



MEMORANDUM

DATE: March 14, 2016

TO: Planning Commission

FROM: Kevin Jackson, AICP, Interim Planning Director

SUBJECT: Introduction to Future Modifications to the City's
Residential Design Review Guidelines

AGENDA ITEM NUMBER 16

RECOMMENDATION:

Open the public hearing, take testimony from members of the public and provide comments and/or direction to staff concerning the scope of the City's plans to update and revise the *Residential Design Review Guidelines*.

INTENT:

The intent of this report is to provide information to the Planning Commission and public on the plans to update the City's *Residential Design Review Guidelines* (Exhibit D, separate), which is Phase V of the project to revise the Zoning Code and Design Guidelines. The report for item #16 on tonight's agenda addressed the completion of Phases I and II of the project. It also addressed the plans for completing Phases III and IV.

BACKGROUND:

Following the adoption of the General Plan in 2009, and State certification of the Housing Element in 2011, the Planning Commission began hearings to consider changes to Chapter 17, the City's Zoning Ordinance. A summary of the actions and programs in the General Plan and Housing Element that are related to the Zoning Code and Design Review Guidelines is provided in Exhibit A, pages 7-15. Because the Code amendments are extensive and complicated, the proposed changes have been divided into the following phases:

- Phase I – Complete rewrite of the Second Unit Code in compliance with Housing Element actions (**Completed in May 2012**);
- Phase II – Modifications to the Zoning Code in compliance with Housing Element actions, General Plan programs and changes in California Law (**Completed in December 2013**);
- Phase III – Modifications to Zoning Code to address resident comments, City Council and Planning Commission directives, and to clarify and streamline procedures;
- Phase IV – Reorganization of Chapter 17, including all the Phase I-III amendments, for easier navigation by staff, the Commission and members of the public; and

- Phase V – Rewrite of 1988 Design Guidelines to adjust to changes in technology and lifestyles, clarify the language (including elimination of the typos!), and to add new guidelines for mixed uses, commercial uses, hillside developments, multi-family structures, non-residential signs, and wireless communications facilities.

DISCUSSION:

Phase V – Update and Expansion of the *Design Review Guidelines*

As noted above, Phase V of the project targets the City’s *Residential Design Review Guidelines* for an update and expansion. Two previous activities related to an update have occurred: a public survey; and a 2010 Planning Commission discussion.

2007 Public Survey

As part of the public outreach effort to update the City’s General Plan, a survey of Piedmont residents was conducted in 2007. The survey is now nine years old, and predates the 2008 great recession. Public opinions on certain topics may have changed during this time period. Additionally, the occurrence of projects such as the Piedmont Hills Undergrounding, Civic Center Master Plan, Blair Park, Piedmont Center for the Arts, Second Unit Code update, Pedestrian & Bicycle Master Plan, and Climate Action Plan adoption may have influenced public opinion since the survey was completed. Having mentioned those caveats, the results of the survey as they relate to design review can be found in Tables I and II below.

As indicated in Tables I and II below, the majority of Piedmonters believe strongly that the City’s physical appearance and small town feel is important. While this may be a consequence of well-maintained streets and parks, it is also a consequence of well-maintained properties, with attractive residences and landscaping. Piedmont has an excellent stock of architecture consisting of large houses on relatively small lots, and due to the value of the real estate and proximity of residences, changes made to one property can have a real or perceived effect on another property. As the Commission is aware, this can lead to difficult neighbor relations and controversial planning applications, even on what appear to be small changes that are proposed. Applicants sometimes feel that the process is intrusive, and neighbors sometimes feel that the process failed them, which may explain some of the mixed satisfaction opinions for building and planning policies in Table I below.

Table I: Question 4 from the Survey¹

Please indicate your level of satisfaction with the...	Very Dissatisfied	Somewhat Dissatisfied	Mixed	Somewhat Satisfied	Very Satisfied
City’s Physical Appearance	0.5%	0.6%	18.1% %	75.2%	3.8%
Availability of on-street parking on your street	5.8%	8.9%	13.4%	21.5%	44.8%
Building Permit Process	8.6%	11.8%	24.8%	15.3%	17.7%
Design Review Requirements	12%	13.8%	22.4%	19.8%	12.9%
City Development Policies	6.5%	9.3%	25.8%	18.5%	10.4%

¹ Some residents skipped some questions in the survey. The percentage given reflects the percentage of people expressing an opinion exclusive of the percentage of people who skipped the question.

