



Staff Report

City Council

Item No. {{section.number}}.B

Meeting Date: August 14, 2024

From: Andrew Firestine, Community and Economic Development Director

Title: Presentation and Discussion of Priorities to Guide the Request for Proposals for the Zoning Code Update

RECOMMENDATION:

Staff requests City Council's selection of the top priorities to include in the scope of work for the request for proposals (RFP) for the zoning code update.

BACKGROUND:

The current zoning code was adopted in the 1980s and, although it has been amended since then, it and the accompanying design guidelines (1997) are outdated and do not reflect current directions in land use development or align with the City's 2040 General Plan. The 5-Year Strategic Plan, as originally developed in 2023 and updated in 2024 establishes several goals related to an update of the zoning code, including to streamline and facilitate the development review process (C-8) and update the zoning code and design guidelines (F-1), among others described in the corresponding section of this report.

As a matter of background, the General Plan is a long-range guiding document establishing the future vision for the city and the zoning code is the set of tools (regulations, incentives, directives, standards, etc.) implementing that vision. The 2040 General Plan includes the Land Use, Circulation, Housing, and Community Design Elements, which underscore the need for a modern zoning code. The Community Design element provides strong support for good design standards leading to placemaking that will position Cathedral City as the place to be. Another example in the Community Design Element is flexible parking standards that recognize consumer preferences and help facilitate increased choice in the market in both the residential and non-residential built environment. The Land Use and Housing Elements recognize that land use efficiency can strengthen the social fabric and the local economy, and supports mixing of uses and infill development, while increasing development intensity which leads to cost savings for both developer and the municipality/taxpayer. These planning tactics are limited by the existing zoning code instead, they should be encouraged.

Some examples of directives in the General Plan's Land Use Element that point to the zoning code update include:

- Policy 3 states the City shall encourage mixed-use development that integrates a mix of residential and commercial services and facilitates transit service.
- Policy 8 directs that the Zoning Code shall correspond to the goals, policies, and programs of the General Plan.
- Programs 3.A and 8.A direct the City to implement and periodically review and update the Design Guidelines to ensure they deliver vibrant and dynamically integrated mixed-use neighborhoods throughout the community, and overall maintain consistency with the General Plan.

Amendments to the zoning code have occurred over the years, typically in response to State mandates; this piecemeal amendment process, however, cannot keep up with the scale of changes in the development environment which had led to a code in need of a comprehensive update to a degree that outpaced staff capacity. The extensive nature of these issues makes clear the need to formulate a custom zoning code to meet the specific needs and goals of the City.

Staff has prepared a request for proposal (RFP) with a thorough scope of work (SOW) to solicit consultants to work with the City in drafting the zoning code update and preparation of the document for final adoption. Code updates are specialized documents and require specific expertise from qualified consultants. The RFP and SOW are the City's opportunity to express its priorities and desired outcomes through the zoning code update to prospective bidders to attract the right mix of firms bidding on the project and creating the best opportunity to identify a firm that can produce a zoning code that aligns with the community's needs. The draft SOW is attached for reference.

Staff solicited feedback on selected policy items through a survey sent to the Historic Preservation Committee (HPC), Architectural Review Committee (ARC), Planning Commission (PC) and City Council members. The questions were culled from an extensive inventory of identified issues and aimed to provide guidance to this RFP process. This short list does not represent an exhaustive survey of inclusions in the zoning code update. Instead, these priorities represent a starting point from which we solicit the best consultant for our specific needs. The inventory of issues has been compiled by staff and includes concerns collected from other departments including management and City Council, other departments, and the development community.

DISCUSSION:

The list of potential priorities highlighted in the survey (attached) included the following, and others:

- Design guidelines: objective or subjective standards; utilize design standards to create a competitive advantage and attract more investment
 - Alternate compliance process: requires projects to demonstrate a high level of design and performance although the project does not meet every design or development standard
 - Creating economic development opportunities by seeking more mixed-use, reuse, and infill; create pathways for re-use of vacant spaces/buildings
 - Incorporate tools for increasing housing supply production (which were framed in the
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survey as “Prohousing” tools)

- Modernizing parking standards, allowing adaptive reuse of some parking and/or requiring fewer spaces
- Calibrating and aligning allowed uses within zoning districts; encourage a more diverse range of uses in commercial-only areas
- Climate resilience standards and tools; mitigate urban heat with better landscape standards
- Appropriate levels of staff and ministerial reviews; maintain transparency and due process and high level of design

A total of 13 responses to the survey were received from which staff created a summary presentation for the associated boards to weigh in on with the intent to forward those concerns and comments to City Council. Some themes that emerged during Committee member and Commissioner comments included:

