

"Avenue Organizers" Development Code Suggestions and Community Development Response Matrix

This Matrix is the result of Avenue Organizers and Community Development staff discussions on ways to adjust and improve the draft Development Code. The Avenue Organizers' Westside Development Code recommendations is organized by page number of the April 2011 Development Code. Recommended text is in the fourth column, with comments and explanation in the last column. Because this Development Code will be an important instrument in Avenue development and direction, Avenue Organizers have also included edits simply related to clarification and readability to achieve the Avenue improvement and goals. Use of the Matrix is for staff's revisions to the Code (as noted), further education of the Code for all that read through the Matrix, and as tool for Avenue Organizers to focus issues and concerns for their advocacy during the adoption process.

Ver 1.01 Aug, 16, 2011 (Numbers and "type" columns added, gaps in text corrected, item #23 removed, "type" key added below)

Ver 1.03 Aug, 23, 2011 (This has an additional column for notes and action items, font from 12 to 11 pnts, rachel's notes 4,5,34,79,80,8)

Ver 1.04 Sept 16, 2011 (Additions in the "notes/actions" column by Dave Ward after three meetings with Avenue Organizers to review all comments)

Ver 1.05 October 9, 2011 (More refinement by Rachel and Dave. Polishing of the notes with final edits in November 2011)

NOTE to Reader: **Rachel** and **Rob's** notes – in addition or in response to **Dave Ward's** notes. Though they are collaborative, notes color coded to facilitate further discussion if needed.

num	type*	Page	item	current text	recommendation	discussion	notes/actions
#1	clarity	TOC	24W.102	REGULATING PLAN AND TRANSECT ZONES	REGULATING PLAN MAP AND TRANSECT ZONE DEFINITIONS	It's helpful to have these key pages more clearly labeled.	No. This is the correct "term of art" in form based coding terminology.
#2	clarity	TOC	TABLE 1&2:	TABLE 1&2	TABLE G	The switch from letters to numbers makes it more difficult for the new reader to find.	Yes. This is actually part of definitions 24W.300 so Table 1 & 2 reference will be deleted.
#3	new	1	24.W.100.010	B. Moderate vehicular traffic by providing for a mixture of land uses, pedestrian-oriented development, compact	Reduce traffic congestion, parking requirements, and financial burdens to Westside residents and visitors by providing safe, convenient alternatives to single	Though motorists and pedestrians are included in the draft code, there are other important traffic choices that should be	General Comment: The recommended text is beyond scope of the Code. Inserting text about "financial burdens" is not a Code Issue. Traffic congesting has not been listed before. Additionally, this recommended text reads as

				community form, safe and effective traffic circulation, and appropriate parking facilities;	occupancy vehicles. This would include attractive options for bicycle, bus, pedestrian, zip-car, dial-a-ride, and shuttle to downtown parking.	encouraged.	<p>Plan Policy, not Code.</p> <p>Yes to this: Follow-up Code Recommendation: ...pedestrian-oriented development, bicycle access, compact community form...,</p> <p>Staff to consider: As noted - add previous recommendation to <u>Plan</u> instead of the Code: "Reduce traffic congestion, parking requirements, and financial burdens to Westside residents and visitors by providing safe, convenient alternatives to single occupancy vehicles. This would include attractive options for bicycle, bus, pedestrian, zip-car, dial-a-ride, and shuttle to downtown parking."</p>
#4	new	1	24.W.100.010	D. Conserve and protect the City's natural beauty and setting, including scenic vistas, cultural and historic resources, hills and trees;	D. <u>Enhance</u> , conserve and protect the City's natural beauty and setting, including scenic vistas, cultural and historic resources, hills and trees;	The new suggested text goes beyond where we are. It seeks to improve our neighborhood with more green.	<p>Yes, recommendation accepted</p> <p>Action: Add to code</p>
#5	new	2	24.W.100.010		H. Increase the number of parks, playgrounds, green public space, courtyards, community gardens, and trees, for walkable access to green areas for all residents.	This "H" item has been added because it is a central goal for Avenue residents.	<p>Yes, but label this as a new "G" and reorder rest.</p> <p>No, this section of Code is intentional for general text. Add new paragraph to "Purpose" statement re green spaces and parks.</p>
#6 #6	new	2	24.W.100.010		I. Conserve natural resources including fossil fuels, water, timber, rocks, and air.	"I" is also an addition to build AB32 and SB375 requirements directly into our code.	<p>No.</p> <p>- Code doesn't regulate this.</p> <p>- These are "operations" which could be part of a policy in the Plan.</p>

Realization that item "E" essentially covers this point – if in a more general way.

		Page	item	current text	recommendation	discussion	
#7	new	2	24.W.100.010		J. Encourage neighborhood pride and ownership, and personal community involvement at the small-group level.	"J" is included as a response to the request for cultivating personal involvement and neighborhood involvement.	No. - Code doesn't regulate this.
#8	new	2	24.W.100.010		L Beautify the area with Avenue trees, artistic benches, trash receptacles, fountains, and wider sidewalks.	"L" is about more than traffic, it is about making the Avenue a pleasure to live, work, and visit. It is based on a history of this type of input.	- Code doesn't regulate benches or trash bins – this is subject to PW encroachment permitting. - Amend "A" to insert "wider sidewalks" text <ul style="list-style-type: none"> Public Works regulates what can be placed on a sidewalk, including benches, wastepaper bins, etc. through encroachment permitting. RC/RM to follow up on "Sidewalk Allocation" with Public Works Dept. Consider narrowing travel lanes to increase sidewalk, bus, and bike space. Consider reimbursement district or other mechanism (including RDA) to improve complete block frontage and sidewalk even if some parcels are not developing.
#9	fix	3	24W.100.040	Domestic animals. Domestic animals, as defined in Chapter 24.110 of the Municipal Code, are permitted in all Westside zones, provided that, no more than four adult animals over the age of four months are permitted per dwelling unit or establishment and, further	Domestic animals. Domestic animals, as defined in Chapter 24.110 of the Municipal Code, are permitted in all Westside zones, provided that, no more than four adult animals over the age of four months are permitted per dwelling unit or establishment and, further provided that, no more than three adult dogs shall	Remove references to animals in the Westside specific code. There is no reason the Avenue should have different code than the rest of the city. We find this draconian code to be regressive and counter-productive to mutually respectful dialog, and citizen involvement with local	- No Rely on Citywide regulations. - T2 to be deleted - This was only in North Avenue Planning area. Follow-up Code Recommendation: Yes. Will not state in Code, but Municipal Code is still applicable. Domestic animals and