Table III: Question 5 from the Survey

Please Express your opinion on the following local policy options...	Strongly Disagree	Somewhat Disagree	Somewhat Agree	Strongly Agree
Maintain Piedmont's small town feel	0.7%	1.1%	10.0%	82.2%
Create more retail in the Civic Center area	23.1%	18.6%	20.6%	28.0%
Work harder to reduce noise levels in the City	6.3%	18.8%	29.6%	21.0%
Encourage historic preservation	2.6%	7.4%	32.0%	43.8%
Make the area around City Hall (Vista & Highland) more of a town center and gathering place	8.3%	8.6%	30.6%	40.7%
Encourage mixed uses (housing and retail) on Grand Avenue within City limits	13.0%	11.4%	28.0%	32.0%
Start requiring permits for large tree removals	24.8%	20.0%	18.2%	21.1%
Require "greener" construction practices even if it means higher fees and construction costs	17.1%	17.6%	29.5%	24.8%
Develop better-defined rules for home additions and remodels	5.9%	11.6%	31.9%	33.4% ^S

There is an often-used adage in Piedmont: nobody wants *their* project to be subject to planning regulations and design review, but they are very glad their *neighbor's* project is. The stated goals of design review in Chapter 17 include the preservation of the architectural heritage of the City, the improvement of property values, and the desire to uphold the aesthetic values of the community. Because more people indicate they are somewhat or very satisfied with building, planning and development policies than those who are somewhat or very dissatisfied, it would appear that people recognize that the zoning and design review procedures in Piedmont provide a level of protection to their properties, and an overall increase in property values, and are important to the City's aesthetic appeal. But the dissatisfied and mixed opinions concerning planning and building procedures indicate that there is a need to improve the criteria and process.

2010 Planning Commission Discussion

In November 2010 the Planning Commission held a meeting to address Phase V changes to the Residential Design Review Guidelines and received a report from staff on the topic (Exhibit C, pages 19-21). As noted in the November 8, 2010 meeting minutes (Exhibit B, pages 17-18), during its discussion and after hearing public testimony, the Commission requested that the following issues be addressed during the review and update process:

- Guidelines separate from those for residential construction are possibly needed to deal with wireless communication facility installations, signage and other types of utilitarian projects wherein findings of "aesthetically pleasing" can be quite challenging;
- Roof material should be considered an important architectural element of a design, rather than just having composite asphalt shingles as the de facto choice;
- Ask the City Attorney as to whether the routine finding that a project "is categorically exempt from CEQA" can be presumed rather than explicitly stated in each motion;
- The current restriction that "new residential construction be compatible with the predominate architectural style of a neighborhood" should be eased so as to add more flexibility in

approving modern, contemporary designs. Design compatibility should be based more on sensitivity to the surrounding architectural environment, mass, bulk, siting, scale, size, etc.;

- More flexibility should be provided regarding front yard fence heights for upsloping lots and tall houses so as to create proper visual scale and proportion;
- The definition of front entry points such as gates, arbors, finals, etc. should be expanded to provide flexibility in allowing such elements to be higher than 4 ft. if a higher height enhances the overall architectural design;
- The zoning code should be revised to allow architectural detailing and ornamentations that enhance the overall architectural integrity of a project to encroach into setbacks, if such encroachment does not adversely impact adjacent properties. A list of the types of minor architectural features that may be allowed to encroach into setbacks, subject to staff review and approval of such "minor variances," should be provided;
- The guidelines should be revised to meet the new General Plan Housing Element recommendation that a multi-zone definition be considered in Zone D;
- The guidelines should encourage, rather than discourage, housing improvements and new home construction;
- The guidelines should incorporate the City of Lafayette's design guideline encouraging the retention of the natural features of a property;
- The guidelines should include illustrations depicting how building mass should be treated on steep, upslope properties;
- provide flexibility to Commissioners to determine that repeated site visits are not required unless substantive changes to a previously submitted design are proposed.

Vision for Successful Completion

To achieve the goal of completing the revisions to the Design Review Guidelines staff has been in conversation with several professionals and firms with experience and expertise in the development of design guidelines, and has been reviewing guidelines prepared for other cities. The intent is to have a contract with a consultant or consulting team for the City Council's consideration at an April hearing. Like the Phase III and IV revisions, if things go as envisioned, the Planning Commission will be asked to make a recommendation to the City Council to adopt Zoning Code changes before the end of the year. To reach that goal, staff will place discussions regarding Design Guidelines issues on several up-coming Planning Commission agendas.

Just as the opinion of the public may have changed since 2007, the makeup of the Commission has changed since 2010. Accordingly, the current Commission may not necessarily want to address the same issues as those identified by the Commission in 2010. During its deliberations of updates and revisions to the Design Review Guidelines, the Commission may want to consider the following:

- Updates to the format to a modern standard and eliminating typos.

- Updates to the current guidelines to address built features related to single-family residences that are repeatedly problematic in the applications reviewed by the Commission and staff (e.g.: windows, fences, roof materials and color, exterior mechanical and equipment, and small site features such as coops, hives, sheds, fountains and so on)
- Improving graphics, employing photographs to exemplify good design and poor design.
- Adding guidelines for multi-use construction, multi-family residences, non-residential signs, commercial construction, and wireless communications facilities (both towers and small-cell).

CONCLUSION:

There are many reasons to update the *Residential Design Review Guidelines*: some are mandatory in order to stay in compliance with the General Plan and Housing Element, and others are voluntary, but equally important to improving planning services in the city. In the preparation of this report, staff wished to remind the Commission and public of the objectives that have been previously stated and published, and to encourage the identification of new objectives that may not have been previously identified.