- Value the importance of our existing neighborhoods which were the reason people moved here.
- Suburban density is acceptable, but not reaching urban scale (unless limited to more urban areas).
- Streamlining and staff/ministerial reviews are well-intended but can eliminate transparency in the process. They would like to ensure high quality design reviews – including façade modifications.
- Expressed some concern that objective standards might not be “objective” and what if they produce a less-than-desirable outcome? If we apply objective standards, ensure that they are understandable and that all approvals comply with minimums.
- Ensure that infill and build-ups are maintaining context with the surroundings; don’t push all new density next to existing valuable neighborhoods.
- Support for creative designs and design solutions. There was tremendous support for an alternative compliance route – again ensuring that the alternate design demonstrates and produces as high or higher quality design/development than the standards would have produced.
- Be mindful to not build all new housing so small it doesn’t work for families. Ensure a variety of diversity and choice in housing.
- Like having good standards that produce good results; consider design standards for unusual uses like wireless towers, and other objectionable uses that don’t have standards.
- Link development to the available infrastructure; to not overload parks, streets, etc.

The draft SOW incorporates multiple objectives, including those that: relate to the implementation of the Housing Element; update the design guidelines; promote flexible and easy to understand development standards; streamline the review process and remove barriers to facilitate development; direct the development of a code that is user-friendly; and call for a robust public engagement process. These are high level objectives that are reflected in most code modernizations.

The draft SOW also provides an opportunity for additional priorities to be expressed that may provide additional context and perspective on issues specific to Cathedral City. Based on the feedback received from the survey and the discussions with the Historic Preservation (HPC) and Architectural Review Committees (ARC) and the Planning Commission (PC),

staff suggests the following as additional priorities to be added to the SOW and RFP:

- Devise an alternate compliance option that delivers high performance in an alternate design
- Promote mixed-use in existing commercial space (including reuse and infill) to allow housing choice along the commercial corridors
- Creative solutions for infill development, such as incremental build-outs
- Tools for increasing housing supply with a mix of types for families
- Updating design standards to use design to our competitive advantage – create interest and excitement for developing in Cathedral City
- Incentivize infill and adaptive reuse of existing corridor sites through mixed-use opportunities and alternative compliance options (including flexible parking)
- Respect existing and established neighborhoods; review and calibrate residential development standards and ensure there are adequate protections and buffers in place

Following the City Council study session, staff will release the RFP. The RFP directs the selected consultant to work with City staff on a robust public engagement plan, leveraging both internal and external resources. Staff anticipates creating a steering committee as well as a technical advisory committee to guide the process and the product through to successful completion.

Staff anticipate serving as project manager and technical advisory to the consultant team for the duration of the process which is expected to be completed within 24 months.

Staff will present results from the recent survey along with feedback from the Historic Preservation (HPC) and Architectural Review Committees (ARC) and the Planning Commission (PC) for Council's consideration in selecting priorities.

FISCAL IMPACT:

The City has a General Plan Maintenance Surcharge fee contributing 75% to this project and has allocated an additional 25% share of the Housing Successor Agency funds to cover zoning code housing-related tools. The total amount will serve as a not to exceed (NTE) amount with the final cost estimates unknown until proposals are received and reviewed. For comparison, the City of Palm Desert and the City of Palm Springs contracts with similar scope of service were \$428,080 and \$640,885, respectively.

	DESCRIPTION	GENERAL LEDGER ACCOUNT CODES	PROJECT CODE	AMOUNT	ONE TIME or ONGOING
	General Plan Maintenance Surcharge	711-000-000-000-3320-3335	M0XXXX	\$360,000	
	Housing Successor Agency	561-900-910-911-8600-8601	M0XXXX	\$120,000	
2024-2025	Total			\$480,000	One-time

FIVE-YEAR STRATEGIC PLAN:

Goal C-8: Implement a private development entitlement and plan review systems which is predictable, streamlines internal intake and review processes, and creates applicant experiences which are facilitative vs. regulatory

Goal F-1: Develop comprehensive strategy to amend the zoning code and update design guidelines, identifying what work city staff can/should accomplish and what would optimally be contracted out, including:

1. development of objective design standards in response to new state housing laws
2. overhaul of commercial zoning code
3. substantial update of design guidelines
4. streamlining of development review processes
5. implementation of CCGP and Housing Element goals, policies, and programs
6. continued implementation of new state legislation

Goal F-2: Prioritize updating the zoning code regarding residential parking and paving provisions, research and give recommendations on enabling parking prohibitions in front of mailboxes (PW) see progress updates

Goal F-7: Review land use regulations to support diverse, accessible, and affordable housing

Goal F-14: Develop standard plans, streamlined processes and educational materials that promote ADUs to increase housing production

Goal B: Ordinance revision to expedite permit process for EV charging stations (see CCMC Chapter 8.64)

ATTACHMENTS:

1. Survey sent to ARC, HPC, PC, City Council
2. Draft Scope of Work for the zoning code update