#9				<p>provided that, no more than three adult dogs shall be permitted per dwelling unit or establishment. <u>Livestock animals. Livestock animals, as defined in Chapter 24.110 of the Municipal Code, are only permitted in the T-2 zone.</u> <u>Wild animals. Wild animals, as defined in Chapter 24.110 of the Municipal Code, are not permitted in captivity</u></p>	<p>be permitted per dwelling unit or establishment. Livestock animals. Livestock animals, as defined in Chapter 24.110 of the Municipal Code, are only permitted in the T-2 zone. Wild animals. Wild animals, as defined in Chapter 24.110 of the Municipal Code, are not permitted in captivity</p>	<p>government.</p>	<p>livestock. Domestic animals and Livestock are permitted, as defined in Chapter 24.110 of the Municipal Code.</p> <p>Wild animals. Wild animals, as defined in Chapter 24.110 of the Municipal Code, are not permitted in captivity END</p>
#10	fix	Page	item	current text	recommendation	discussion	
		4	24W.100.040	2. Uses that are not expressly permitted by this code are prohibited.	<u>2. Uses that are not expressly permitted by this code are prohibited.</u>	<p>This appears to contradict the code on page 56 - 4. <u>Permit requirements and development standards.</u> "When the Director determines that a proposed, but unlisted, use is similar to a listed use, the proposed use will be treated in the same manner as the listed use in determining where it is allowed, what permits are required, and what other standards and requirements of this Development Code apply."</p>	<p>Yes.</p> <p>- inconsistency to be corrected in Code</p>
#11	fix	7		over-all comment		<p>A clear definition of "structural alterations" is important. This phrase is a determining factor for many key decisions throughout this</p>	<p>Overall response: The Development Code is a section of the entire City Municipal Code. It is intentional not to restate text in each document but rely upon section references.</p>

Definition in Build Code

#11

document, but can have a broad range of interpretation. Here are three definitions easily gleaned from the Internet. <http://www.businessdictionary.com/definition/structural-alteration.html> Any change made to the existing layout of space in a structure that requires moving walls or adding new space. A room addition is a structural alteration. Remodeling a kitchen by refacing cabinets and changing appliances is not.

http://www.homesurfer.com/real-estate-definitions/s/structural_alteration.html Significant and fundamental change in the configuration or framework of a building or system, resulting in essentially a different building or system.

http://www.investorwords.com/13893/structural_alterations.html Modification of the parts supporting a building.

Follow-up recommendation: Because this is essential to key elements of the code, the definition of this item should be referenced – for example Chapter XX.XXX in the Municipal Code.

- Comment is that this requirement, especially the minimum ceiling height, cannot be met by existing businesses that do minor remodel projects to improve their business, therefore requiring either costly major remodel or complete demolition and replacement by conforming structure.
- Trigger appears to be "structural change" which is not clearly defined and may include many seemingly minor changes to buildings (for example, moving an interior load-bearing wall to expand a dining area may trigger complete replacement of the building, even though the net change is a minor Tenant Improvement.
- **Note – This bullet is added suggestions to note that Dave already entered.** Dave Ward will prepare an example using a hypothetical existing restaurant to test whether this concern is correct. **Yes, this to be published separately and transmitted separately on the website, along with other examples.** (Using as an example Taqueria Cuernavaca, located at the northwest corner of Ventura Avenue and W. Flint Street: it is within the Ventura Avenue Corridor, it is designated T5.5 with Shopfront & Awning Overlay, assume they remodel interior

only by removing an existing, permitted load-bearing wall to eliminate an existing storage room and expand their dining room area, and the existing ceiling height is nine feet. No change to the exterior or expansion of the building envelope, no change in use, just more space between tables. The building is conforming as to use, height and parking. Stipulate that removing that interior wall and replacing with an engineered and approved post is a structural change.)

- Clarification of structural change may resolve concern.

		Page	item	current text	recommendation	discussion	
#12	fix	7	24W.100.045	No structural alterations may be carried out unless those structural alterations are determined by the building official to be required for protection of the public health or safety, and ii. No non-structural reconstruction of nonconforming buildings or other structures may be carried out unless such reconstruction is determined by the building official to be required for protection of the public health or safety.	d.i. No structural alterations may be carried out unless those structural alterations are determined by the building official to be required for protection of the public health or safety, and ii. No non-structural reconstruction of nonconforming buildings or other structures may be carried out unless such reconstruction is determined by the building official to be required for protection of the public health or safety. <u>d.i Existing residences and businesses may remodel, repair, upgrade equipment, make structural or non-structural modifications, and make related site improvements including</u>	We have concerns that if the nature of an improvement is determined to be a structural alteration, existing businesses will be prevented from making simple changes like window and door upgrades or addition of a required bathroom. Further, this could lead to older buildings falling into disrepair – and current mom-and-pop business will be driven out of the neighborhood. we feel local business owners should be encouraged to improve current structures, and that broader code compliance could be	Dave to provide example of existing restaurant proposing either internal remodel or external addition. Yes, this to be published separately and transmitted separately on the website, along with other examples. See related recommendation in Item #11.

		Page	item	current text	recommendation	discussion	
					<u>changes to utilities, parking and delivery areas, entrances, and exterior lighting and signage, when such improvements continue the existing category of use for that space, whether in a single use building or a subarea within a building of multiple tenants.</u>	reserved for significant alterations of the building footprint, and building demo/rebuild. Our suggested alternative text is an attempt to achieve that result.	
#13	fix	8	24W.100.045	3. Nonconforming buildings or structures within Ventura Avenue Corridor. Buildings or other structures within the Ventura Avenue Corridor as depicted in General Plan Diagram Figure 3-5 that are nonconforming as to setback, yard, height, lot coverage, or other zoning regulations may be repaired, replaced, or added to, only to the extent permitted by this section:	ADD <u>c. Existing residences and businesses may remodel, repair, upgrade equipment, make structural or non-structural modifications, and make related site improvements including changes to utilities, parking and delivery areas, entrances, and exterior lighting and signage, when such improvements continue the existing category of use for that space, whether in a single use building or a subarea within a building of multiple tenants.</u>	This is the same issue as the above discussion. Again – our code is an attempt to retain local businesses and encourage them to make improvements without requiring a complete building “make-over.”	Dave to provide example of existing restaurant proposing either internal remodel or external addition. Yes, this to be published separately and transmitted separately on the website, along with other examples. See related recommendation in Item #11.
#13							
		Page	item	current text	recommendation	discussion	
#14	clarity	8	24W.100.045	If the total value of the structure that was destroyed does not exceed 50 percent of the value of the building or other structure at the time of such damage, such structural alterations and other repairs		We’re not sure what the intent of this paragraph is. Please check this paragraph. It appears to be unintelligible. Possibly there is a typo?	<div style="border: 1px solid blue; padding: 5px; display: inline-block;">Yes, typo. Code to be revised</div> Follow up recommendation: Add “that” Yes.