There will be multiple opportunities for public input, and staff will continue to try to reach out to as many Piedmonters as possible. Staff has assembled a list of residents who wish to receive notices and staff reports directly via email. Anybody who wishes to be added to the list may contact the planning office by calling 510-420-3039 or by emailing to kjackson@ci.piedmont.ca.us.

It is anticipated that the hearings related to this project will occur at regularly scheduled Planning Commission meetings, but it may not be discussed at each monthly Commission meeting due to fluctuations in application volumes, other large projects that demand staff attention, and/or staffing levels.

ATTACHMENTS:

Exhibit A	Pages 7-15	Summary of General Plan and Housing Element Actions and Programs related to Zoning and Design Review Guidelines
Exhibit B	Pages 17-18	Abridged Minutes, November 8, 2010 Planning Commission Meeting
Exhibit C	Pages 19-21	Report to Planning Commission, November 8, 2010, <i>Updates to Design Review Guidelines</i>
Exhibit D	Separate	City of Piedmont <i>Residential Design Review Guidelines</i>

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SUMMARY OF GENERAL PLAN ACTIONS AND HOUSING ELEMENT PROGRAMS RELATED TO CHAPTER 17 AND RESIDENTIAL DESIGN GUIDELINE MODIFICATIONS

Rows with a light grey background are actions related to Design Review Guidelines

Amend Chapter 17
 Update Residential Design Guidelines
 Modify Zoning Map
 Completed

GP Action	Status
<p>Action 1.A: Work Sessions Conduct periodic work sessions with the Piedmont City Council and Planning Commission to address emerging issues and to discuss changes that would help the City achieve its goal of protecting residential neighborhoods.</p>	<p>On-going; 9/18/12 and 7/6/15 joint meeting of City Council and Planning Commission</p> <p style="text-align: right;"><i>On-going: Coordination</i></p>
<p>Action 2.A: Allowing Multi-family Residential in Commercial Zones Amend City regulations so that multi-family housing becomes a conditionally permitted use in the Commercial zone (Zone D). However, such uses should only be permitted when they are part of a mixed use project that includes ground floor commercial uses.</p>	<p>Requires specific text Amendments to Chapter 17</p> <p>DRG's should be developed as second phase</p> <p style="text-align: right;"><i>Short Term: Ordinance Change Phase II adopted 12/2/2013</i></p>
<p>Action 2B: Commercial Development Standards Review the development standards for commercial uses to ensure that they support the goal of promoting pedestrian-oriented development and attractive streetscapes.</p>	<p>To be completed as part of the Residential Design Guidelines Update</p> <p>Complete Streets Policy adopted 11/19/12</p> <p>Ped/Bike Master Plan will target commercial areas – started 8-5-13</p> <p style="text-align: right;"><i>Mid Term: Study/Review Phase III,IV</i></p>
<p>Action 3.B: Park and Open Space Zone Consider creation of a new zoning district (Zone F) for Piedmont’s parks and public open spaces. The development standards and use restrictions in this zone would emphasize park and resource conservation activities rather than public facilities or residential uses</p>	<p>Requires:</p> <ul style="list-style-type: none"> • Specific text Amendments to Chapter 17 • Requires changes to Zoning Map • Vote at general or special election to reclassify Zoning Map <p style="text-align: right;"><i>Long Term: Ordinance Change Phase III</i></p>
<p>Action 6.A: Review of Practices and Procedures Periodically review city planning procedures to ensure that they are appropriate and responsive to local concerns. This review could include community surveys, public hearings and meetings, and changes to the process which reflect public input.</p>	<p>On-going; 2007 Resident Citywide Survey and on-going hearings to implement changes to Chapter 17 and City Policies in 2010, 2011 and 2012</p> <p style="text-align: right;"><i>On-going: Public Education/Outreach</i></p>

GP Action	Status
<p>Action 6.B: Review of Regulations Revise zoning, subdivision, and design review regulations as needed to address emerging issues such as the siting of telecommunications equipment and the use of solar panels.</p>	<p>Telecommunications Equipment topic @ 9/18/12 joint meeting of City Council and Planning Commission Requires specific text Amendments to Chapter 17 to comply with State law relating to solar equipment <i>On-going: Ordinance Change Phase III</i></p>
<p>Action 6.C: Website Upgrades Consider changes to the Piedmont Planning and Building website which help homeowners understand the City's planning requirements. Consider on line permit applications for small projects as a way to reduce trips to City Hall.</p>	<p>On-going; significant revisions to be done after amendments to the Code and Design Guidelines <i>On-going: Public Education/Outreach</i></p>
<p>Action 10.B: Additional Sidewalks Where feasible and as funding allows, close gaps in the City's sidewalk system.</p>	<p>Complete Streets Policy adopted 11/19/12 Ped/Bike Master Plan will address – started 8-5-13 <i>On-going: Capital Improvement</i></p>
<p>Action 11.B: Home Garage Parking Incentives Explore the use of incentives, mandates, inspection agreements, and other measures that encourage or require residents to use their home garages for parking (rather than storage) and discourage on-street parking of multiple vehicles per household. In addition, consider revisions to the parking standards to allow smaller off-street spaces, and revisions to the design guidelines to improve the way that parking is provided.</p>	<p>May be accomplished through specific text Amendments to Chapter 17 or Residential Design Guidelines Update or a combination of both <i>Study/Review Phases I and II completed, future Phase III</i></p>
<p>Action 13.B: Hillside Development Guidelines Consider revising the Piedmont Residential Design Guidelines to include guidelines for the sensitive development of hillside sites.</p>	<p>To be completed as part of the Residential Design Guidelines Update upon completion of Amendments to Chapter 17 <i>Design Review Guidelines</i></p>
<p>Action 13.C: Development Standards for Hillside Sites Consider modifications to the current zoning setback and floor area ratio requirements for large or subdividable lots in Zones A and E where portions of the lot have slopes that exceed 30 percent.</p>	<p>May be accomplished through specific text Amendments to Chapter 17 or as part of the Residential Design Guidelines Update upon completion of Amendments to Chapter 17 <i>Ordinance Change Phase III</i></p>

