



Planning & Development Committee

Monday, June 13, 2022 @ 5:30 PM

Lorraine H. Morton Civic Center, James C. Lytle City Council Chambers, Room 2800

**COMMITTEE MEMBER
PRESENT:**

Melissa Wynne, Councilmember, Jonathan Nieuwsma, Councilmember, Bobby Burns, Councilmember, Eleanor Revelle, Councilmember, Devon Reid, Councilmember, and Juan Geracaris, Councilmember

**COMMITTEE MEMBER
ABSENT:**

Clare Kelly, Councilmember

STAFF PRESENT:

Johanna Nyden, Director of Community Development and Sarah Flax, Housing & Grants Manager

(I) CALL TO ORDER - COUNCILMEMBER BURNS

(II) APPROVAL OF MINUTES

PM1. **Approval of the Minutes of the Regular Planning & Development Committee meeting of May 9, 2022**

Staff recommends approval of the Minutes of the Regular Planning & Development Committee meeting of May 9, 2022.

Moved by Councilmember Jonathan Nieuwsma
Seconded by Councilmember Eleanor Revelle

Ayes: Councilmember Eleanor Revelle, Councilmember Juan Geracaris, Councilmember Jonathan Nieuwsma, Councilmember Bobby Burns, and Councilmember Devon Reid

Carried 5-0 on a recorded vote

(III) PUBLIC COMMENT

Pat Fowler, owner of Firehouse Grill, spoke in favor of item P3 stating there is interest for putting a billboard on his building that bring in additional revenue.
Councilmember Suffredin encourages passage of items P1 and P3.

(IV) ITEMS FOR CONSIDERATION

- P1. Ordinance 52-O-22, Amending City Code Title 6, "Zoning" to Remove References to the Plan Commission and Zoning Board of Appeals and to Include Reference to the Land Use Commission.

The Land Use Commission and staff recommend the adoption of Ordinance 52-O-22, Amending City Code Title 6, "Zoning" to Remove References to the Plan Commission and Zoning Board of Appeals and to Include Reference to the Land Use Commission. This is a Text Amendment to the Zoning Ordinance to replace outdated language related to the dissolved Zoning Board of Appeals and Plan Commission, and replacement with the Land Use Commission.

Moved by Councilmember Jonathan Nieuwsma
Seconded by Councilmember Eleanor Revelle

Ayes: Councilmember Jonathan Nieuwsma, Councilmember Bobby Burns, Councilmember Eleanor Revelle, Councilmember Devon Reid, and Councilmember Juan Geracaris

Carried 5-0 on a recorded vote

- P2. Ordinance 34-0-22, Amending Title 4, Chapter 14, "Design and Project Review (DAPR)" of the City Code"

Staff recommends adoption of Ordinance 34-O-22 "Amending Title 4, Chapter 14, "Design and Project Review (DAPR)" of the City Code". The revised ordinance dissolves the formal committee structure and maintains the projects and evaluation measures of Design and Project Review.

Councilmember Nieuwsma had questions about the voting terminology used since staff can still have recommendations for a project but that doesn't mean it can be outvoted.

Johanna Nyden, Community Development Director, responded that it is the democratic way of providing a recommendation. Items will stay in DAPR until staff feels like they are able to make a consensus recommendation to move forward and certain departments can address any of the code issues that may arise. In more cases, council members are more inclined to look at staff comments rather than the final vote.

Councilmember Nieuwsma indicated that the intent is for staff review to ensure they are code compliant prior to going to Land Use Commission. He then asked how creating the Land Use Commission will help with efficiency.

Ms. Nyden shared that if recommendations are made to a project they have to wait a week to review any changes because of the public notifications that currently have to occur. Ideally, changes can be made and submitted back to staff within the day and staff can reconvene without public notification to move it forward after issues have been addressed.

Councilmember Nieuwsma asked Ms. Nyden to address any concerns with transparency if the meeting is no longer public.

Ms. Nyden indicated that there is no code for this meeting to be public but at some point, staff was taking comments from residents and it became more formal. Staff will be posting

comments and there will still be opportunities online for people to give their feedback. The intent is for staff to review for coding compliance and public comments would not keep a project from moving forward which the public doesn't often understand. Public comments will be available at the Land Use Commission and at ward meetings.

Councilmember Revelle asked if councilmembers will still receive notes from the meeting as she finds them helpful and if the staff doesn't recommend a project, will it still go to the Land Use Committee.

Ms. Nyden responded yes to both.

Councilmember Reid recommended that rather than a vote, the staff should provide a determination whether the project is in compliance or not.

Councilmember Burns stated that residents complain that they don't hear about projects until it is further down the road and recommended that it is still recorded so residents can learn more about the project in the early stages. Councilmember Burns requested the time and cost to record the meetings.