				may be carried out to such damaged or partially destroyed portions of the nonconforming building or other structure without bringing all portions of the building or other structure into conformance with all regulations for new construction in the zone in which it is located.			<p>Dave to provide example of existing restaurant proposing either internal remodel or external addition.</p> <p>Yes, this to be published separately and transmitted separately on the website, along with other examples.</p> <p>See related recommendation in Item #11.</p>
#15	clarity	9	24W.100.045	6.a Repair of buildings. Where the off street parking provided for a use does not meet the requirements of this code, repair of any buildings on the site occupied by that use may be carried out, provided that, no structural alterations may be are carried out unless the building official determines those structural alterations to be necessary for the protection of the public health and safety.	You might want to check this out. Pretty hefty case of run-on sentence. It's difficult to make out the meaning.	Often ordinance text has propositions making it challenging to read but legally accurate and necessary.	<p>Yes. Follow-up recommendations: See change in red.</p> <p>Dave to provide example of existing restaurant proposing either internal remodel or external addition.</p> <p>Yes, this to be published separately and transmitted separately on the website, along with other examples.</p>
#15							
		Page	item	current text	recommendation	discussion	
#16	fix	12	24W.100.045	F. DESIGN REVIEW 2.		It seems like an undue	Intentional text.

				<p>Additions and exterior changes to all structures providing for non-residential uses and all structures with over three dwelling units.</p>	<p>burden to require a major design review for a business to change a sconce or replace tile on the outside of the building. We're not sure what the underlying concern is – but again – we feel this would discourage upkeep and improvements to existing buildings.</p>	<p>Understand your desire. DRC & (Council on appeal) seek this level of review/oversight in all city codes. But this is something for you to advocate for during the adoption process.</p> <ul style="list-style-type: none"> Inconsistency - All non-residential buildings will undergo Major Design Review for ANY exterior changes. Text on page 12 of Code says Major Review required for "Additions and exterior changes to all structures providing for nonresidential uses and all structures with over three dwelling units." Some minimum amount of change should be allowed without review, for example replacing an exterior light with a new fixture. This requirement will be costly and time-consuming for existing businesses. <p>Follow-up recommendation: Can this issue be revisited by the DRC, as citizen concerns are bringing new code to light? Perhaps the DRC could make a clearer definition?</p>
#17	fix	17	24W.100.047	<p>B. LIMITATIONS The following evaluation standards shall not be eligible for Warrants or Exceptions:</p> <p>2. All Development Code standards relating to Carriage Houses.</p>	<p>You may find this to be an odd comment because it is actually a question. Why are Carriage Houses not eligible for Warrants or Exceptions? Could they not have the same wiggle-room as other structures?</p>	<p>Reason is neighborhood compatibility. Not allowing discretion is better than a public debate and code enforcement challenge for these units that are often immediate to neighbor's property.</p>
#18	clarity	17	24W.100.047	<p>D. PROCESSING Both Warrants and Exceptions shall be reviewed and acted upon in accordance with</p>	<p>This could really use a specific document title where a person might find the "Zoning Regulation Sections."</p>	<p>Yes, made edit to identify. Follow-up Recommendation: "Zoning and Regulation</p>

#18				the procedural requirements of Zoning Regulation Sections 24.535.150 through 24.535.230 of the municipal code.			Sections” of what? Perhaps you could add which document you reference.
		Page	item	current text	recommendation	discussion	
#19	fix	18	OK – I’m going to drop adding the numbers here when the numbers are not on the page referenced. I hope this doesn’t make things harder to find. You can let me know. ;->	E.Findings 3. Exceptions: The parcel of property has physical characteristics so unusual that complying with the evaluation standard would create an exceptional hardship to the applicant or the surrounding property owners. The characteristics must be unique to the property and not be shared by adjacent parcels. The unique characteristic must pertain to the land itself, not to the existing or proposed structure, its inhabitants, or the property owners.	3. Exceptions: The parcel of property has physical characteristics so unusual that complying with the evaluation standard would create an exceptional hardship to the applicant or the surrounding property owners. The <u>characteristics must be unique to the property and not be shared by adjacent parcels.</u> The unique characteristic must pertain to the land itself, not to the existing or proposed structure, its inhabitants, or the property owners.	It seems odd that two households going through exceptional hardship would not constitute a reason to grant an exception, just because they live next to each other. Are we missing something? Possibly grant a little more wiggle room?	No. Exceptions are at PC level of review, meaning public hearing and discretion. - These criteria are designed to be intentionally hard to grant. - Recommended text weakens this finding intent. • Reconsider proposed change to wording – seems to say I can't have an Exception to requirements of the Code if my neighbor has the same problem. Planning Commission lacks discretion due to complexity and rigidity of the Code, leaving property owners attempting to upgrade and improve with few options that are affordable to an individual owner. Follow-up recommendation: Perhaps there is logic here that would be clear if there was an example. At this point – it just seems arbitrary to prevent an exception because my neighbor has the same issue. One can not grasp the intention.
		Page	item	current text	recommendation	discussion	
#20	clarity	19		A. GENERAL REQUIREMENTS FOR EXEMPTION The land uses, structures, and activities identified by		No verb. It looks like this could be reviewed.	Yes There needs to be a verb to make sense of this

section. See recommended text changes in red.

