delegate to the Director.** The Design Commission may delegate other review and approval functions to the Director.

3. Role of design guidelines.

- a. Provide guidance.** The approved design guidelines shall provide appropriate guidance to applicants and the applicable review authority (e.g., Design Commission or Director) on how projects subject to Design Review shall be evaluated.
- b. Consistency with design guidelines required.** Design Review approval requires a finding of consistency with the applicable design guidelines. (See Subsection K. [Findings], below.)
- c. Adopting new or modified guidelines.** The Design Commission shall review and comment on proposed new design guidelines, or modifications to existing guidelines, and shall forward a written recommendation to the Council for its consideration when adopting the new or modified guidelines.

5. Exemptions and limitations. The following projects are exempt or otherwise limited from Design Review in all districts:

- a. Projects not visible from public view.** Projects that in their entirety are not visible from the public right-of-way.
- b. Projects with only partial public view.**

 - (1) Design Review shall concentrate on those exterior portions of the structure and related features that are in full or partial view from the public right-of-way.
 - (2) Design Review may also consider interior courtyards and building elevations out of public view in order to improve the visual relationship between new construction and its surroundings, to create more open views and improved access to light and air, and to ensure that predominant architectural and landscaping treatments are appropriately incorporated into the secondary elevations and open space of the structure.
- c. Interior features and interior alterations.** Interior features and interior alterations are exempt from Design Review unless they materially affect a structure's appearance from the public right-of-way.
- d. Signs.** Signs having no words or symbols exceeding three inches in height and temporary signs and banners are exempt from Design Review.

TABLE 6-2 - THRESHOLDS FOR DESIGN REVIEW AND DEMOLITION REVIEW IN THE CENTRAL DISTRICT

Project Type	Review Authority
1. New Construction.	
Structures up to 5,000 sq. ft.* or residential projects with nine or fewer dwelling units.	Director
Structures 5,000 sq. ft.* or more or residential projects with 10 or more dwelling units.	Design Commission
2. Existing Structures: Major Rehabilitation and Substantial Alterations.	
Arroyo Corridor, Civic Center, Lake Avenue, Old Pasadena, Playhouse District, and Urban Housing.	
Structures up to 10,000 sq. ft.*	Director
Structures 10,000 sq. ft.* or more.	Design Commission
3. Existing Structures: Minor Rehabilitation and Minor Alterations.	
A. Civic Center, Lake Avenue, Old Pasadena, and Playhouse District.	
All structures.	Director
B. Arroyo Corridor and Urban Housing.	
Qualifying historic structures, designated or eligible for designation.	Director
All other structures.	No Review
4. New Storefronts and Alterations to Existing Storefronts.	
All structures.	Director
5. Signs.	
New signs and awnings, replacement of existing building identity signs in existing locations (copy/logo change only).	Director
New building identity wall signs.	Design Commission
6. Demolition Reviews; Relief from Replacement Building Permit.	
Structures ineligible for historic designation.	Director
Qualifying historic structures, designated or eligible for designation.	Design Commission
7. City-owned property.	
Minor rehabilitation and minor alterations.	No Review
New construction, major rehabilitation, substantial alterations, and installations within the public right-of-way. (Advisory to the Council only.)	Design Commission

*Sq. ft. means total amount of gross floor area expressed in square feet.

**TABLE 6-3 - THRESHOLDS FOR DESIGN REVIEW
OUTSIDE THE CENTRAL DISTRICT AND ALL OTHER DISTRICTS**

Project Type	Review Authority
1. New Construction	
A. Major Corridors.	
Structures 5,000 sq. ft., up to and including 25,000 sq. ft.* (with street frontage).	Director
Structures over 25,000 sq. ft.* (with or without street frontage).	Design Commission
B. Areas with Specific Plans.	
East Colorado, East Pasadena, Fair Oaks-Orange Grove, North Lake Specific Plan (outside Lake-Washington sub-area), and So. Fair Oaks.	
Structures 5,000 sq. ft., up to and including 25,000 sq. ft.* (with street frontage).	Director
Structures over 25,000 sq. ft.* (with or without street frontage).	Design Commission
West Gateway & North Lake Specific Plan (Lake-Washington sub-area only).	
Structures up to and including 25,000 sq. ft.*	Director
Structures over 25,000 sq. ft.* (with or without street frontage).	Design Commission
C. City of Gardens Standards and Senior Housing in PS District.	
Nine or fewer dwelling units.	Director
Ten or more dwelling units.	Design Commission
Ten or more dwelling units (all projects in a designated landmark or historic district outside of the Central District).	Historic Preservation Commission
D. Elsewhere – Citywide.	
Structures 5,000 sq. ft., up to and including 25,000 sq. ft.* (with street frontage).	Director
Structures over 25,000 sq. ft.* (with or without street frontage).	Design Commission
2. Existing Structures: Major Rehabilitation and Substantial Alterations	
A. Major Corridors.	
Structures up to and including 25,000 sq. ft.* (with street frontage).	Director
Structures over 25,000 sq. ft.*	Design Commission

*Sq. ft. means total amount of gross floor area expressed in square feet.

