

Agenda Report

August 17, 2015

TO: Honorable Mayor and City Council

FROM: Planning & Community Development Department

SUBJECT: AMENDMENTS TO PASADENA MUNICIPAL CODE SECTION 17.61 REGARDING THE DESIGN REVIEW PROCESS AND SECTION 2.80 REGARDING THE COMPOSITION OF THE DESIGN COMMISSION

RECOMMENDATION:

Staff recommends that the City Council:

1. Find that this action is exempt under the California Environmental Quality Act (CEQA) in accordance with Section 15061(b)(3), the general rule that CEQA only applies to projects that may have an effect on the environment;
2. Direct staff to prepare an ordinance amending the Zoning Code to: a) eliminate the 50% advisory review from the design review process; and b) to require the preliminary consultation for a project be the same as the review authority for the project;
3. Direct staff to prepare a text amendment to Title 2.80 of the Pasadena Municipal Code related to the composition of the Design Commission; and add the requirement that one of the five Mayoral appointees be reserved for an individual with historic preservation expertise.

PLANNING COMMISSION RECOMMENDATION:

At its meeting of July 22, 2015, the Planning Commission recommended that the City Council approve the proposed zoning code amendment which would eliminate the advisory 50% design review step from the design review process and formally allow the Design Commission to review Preliminary Consultation applications for those projects subject to commission level review.

DESIGN COMMISSION RECOMMENDATION:

At its meeting of February 24, 2015, the Design Commission recommended that the City Council approved the text amendments outlined herein.

EXECUTIVE SUMMARY:

The subject code amendments are proposed to ensure that the design of buildings is considered at the earliest opportunity possible, during the planning stages of project development. The amendments would memorialize current practice that affords the Design Commission the ability to review applications for Preliminary Consultation as outlined in Resolution No. 8987 approved by the City Council in 2009, and, would eliminate the 50% design review step in favor of identifying major design issues and consistency with the applicable design guidelines at earlier stages in the process. These improvements and changes were related to the recommendations in the Matrix consulting study of the City's development review process. The goal of this study being to improve the overall development process in the City.

The text amendment does not propose eliminating any representatives of the Planning Commission, Historic Preservation Commission, Transportation Advisory Commission or the Arts and Culture Commission. However, the text amendment proposes that one of the remaining five members of the Design Commission appointed by the Mayor be reserved for an individual with historic preservation expertise. This amendment would also modify the professional fields listed in the "criteria for selection of members" from which the remaining four Mayoral appointee positions would be drawn from, to remove the "transportation" and "artist" fields from the list since these fields would be covered through Transportation Advisory and Arts and Culture Commission representatives.

BACKGROUND:

On December 8, 2014, the Planning & Community Development Department presented to the City Council an update on improvements to the development review process and recommendations for changes related to design review. After receiving the report, taking public testimony and deliberation, the City Council directed staff to work with the Design Commission to:

- Review the composition of the Design Commission;
- Review ways to streamline the Design Review Process; and
- Return to the City Council with a recommendation

DESIGN COMMISSION COMPOSITION (CHAPTER 2.80, PMC)

Currently the Design Commission consists of nine members. Four members (1 each) representing the Planning Commission, the Transportation Advisory Commission, the Historic Preservation Commission and the Arts and Culture Commission, and five Mayoral appointees. In response to City Council direction, staff worked with a subcommittee of the Design Commission to discuss this issue.

After multiple meetings of the subcommittee, the Design Commission and staff recommend that:

1. No changes be made regarding the existing Commission representation, i.e., Planning Commission, Historic Preservation Commission, Transportation Advisory Commission, and the Arts and Culture Commission.
2. One of the five (5) Mayoral appointees be reserved for an individual with “historic preservation expertise”. The remaining four positions should be filled by a “person with interest” in one of the following areas: architecture, landscape architecture, city planning, historic preservation, urban design, and engineering. The Commission and staff recommend that the “artist” and “transportation” areas of interest be removed from the list since each of these areas is represented through the Transportation Advisory Commission and Arts and Culture Commission representatives.

DESIGN REVIEW PROCESS

Currently, the design review process consists of three mandatory steps, with an optional fourth step. The required steps in the process are: preliminary consultation, concept design review, and final design review. At the discretion of the Design Commission, an optional fourth step, 50% advisory review, may be imposed between concept and final design review. According to Pasadena Municipal Section 17.61.030, the purpose of each step is as follows:

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;

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;

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

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.

ELIMINATION OF 50% REVIEW AND REVISIONS TO PRELIMINARY CONSULTATION

Applicants, property owners and other stakeholders have expressed a concern regarding the length of time associated with the process as well as the extent to which the Commission modifies a project. Preliminary consultation and the 50% advisory review have been identified as points in the process that could be changed in order to create a greater level of certainty and ultimately reduce processing time.

50% Advisory Design Review

The Design Commission and staff recommend the elimination of the advisory 50% step from the design review process in the interest of creating a greater level of certainty and in creating fewer steps in the process. Eliminating the 50% review will allow the Design Commission to focus identification of major design issues and consistency with applicable design guidelines during the preliminary consultation and concept phases. If needed, conditions of approval can be added to the concept review approval for further evaluation during the final design review.