#20

Subsection "B." below, are exempt from the planning permit requirements of this Development Code only when:

1. The new use, activity or structure associated with the Carriage House, Front Yard House, and Side Yard House that are is established and operated in compliance with the setback requirements, height limits, and all other applicable standards of Chapter 24W.200, and 24W.202 (Zones and Development Standards, and Overlay Zones), Chapter 24W.206 (Building Type), and, where applicable, those relating to Nonconformity Regulations; and

		Page	item	current text	recommendation	discussion	
#21	fix	20	5.	Small, single portable or other small residential accessory structures A single portable structure of 120 square feet or less per lot or unit, including pre-manufactured storage sheds and other small structures in T4.11 General	manufactured storage sheds and other small structures in T3.5, T3.6, T4.11 General Urban, T5.5 Urban Center zones that are exempt from Build	The reasoning here, is that lower density areas should also be able to have small out buildings.	Yes. Should apply in all zones. Code to be revised.

Urban, T5.5 Urban Center zones that are exempt from Building Permit requirements

in compliance with the Municipal Code and the California Building Code. Additional structures may be approved in compliance with Chapter 24W.200 (Zones and Development Standards), where allowed by the applicable zoning district.

#21

		Page	item	current text	recommendation	discussion	
#22	STRIKE THIS ONE	20		6. Spas, hot tubs, and fish ponds Portable spas, hot tubs, and constructed fish ponds, and similar equipment and structures that do not: exceed 120 square feet in total area including related equipment; contain more than 2,000 gallons of water; or exceed two feet in depth.	6. Spas, hot tubs, and fish ponds Portable spas, hot tubs, and constructed fish ponds, and similar equipment and structures that do not: exceed 120 square feet in total area including related equipment; contain more than 2,000 gallons of water; or exceed two feet in depth.	Spas and hot tubs aren't as much fun if you can only put 2 feet of water in them. Then again – that would save resources... PLEASE STRIKE THIS ONE. IT WAS BASED ON CONFUSED INTERPRETATION.	Deleted per your direction.
#23	fix	20		7. Utilities The erection, construction, alteration, or maintenance by a public utility or public agency of utilities intended to service existing or nearby approved developments shall be permitted in any zoning district. These include: water; gas; electric; supply or		Is it possible that this language could be changed to encourage private companies, collectives, and individuals to invest and utilize solar and wind generators. Right now, this section feels a bit “business-as-usual.”	No. This is intentional to allow public entities to continue their service need without local permitting. This is principle for all local jurisdictions throughout the state...except for Coastal Zone where exemption can be limited.

#23	disposal systems; including wires, mains, drains, sewers, pipes, conduits, cables, fire-alarm boxes, police call boxes, traffic signals, hydrants, etc., but not including new transmission lines and structures. Satellite and wireless communications antennas are not exempt, and are instead subject to Chapter 24W.200 (Zones and Development Standards) and Zoning Ordinance Chapter 24.497 (Telecommunications Facilities).					
	Page	item	current text	recommendation	discussion	
#24	clarity	20	24W.100.050 Rules of Interpretation Except for Section 24W.102 (relating to the interpretation of Regulating Plan and Transect Zone Boundaries) and Section 24W.203.030 (relating to the interpretation of Land Use Tables) within this document , the interpretation of any provision of this Westside Code, including the implementation of the Regulating Plan, shall be carried out in accordance with Section 24.105.080 of the Ventura City Municipal Code.		This has so many cross-references, it's almost impossible to follow. Then when you finally get down to the main issue, it references a section that is not in this document – but doesn't specify which document it's in. Eeeks – help!	<p>Yes</p> <p>Follow up recommendation: How does the reader know if these numbers are internal to the Westside code or to the over-all Municipal Code? See recommendations in red. Yes with edit</p> <div data-bbox="1994 1117 2448 1230" style="border: 1px solid blue; padding: 5px; width: fit-content;"> <p>Correctly identifies 24.105.080 of Municipal Code</p> </div>
	Page	item	current text	recommendation	discussion	

#25	new	20				Have you considered inclusion of external composting toilets to reduce water consumption? Would this be the proper place this would go? Possibly the code could be inserted in a rather cryptic way – just enough to allow a few proto-types. Then over time, this section could help more people make the transition?	This is Citywide issue – not Westside Code. You should pursue with newly formed City Water Department
#25							
		Page	item	current text	recommendation	discussion	
#26	clarity	21		Plan, Section 24W.102.040. This Westside Code implements the General Plan more closely by defining and regulating the urban form and character of development, as well as its intensity and use. The key organizing principle of this Westside Code, and of the General Plan, is the “Transect” as defined in the 2005 General Plan (See page 21 of this document), which is a conceptual and design-oriented device that systematically correlates urban form and character with development intensity and use.	We suggest replace this with something more like what you have on p 26: <i>The use of Sub-Zones enables development standards that subtly increase or decrease the intensity and urban character from one area to the next, encouraging a seamless transition from street to street and block to block. This tool also allows the standards to be calibrated to existing neighborhood characteristics on adjacent land that are intended to be preserved, protected or extended.</i>	“Transect” is such a key concept. You might stick with descriptions that are more reader friendly and that really get to the essence of this tool. I had to search to figure out what this was. Finally I looked it up on the Internet.	Graphic of General Plan will be added on page 21 Follow-up recommendation; See suggested text changes in red. Yes NOTE: You are probably aware that many editors allow you to use internal links so if you reference a page number, that number is updated as the document grows and shrinks.
#27	new	21		The General Plan defines a number of Corridors, including	The General Plan defines a number of Corridors, including	Be sure to include safe, practical bicycle access.	Yes, Code to be edited.

#27	Ventura Avenue as it passes through the Westside Community Plan area. The General Plan directs that this corridor evolve over time to become an active mixed-use environment that includes residential and mixed-use buildings with higher densities than in the neighborhood interiors, along with a range of amenities within a pleasant walking distance of the adjoining neighborhoods, in transit-oriented use patterns, intensities and urban character.	Ventura Avenue as it passes through the Westside Community Plan area. The General Plan directs that this corridor evolve over time to become an active mixed-use environment that includes residential and mixed-use buildings with higher densities than in the neighborhood interiors, along with a range of amenities within a pleasant walking distance of the adjoining neighborhoods, safe and convenient bicycle routes connecting the community , in transit-oriented use patterns, intensities and urban character.	
#28	clarity 22 Regulating Plan	Regulating Plan Map	general suggestion – it seems that it would be much clearer and easier to navigate this code if the Regulating Plan was called the Regulating Plan Map. It takes people a while to figure out what you are talking about – where the simple word “map” helps people go right to it. No. This is fundamental terminology in Form Based Codes.
#29	fix 22 B. HOW TO USE THIS CODE 9. Section 24W.208.020 through 24W.208.024 describe a range of suggested improvements for the Westside Community that would be implemented over	ADD: After approval by Planning Commission followed by noticed public hearing.	Since these important design ideas will not be part of this code process – we feel it is important that when they are drafted, there is ample time for citizen input and ownership, as well as broader No. This is not appropriate for code since this relates to CIP, which is a Public Works process. However, any roadway change would require Code Amendment. To clarify, will add to page 23 a new subsection:

