

Malibu City Council Zoning Ordinance Revisions and Code Enforcement Subcommittee (ZORACES) Special Meeting Agenda

Tuesday, August 9, 2011, 9:00 a.m.

Malibu City Hall – Zuma Room
23825 Stuart Ranch Road

**Mayor John Sibert
Councilmember Jefferson Wagner**

Call to Order

Approval of Agenda

Public Comment

This is the time for members of the public to comment on any items not appearing on this agenda. Each public speaker shall be allowed up to 3 minutes each for comments. The Subcommittee may not discuss or act on any matter not specifically identified on this agenda, pursuant to the Ralph M. Brown Act.

Discussion Items

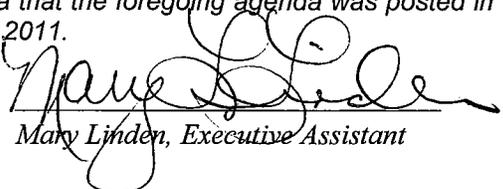
1. Comprehensive Update to the City' Zoning Code (Phase I)

Staff recommendation: Receive a presentation from staff and Lisa Wise Consulting, Inc. (LWC) regarding Phase I of the comprehensive update to Title 17 (Zoning) of the Malibu Municipal Code (M.M.C.) obtain public comment on the item; and provide feedback on the Zoning Code update based on the Subcommittee's experience with project review and policy analysis.

Staff contact: Associate Planner Smith, 310-456-2489, ext.336

Adjournment

I hereby certify under penalty of perjury, under the laws of the State of California that the foregoing agenda was posted in accordance with the applicable legal requirements. Dated this 2nd day of August 2011.


Mary Linden, Executive Assistant



Zoning Ordinance
Revisions & Code
Enforcement
Subcommittee Meeting
08/09/11

Item 1

Zoning Ordinance Revisions and Code Enforcement Subcommittee Agenda Report

To: Zoning Ordinance Revision and Code Enforcement Subcommittee (ZORACES) Members Sibert and Wagner

Prepared by: Joseph Smith, AICP, Associate Planner *JS*

Reviewed by: Stefanie Edmondson, AICP, Principal Planner *SE*

Approved by: Joyce Parker-Bozylinski, AICP, Planning Director *JPB*

Date prepared: August 2, 2011 **Meeting date:** August 9, 2011

Subject: Comprehensive Update to the City's Zoning Code (Phase I)

RECOMMENDED ACTION: Receive a presentation from staff and Lisa Wise Consulting, Inc. (LWC) regarding Phase I of the comprehensive update to Title 17 (Zoning) of the Malibu Municipal Code (M.M.C.); obtain public comment on the item; and provide feedback on the Zoning Code update based on the Subcommittee's experience with project review and policy analysis.

DISCUSSION: The Subcommittee may want to consider the following discussion items:

1. Common problems with the entitlement process and reviewing projects.
2. Areas of inconsistency between the Zoning Code and the General Plan / LCP.
3. Code violations that require improved enforcement.

The comprehensive update is intended to effectively guide the development process within Malibu and enable results that are consistent with the goals and policies of the General Plan and Local Coastal Program (LCP) Land Use Plan (LUP). The bulk of the project involves substantive reformatting of the Code's layout and will address a number of housekeeping items collected for nearly two decades since the Code was first adopted in 1993. There will be some modifications proposed on policy issues that have been under the City's review for several years, but this project is not a re-visioning of the City's zoning regulations, nor a plan to rezone parcels. Changes related to the Housing Element update, sign ordinance, and the local community

servicing business discussion are being processed separately and are not a part of this update.

This project is intended to make the Code more user-friendly but not in terms of increasing the ease of development potential in the City; in terms of basic organization, clarifying development standards, and providing better descriptions of zoning regulations to users. The project will also modernize the Code's language, clean up conflicting policies that damage the Code's effectiveness, and create consistency between the City's regulating and guiding documents (General Plan, LCP, and M.M.C.).

The purpose of presenting the item before ZORACES and facilitating the subsequent group stakeholder interviews planned throughout the day is to collect ideas. This important task is meant to be an open process of information gathering, idea sharing, and collaboration. This task is within Phase I of a two-phase program to update the City's zoning regulations. Phase I is the subject project and focuses solely on Title 17 (Zoning) of the M.M.C. Phase II includes an update to the LCP Local Implementation Plan (LIP) and will commence once Phase I is completed (anticipated mid/late 2012). The end goal of Phase I is to produce a document for discussion purposes – an “administrative working draft.” Eventually, once Phases I and II are completed, the drafts will undergo further public review and culminate in a final document presented to the City Council for adoption. However, that is a long way off and to get there, we need to start with obtaining feedback from everyone involved. This includes both those that use the Code and those that are impacted by the Code. For many, they are one in the same.

Following the ZORACES meeting, five sessions are planned to take in public feedback. The first three sessions are split up between the groups staff interacts with most often on project permitting and entitlement processing. These are the project expeditors, planners, managers, architects, attorneys, trades, developers, and the business community. Their perspective is important because they, by and large, represent hundreds of Malibu residents trying to build on their property.

It is always the Planning Department's goal to work more directly with the actual homeowners and property owners themselves, but many have found the entitlement process way to challenging to tackle on their own. Meanwhile, others simply do not have the time to take their project through the planning and permit issuance process. Instead, they hire representatives to act on their behalf. These representatives have first-hand knowledge how conflicts in the Code impact residents, how inefficiencies in the Code end up causing major time delays and resources, and how loopholes can allow some to take advantage of a deficiency in the Code that creates an unfair process for others. One of the goals in this project is to re-organize the Code with illustrative graphics and tables to help residents actually process their own projects, while giving other applicants a better understanding of what is expected by the City and envisioned in the General Plan and LCP.

Two remaining sessions will close out the day and are reserved for residents and any other individuals who would like to share their experiences with the Code. The last two sessions were intentionally placed later in the day to avoid daytime work/school conflicts and to allow back-to-back sessions in case more time was needed to take input from resident groups. Combined with the morning ZORACES meeting, the day provides several opportunities for the public to provide input on the process verbally and in writing.

BACKGROUND: On June 13, 2011, the City Council authorized the City Manager to negotiate and execute a Professional Services Agreement with LWC for the preparation of Phase I of the comprehensive update to the City's Zoning Code.

STAFF FOLLOW UP: Staff requests that the Subcommittee obtain public comment on the item and provide feedback on the Zoning Code based on the Subcommittee's experiences with project review and policy analysis. Comments received from the public and Subcommittee will be considered in preparation of the administrative working draft.

ATTACHMENTS:

None.