**TABLE 6-3 - THRESHOLDS FOR DESIGN REVIEW
OUTSIDE THE CENTRAL DISTRICT AND ALL OTHER DISTRICTS (Continued)**

Project Type	Review Authority
2. Existing Structures: Major Rehabilitation and Substantial Alterations - Continued	
B. North Lake Specific Plan – Lake-Washington sub-area.	
Structures up to and including 25,000 sq. ft.* (with street frontage).	Director
Structures over 25,000 sq. ft.*	Design Commission
C. North Lake Specific Plan – Outside Lake-Washington.	
Structures 5,000 sq. ft., up to and including 25,000 sq. ft.* (with street frontage).	Director
Structures over 25,000 sq. ft.*	Design Commission
3. Existing Structures: Minor Rehabilitation and Minor Alterations.	
West Gateway Specific Plan.	
Qualifying historic structures, designated or eligible for designation.	Director
All other structures.	No Review
4. Signs.	
New signs and awnings (for all projects requiring Design Review only).	Director or Design Commission
5. Service Stations and Vehicle-washing Facilities.	
Minor rehabilitation and minor alterations.	No Review
Major rehabilitation of an existing facility.	Director
New construction of a new facility.	Design Commission
6. City-owned Property.	
Minor rehabilitation and minor alterations.	No Review
New construction, major rehabilitation, substantial alterations, and installations within the public right-of-way. (Advisory to the Council only.)	Design Commission

*Sq. ft. means total amount of gross floor area expressed in square feet.

C. Scope and stages of Design Review.

1. **Stages of Design Review.** Design Review shall consist of the following three stages:
 - a. Preliminary consultation; (See Subsection D., below.)
 - b. Concept Design Review; and (See Subsection E., below.)
 - c. Final Design Review. (See Subsection F., below.)

2. **Combining Design Review.** The Director may authorize combining of Concept and Final Design Review into a one-step Consolidated Design Review. (See Subsection G., below.)

3. May require 50 Percent Design Review.

- a. As a condition of Concept Design Review, the Design Commission may require an advisory 50 Percent Design Review of a project.
- b. The 50 Percent Design Review shall be advisory and not subject to an appeal or call for review.

D. Preliminary consultation. Preliminary consultation is an informal discussion between the Director and the applicant to explain to the applicant the applicable design guidelines, findings, and procedures that will apply to the project, and to discuss compliance of the project with the design guidelines.

E. Concept Design Review.

1. **Purpose.** Concept Design Review is the primary step in the Design Review process. Applications for Concept Design Review normally address the basic design of a project, including compatibility with surroundings, massing, proportion, siting, solid-to-void relationships, and compliance with applicable design guidelines.
2. **Procedures.** Concept Design Review applications shall be processed in compliance with Chapter 17.60 (Application Filing and Processing) except as provided in this Section.
3. **Public hearing required.** A public hearing shall be held on all Concept Design Review applications for which the Design Commission is the original review authority. The hearing shall be noticed and conducted in compliance with Chapter 17.76 (Public Hearings).
4. **Period of validity.**
 - a. Concept Design Review approval shall be valid for 12 months from the date of approval.
 - b. Approval shall expire and be void unless it has been extended by the Director in compliance with Chapter 17.64 (Permit Implementation, Time Limits, and Extensions), or unless an application for Final Design Review has been filed before the expiration date and determined complete.

F. Final Design Review.

1. **Purpose.** Final Design Review is the final phase of the review process. It normally focuses on construction details, finishes, materials, and landscaping, and on consistency of the project with the design approved during Concept Design Review and compliance with the conditions of the approved Concept Design Review.
2. **Review authority.** The Director shall be the review authority for Final Design Review, unless the Design Commission, acting as review authority during Concept Design Review, requires that it also conduct Final Design Review.

3. **Public hearing not required.** A public hearing is not required for Final Design Review.
4. **Period of validity.** Final design approval shall be valid for 24 months from the date of approval, and subject to the standard validity provisions of Chapter 17.64 (Permit Implementation, Time Limits, and Extensions).

G. Consolidated Design Review.

1. **One-step procedure.** The Director may authorize consolidating Concept and Final Design Review applications into a one-step procedure.
2. **Comply with Concept procedures.** Applications for Consolidated Design Review shall be processed in compliance with the procedures for Concept Design Review.
3. **Period of validity.** The period of validity shall be the same as for Final Design Review.

