



## Town Council Agenda Report

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Date: November 12, 2019 Item No. 10  
To: Honorable Mayor and Town Council  
Subject: UPDATED SCHEDULE OF FUTURE DEVELOPMENT CODE  
AMENDMENT DISCUSSIONS  
From: Douglas Robertson, Town Manager  
Submitted by: Lori Lamson, Assistant Town Manager

Budgeted Item:  Yes  No  N/A

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### **RECOMMENDED ACTION:**

Receive and file

### **SUMMARY:**

On May 1, 2019 the Planning Commission and the Town Council held a joint workshop to discuss issues related to the current regulations of the Development Code. Most of these issues involved non-residential development, with a few exceptions. At that meeting direction was given to staff to initiate Development Code Amendments for certain items and also bring back some issues to the Council for further discussion.

Attached is an updated schedule that identifies the order that these amendments and discussion items will be brought forward to the Planning Commission and Town Council for consideration. This schedule will be updated and placed on the Town Council's agenda monthly.

Each Amendment requires a recommendation from the Planning Commission and Adoption of first and second reading by Council. Discussion items would require a step of initiating an amendment to then forward to the Planning Commission for review and

recommendation, followed by the Council adoption. Each of these items can take 4 to 6 months to process individually.

Staff determined the priority of the items through the discussion that took place at the workshop. The schedule attached is fluid and can be modified by staff or the Council depending on staffing and Council priorities.

**Fiscal Impact:**

Not Applicable

**Attachments:**

Development Code Amendment Schedule

| Entitlement #                | Description   | TC Initiation Date | PC Hearing | TC Hearing | 2 <sup>nd</sup> Reading | Effective Date | Staff |
|------------------------------|---|--------------------|------------|------------|-------------------------|----------------|-------|
| GPA 2019-001<br>DCA 2019-004 | 1. Remove 8-acre minimum lot size for Regional Commercial property development to allow phased development.   | 5/1/2019           | 6/19/19    | 8/13/19    | 8/27/19                 | 9/27/19        | LL    |
| DCA 2019-005                 | 2. Allow Administrative review of new development that is greater than 50,000 square feet.<br>3. Remove the Use Permit requirements as it pertains to physical development and replace it with appropriate type of Development Permit (DP) requirement.<br>4. Expand the lapse of time for a Variance<br>5. Modify language in Extension of Time for entitlements to extend the life of the permit (DP, Use Permits, Variances)<br>6. Explain the Development Advisory Board process in the Pre-application Conference (9.12.020) section of the Code<br>7. Remove the Entertainment Village Overlay District (Chapter 9.66) which does not exist anymore.<br>8. Reduce the number of findings for CUP, DP and Special Use Permit (SUP) | 5/1/19             | 6/19/19    | 8/13/19    | 8/27/19                 | 9/27/19        | PC    |
| DCA 2019-006                 | 9. Modify the definition of “manufacturing” to allow assembly as an ancillary use to a commercial or industrial business.   | 5/1/19             | 8/7/19     | 10/8/19    | 10/22/19                | 11/21/19       | LL    |

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|---------------|---|--------------------|------------|------------|-------------------------|----------------|-------|
| DCA 2019-007  | <p>10. Identify a new use that could categorize micro brews, brew pubs, and craft distilleries, coffee roasters that manufacture these edible products and typically include tasting, entertainment, and food service.</p> <p>11. Consider expanding PF (Public Facilities) zone to allow for restaurants</p> | 5/1/19             | 8/21/19    | 9/24/19    | 10/8/19                 | 11/7/19        | PC    |
| DCA 2019-008  | <p>12. ADU regulations on a corner lot to be reduced</p> <p>13. Definition of a corner lot to be revised</p>  | 5/1/19             | 8/7/19     | 9/24/19    | 10/8/19                 | 11/7/19        | PC    |
| Discussion    | <p>14. Multi-Family Residential Discussion</p> <p>15. Joint Workshop with PC &amp; TC</p>   | 8/27/19            | 11/20/19   | 11/20/19   |                         |                | LL    |
| DCA 2019-009  | <p>16. Expand existing use tables to consider current trends and remove outdated language. Also consider modifying the approving authority.</p> <p>17. Reduce the amount of projects that require Planning Commission approval</p>  | 5/1/19             | 9/4/19     | 10/22/19   | 11/12/19                | 12/12/19       | PC    |
| DCA 2019-010  | <p>18. Expand the use of Deviation Permits</p> <p>19. Allow for more flexibility for projections into yards and height limits through Deviation Permit</p>  | 5/1/19             | 9/4/19     | 10/22/19   | 11/12/19                | 12/12/19       | PC    |

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|---------------|---|--------------------|------------|------------|-------------------------|----------------|-------|
| Discussion    | <p>20. Discuss the need for fencing of outside storage and on-site improvements for non-residential storage.</p> <p>21. Discuss the use of metal cargo containers in non-residential zones, including non-conforming residential development in industrial or commercial zones.</p> | 9/10/19            |            |            |                         |                | LL    |
| DCA 2019-011  | 22. Allow for Intensity Bonus or Concessions for sustainable, environmentally supportive or affordable housing to be reviewed and approved by Director.   | 5/1/19             | 9/18/19    | 11/12/19   | 12/10/19                | 1/9/20         | PC    |
| DCA 2019-     | 23. Non-conforming Multi-family 2-4 units will allow them to re-build if building is destroyed.   | 5/1/19             | 11/6/19    | 12/10/19   | 1/14/19                 | 2/13/19        | PC    |
| DCA 2019-     | 24. Include a description of other Development Impact Fees in the Subdivision Section (9.71.055) of the Code where it refers to the regulations of the Quimby requirements.   | 5/1/19             | 11/6/19    | 1/14/20    | 1/28/20                 | 2/28/20        | PC    |
| DCA 2019-     | 25. Administrative review of amendments to approved projects  | 5/1/19             | 11/6/19    | 1/28/20    | 2/11/20                 | 3/11/20        | PC    |