GP Action	Status
<p>Action 15A: Bay-Friendly Landscape Ordinance Consider adopting a civic Bay-friendly landscape ordinance which anticipates a gradual shift toward drought-tolerant landscaping on public property, including parks, public buildings, and medians. Promote public education to encourage bay-friendly landscape practices in private yards.</p>	<p>Adopted 5/09</p> <p style="text-align: right;">Complete</p>
<p>Action 17.A: Climate Action Plan Complete and adopt a Piedmont Climate Action Plan that identifies the steps the City can take to reduce greenhouse gas emissions and achieve the emission reduction targets established by Assembly Bill 32.</p>	<p>Adopted 3/10</p> <p style="text-align: right;">Monitoring ongoing</p>
<p>Action 17.E: Solar Panel Study Undertake a “best practices” study of design and permitting issues related to solar panels, wind turbines, and other alternative energy sources. The intent is to accommodate and encourage alternative energy sources in Piedmont without compromising public safety or the design integrity of the city’s architecture and landscapes.</p>	<p>Requires specific text Amendments to Chapter 17 to comply with State law relating to solar equipment. Consider further changes relating to alternative energy equipment</p> <p style="text-align: right;">Completed Phase II</p> <p>Additionally, criteria may be developed as part of the Residential Design Guidelines Update upon completion of Amendments to Chapter 17</p> <p style="text-align: right;">Study/Review</p>
<p>Action 18.C: Incentives for Seismic Retrofits Consider a variety of incentives that encourage Piedmont residents to retrofit their homes for seismic safety.</p>	<p>May be accomplished through specific text Amendments to Chapters 5 (Building Code) or 17 or Residential Design Guidelines Update or a combination of both</p> <p style="text-align: right;">Mid Term: Study/Review Phase III</p>
<p>Action 27.B: Rooftop Structures Encourage residents to remove obsolete rooftop features such as antennae and satellite dishes that are no longer in use. At the same time, regulations and guidelines for rooftop structures should be reviewed to ensure that “green” features such as photovoltaic panels are not precluded or discouraged.</p>	<p>May be accomplished through specific text Amendments to Chapter 17 or Residential Design Guidelines Update or a combination of both</p> <p style="text-align: right;">Long Term: Public Education/Outreach Phase III</p>
<p>Action 28.A: Zoning Ordinance Implementation Apply the development standards in the zoning ordinance, including setback, height, FAR, and lot coverage, to help achieve the city’s design policies.</p>	<p>Ongoing.</p> <p style="text-align: right;">On-going: Standard Operating Procedure</p>

GP Action	Status
<p>Action 28.B: Design Review Program <i>Continue the design review process for new development, alterations, and additions. In connection with Action 6.A: Review of Practices and Procedures and 2.E Streamlining Design Review,</i></p>	<p>Consider amendments to Chapter 17 to continue - but improve design review process <i>On-going: Design Review/Guidelines Phase III</i></p>
<p>Action 28.C: Design Review Amendments <i>Consider methods to streamline the design review process in response to feedback from the 2007 General Plan Resident Survey, including additional exemptions for rear yard projects that comply with zoning standards and are minimally visible to neighbors. Adjustments to the fee schedule also should be considered to ensure that fees are logical and equitable.</i></p>	<p>Consider accomplishing through specific text Amendments to Chapter 17 <i>Ongoing: Design Review/Guidelines Phase III</i></p>
<p>Action 28.D: Design Media <i>Develop additional media and educational tools to assist residents with navigating the design review process. This could include new or improved informational brochures and local access cable / web broadcasts that lay out design review requirements</i></p>	<p>On-going; significant revisions and new materials to be developed after the Code and Design Guideline Updates <i>Short Term: Public Education/Outreach</i></p>
<p>Action 28.E: Residential Design Guidelines Update <i>Update Piedmont’s 1988 Residential Design Guidelines. At minimum, the Guidelines document should be given a more contemporary look, and reformatted to reflect current graphic design standards. As needed, the guidelines should also be assessed and a determination should be made about which guidelines have proven to be effective and which should be modified or eliminated altogether. Two key issues that could be added are special provisions for structures on: (a) steep hillside lots, and (b) small (less than 5,000 square feet) lots. In addition, the guidelines should establish priorities so that the relative importance of habitable space, decks, porches, garages and other building elements are defined; and the treatment of setbacks is better articulated.</i></p>	<p>Requires specific amendments to Residential Design Guidelines Update upon completion of Amendments to Chapter 17 and Housing Element Update <i>Design Review/Guidelines Phase V</i></p>
<p>Action 28.F: Commercial, Mixed Use, and Multi-Family Guidelines <i>Expand the City’s design guidelines to address commercial, mixed use, and multi-family residential development. Although the number of lots zoned for these uses is small, there are currently no adopted design guidelines for them.</i></p>	<p>Requires specific amendments to Residential Design Guidelines Update upon completion of Amendments to Chapter 17. Anticipated to be new, separate sections to the Residential Design Guidelines <i>Design Review/Guidelines Phase V</i></p>