#29			<p>time. These are provided for reference only, representing likely conceptual designs for future public improvements, and do not have any regulatory force or effect. It is anticipated that the City's future Capital Improvement Projects will yield final designs for these streets, which will then be incorporated as an amendment to this Code.</p>	oversight.	<p><i>Section 24W.100.070 Amendments to this Development Code.</i></p> <p><i>Any amendment to this Code shall follow the procedures contained in Municipal Code Section 24.540.</i></p>	
		Page	item	current text	recommendation	discussion
#30	clarity	26		<p>Optional Zones offer an alternate, form-based, set of regulations for properties that were recently developed or entitled as a part of a large-scale non form-based residential subdivision. Three Optional Zones are in this Code, as described in Section 24W.201. One purpose of Optional Zones is to mitigate the economic hardship caused by the creation of working with existing nonconforming structures.</p>	<p>It would be good to define "Form Based Code" – possibly in your definitions appendix.</p> <p>Also – we question the accuracy of creating new code and then saying that earlier development causes "economic hardship" by not conforming. It's a bit divisive. Perhaps there is a cleaner way to say this.</p>	<p>Staff will consider inserting text box on page 26 about FBC in general.</p> <p>This text language, while legalize and technical, is correct.</p> <p>Follow up recommendation. See text changes in red. Yes this edit ok</p>
#31	clarity	26 27			<p>I know "SD" isn't technically a transect, but it really needs to be defined like the transects are on pg 27. Also</p>	<p>Yes. Will add paragraph/sentence on SD within the Zone/Subzone discussion on p. 26</p>



		Page	item	current text	recommendation	discussion		
							“SD1” doesn’t appear on the regulating plan map but it is used in the text.	Yes typo. Code will be update
#32	new	27		T4 THE GENERAL URBAN ZONE consists of a mixed-use but primarily residential urban fabric. It has wide range of building types. Setbacks and landscaping are variable. Streets typically define medium sized blocks.	T4 THE GENERAL URBAN ZONE consists of a mixed-use but primarily residential urban fabric. It has wide range of building types. Setbacks and landscaping are variable. Streets typically define medium sized blocks to encourage foot traffic and bicycle access. Within walkable (1/4 mile) distance to a shopping district, open space, and community space such as a library, schools, clinics, or a senior center .	We request code modifications to ensure that heavily populated areas have convenient pedestrian access to shopping, services, and outdoor space which will encourage more foot and bicycle traffic.	No. This is Plan Policy Related - T zones are standard in General Plan - Recommendation is too restrictive Follow-up recommendations: See new text in red. Yes to this edit	
#33	new	27		T5 THE URBAN CENTER ZONE consists of higher density mixed-use building types that accommodate retail, office, rowhouses and apartment uses. It has a tight network of streets with wide sidewalks, steady tree planting, and buildings set close to the frontages..	T5 THE URBAN CENTER ZONE consists of higher density mixed-use building types that accommodate retail, office, rowhouses and apartment uses. It has a tight network of streets with wide sidewalks, steady tree planting, and buildings set close to the frontages. Within walkable (1/4 mile) distance to a shopping district, open space, and community space such as a library, schools, clinics, or a senior center .	We request code modifications to ensure that heavily populated areas have convenient pedestrian access to shopping, services, and outdoor space which will encourage more foot and bicycle traffic.	This piece was supposed to be a reflection of prior civic engagement. – Policy Related, Recommendation is too restrictive. Action: Maggie will review the SMALL, individual table maps (not the big compilation) to determine actual percentage of green areas requested by residents from the 2006 Westside Charette. – Recommended too restrictive We are concerned about the continuing lack of mechanisms to regulate compliance with required access to parks and open space on the Westside. This lack has created an area of the city, populated in large part by low-income and	

	Page	item	current text	recommendation	discussion	
						<p>under-represented populations who have noticeably less access to outdoor recreation and open space than some more affluent parts of our city, as recognized by our community and our City Council. This lack is instrumental in local health problems, reduction in property values, and deterioration of community. We feel it is neither prudent nor equitable to continue development without such tools – and we look to the City experts to put in place appropriate mechanisms so that we do not continue on the trajectory responsible for the current state of our community.</p> <ul style="list-style-type: none"> • Policy related comment in that definitions of T4 and T5 zones do not require shopping, etc within 1/4 mile radius even though intent of zones appears to be a walkable urban neighborhood. Ventura Avenue at Dakota Drive T5 is an example – will this be a high density island with nowhere to go within a reasonable 1/4 mile distance? Question for EIR analysis on alternatives

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34	new	29	<p>the Westside By Design Plan and the Westside Charrette plan. Those goals include:</p> <ol style="list-style-type: none"> 1. Providing new commercial and civic amenities along the Corridors, within pleasant walking distance of residences in the adjoining neighborhoods, 2. Providing housing at higher densities to help reduce the City's rate of expansion into farmland and natural open space, 3. Creating a living environment that can be effectively served by transit, which will provide Venturans with a new and sustainable lifestyle alternative, 4. Ensuring that the scale and character of new development is compatible with the existing adjoining neighborhoods. 	<p>ADD (Suggest adding as the first item?)</p> <ol style="list-style-type: none"> 1. Increasing the number of trees, parks, and green areas. 	<p>Over time, one of the most common requests among Avenue residents is "we'd like more green plants and trees."</p> <p>HINT: Don't look at the composite 2006(?) charette map, look at the individual ones where people were placing their own markers on the map. You will see a large difference in percentage of desired green space.</p>	<p>Yes</p> <p>Please let us know what you find, and if you require any assistance.</p> <p>Description of T4.11 zone describes only building and density goals. Add one more paragraph about quality of life issues for residents – trees, open spaces, plazas, ambience, etc.</p> <div style="border: 1px solid blue; padding: 5px; margin-top: 10px;"> <p>Will add new No. 5: Increasing the number of trees, parks and green spaces.</p> </div>

