

**LODI CITY COUNCIL
SHIRTSLEEVE SESSION
CARNEGIE FORUM, 305 WEST PINE STREET
TUESDAY, AUGUST 5, 2008**

A. Roll Call by City Clerk

An Informal Informational Meeting ("Shirtsleeve" Session) of the Lodi City Council was held Tuesday, August 5, 2008, commencing at 7:04 a.m.

Present: Mayor Pro Tempore Hansen, Council Member Hitchcock, and Council Member Katzakian

Absent: Council Member Johnson, and Mayor Mounce

Also Present: City Manager King, City Attorney Schwabauer, and City Clerk Johl

B. Topic(s)

B-1 Receive Information Regarding Amending the Section of the Lodi Zoning Ordinance Dealing with Site Plan and Architectural Review (CD)

City Manager King briefly introduced the subject matter of amending site plan and architectural review.

Interim Co-Community Development Director Peter Pirnejad provided a PowerPoint presentation regarding site plan and architectural review. Specific topics of discussion included background on the Site Plan and Architectural Review Committee (SPARC), SPARC format, purpose for change, Alternative 1 to eliminate SPARC, Alternative 2 to divide duties, and Alternative 3 to improve guidelines.

In response to Mayor Pro Tempore Hansen, Mr. Pirnejad stated one member of SPARC is appointed by the Planning Commission to provide some connection through a liaison that will report back directly to the Commission.

In response to Council Member Hitchcock, Mr. Pirnejad stated there is still only one meeting before the Planning Commission but the applicants, who prefer obtaining the entitlements up front, would generally be more prepared with some architectural information as well.

In response to Mayor Pro Tempore Hansen, Mr. Pirnejad stated districts can be used for historical preservation, promotion of certain types of architecture in particular areas, and to address specific areas of concern including mansionization.

In response to Council Member Hitchcock, Mr. Pirnejad stated the applicants prefer the streamlined version and it is not a big burden to throw some architecture in the preliminary information.

In response to Council Member Hitchcock, City Attorney Schwabauer stated there may be some instances where a permit is issued administratively without discretionary approval, such as obtaining a building permit for medical storage files in an industrial area; although, there are certain guidelines that will still need to be followed.

In response to Myrna Wetzel, Mr. Pirnejad stated painting alone generally does not fall within SPARC review unless it is associated with a reconstruction project.

In response to Mayor Pro Tempore Hansen, Mr. Pirnejad confirmed that there is some control

over paint color in new multi-family or other similar projects.

C. Comments by Public on Non-Agenda Items

None.

D. Adjournment

No action was taken by the City Council. The meeting was adjourned at 7:25 a.m.

ATTEST:

Randi Johl
City Clerk



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Receive Information Regarding Amending The Section Of The Lodi Zoning Ordinance Dealing With Site Plan & Architectural Review.

MEETING DATE: August 5, 2008

PREPARED BY: Community Development Department

RECOMMENDED ACTION: Receive information regarding the amending of the Lodi Zoning Ordinance to allow for a change in the way site plan & architectural reviews are conducted.

BACKGROUND INFORMATION: The Lodi Zoning Ordinance Chapter 17.81 establishes the requirement for certain categories of building projects to undergo a formal site plan and architectural review by the City. The Zoning Ordinance establishes the Site Plan and Architectural Review Committee (SPARC) as the body that will conduct the required site plan and architectural review. The Planning Commission has recommended that the Zoning Ordinance be amended to permit a change in the way design reviews are conducted.

Currently, the Site Plan and Architectural Review Committee has the responsibility to review all projects that are required to undergo a formal design review process. In recent years, there has been some discussion regarding whether there was a better process for reviewing the site plan and architectural merits of a new project. The issue has surfaced largely as a result of isolated incidents when conflicting conditions were placed on projects reviewed by both the Planning Commission and SPARC. This situation can result when a project is reviewed by the Planning Commission for a Use Permit or other discretionary approval and the project is approved with a set of conditions. **SPARC then reviews the project, and based on the review establishes an additional set of conditions. While** conflicting conditions are an infrequent situation, the Planning Commission requested staff explore whether there might be a better process to review new building projects to avoid this situation.