GP Action	Status
<p>Action 29.A: Landscape Guidelines <i>Consider developing landscape guidelines to assist residents with plant selection and design concepts. The guidelines should achieve multiple city goals, including the greater use of native plants, conservation of Piedmont’s urban forest, and reduction of fire hazards, as well aesthetic improvements.</i></p>	<p>Consider development of landscape guidelines which could be a new separate section of the Residential Design Guidelines Update or new brochures, documents and web materials in connection with <i>Action 28.D: Design Media</i></p> <p style="text-align: right;"><i>Design Review/Guidelines Phase V</i></p>
<p>Action 29.B: Fence and Wall Guidelines <i>Update provisions in the 1988 Residential Design Guidelines addressing fences and retaining walls.</i></p>	<p>Requires specific amendments to Residential Design Guidelines Update upon completion of Amendments to Chapter 17</p> <p style="text-align: right;"><i>Design Review/Guidelines Phase V</i></p>
<p>Action 31.B: Historic Preservation Ordinance <i>Consider adopting a historic preservation ordinance that establishes a program of designating local landmarks and establishes a process for review of alterations to these landmarks.</i></p>	<p>To be evaluated as future project as funding permits. However, historic preservation goals should continue to be incorporated into amendments to Chapter 17 and the Residential Design Guidelines Update, until then</p> <p style="text-align: right;"><i>Long Term: Ordinance Change</i></p>
<p>Action 33.B: Service Evaluations <i>On an ongoing basis, evaluate the delivery of City services to identify opportunities for improved customer service and efficiency.</i></p>	<p>In connection with <i>Action 6.A: Review of Practices and Procedures</i> and <i>2.E Streamlining Design Review</i>, consider modifications to improve application review service and efficiency</p> <p style="text-align: right;"><i>On-going: Standard Operating Procedure</i></p>

HE Program	Status
<p>HE Program 1.B: Redevelopment of the PG&E Site <i>Support the redevelopment of the PG&E site on Linda Avenue with multi-family housing.</i></p>	<p>Seven-unit townhouse project approved September 6, 2011</p> <p style="text-align: right;"><i>On-going</i></p>
<p>HE Program 1.C: Market-Rate Second Unit Production <i>Maintain zoning regulations that support the development of market rate second units in Piedmont neighborhoods.</i></p>	<p>Amendments to Chapter 17 approved; effective May, 2012</p> <p style="text-align: right;"><i>On-going</i></p>

HE Program	Status
<p>HE Program 1.D: Second Unit Rental Data Tracking <i>Use sources such as business tax records, reviews of locally advertised rentals, and direct surveys to track the rents being charged for local second units, and gather other relevant data on second unit occupancy, and use.</i></p>	<p>Completed fall 2011; on-going</p> <p style="text-align: right;"><i>On-going</i></p>
<p>HE Program 1.E: Allowing Multi-family housing and mixed use in the Commercial Zone <i>Amend the Piedmont Zoning Ordinance (Chapter 17 of the Municipal Code) to add multiple family housing and mixed use development (e.g., structures combining housing and commercial uses) to the list of conditionally permitted uses in the Commercial Zone (Zone D).</i></p>	<p>Requires specific text Amendments to Chapter 17</p> <p style="text-align: right;"><i>Fall 2011: Ordinance Change Completed Phase II</i></p>
<p>HE Program 1.F: Modifications to Lot Size Requirements <i>Establish exceptions to Piedmont’s lot size and frontage requirements to allow the creation of a limited number of additional lots in the City.</i></p>	<p>Requires specific text Amendments to Chapter 17</p> <p style="text-align: right;"><i>Fall 2011: Ordinance Change Completed Phase II</i></p>
<p>HE Program 1.G: Facilitating Multi-family Development <i>Develop incentives which would facilitate multi-family development on land zoned for multi-family or commercial uses in Piedmont, including modifications to lot coverage requirements for multi-family uses in Zones C and D, and modifications to permitted and conditionally permitted use requirements for Zones C and D. The City will also consider potential ways to streamline environmental review in the event future multi-family uses are proposed in these areas These changes should be implemented within 24 months after the Housing Element is found to be compliant with the State Government Code by the State Department of Housing and Community Development.</i></p>	<p>Requires specific text Amendments to Chapter 17 to comply with State law</p> <p>Additionally, criteria may be developed as part of the Residential Design Guidelines Update upon completion of Amendments to Chapter 17</p> <p style="text-align: right;"><i>2012-2013: Ordinance Change Completed Phase II</i></p>
<p>HE Program 2.B Preservation of Small Homes (through zoning and design review) <i>Maintain zoning and design review regulations that protect the existing supply of small (less than 1,800 square feet) homes in Piedmont. Explore other incentives to protect small homes, including design awards for exemplary small home improvement projects.</i></p>	<p>Existing provisions to be retained (possibly expanded) during process to Amend Chapter 17</p> <p>Additionally, consider developing criteria as part of the Residential Design Guidelines Update upon completion of Amendments to Chapter 17</p> <p style="text-align: right;"><i>On-going: Implemented thru Design Review Completed Phase II</i></p>