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|--|---|--------------------|------------|------------|-------------------------|----------------|-------|
| DCA 2019-014<br><br>SPA 2005-001<br>Amendment<br>No. 8 | 26. Expand they type of fencing for screening storage areas of developed commercial and industrial zones to opaque materials including vinyl fencing or solid metal. Also, do not allow chain link to screen storage, with the exception of the C-V and C-S zones<br><br>27. Allow 2 cargo containers in C-S zone consistent with the current exception for C-V zone. Clarify screening or enhancement requirements to cargo containers in other commercial or industrial zones, otherwise cargo containers are prohibited. | 9/10/19            | 11/6/19    | 12/10/19   | 1/14/20                 | 2/13/20        | LL    |
| Discussion   | 28. Reduce Propane/water tank setbacks and other ancillary setbacks in commercial zones<br><br>29. Reduce setbacks when lush landscaping is provided  | 11/12/19           |            |            |                         |                | LL    |
| DCA 2020-  | 30. Discuss trash enclosure specifications including height and location<br><br>31. Increase in height of parking lot light standards in non-residential zones<br><br>32. Discuss reduction in landscaping requirements for all non-residential zones<br>Landscaping requirements need to be consistent with ADA requirements.  | 5/1/19             | 12/4/19    | 1/28/20    | 2/11/20                 | 3/11/20        | PC    |
| DCA 2020-  | 33. Discuss the regulations of trailers and campers occupied for more than 15 days.<br><br>34. Mobile Homes that are older than 20 years<br><br>35. Expand the use of TUP's.  | 5/1/19             | 12/4/19    | 1/28/20    | 2/11/20                 | 3/11/20        | LL    |

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| DCA 2019-     | 36. Allow ADU's to develop under current regulations on lots with existing legal non-conforming single family residences. Also, update to comply with 10/19 legislation.  | 5/1/19                        | 12/4/19    | 2/11/20    | 2/25/20                 | 3/25/20        | PC    |
| DCA 2019-MCA  | 37. Cannabis cultivation penalties  | Staff/Town Attorney initiated | 12/18/19   | 1/28/20    | 2/11/20                 | 3/11/20        | CM    |
| Discussion    | 38. Discuss the Sign Code<br>39. Reduce regulations for the use of digital signs  | 1/14/20                       |            |            |                         |                | PC    |
| Discussion    | 40. Discuss the regulations that allows for mass grading sites, removing all existing vegetation and the regulation that discusses replanting of native desert plants if a site is mass graded.<br>41. Allow administrative review to determine if a Joshua Tree is dead, rather than requiring an expert to provide a written report. Update Native Plant ordinance. | 1/28/20                       |            |            |                         |                | PC    |
| DCA 2020-     | 42. Reduce and Compare Parking standards with current trends<br>43. Allow required parking for automotive repair uses be inclusive of parking spaces used for vehicles awaiting service.<br>44. Consider allowing an administrative review for shared parking agreements rather than a CUP.   | 5/1/19                        | 2/5/20     | 3/10/20    | 3/24/20                 | 4/9/20         | PC    |

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| DCA 2020-     | 45. Expand Section 9.15 “Commercial/Industrial Revitalization Permits” to allow for new construction and expansion in Village and Infill development Town-wide by allowing more exemptions and relief in parking, setbacks, etc. to be reviewed by the Director   | 5/1/19             | 2/5/20     | 3/24/20    | 4/10/20                 | 4/23/20        | PC    |
| MCA           | 46. Massage Therapy Establishment Regulations   | 9/24/19            | n/a        | 3/10/20    | 3/24/20                 | 4/24/20        | CM    |
| MCA           | 47. Street Vendor Regulations   | 9/24/19            | n/a        | 3/10/20    | 3/24/20                 | 4/24/20        | CM    |
| DCA 2020-     | 48. Discuss drive through queuing requirements to allow for flexibility to increase and decrease requirements by Director<br>49. Reduce regulations for menu boards affiliated with drive through establishments<br>50. Discuss hours of operation of drive through establishments, adjacent to residential, currently allowed between 6 am and 10 pm. Allow for Director Review and issuance of use permit with mitigation/conditions to reduce impacts to adjacent residential.<br>51. Clean up code related to drive through lanes and remove requirements from graphics and insert into text. | 5/1/19             | 2/19/20    | 3/24/20    | 4/10/20                 | 5/10/20        | PC    |
| DCA 2020-     | 52. Consider restricting Gas Stations from occupying more than two hard corners in an intersection, but allow development of a gas  | 5/1/19             | 3/4/20     | 4/14/20    | 5/12/20                 | 6/11/20        | LL    |



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|  | station a reasonable distance away from hard corner. |  |  |  |  |  |  |
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| DCA 2020-     | 53. Provide distinction in Code that identifies Federal, State, Local and other agency regulations<br>54. Clean up all Development Code inconsistencies and organize the Development Code to remove redundancies. | 5/1/19             | 3/4/20     | 4/14/20    | 5/12/20                 | 6/11/20        | PC    |
|               |   |                    |            |            |                         |                |       |
|               |   |                    |            |            |                         |                |       |