#35	new	33	24W.200	Section 24W.200 details the urban standards applicable for each Transect Sub-Zone as applied in the Westside Development Code. The following sections include requirements for building placement, building profile and frontage, parking and services, building types and allowable land uses.	Section 24W.200 details the urban standards applicable for each Transect Sub-Zone as applied in the Westside Development Code. The following sections include requirements for building placement, building profile and frontage, vehicle and bicycle parking and services, building types and allowable land uses. For more in-depth definition of building types including landscape and open space, see Building Type Standards 24W.206	It's important to start addressing bicycle parking in residential areas. Most people park their cars outside in the driveway or on the street – but they need to bring their bicycle inside so it won't get stolen, and so the seat isn't wet when it rains or drizzles.	Yes. Code to be revised	No, entire Code is required to be read as a whole. Do not want to mislead by referencing only one section.
#36	fix	34		Porch & Fence	Porch & Fence	We suggest decoupling porches and fences. Porches are a way for people to sit outside and get to know their neighbors. Fences block people out. It's important to encourage porches and discourage fences.	No. Intentional as section header title for Frontage type on page 63 24W.204.030	
#37	fix	34		2 Accessory Buildings c. Side Yard Setback: 5' N/A d. Rear Setback: 5' (1 story) N/A		Why are accessory buildings 5 feet from the property line. Wouldn't 3 feet suffice, and give people more yard in the center where they could enjoy it?	Topic addressed on July 20 th Code Refinement Workshop. Staff to evaluate and revise Code as needed.	Not sure what this means. Will our recommendation be factored into the decision?
#38	new	35		2. PARKING REQUIREMENTS The number of required off -street parking spaces is as	2. PARKING REQUIREMENTS The number of required off -street parking spaces is as follows:	GENERAL COMMENTS – NOT JUST FOR PG 35	Topic addressed on Aug 31 st Code Refinement Workshop. Staff to evaluate and revise Code as needed.	
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			<p>follows:</p> <p>a. Single Family House: Two spaces per unit, at least one of which shall be enclosed in a detached garage or attached carport or garage, when consistent with building architecture. Tandem parking for no more than 2 spaces is allowed when in compliance with parking placement.</p>	<p>a. Single Family House: Two spaces per unit, <u>at least one of which shall be enclosed in a</u> which can include a detached garage or attached carport or garage, when consistent with building architecture, or space in a permeable driveway. Water permeable driveways can either be created from tiles, or can consist of strips of pavement separated by arable land.</p> <p>Tandem parking for no more than 2 spaces is allowed when in compliance with parking placement.</p> <p>Bicycle parking includes, two covered and enclosed parking spaces for bicycles.</p>	<p>Most people in this area do not park in their garage unless forced to buy a homeowner's association. What we do by requiring garages is create storage sheds for unused stuff, increase the price of a home, use up space that could be used for gardens or small homes, and encouraging sprawl.</p> <p>Solid driveways should be discouraged since they do not absorb storm water runoff.</p> <p>As mentioned earlier, bicycle parking should be covered and secured for night time and rainy day parking.</p> <p>We suggest this approach for most of the references to parking requirements.</p>	<p>Please keep us apprised of the status. The issue of garage cost and space vs. using that space for office, housing, or green space is important and a common thread for residents.</p> <p>Yes.</p> <p>Code to include Bicycle Parking requirements as development standard included for T3.6, 4.11, 5.5, and SD 1 zones. Pages 37-44</p>

39	fix	40	<p>B. BUILDING PROFILE AND FRONTAGE</p> <p>d. Public Open Space Incentive - Projects of 0.5 acres or more that provide a public plaza or square consistent with Section 24W.212.030 may increase the maximum height by one whole story over the maximum allowed for the zone. The public plaza or square may be used instead of the courtyard/common open space requirement for the applicable building type, when additional private open space is provided for residential units in the form of balconies or patios.</p>	<p>B. BUILDING PROFILE AND FRONTAGE</p> <p>d. Public Open Space Incentive - Projects of 0.5 acres or more that provide a public plaza or square consistent with Section 24W.212.030 may increase the maximum height by one whole story over the maximum allowed for the zone. <u>The public plaza or square may be used instead of the courtyard/common open space requirement for the applicable building type, when additional private open space is provided for residential units in the form of balconies or patios.</u></p>	<p>We believe that private green space should not be used to sweeten the pot for a public plaza.</p> <p>Also, we would like to see the definition for the plaza include green areas or water scapes with plants, and some trees. (NOTE: Graywater and rainwater capture could be used.)</p> <p>Finally, there was some debate about whether there should be an incentive or a requirement for developers of .5 acre projects or larger to create public space the size of a plaza.</p>	<p>Topic addressed on July 20th Code Refinement Workshop. Staff to evaluate and revise Code as needed.</p> <p>The EIR alternative may incorporate part of this proposal---or if heights are reduced overall, this Code provision may go away altogether.</p> <ul style="list-style-type: none"> • Comment questions need for any Public Open Space Incentive. • Instead Floor Area Ratio and other standards in T4 and T5 should be changed to require less site coverage, making plazas and open spaces part of design rather than being rewarded by additional height. • A separate comment is that creating a public open space plaza (and getting an incentive) should not reduce private open space (courtyard or other open space areas for the residents of that property).
#40	new	43A			<p>Could we consider a zone for multiple “tiny houses” on one lot? This might come in to play for use by a co-housing or intentional community group. With careful design requirements such as % of open space, community room, and bicycle parking so that it doesn’t become a slum – this could be an excellent way to create</p>	<p>Building Typologies generally addressed on July 20th Code Refinement Workshop. No direction by the group was given. You will need to continue this advocacy in the adoption process.</p> <p>What was the resolution for this creative, current, approach to high-density, affordable, eco housing? We did not see specific discussion and tools to support this.</p> <p>Code should include process to permit some "tiny houses" or other innovations on a pilot</p>