H. Expedited Design Review.

1. **Awnings, paint colors, and signs.** Applications for awnings, paint colors, and signs that meet the following criteria may be approved at the sole discretion of the Director, but with a five-day appeal period in compliance with Chapter 17.72 (Appeals):
 - a. Application is to replace a similar item existing on the structure in the same general location (e.g., like for like);
 - b. Awning fabric replacement;
 - c. Change of a face panel or copy on an existing sign;
 - d. Change of logo/graphics for an existing sign;
 - e. Paint scheme changes;
 - f. Replacing a projecting, flat-paneled sign on an existing bracket(s); and
 - g. Wall-mounted sign with no interior illumination.
2. **Required findings; Compliance with Zoning Code and consistency with design guidelines.** In all cases the request shall comply with the awning and sign regulations in the Zoning Code and shall be consistent with the design guidelines – as determined to be applicable by the Director.

I. Procedures.

1. **Standard procedures.** The provisions of Chapter 17.60 (Application Filing and Processing) shall apply to the Design Review process, except as modified by this Section.
2. **Time limits on Director's decisions.** Where the Director is the review authority, and a public hearing is not required, the Director shall render a decision on the application, and

provide written notice thereof to the applicant, within 15 days of finding the application complete.

3. **Notice of decision.** Written notice of all decisions on Design Review applications shall be provided to the applicant after the decision is made.
4. **Effective date.** Final action on a Design Review shall be effective on the 11th day after the date of the decision, in compliance with Chapter 17.64 (Permit Implementation, Time Limits, and Extensions).
5. **Design conditions.**
 - a. Changes in a project required as a condition of Design Review approval may include density, height, open space, parking or loading, and sign requirements, as long as the conditions are not more restrictive than those prescribed by applicable zoning district regulations or a valid Adjustment Permit, Conditional Use Permit, Development Agreement, Master Plan, Planned Development, Variance, or other legislative or zoning entitlements.
 - b. The role of Design Review for projects proposing new and amended Master Plans and Planned Developments shall be limited to recommendations to the Commission and Council on aesthetic and urban design issues related to architecture, landscaping, site plan, and related aesthetic issues, as well as historic preservation. Additionally, recommendations regarding the future scope of Design Review for the area within a Master Plan, and comments on the aesthetic/cultural resources of a draft environmental study are appropriate.
 - c. Design Review may require appropriate site plan revisions (e.g., different arrangements of open space), as well as revisions to the proposed building massing and transitions in scale of the structure(s), especially in historic districts to achieve greater compatibility between new construction and existing historic resources.
6. **Modifications.**
 - a. **Minor revisions.** The Director or the Design Commission may, without notice or public hearing, approve minor revisions to the plans, elevations, or conditions of approval upon determining that the changes are minor and consistent with the intent of the original approval.
 - b. **Major revisions.** Major revisions shall be subject to the provisions governing modification of permit approvals in compliance with Chapter 17.64 (Permit Implementation, Time Limits, and Extensions).

J. Public hearing provisions.

1. **Standard notice provisions.** Where a public hearing is required, notice shall be given and the hearing shall be conducted in compliance with Chapter 17.76 (Public Hearings).

2. **Notice for alteration projects.** Where the project for which the hearing is held involves only alterations, mailed and posted notice shall be distributed within 500 feet of the subject site's boundaries, in compliance with Chapter 17.76 (Public Hearings).
 3. **Combined notice allowed.** Combined notice may be given where:
 - a. A project requires a discretionary permit, in addition to Design Review, in compliance with this Zoning Code;
 - b. The permit will authorize construction of the project; and
 - c. The hearing for the permit is held before the Design Review hearing.
 4. **Combined notice provisions.**
 - a. In these cases, the hearing notice for the Design Review hearing may be combined with the hearing notice for the underlying permit hearing and a separate hearing notice for the Design Review hearing need not be prepared and distributed.
 - b. The hearing notice shall state that a hearing on the design of the project will be held at a future date, and shall identify the name, address, and phone/fax number or e-mail address of a staff person to contact for information regarding the Design Review hearing date.
- K. Findings.** The following findings shall be made before approval of a Design Review application.
1. **For all applications.** The project's design is consistent with
 - a. The purposes of this Section; and
 - b. Any applicable design guidelines adopted by the Council.
 2. **Historic resources in the Central District.** In addition to the two findings identified in Subparagraph 1., above, the alteration to a designated historic resource or resource qualifying for a historic designation in the Central District is consistent with the Secretary's Standards.
 3. **Alterations to structures with 6L or 7N status code.** In addition to the two findings in Subparagraph 1., above, the alteration to a structure with 6L or 7N status code in the Central District is consistent with the Secretary's Standards, or alternatively, with other adopted design guidelines. The Director may choose not to apply these standards due to a loss of historic integrity or setting.
 4. **Demolitions, relocations, and demolitions without a Building Permit for a replacement structure in the Central District.** In addition to the two findings identified in Subparagraph 1., above, the demolition, relocation, and demolition without a Building Permit for a replacement structure in the Central District is consistent with the findings

identified in Section 17.62.090 (Alteration, Demolition, or Relocation of a Historic Resource).