Moved by Councilmember Jonathan Nieuwsma

Seconded by Councilmember Eleanor Revelle

Ayes: Councilmember Jonathan Nieuwsma, Councilmember Eleanor Revelle, Councilmember Bobby Burns, Councilmember Devon Reid, and Councilmember Juan Geracaris

Carried 5-0 on a recorded vote

P3. Ordinance 53-O-22, Amending City Code Title 6 to Add "Billboards" as a Special Use

The Land Use Commission recommends denial of Ordinance 53-O-22, Amending City Code Title 6 to Add "Billboards" as a Special Use. This is a Text Amendment to the Zoning Ordinance to establish zoning regulations for Billboards as Special Uses in all zoning districts. The proposed text amendment does not meet the Standards for Approval, specifically the proposal does not meet the goals and objectives of the Comprehensive General Plan (Comp Plan).

Councilmember Revelle requested clarification about the Firehouse Grill request.

Mr. Fowler, the owner of Firehouse Grill, stated that he would like a billboard on the side of his building that would be advertising another company as an additional income opportunity. It would be on the west side of the building facing the el tracks.

Councilmember Reid does not think that the City needs more billboards and would be more open if the billboard were to be affixed to a building and not freestanding.

Councilmember Geracaris asked if this would still fall under a special use and it wouldn't be open season for anyone to put up a billboard.

Ms. Nyden responded that it would still have to go through a special use.

Councilmember Suffredin stated that it would be worth exploring what kind of revenue could be generated by having these types of billboards on city properties.

Councilmember Reid moved send this back to the Land Use Committee to take into consideration that the billboards be transfixed to a building and are mostly only visible to those on the train tracks.

Moved by Councilmember Jonathan Nieuwsma
Seconded by Councilmember Eleanor Revelle

Ayes: Councilmember Jonathan Nieuwsma, Councilmember Bobby Burns,
Councilmember Eleanor Revelle, and Councilmember Devon Reid
Nays: Councilmember Juan Geracaris

Carried 4-1 on a recorded vote

(V) ITEMS FOR DISCUSSION

P1. Summary of Planning and Development Sub-committee Discussion Regarding Rental Registration and Licensing

At its meeting on April 14, 2022 the Planning and Development Housing sub-committee agreed that there should be more input from other Councilmembers on the topic of rental licensing versus registration and voted unanimously to move this issue to the full Planning & Development Committee. This memo summarizes the sub-committee's discussions on this topic to inform the discussion by the Planning & Development Committee in order to provide direction to staff regarding the next steps.

Moved by Councilmember Devon Reid
Seconded by Councilmember Jonathan Nieuwsma

Ayes: Councilmember Jonathan Nieuwsma, Councilmember Bobby Burns,
Councilmember Eleanor Revelle, Councilmember Devon Reid, and
Councilmember Juan Geracaris

Carried 5-0 on a recorded vote

Ms. Nyden stated that staff will determine the feasibility and prepare budgeting requirements for 2023 for staffing, fees and the software requirements.

Councilmember Reid suggested that there are still discussions that need to be conducted and to allow the Housing Sub-committee to look at the three unrelated and other items that were brought up.

Councilmember Revelle said that she would not like to see it go to another sub-committee but wants to ensure that the software and staff would be in place to implement it. She referred to a publication that was included in the packet that specified that a really important step for successful regulations is to engage the landlords in the process as well.

Councilmember Burns suggested two options. The first would be to bring it back for a special meeting for the Planning and Development Committee or refer it to another subcommittee to meet twice to discuss it with local experts. He would like to create the time needed to have more discussions and work with landlords to finalize the details of the regulations.

Sarah Flax, Housing and Community Grants Manager, recommended that the committee members allow staff to engage the community in discussions rather than having to go through this body.

Councilmember Nieuwsma loathes creating another committee and would prefer a task force meeting to get community members working to hash those out.

Councilmember Revelle agreed with Councilmember Nieuwsma and wants key issues to be resolved including if we take away a landlord's registration how is the City going to assist the families that live there.

Ms. Nyden summarized the semantics to create a collaborative working group as ongoing administrative tasks continue to ensure what it will take to get the proper software and staffing in place. She suggested that written updates are shared in the communication item for the Planning and Development Committee agendas.

Councilmember Reid moved to create a working group comprised of landlords and two councilmembers from the Planning and Development Committee with two meeting to discuss the details of the proposal.

(VI) ITEMS FOR COMMUNICATION

P1. Communication on Referral Regarding Anti-Displacement/Gentrification Efforts

Staff seeks no recommendation at this time and is providing an update to a referral made by Councilmember Burns regarding further discussion of the City's anti-displacement and gentrification efforts.

(VII) ADJOURNMENT

Councilmember Burns declared the meeting adjourned at 8:55pm.