

TO: TOWN COUNCIL
FROM: TOWN MANAGER 
RE: DEVELOPMENT PROJECT PROCESSING

ISSUE

Council actions at the last meeting concerning development project reviews suggest a need to change the Zoning Code as related to the roles of reviewing authorities and the planning process that will be used on projects.

RECOMMENDATION

Discuss and give direction on possible code changes.

CEQA

There are no CEQA issues at this time however there could be depending on how the Council wishes to proceed.

MONEY

It appears that processing projects could cost applicants more money. How much is unknown at this point. Costs will need to be tracked over time.

DISCUSSION

At the March meeting Council decided on a development review policy that encouraged elected and appointed officials to discuss development projects only at noticed public meetings. Council also discussed requiring one or more noticed public meetings prior to project applicants filing the paperwork described in the Municipal Code. The latter suggests some changes in how the reviewing authorities will interact and possibly which body will be a review authority in a particular case.

Given the thoughts on changes it would be helpful for current and future elected officials, appointees, staff and project applicants to have this information in the Code. Council is asked to review attached draft and determine if this captures Council intent and desire. Staff can then run a legal analysis and get an ordinance change going for the next meeting.

The current review process for development projects is found in the Town Zoning Code at section 13.60.03 Table 6-1 as follows.

TYPE OF DECISION	ROLE OF REVIEW AUTHORITY (1)		
	Director	Planning Commission	Council
Administrative & Legislative			
Interpretation	Decision (2)	Appeal	Appeal
General Plan Amendment	Recommend	Recommend	Decision
Specific Plan	Recommend	Recommend	Decision
Zoning Map Amendment	Recommend	Recommend	Decision
Zoning Ordinance Amendment	Recommend	Recommend	Decision
Land Use Permit / Development Approval			
Zoning Clearance	Decision (2)	Appeal	Appeal
Master Development Plan	Recommend	Recommend	Decision
Master Sign Plan	Decision (2)	Appeal	Appeal
Minor Use Permit (MUP)	Decision (2)	Appeal	Appeal
Use Permit (UP)	Recommend	Decision	Appeal
Minor Variance	Decision (2)	Appeal	Appeal
Variance	Recommend	Decision	Appeal
Design Review - Permitted use or MUP	Decision	Appeal	Appeal
Design Review - UP use	Recommend	Decision	Appeal
Limited Term Prmit	Decision	Appeal	Appeal
Sign Permit	Decision (2)	Appeal	Appeal

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 13.74
- (2) The director may defer action and refer the request to the commission, so that the commission may instead make the decision.

A revised chart and notes might look like the following:

Section 13.60.03 Table 6-1 **DRAFT REVISION** as follows.

TYPE OF DECISION	ROLE OF REVIEW AUTHORITY (1)		
	Director	Planning Commission	Council
Administrative & Legislative			
Interpretation	Recommend	Recommend	Decision
General Plan Amendment	Recommend	Recommend	Decision
Specific Plan	Recommend	Recommend	Decision
Zoning Map Amendment	Recommend	Recommend	Decision
Zoning Ordinance Amendment	Recommend	Recommend	Decision
Land Use Permit / Development Approval			
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Master Development Plan	Recommend	Recommend	Decision
Master Sign Plan	Recommend	Decision	Appeal
Minor Use Permit (MUP)	Recommend	Decision	Appeal
Use Permit (UP)	Recommend	Decision	Appeal
Minor Variance	Recommend	Decision	Appeal
Variance	Recommend	Decision	Appeal
Design Review - Permitted use or MUP	Recommend	Decision	Appeal
Design Review - UP use	Recommend	Decision	Appeal
Limited Term Prmit	Recommend	Decision	Appeal
Sign Permit	Recommend	Decision	Appeal

NOTES

- (1) "Recommend" means that the review authority makes a recommendation to a higher decision-making body.
- (2) "Decision" means that the review authority makes the final decision on the matter and the decision stands unless appealed.
- (3) "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 13.74
- (4) A Review Authority can refer a decision type to such committees as the Town may have from time to time in order to obtain a recommendation on specific

project aspects or even on all project aspects depending on how the Committee chooses to develop a recommendation on the matter at the time.

- (5) All decision types require a pre-application review at a public meeting that may require extensive noticing, mailings, and other advertising to areas of the Town, typically though not limited to areas near the project, that is determined by the Town Council.
- (6) If contacted individually or in small non-quorum groups by people seeking a planning decision from the Town, members of the Council, Planning Commission and Town Committees are encouraged to advise the proponents of projects that they present their ideas and plans at a noticed public meeting of the deciding and/or recommending body.
- (7) People seeking a planning decision are encouraged not to ask members of the Council, Planning Commission, recommending Committees or staff for their position on the planning matter as a whole or on specific aspects except in a noticed public meeting.
- (8) All costs of meetings, notices etc are to be charged to the project proponent and paid in full before a meeting is held. Non-payment will be sufficient reason to continue a meeting until payment is received.