HE Program	Status
<p>HE Program 2.C Use of Original Materials and Construction Methods <i>Maintain Planning and Building standards which allow the use of original materials and construction methods in home remodeling.</i></p>	<p>Existing provisions to be retained (possibly expanded) during process to Amend Chapter 17 and existing or new criteria in Residential Design Guidelines Update or a combination of both <i>On-going: Standard Operating Procedure Phase III</i></p>
<p>HE Program 2.E Streamlining Design Review <i>Conduct a Planning Commission Study Session to identify steps that might be taken to expedite and improve the design review process. Following this Session, develop amendments to the Design Review process consistent with Action 28.C of the General Plan (Design and Preservation Element).</i></p>	<p>First Session held November 8, 2010, with further sessions to be held as part of hearings to discuss Amendments to Chapter 17 <i>Under Way: Done Periodically Phase III</i></p>
<p>HE Program 2.F: Updating Design Guidelines <i>Update the 1988 City of Piedmont Residential Design Guidelines, consistent with Action 28.E of the Piedmont General Plan.</i></p>	<p>Requires specific amendments to Residential Design Guidelines Update upon completion of Amendments to Chapter 17 <i>Phase V</i></p>
<p>HE Program 3.A: Second Unit Ordinance Assessment <i>Complete a 5-year assessment of the Piedmont Second Unit Ordinance, with a focus on the incentives that are being used to promote rent-restricted units and the steps that can be taken to increase second unit production and occupancy rates. Comprehensive study and evaluation of the second unit ordinance.</i></p>	<p>Amendments to Chapter 17 approved; effective May, 2012 <i>Completed 2012</i></p>
<p>HE Program 3.B: Affordable Second Unit Public Information Campaign <i>Initiate a public information and education campaign about second units, including definitions, regulations for their use, opportunities for their construction, and the various incentives offered by the City to create rent-restricted units.</i></p>	<p>Started immediately after Amendments to Chapter 17 approved; effective May, 2012 <i>Completed 2012</i></p>
<p>HE Program 3.C: Monitoring Affordable Second Unit Opportunities <i>Monitor the supply of unintended second units, illegal or suspected second units, and vacant second units. A confidential data base listing the addresses of such units shall be maintained for administrative purposes. Recognize the potential for such properties to help meet the City's affordable housing needs, and take proactive steps to realize this potential in the coming years.</i></p>	<p>Initially completed as part of Amendments to Chapter 17 approved; effective May, 2012; more monitoring to occur annually <i>On-going</i></p>

HE Program	Status
<p>HE Program 3.D: Monitoring Additional Second Unit Opportunities <i>Monitor potential opportunities for second units within new homes and on existing homes located on larger lots that are conducive to second unit creation.</i></p>	<p>New provisions to encourage new units in new homes implemented as part of Amendments to Chapter 17 approved; effective May, 2012; more monitoring to occur annually</p> <p style="text-align: right;"><i>On-going</i></p>
<p>HE Program 4.A: Media Strategy <i>Prepare printed brochures and web-based materials which inform residents about the planning and building processes in Piedmont. Focus is on website improvements, press releases, etc.</i></p>	<p>In connection with Action 28.D: Design Media to be done after revisions to the Code and Design Guidelines</p> <p style="text-align: right;"><i>On-going</i></p>
<p>HE Program 4.G: Amendment to Parking Standards in Zones B, C, and D <i>Amend Chapter 17 of the Municipal Code to require one (rather than two) off-street parking spaces per housing unit for units smaller than 700 square feet in all zones of the City, rather than just Zones A and E. Should be done in conjunction with 1.E and other zoning ordinance changes</i></p>	<p>To be completed as part of the Amendments to Chapter 17</p> <p style="text-align: right;"><i>Fall 2011</i> Completed Phase II</p>
<p>HE Program 4.H: Study alternatives to Bonding Requirements <i>Explore programs to reduce the financial burden to prospective homeowners associated with bonding requirements.</i></p>	<p>New standard conditions of approval implemented 2011</p> <p style="text-align: right;"><i>Completed 2012</i></p>
<p>HE Program 5.B: Allowances for Temporary Home Improvements <i>Allow Planning and Building Code exceptions for certain temporary home improvements which help Piedmont seniors remain in their homes as their physical capabilities change.</i></p>	<p>To be considered as part of the Amendments to Chapter 17</p> <p style="text-align: right;"><i>On-going: Standard Operating Procedure</i> Completed Phase II</p>
<p>HE Program 5.D: Accommodation for Disabled Persons <i>Develop printed and web-based information which describe the procedures for making a Piedmont home “barrier free.” Involves outreach and preparation of web-based resources.</i></p>	<p>In connection with Action 28.D: Design Media to be done after revisions to the Code and Design Guidelines</p> <p style="text-align: right;">Completed 2012</p>

