



# City of Rialto

## Legislation Text

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For Economic Development Committee January 29, 2020

TO: Honorable Economic Development Committee Members

APPROVAL: Rod Foster, City Administrator

FROM: Matt Schneider, Community Development Director

Consider Revisions to Various Provisions of Rialto Municipal Code to Eliminate the Design Review Committee (DRC) and Delegate Its Authority

### **BACKGROUND:**

On February 20, 1979, the City adopted Resolution No. 2093 establishing the Design Review Committee (DRC) with the intent to ensure that development within the city be in compliance with all design standards and city ordinances and regulations. Subsequently, the City adopted Resolution No. 2326 in April 21, 1981 and Resolution No. 2507 on April 5, 1983 that seem to mirror the language of Resolution No. 2093 establishing the DRC. The DRC originally was designated to consist of the Planning Director, Community Services Director, Police Chief, Fire Chief and Chief Building Official or their designees.

Resolution No. 2093 authorized the DRC to approve Precise Plans of Design (PPD) for development of one or more dwelling units in any residential zone and of new or expanded uses in any commercial, industrial or other zones. The Resolution further set forth the information required to be provided by any applicant seeking a PPD and basis for the DRC to approve any such PPD..

Concerns have been raised about whether the DRC has expanded the scope of its authority, has appropriately been entrusted to address CEQA issues, complied with the requirements and spirit of the Brown Act, and applied city rules and standards consistently. To this end, the City Council has directed staff and the City Attorney to work on revisions to the City's ordinances to eliminate the DRC and, develop new review and approval procedures for consideration of PPDs.

### **ANALYSIS/DISCUSSION:**

In accordance with Council's directive, the City Attorney and Community Development staff have worked on revisions to the Rialto Municipal Code to eliminate references to the DRC and, instead, assign its powers to the Planning Commission or Director of Community Development. To this end, a PPD would require approval by the Planning Commission or Community Development Director prior to the issuance of any building permit for the new construction of one or more dwelling units in any residential zone, or for new development or expansion of an existing use in any commercial, industrial or other zone. Development projects which require review and approval of additional land

use entitlements beyond a PPD would have their PPD reviewed and considered concurrently by the Planning Commission. Development projects which solely require approval of a PPD with no additional land use entitlements would be reviewed and considered by the Community Development Director. Decisions on PPD(s) reviewed by the Community Development Director would be appealable to the Planning Commission, while decisions on PPD(s) reviewed by the Planning Commission would be appealable to the City Council. The amended ordinance will streamline the approval process for PPD(s) by allowing projects with a PPD and other entitlements to be reviewed and approved concurrently by the Planning Commission in a public hearing. Less complex and more routine projects which only require approval of a PPD would be reviewed and approved administratively by the Community Development Director.

Should the EDC agree with the proposed revisions to the various provisions of the Rialto Municipal Code, staff and the City Attorney will place the revisions in an ordinance form and present it to the Council.

**RECOMMENDATION:**

Staff recommends that the EDC provide direction on whether to recommend that the Council adopt the proposed revisions to the Rialto Municipal Code to eliminate the Design Review Committee (DRC) and delegate its authority to approve PPDs to the Planning Commission and Community Development Director.