Preliminary Consultation

The Design Commission and staff recommend that the Code be amended to formally allow the Design Commission to review Preliminary Consultation applications. As indicated above, the Code currently states that Preliminary Consultation is handled through an informal meeting with the applicant and the Director. On October 19, 2009, the City Council adopted Resolution No. 8987 (Attachment B), establishing design guidelines for Neighborhood Commercial and Multi-Family Residential Districts and creating a process for the Preliminary Consultation phase of Design Review. The new process sought to bring design review to the beginning stages of a development project and allow for feedback on a proposed design approach prior to significant investment in detailed design drawings. A significant change in the new process was that the Design Commission would conduct Preliminary Consultation meetings for those projects which would require commission level review of their Concept Design Review applications. Although this has been the practice since Council action in 2009, the Municipal Code has never been amended to reflect the process identified in Resolution No. 8987.

IMPROVEMENTS TO THE DESIGN REVIEW PROCESS THAT HAVE BEEN COMPLETED

Preliminary Consultation: In an effort to create a more meaningful and efficient preliminary consultation step, a subcommittee of the Design Commission and staff worked to revise both the application and the staff report format for this phase of design review to focus on contextual issues and design concepts. The goal is to allow the Design Commission to engage in a design dialog with the applicant, so that further

refinements and any design solutions may be explored prior to receiving entitlements and contributing a significant investment in architectural drawings.

A streamlined staff report has been implemented that includes only the information needed at this stage of review: the basic project information including the design guidelines that will be applicable to the project. This has reduced the time for such applications to be heard by the Commission and is intended to reduce the overall processing times needed for the Design Review process while continuing the City's commitment to quality of the built environment.

Cycle Time Objectives: Staff has established predictable review and processing times for both staff level projects and Commission level review times. Staff reviews depending on the complexity of the case are usually completed in 4-6 weeks. Processing times for Commission items (submittal date to hearing date) is 6-8 weeks, depending on the complexity of the project. This provides applicants with a level of predictability regarding anticipated review times.

Staff has also established goals for measuring its performance of meeting the goals for the Design Review process. The following information is being collected and analyzed: 1) The time period from the date application is submitted to the date a complete/incomplete letter is mailed to the applicant, 2) The time period from when an application is deemed complete to the date of the public hearing, and 3) The overall time period from the time an application is submitted to the hearing date. A specific time period for completion has been established for each step along with an acceptable percentage of times that the time period has been met.

Case Tracking/Monitoring: Staff has improved the tracking of projects from submittal to hearing phase. Both active cases as well as completed projects are tracked and the status is readily available and up to date. Tracking information includes but is not limited to, project case number, addresses, submittal dates, applicant contact information, commission hearing dates, and related comments. This has allowed staff to proactively identify and address potential delays in case processing.

ADDITIONAL IMPROVEMENTS THAT ARE IN PROCESS OF BEING COMPLETED

In addition to the aforementioned, staff has identified and is in the process of implementing additional improvements to the design review process:

Concept Design Review: Similar to the changes made to the Preliminary Consultation application and staff report, staff will continue working with a subcommittee of the Design Commission to address this stage of design review. Refinements to the application will be made to ensure applicants are submitting only what is needed for a meaningful review by the Commission and that any materials that the Commission needs in order to make a decision at this stage are consistently presented in each application. Refinements to the staff report will also be considered to ensure

superfluous information is removed and the report contain the information and analysis the Commission needs in order to reach a decision.

Final Design Review: As with Concept Review, it is anticipated that changes to the application will be made to ensure consistency and the appropriate range and type of submittal materials required at this stage. In addition, subsequent to amending the application consistent with the Commission's needs, it is anticipated that a greater percentage of final design review applications can be delegated to staff. This would reduce processing time because an applicant would not have to wait to submit to staff and be placed on an available agenda.

These process improvements are anticipated to be implemented by December 2015.

ENVIRONMENTAL DETERMINATION:

Under Article 5, Section 15061(b)(3) of the California Environmental Quality Act (CEQA), a project is exempt from CEQA if the activity is covered by the general rule that CEQA applies only to projects, which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The proposed Elimination of 50% design review and revision to Preliminary Consultation process Zoning Code Amendment is an administrative and procedural change pertaining to the hearing body of an entitlement process and will not have any potential for causing significant effect on the environment.

COUNCIL POLICY CONSIDERATION:

The General Plan – Objective 10.7 – Streamlining: Provide a more stable and sound environment for investment and business decisions by reducing uncertainty and streamlining the land use entitlement approval process.

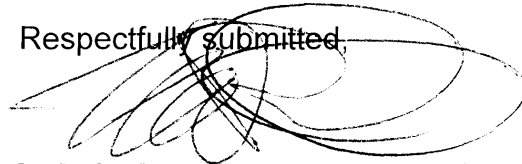
ENVIRONMENTAL ANALYSIS:

Under Article 5, Section 15061(b)(3) of the California Environmental Quality Act (CEQA), a project is exempt from CEQA if the activity is covered by the general rule that CEQA applies only to projects, which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The proposed Elimination of 50% design review and revision to Preliminary Consultation process Zoning Code Amendment is an administrative and procedural change pertaining to the hearing body of an entitlement process and will not have any potential for causing significant effect on the environment.

FISCAL IMPACT:

The proposed zoning code amendment to Title 17 (Zoning code) and amendment to Title 2.80 (Design Commission) are administrative actions. As a result, there are no fiscal impacts as a result of this action nor will it have any indirect or support cost requirements.

Respectfully submitted,



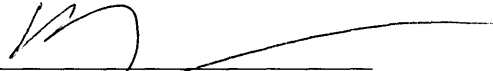
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