HE Program	Status
<p>HE Program 5.E: Zoning Amendment for Emergency Shelter <i>Amend the Piedmont Zoning Ordinance to identify emergency shelters and transitional housing as permitted uses in Zone B, the Public Facilities Zone. Pursuant to Chapter 633, Statutes of 2007 (SB2), the revised zoning text will stipulate that transitional and supportive housing will be considered a residential use subject only to the same permitting processes as other housing in the subject zone without undue special regulatory requirements.</i></p>	<p>To be completed as part of the Amendments to Chapter 17</p> <p style="text-align: right;">Fall 2011 Completed Phase II</p>
<p>HE Program 5.I: Second Units for Extremely Low Income Households <i>Maintain an inventory of second units that are available at rents that are affordable to extremely low income households. Explore ways to expand this inventory and encourage the development of additional extremely low income second units through the City's affordable second unit program and other means.</i></p>	<p>Amendments to Chapter 17 approved; effective May, 2012</p> <p style="text-align: right;">On-going</p>
<p>HE Program 5.J: Incentives for Extremely Low Income Housing <i>Develop incentives to meet the needs of Piedmont's extremely low income households potentially including modified development standards for new multi-family buildings that include units for extremely low income families.</i></p>	<p>Amendments to Chapter 17 approved; effective May, 2012</p> <p style="text-align: right;">Completed 2012</p>

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PIEDMONT PLANNING COMMISSION

Regular Meeting Minutes for Monday, November 8, 2010 – ABRIDGED

A Regular Session of the Piedmont Planning Commission was held November 8, 2010, in the City Hall Council Chambers at 120 Vista Avenue. In accordance with Government Code Section 54954.2(a) the agenda for this meeting was posted for public inspection on October 29, 2010.

CALL TO ORDER

Chairman Robertson called the meeting to order at 5:00 p.m.

ROLL CALL

Present: Commissioners Jonathan Levine, Jim Kellogg, Melanie Robertson, Bobbe Stehr, Clark Thiel and Alternate Commissioner Michael Henn

Staff: City Planner Kate Black, Assistant Planner Kevin Jackson, Planning Technicians Sylvia Toruno and Zach Rehm and Recording Secretary Chris Harbert

REGULAR CALENDAR

The Commission considered the following items of regular business:

**Design Review
Guidelines**

The City Planner recommended that the Commission begin considering possible improvements to the City's Residential Design Review Guidelines, which have not been updated since their adoption in 1988. She stated that the Commission is well positioned to review and update these guidelines since all the Commissioners have had at least three years experience in working the guidelines. The City Planner also encouraged residents to provide input regarding the guidelines and to provide the planning department with their e-mail addresses so as to be notified in advance of the dates and times hearings on the guidelines will be held.

The Commission requested that for purposes of review and update, the guidelines be divided into sections/chapters and the timetable for discussion be flexible so as to take into account the length of Commission meeting agendas and staff workload requirements. The Commission requested that the review begin with *Fences, Retaining Walls and Garages*.

During discussion, the Commission requested that the following issues be addressed during the review/update process:

- the possible need for separate guidelines dealing with cell antennae installations, signage and other types of utilitarian projects wherein findings of "aesthetically pleasing" can be quite challenging;
- the desirability of considering roof material as an important architectural element of a design, rather than just having composite asphalt shingles as the de facto choice;
- whether the routine finding that a project "is categorically exempt from CEQA" can be presumed rather than explicitly stated in each motion;

- the desirability of easing the current restriction that "new residential construction be compatible with the predominate architectural style of a neighborhood" so as to add more flexibility in approving modern, contemporary designs. Design compatibility be based more on sensitivity to the surrounding architectural environment, mass, bulk, siting, scale, size, etc.
- provide more flexibility regarding front yard fence heights for upsloping lots and tall houses so as to create proper visual scale and proportion;
- expand the definition of front entry points such as gates, arbors, finals, etc. to provide flexibility in allowing such elements to be higher than 4 ft. if a higher height enhances the overall architectural design;
- revise the zoning code to allow architectural detailing and ornamentations that enhance the overall architectural integrity of a project to encroach into setbacks, if such encroachment does not adversely impact adjacent properties. Provide a list of the types of minor architectural features that may be allowed to encroach into setbacks, subject to staff review and approval of such "minor variances."
- revise the guidelines to meet the new General Plan Housing Element recommendation that a multi-zone definition be considered in Zone D;
- insure that the revised guidelines encourage, rather than discourage, housing improvements and new home construction;
- incorporate the City of Lafayette's design guideline encouraging the retention of the natural features of a property;
- include illustrations in the guidelines depicting how building mass should be treated on steep, upslope properties;
- provide flexibility to Commissioners to determine that repeated site visits are not required unless substantive changes to a previously submitted design are proposed.

