

SUMMARY OF PROPOSED MUNICIPAL CODE REVISIONS

The following is a brief explanation of each of the proposed LEMC revisions.

1. LEMC Zoning – Conceptual New Chapters

This document shows our idea for the ultimate renumbering and organization of Title 17 (Zoning), while retaining the current municipal code zoning system. For example, our concept is to ultimately combine all the residential districts into a single chapter that eliminates the redundancy and uses a matrix to describe allowable uses for all designations. This list shows how everything could be renumbered as we go, thereby eliminating the need to renumber and reorganize everything, after the whole zoning code is updated.

The first stage of this code update are the subject streamlined development review process. The new “General Application Processing Procedures” and “Permit Requirement” chapters are numbered to not only fit the new numbering system but to also fall at the end of the current chapter numbers; thereby eliminated the need to renumber them in the future.

2. Draft Chapter 17.410 General Application Processing Procedures

This new chapter consolidates the application review process and noticing requirements and identifies all the procedural language in one section. This contrasts with the current code language where the process is described in the Chapter for each type of permit, thereby repeating the same basic information multiple times. New provisions include:

- a. Section 17.410.010 Planning Agency - Establishes the Planning Commission as the City’s “Planning Agency” and also describes the planning-related duties of the City Council, the Planning Commission, and the Community Development Director.
- b. Section 17.410.030 Multiple Applications – Requires that when a proposed project requires more than one permit with more than one approving authority, all project permits will be processed concurrently and final action shall be taken by the highest-level designated approving authority for all requested permits. This change will eliminate past instances where different decision makers made the final decision for different components of the same project. For example, the Planning Commission makes the final decision regarding a Conditional Use Permit, but the City Council is only able to consider the related Design Review application. With this change, the City Council would consider both applications.
- c. Section 17.410.040 Pre-Application Review - Formalizes the City’s existing Pre-Application Review process.
- d. Section 17.410.090 Record of Decision – Describes what constitutes the record of decision for Planning-related decisions. This section also creates a requirement that all Planning Commission actions regarding applications appear on the City Council’s agenda in order for the City Council to “Receive and File” the Planning Commission actions. Per Section 17.410.110 (F), the City Council can also, by majority vote, set the matter for public hearing.

3. Draft Chapter 17.415 Permitting Requirements

This chapter combines most of the City's permits into a single location. It includes the following changes:

- a. Section 17.415.020 General Plan Amendments – This is a new section regarding General Plan Amendments.
- b. Section 17.415.030 Specific Plans - The current SP District language in LEMC Section 17.204 describes two alternative specific plan processes (Alternative A – conditional specific plan procedure and Alternative B – nonconditional specific plan procedure). However, the City doesn't actually use Alternative A (the procedure where property is zoned SP without adoption of a specific plan). Therefore, the SP process has been streamlined to only address the processing of actual SP applications.
- c. Section 17.415.050 Major Design Review – The design review provisions have been revised by moving the minor design review provisions into a different section.
- d. Section 17.415.060 Minor Design Review - The minor design review provisions have been moved into this section. In order to streamline the minor design process, the following uses are proposed to be exempt from it, though still subject to staff review of the proposed design:
 1. The following uses when consistent with existing zoning:
 - a. Custom single-family dwelling on an existing lot.
 - b. Single duplex on an existing lot.
 - c. Additions to residential dwellings.
 - d. Accessory structures.
 2. Repairs and maintenance site improvements or structures that do not add to, enlarge, or expand the area occupied by the land use or the floor area of the structure and do not significantly alter the appearance of site improvements or structures.
 3. Interior alterations that do not increase the gross floor area within the structure or change/expand the permitted use of the structure.
 4. Other structures and/or improvements that the Community Development Director determines to be exempt from minor design review.
- e. Section 17.415.090 Minor Exceptions – This is a new section to allow encroachment into setbacks under specified circumstances. (Called “Setback Adjustment” by the County's zoning ordinance.) As an example, this process will allow the City to approve patio covers in Canyon Hills Specific Plan, where the specific plan text does not specifically allow such an encroachment into the rear yard. The maximum encroachment would be 50% of the required setback.
- f. Section 17.415.110 Accessory Dwelling Units - The existing language regarding Second Units (LEMC 17.56) will be replaced by a new section that implements Gov. Code Sections 65852.2 and 65852.22 regarding Accessory Dwelling Units

- g. Section 17.415.140 – Wireless communication facilities - The wording regarding wireless communication facilities reflects the language and different requirements that are in the relatively recently adopted provisions regarding wireless communication facilities. The only changes are that the cross-references have been revised to reflect the proposed Chapter numbering and there one minor clean up correction.
- h. Section 17.415.150 Reasonable Accommodations - There is a new section regarding Reasonable Accommodations as required by the City’s Housing Element.

4. Draft Chapter 17.204 SPD Specific Plan District:

Although the provisions for the processing of a Specific Plan are included in the Draft Permit Requirements chapter, we still need to keep language in the Specific Plan District chapter, since SP is also a zoning classification. The new section is very brief to cover the basics needed to describe the SP District.

5. Draft Chapter 17.44 Residential Development Standards

The changes we propose here work with the proposed changes regarding the Minor Design Review procedures to strength the language that the design of custom homes (both conventional and manufactured) will be reviewed. The changes also include a few minor changes that have been made for wording consistency purposes.

6. Draft Chapter 16.30 Common Interest Development Conversions

Provisions regarding condominiums and condominium conversions are currently found in LEMC Chapter 17.88. The existing language requires that these types of projects require a conditional use permit. Staff is proposing to eliminate the requirement for a conditional use permit. Since condominiums also require the approval of a tentative tract map as required by law, after consultation with the City Attorney’s office, staff is proposing to move Condominium Conversions to LEMC Title 16 – Subdivision and rename them “Common Interest Development Conversions” in order to provide a more accurate title. There will also be some “clean up” of the language in various zoning districts (e.g. R-2, R-3, CMU and RMU) to remove the requirement for a conditional use permit, while retaining the requirement for compliance with the LEMC requirements for a Planned Unit Development (PUD) which will preserve the existing ability to review the design of proposed condominium projects.

7. Additional “Clean-Up” Revisions

The above proposed revisions will require that LEMC Title 17 – Zoning be revised in order to change existing cross-references to reflect the new numbering that are part of the proposed revisions. These “clean-up” revisions will be incorporated into the draft and final language of the implementing ordinance.