



MEMO

TO: Planning and Zoning Commission

FROM: Sheila DeSchaaf, AICP
Planning & Development Director

DATE: March 2, 2015

SUBJECT: **Unified Development Code Amendment, Section 154-02-014**
Streamlining Design/Development Review Process

P14-006

Background

In 2004, the Town of Payson created a Design Review Overlay District, imposing Design Guidelines upon construction within the Green Valley Redevelopment Area (GVRA). In 2005, design review was expanded to include all other commercial areas of the Town. These design guidelines were developed by staff and design review applications were reviewed by staff. If an applicant was aggrieved by a decision made by staff the applicant had the right to appeal to the Planning Commission (the Commission) or to the Green Valley Redevelopment Area Commission if the project was located within GVRA.

In 2007, the Town Council created a Design Review Board (DRB) and appointed seven members. The Board was tasked with the following four duties and responsibilities: A) to review all existing Town Design Review guidelines and recommend to the Town Council any changes, amendments, deletions or additions to such Design Review guidelines. During such review the Board shall, following citizen input, specifically consider separate Design Review guidelines for multifamily, commercial, and industrial development; B) to review Design Review applications as set forth in Unified Development Code; C) to review and approve the official minutes of all meetings of the Board prior to transmittal of the minutes to Council; and D) to perform any other function as may be determined, from time to time, by the Mayor and Town Council (Payson Town Code § 33.56).

Analysis

When new development, business, and/or construction come to Town our current process typically requires obtaining a variety of administrative approvals (i.e. business licenses, building permits). Many times approval from one or more of the Town's Boards and Commissions is also required. The Planning and Zoning Commission and the Design Review Board are the two most common review authorities. Obtaining approvals from one or more Boards or Commissions extends the development timeline; increases costs for business owners/developers; requires additional and/or duplicative Town Staff time; may frustrate members of the various Boards and Commissions who are not making a truly final decision; and could lead to inconsistent approvals.

For example, consider the construction of a hotel on the Beeline Highway, in a C-2 Commercial District. The project initially is presented to the Town as part of a Development Services Committee Submittal. The Development Services Committee (UDC §154-08-005) provides assistance and input to applicants in the development process and consists of representatives from the Planning Department, Public Works, Building, Fire, utility providers, etc. During the Development Services meeting the applicant is provided details about Design Review, Zoning Use permits that may be needed, and other similar considerations that impact their project. Under our currently adopted procedures the hotel developer would be required to complete their citizen participation element and zoning application for Conditional Use Permit consideration by the Planning and Zoning Commission. Following a decision by the Commission on the land use application the hotel developer would be required to compile a design review application and go before the Design Review Board for design review approval. Following each of these applications, the hotel developer submits final drawings that address any conditions imposed during the Commission or DRB process to obtain building permits. During plan review by staff, the applicant receives approval, conditions of approval or corrections from staff. Generally these are the same staff members that provided guidance during the initial Development Services meeting. Finally, once the hotel developer has completed construction a business license/occupancy permit is applied for and the hotel can open for business.

Design review applications are reviewed for the following: A) consistency with the purpose and intent, vision and goals, and principles of the Design Review Overlay District; and B) compliance with the Development Standards set forth in section 154-02-014 Part IV of the Unified Development Code. Staff already reviews building permit applications for compliance with all other related sections of the code and has thorough knowledge of the design review regulations. Currently, only minor changes are reviewed by staff. All other projects and any project, including signage on Main Street, require DRB approval.

Over the course of the past seven years since the creation of the Design Review Board, the Board has thoughtfully overhauled the Town's initial design review regulations and utilized the augmented guidelines for the review of numerous construction projects each year. In an effort to simplify or streamline Payson's development process staff would recommend the Council consider allowing all design review applications to be reviewed administratively by staff, utilizing the existing guidelines. Streamlining the design review procedures in this manner would allow design review approval to be completed between the Development Services Committee meeting date and the building permit application date, making the process less onerous for applicants.

If Design Review applications were reviewed/approved by staff, the function of periodic review of the design guidelines could be handled by the Commission. The Commission currently has the responsibility *to initiate, hear, and review amendments to the text of* the Unified Development Code (UDC §154-08-003). As was done previously under the original 2005 design review guidelines, the Commission could hear appeals of decisions by staff to approve/disapprove a design review application. Streamlining the review process will also reduce the amount of time and money expended by applicants and the Town of Payson.

The purpose of the Planning and Zoning Commission is to *serve primarily as an advisory body to the Town Council to direct growth and physical development of the Town in a sound and orderly manner for the prosperity, health, safety, and welfare of the citizens* (UDC §154-08-

003). *The purpose of Design Review is to encourage: a) preservation and enhancement of property values; b) enhancement of public safety; c) promotion of pedestrian safety and comfort; d) preservation of natural landscaping and significant natural features; e) preservation of our quality of life; and f) enhancement of the aesthetic environment (UDC § 154-02-014).*

The similarity in the purpose for both the DRB and the Commission makes the Commission the best entity to take on some of the functions originally vested in the DRB. However, the DRB was designed so that at least four members of the Board would be qualified by background, training, or experience in design-related occupations, such as architecture/building design, building construction, landscape architecture, land use planning, civil engineering, real estate, or similar fields in order for there to be diversity among the members of the board.

Because of the need for a diverse reviewing authority, staff recommends the Council consider the qualifications/background of all current members of the Planning and Zoning Commission, Design Review Board, and other outstanding Board and Commission applicants and reseal the Planning and Zoning Commission with seven appointees in conformance with the qualification requirements.

Staff Recommendation

Suggested Motion to recommend Approval:

“I move to recommend to the Town Council approval of P14-006 an amendment to the Development Review process to (a) make design review submittals an administrative process with appeals heard by the Planning & Zoning Commission; (b) allow the Planning & Zoning Commission to handle all other responsibilities of the Design Review Board, (c) consider all current members of the Commission and DRB as well as community members that have submitted Board or Commission applications to serve on the Planning and Zoning Commission.”