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#40						environmental, affordable, high-density housing.	basis.
						#40http://www.tumbleweedhouses.com/	
#42	clarity	44	24W.200.080	B. APPLICABILITY New civic buildings and /or alterations to existing civic buildings, require Design Review.		This section feels incomplete, and may possibly cause civic buildings to fall into disrepair. Rob asked to review against page 73(B)	Page 44 text correct. Because “civic buildings’ are often unique, they will always require Design Review. They have no required building type because of this uniqueness, so page 73(B) is also correct. Follow-up recommendations. See text edit in red. Yes
#43	clarity	45	24W.201	A. MAPPING OF OPTIONAL ZONES The applicability of an Optional zone to a specific c site is shown by the Regulating Plan, Figure 1-1 as a Transect zone and any applicable Overlay Zone. The Base Zone is shown in parenthesis on the Regulating Plan.	A. MAPPING OF OPTIONAL ZONES The applicability of an Optional zone to a specific c site is shown by the Regulating Plan, Figure 1-1 as a Transect zone and any applicable Overlay Zone. <u>The Base Zone is shown in parenthesis on the Regulating Plan.</u>	This does not appear to be true, and could be confusing. It would improve readability of the use of parenthesis on the Regulating Plan was consistent.	Yes. Typo in Regulating Plan will be corrected. Base Zone to be listed.; Optional T zone to be in parenthesis: (Tzone)
#44	fix	50	24W.202.050	B. APPLICABILITY The street-facing facade of each building within the Shop front Overlay shall be designed as the Shop front & Awning frontage type, in compliance with Section 24W.204.080 (Shop front &	B. APPLICABILITY The street-facing facade of each building within the Shop front Overlay shall be designed as the Shop front & Awning frontage type, in compliance with Section 24W.204.080 (Shop front & Awning), and with ceiling heights	Again – the concern is for existing businesses who wish to stay current with upgrades and repair, but don’t have the capitol for major renovation.	No. Refer to non-conforming section to determine when regulation applies. Dave to provide example of existing restaurant proposing either internal remodel or external addition. Yes, this to be published separately and

Awning), and with ceiling heights no less than 12’.

no less than 12’ **unless the building was already in use by an existing business.**

transmitted separately on the website, along with other examples.

Please refer to comments in 11,12,13,14,
Please refer to comments in 11,12,13,14,

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#45	clarity	55	24W.203	3. Similar and compatible uses may be allowed. The Director may determine that a proposed use not listed in Table B is allowable in compliance with the procedure in Ventura City Municipal Code, Zoning Ordinance Chapter 24.115.130.		Be sure to include the name of the document referenced.	See comment #11 Recommendation: See text in red. Yes
#46	new	57	24M.203.031	Farm Employer Housing	Remove	It seems the specific employment of any given resident should not be called out. People need various types of housing based on ability to pay – not on profession, unless groups of people wish to live and work together as in an “artist collective.” As an illustration, we wouldn’t suggest an item	No. Both City regulation & State law mandates for Farm employee housing. Why should homes need Use Permits if farmers are going to live in them? This seems discriminatory. It makes sense that there be low cost housing for various low-income trades, but I don’t believe this belongs in this table. No response above still applies.

						that requires a <u>Use Permit</u> for environmental organizer housing or city planner housing. Could this be discriminatory?	
#47	clarity	57	24M.203.031			The "Additional Regulations" column has numbers of code snippets – but needs a document name where this code can be found.	See Comment #11 This needs to have the document that is being referenced. One way to do that is to put an asterisk by the chapter and section, and then at the bottom *Within this document OR *Ventura Municipal Code, or whatever document is being referenced. Will add column header to clarify for reader.
#48	fix	57	24M.203.031	Manufacturing/processing - Light	UP	We feel this should be UP since, for example, this type of business could put toxins or particles into the air.	No. This is operational concern that is regulated by State/County permitting & licenses. However, you can raise this as a comment when you review and evaluate the Draft EIR.
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#49	fix	57	24M.203.031	Personal Svcs. Restricted		within 500 feet of residential use - UP	Proposed new category. Staff will consider proposal, including City Attorney review. This will happen as part of next Code revision.

#50	fix	57	24M.203.031	Recycling - Small collection facility	ADD T4.11 and T5.5	We suggest small collection facilities that could be at grocery stores and other small lots so that kids and low income people can access them on foot and get extra money for cans while recycling and keeping the neighborhood cleaner.	This is intended for small stand alone facility. Concern is having this located in key nodes of Avenue as aesthetic and contrary to activity area. While it is not as aesthetically pleasing as some other businesses, it is certainly not contrary to activity in our community. It helps to keep trash off the streets and from piling up in people's yards. It also provides income for people who are already on the margins. This measure is serving the tastes of one group at the expense of other more vulnerable groups. This could be reconsidered with win/win as a goal, not win/lose. Ok, staff to revise Uses allowed.
#51	fix	57				Perhaps a category for churches could be helpful, considering the traffic usually associated.	No. Table includes "Community Meeting" which is inclusive of Church uses.
#52	clarity	58		Transitional Housing Work/live	<u>Transitional Housing Work/live</u>	These are just duplicates on this page.	Yes, typo. Code to be revised.
#53	new	58		RETAIL Operating between 11:pm and 7am	ADD T4.11 UP	We really need late-night coffee houses for conversation, music, and community. Please allow space for this.	Yes. Code to be revised to add (UP1) to T4.11 Excellent. What is UP"1"? Refers to footnote at bottom of page Also, we are tasked with speaking to police to determine if including of other Land Use Types would be advisable.
#54	fix	58		TRANSPORTATION, COMMUNICATIONS, INFRASTRUCTURE	Vehicle Parking	It should be made clear when the code references vehicle parking, and when it references bicycle parking.	No. Land Use Table is for "Uses" that are parking facilities and a permit is necessary (not to regulate a bike rack or individual parking stall)

				Parking,		This helps put bicycles “on the map” and helps remind people that we need bicycle parking.	
#55	new	58		TRANSPORTATION, COMMUNICATIONS, INFRASTRUCTURE	ADD: Bicycle Lockers and Bicycle Parking under T4.11, T5.5, and SD	Secure bicycle parking and covered bicycle parking are both important if cyclists plan to use a multi-modal approach, of if they will be gone for several hours a day.	<ul style="list-style-type: none"> • Same response above • See also Comment #38 Response
#55							
		Page	item	current text	recommendation	discussion	
#56	fix	60	24W.204.012	b Porch & Fence: a frontage wherein the facade is set back from the frontage line with an attached porch permitted to encroach. A fence at the frontage line maintains the demarcation of the yard. The porches shall be no less than 8 feet deep.	b Porch & Fence: a frontage wherein the facade is set back from the frontage line with an attached porch permitted to encroach. <u>A fence at the frontage line maintains the demarcation of the yard.</u> The porches shall be no less than 8 feet deep.	GENERAL SUGGESTION A fence should be optional here.	No. See Comment #36 response This is intentional, urban design tool to establish a semi-private space.
#57	new clarity	67	24	B. DESIGN STANDARDS 5. Ventura Ave 5'	Add tree requirements.	Did something get cut? This seems a bit terse. Also, we would like to see tree requirements.	Yes, typo. See p. 65 – Stoop design standards. This should have been in the text on p. 67 too. I did not see mention of tree requirements. We would still like those put in. No, it really is there in Building typologies.
#58	fix	68		Illustrative Photo		This picture looks oppressive and unfriendly. The sidewalk is too narrow for the setback and the height. There is a lack of trees. Pedestrians are jaywalking for some reason, and there is no bicycle lane.	Yes. Revise Code with better photo.