Staff concludes there are three alternatives. They are **as follows:**

1. Eliminate SPARC

In this alternative, SPARC would cease to exist and all site plan and architectural reviews would be handled by the Planning Commission (PC). This would mean that the PC would review the site plans and architectural elevations for building projects that come before the Commission for a discretionary review such as a Use Permit or Variance. The PC would review the design and land use aspects of a project. In addition, the PC would also review projects that only require SPARC approval. As an alternative, non-discretionary projects could be reviewed by City staff.

2. Divide the current duties of SPARC between the Planning Commission and SPARC

In this alternative, the duties of site plan and architectural review would be split between the Planning Commission and SPARC. The PC would review the site and architectural design of all

APPROVED: _____

Blair King, City Manager

building projects that come before the PC for discretionary review. The applicant would obtain both discretionary land use, site plan, and architectural review approval from the PC and would be subject to a single set of conditions. Projects that do not require discretionary approval would continue going to SPARC for site plan and architectural review and SPARC would develop the conditions of approval for the particular project.

3. Maintain the current SPARC system with better guidelines

In this alternative, the current duties of SPARC would remain largely unchanged. SPARC, however, would be provided with a more extensive set of guidelines to assist their review of building plans. In addition to updated and more extensive design and site plan guidelines, a provision could be included that would restrict the ability of SPARC to modify any prior Planning Commission conditions on a project without the consent of the PC. For projects that do not go to the Planning Commission, SPARC would be free to use their discretion on crafting approval conditions based on the new guidelines.

The Planning Commission is recommending Option 2, which is to divide the current duties of site plan and architectural review between the Planning Commission and SPARC. If an item requires discretionary approval from the Planning Commission, the PC would also review the design aspects of the project. If the project only needs site plan and architectural review, the design review will be conducted by SPARC. This process will streamline the design review process and provide the applicant with a consistent set of requirements and conditions as part of the review process.

In order to implement the proposed change, the section of the Zoning Ordinance regulating site plan and architectural review will need to be amended to clarify the new responsibilities of the Planning Commission and the Site Plan and Architectural Review Committee in the design review process. The proposed changes are reflected in Exhibit A.



Peter Pirnejad
Co-Interim Community Development Director

Attachment

1. Proposed Amended Ordinance

Proposed Amended Ordinance

Chapter 17.81 SITE PLAN AND ARCHITECTURAL APPROVAL

17.81.010 Purpose.

17.81.020 Committee established.

17.81.030 Required.

17.81.040 Application.

17.81.050 Maps and drawings.

17.81.060 Committee action.

17.81.070 Appeal from committee.

17.81.010 Purpose.

The purpose of site plan and architectural review and approval is to ensure compliance with this title (i.e. zoning ordinance) and to promote the orderly development of the City; the stability of land values; investment and the general welfare; and to help prevent the impairment or depreciation of land values and development by the erection of structures, additions or alterations thereto without proper attention to good site planning and architectural appearance. (Prior code § 27-18(a))

17.81.020 Committee established.

There is established a site plan and architectural review committee (SPARC) to assist the planning commission in reviewing site plans and architectural drawings. The membership of the committee shall consist of five members. Four of the members shall be appointed to four-year, overlapping terms by the Mayor with the approval of the City Council. The fifth member shall be a member of the Planning Commission and appointed by the Planning Commission to serve a one year term on the committee. (Prior code § 27-18(b))

17.81.030 Required.

Site plan and architectural approval is required for the following uses:

- A. Residential building proposed to be erected in areas zoned R-GA, R-MD, R-HD, R-C-P, C-1 and C-2, except single-family dwellings, duplexes and triplexes.
- B. Commercial-professional offices and institutional buildings proposed to be erected in areas zoned R-C-P and C-1.
- C. Nonresidential buildings proposed to be erected in areas zoned C-1, C-2 and C-M.
- D. Nonresidential buildings proposed to be erected in areas zones M-1 and M-2 which abut upon areas zones R-1, R-2, R-GA, R-MD, R-HD, R-C-P, C-1 and C-2.
- E. Any use requiring a use permit (Ord. 1353 § 1, 1985: prior code § 27-18(c)); or when the Planning Commission or City Council requires a site plan and architectural review as a condition of a discretionary permit.