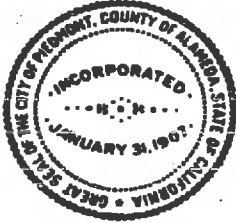
Public testimony was received from:

Arleta Chang, a former Planning Commissioner, stated that overall the consensus of her architectural firm is that the Design Review Guidelines are comprehensive, flexible, useful and not difficult to understand or follow. She urged that the City's Zoning Code be revised to address issues related to parking requirements, architectural projections into setbacks and most particularly, the financially burdensome conditions being placed on new home construction projects.

ADJOURNMENT

There being no further business, Chairman Robertson adjourned the meeting at 8:10 p.m.

City of Piedmont
CALIFORNIA



MEMORANDUM

DATE: November 8, 2010

TO: Planning Commission

FROM: Kate Black, City Planner

SUBJECT: Discussion Concerning Modifications to the Design Review Guidelines

RECOMMENDATION:

Begin a discussion of possible changes to the City's Residential Design Review Guidelines (Guidelines). The goal of the discussion is to review the existing Guidelines to determine how they might be improved by modifications. No action is expected at the hearing, but direction to staff is welcomed.

BACKGROUND:

The City's DRGs were developed in 1988 by a committee of staff and resident consultants, were reviewed at several Planning Commission hearings, and were subsequently approved by the City Council on May 16, 1988. Since then, every Administrative, Staff and Planning Commission residential design review application has been evaluated for its compliance to the Guidelines. Despite the high level of reliance on the criteria of the Guidelines, no changes of any kind have been made to them in the 22 years that have passed since their creation.

Need for Update

As the Commission is aware, the Commission and staff have anticipated modifications to the Guidelines as well as Chapter 17 following the recent adoption of the General Plan and expected certification of the Housing Element. Action 28E "Residential Design Guidelines Update" of the General Plan requires an update to the Guidelines:

"Update Piedmont's 1988 Residential Design Guidelines. At minimum, the Guidelines document should be given a more contemporary look, and reformatted to reflect current graphic design standards. As needed, the guidelines should also be assessed and a determination should be made about which guidelines have proven to be effective and which should be modified or eliminated altogether. Two key issues that could be added are special provisions for structures on: (a) steep hillside lots, and (b) small (less than 5,000 square feet) lots. In addition, the guidelines should establish priorities so that the

relative importance of habitable space, decks, porches, garages and other building elements are defined; and the treatment of setbacks is better articulated”.

More recently, the need to consider changes to the Guidelines – including a hierarchy of importance of interior and exterior living spaces relative to views – was stated at the October 18, 2010 Joint Session Meeting of the City Council and Planning Commission.

Commission to be Review Body

The present appears to be a very good time for this review to begin not only because it follows the General Plan and Housing Element projects, but because all members of the current Planning Commission have at least 3 years of experience using the Guidelines, which is an unusual circumstance. Given current budget constraints, it is not likely that there will be money for consultant assistance, with the possible exception of the preparation of illustrations or other graphic materials. Staff believe that the Commission members are well positioned to develop updated guidelines using their collective expertise and by facilitating an open public process.

ISSUES FOR COMMISSION CONSIDERATION:

Underlying Goals

Staff believe the goals underlying the update should result in simple, understandable language, clear definitions, common-sense design concepts, and graphics that illustrate the concepts well and provide guidance and inspiration to users. Does the Commission agree, and/or think there should be different or additional goals?

Questions to Begin the Discussion

Staff have prepared several questions to help begin the discussion. These questions are merely suggested topics for discussion, and certainly are not meant to limit the discussion. The Commission is encouraged to identify other topics for research and discussion at this meeting and future public meetings.

1. Which specific Guidelines have you found to be reliable and useful in making your design decisions that should be retained?
2. Which specific Guidelines have you rarely used in making your design decisions because they don't help guide or affirm good designs?
3. How can new “green” technologies and principles be incorporated into the Guidelines?
4. How can we best involve the residents in this process?
5. How can we best involve the architects and contractors who have experience with Piedmont's Guidelines in the process?

6. In addition to the key issues mentioned in the General Plan (steep and very small lots) and at the Joint Meeting (space hierarchy related to views), what other key issues do you think should be addressed?
7. The Guidelines were specifically developed to address single-family designs. Do we want to create guidelines for multi-family or commercial properties?

NEXT STEPS:

Staff recommends that the Commission review the Guidelines (which are attached to this report) in preparation for the November 8th meeting with the above-referenced goals and questions as a starting point. Future discussions and hearings will be scheduled that focus on and address specific issues identified November 11th.