17.81.040 Application.

An application for site plan and architectural review shall be made by the property owner or agent on an application form provided by the City. (Prior code § 27-18(d))

17.81.050 Maps and drawings.

The following maps and drawings, in duplicate, shall be submitted that show the following:

- A. A site plan of the proposed structures that compliment the neighborhood and preserve light and air on adjoining properties;
- B. Landscaping and/or fencing of yards and setback area, use of landscaping and/or wall or fencing for screening purposes;
- C. Design of ingress and egress;
- D. Off-street parking and loading facilities;
- E. Drawings or sketches of the exterior elevations;
- F. Designation of location of existing fire hydrants. (Prior code § 27-18(e))

17.81.060 Site Plan and Architectural Review.

A. If a project falls into one of the categories of projects listed in Section 17.81.030 and requires site plan and architectural review, the review of the proposed building project will be done in the following manner:

1. Planning staff shall review the Site Plan and Architectural Review application to determine if the project requires discretionary approval (use permit, variance, etc.) from the Planning Commission in addition to site plan and architectural review.
2. If a project is determined to require a discretionary approval from the Planning Commission, the Planning Commission shall also be the body that reviews and approves the site plan and architectural design of the project.
3. If a project falls into one of the categories listed in Section 17.81.030 but does not require a discretionary approval from the Planning Commission, the required review and approval of the Site Plan and Architectural Review application submittal and plans shall be conducted by the Site Plan and Architectural Review Committee (SPARC). The approval body, whether the Planning Commission or SPARC shall have the function, duty and power to approve or disapprove; or to approve subject to compliance with such modifications or conditions as it may deem necessary to carry out the purpose of these regulations, the external design and site plan of all proposed new buildings or structures for which site plan and architectural approval are required. The approval body shall impose such conditions as are necessary to carry out policies adopted by ordinance or resolution of the City Council.

B. Upon approval of submitted plans and after the expiration of the ten day appeal period, the building inspector can issue a permit for such building; provided that all other provisions of law have been complied with and except as otherwise herein provided for buildings requiring use permits or on items appealed to the Planning Commission and/or City Council. (Prior code § 27-18(f))

17.81.070 Appeals.

Any actions of the Site Plan and Architectural Review Committee on matters referred to in this chapter may be appealed to the Planning Commission by filing, within ten business days, a written appeal to the Community Development Director. Any action of the Planning Commission on matters referred to in this chapter may be appealed to the City Council by filing, within ten business days, a written appeal to the City Clerk. The appeal shall be processed in accordance with Chapter 17.88, Appeals, of the Lodi Municipal Code. (Ord. 1757 § 1 (part), 2005)

Amending Site Plan & Architectural Review

Shirt Sleeve

August 5, 2008

Community Development



Background on SPARC

- Formed in 1970
- Purpose – Help PC & Improving Design
- Made up of 5 members
 - 4 appointed by Mayor
 - 1 appointed by the PC
- Staffed by Planning Division
- Meets twice per month

Format SPARC format

- Reviews all projects that require formal design review:
 - Multi-family projects
 - Commercial
 - Projects adjacent to residential or commercial zones
 - Projects referenced by PC or CC
- Reviews between 5 & 40 plans per year
- Only considers design
- Not use or appropriateness

Purpose for change

- Eliminate the opportunity for conflicting between PC and SPARC
- Streamline the review process
- Site plan is considered in the review of an entitlement (i.e use permit or variance)
- Result in better design and enforceable conditions

Alternative 1 – Eliminate SPARC

- Meets intent but overburdens PC
- Eliminates potential for conflict but approach is too broad
- Staff could review non-discretionary applications but inconsistent with intent of ordinance

Alternative 2 – Divide Duties

- Meets intent without overburdening PC
- Eliminates potential for conflict for only those projects that are at risk
- Consistent with the original intent of the ordinance

Alternative 3 – Improve Guidelines

- Would be very time intensive to create the guidelines needed
- Would reduce the potential of conflict but not eliminate it
- To work properly this approach would require the formation of districts

Conclusion

- On June 25th PC Voted unanimously for Alt #2
- Staff will be recommending that the CC approve the change in a regular CC Meeting