					Is this what we are aiming for with our code – or is this not really illustrative of what we’re doing?		
#59	new	69 71		Please add tree requirements	We believe that if trees are not part of the plan, they will continue to not be part of the reality.	No. This section is about streetscape frontage. See Bldg. Types 24W.206 for landscape & open space requirements. No tree requirements could be found at 24W.206. Desire for trees has been a core theme of the Westside charettes and resident requests. To be clear – this is not about creating parks, it is about tree requirements on the public streets. No, it really is there in Building typologies.	
#60	new	76 77	DESCRIPTION A Carriage House is a building type consisting of a dwelling unit on top of or attached, at-grade to a detached garage.	DESCRIPTION A Carriage House is a building type consisting of a dwelling unit on top of or attached, at-grade to a detached garage, or as a stand-alone unit.	We suggest de-coupling the carriage house from the garage, and then doing away with the garage requirement. There is use for small flats for people to live, with-out enclosed car homes.	Topic addressed on July 20 th and Aug 31 st Code Refinement Workshop. The topic of doing away with garage requirements was brought up. There was support for garage requirement reductions. But there was no discussion or resolution about the topic of not requiring houses for cars. We would like to see this taken further. We feel it was not truly addressed.	
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#61	clarity	78				Page 78 and the following pages have [W] , [DR], and so on. There doesn’t seem to be an explanation for the notation.	Yes. Code to be revised. New explanation added to p. 75 “E”. Use of Warrants, Exceptions & Design Review.
#62	clarity	80		A. Description... T4.5		T4.5 is not on the regulating plan map. (?)	Yes, typo. Code to be revised. List out applicable Tzones.

#63	81	2. One side yard shall provide usable, outdoor space equal in width to the street build-to line but not less than 15', with ground floor living areas (e.g., living room, family room, dining room, etc.) opening to it with large windows and, where possible, French doors. This side yard shall be enclosed by a wall or hedge no more than 6' high, and shall encompass no less than 15% of the area of each lot and of a regular geometry (e.g., rectangular). [E]	2. One side yard shall provide usable, outdoor space equal in width to the street build-to line but not less than 15', with ground floor living areas (e.g., living room, family room, dining room, etc.) opening to it with large windows and, where possible, French doors. <u>This side yard shall be enclosed by a wall or hedge no more than 6' high</u> , and shall encompass no less than 15% of the area of each lot and of a regular geometry (e.g., rectangular). [E]	We feel this wall should be optional.	No. Urban design regulation is to provide semi-private space.
#64	fix 90 24W.206.090	Live-Work A. DESCRIPTION An integrated housing unit and working space, occupied and utilized by a single household in a structure, either single family or multi-family, that has been designed or structurally modified to accommodate joint residential occupancy and work activity at the ground floor.	A. DESCRIPTION An integrated housing unit and working space, <u>occupied and utilized by a single household in a structure</u> , either single family or multi-family, that has been designed or structurally modified to accommodate joint residential occupancy and work activity at the ground floor.	For broader appeal and practical use, a property owner should be able to live and work in a live-work building, or rent one or both parts out. We feel these arrangements should not be specified or limited by the code.	Staff will consider proposal. Has implications to City Codes. <ul style="list-style-type: none"> Delete requirement that the commercial and residential portions of every Live-Work unit be occupied by a single household. This is a very restrictive and unnecessary rule and may make the building type infeasible instead of creating a viable housing alternative. Adopted codes for other areas of the city should be reviewed and possibly changed. The only commercial building types allowed in T4 and T5 zones are Live Work and Commercial Block. In SD1 zones the only commercial building types allowed in a T4 and T5 zones are

Live Work, Commercial Block, and Flex-Shed. This effectively restricts industrial, manufacturing and shipping to the Flex-Shed building type. Staff will consider proposal for additional building types.

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#65	clarity	103	24W.208	This Section applies to alleys and the various configurations of Westside streets. The proposed standards herein are conceptual, and will be studied, and may be revised accordingly as a part of any future Mobility Plan and Westside Community Plan Development project do not need to comply with Section 24W.208.		Might want to check this run-on sentence.	Yes. Code to be revised. Added sentence to p. 103 "B" Applicability section.
#66	new	104			<u>[New paragraph] B. To enhance the walkable, transit-friendly character of Ventura Avenue, the design will include unobstructed eight foot wide sidewalks, dedicated exclusively to pedestrian activity. In addition, transit bus pullout located in each block or serving two adjacent blocks with dedicated space for covered waiting shelters, information signs regarding</u>	The intention is to create a more walkable, community-oriented area. We also recommend reducing the 12', high-speed lanes suggested for Ventura Ave down to the calmer 10' lanes.	Requires PW Review <ul style="list-style-type: none"> • Yes. Dave Ward will amend paragraph A to address "wider sidewalk" • Public Works regulates what can be placed on a sidewalk, including benches, wastepaper bins, etc. through encroachment permitting. RC/RM to follow up on "Sidewalk Allocation" with Public Works Dept. • Consider narrowing travel lanes to increase sidewalk, bus, and bike space. Consider reimbursement district or other

#67 schedules, routes and other information for riders, secure bicycle racks, litter receptacles, directional and way finding signs (in Spanish and English), and other amenities for use by the public. mechanism (including RDA) to improve complete block frontage and sidewalk even if some parcels are not developing.

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#68	fix	107				<p>If Cedar ever does get extended – it should definitely not be a 35mph road. Perhaps 20, with lots of bumps and turns to keep it calm.</p> <p>Yes</p> <p>Check with Tom</p>
#69	fix	109				<p>25 mph doesn't sound safe for a street where it's too narrow for two vehicles to pass each other.</p>
#70	new	111		<p>1. Pg 111 – D1 “...between the private lot and the edge of the bicycle and vehicular lanes...”</p> <p>a. (HW) “...no vehicle parking.”</p> <p>b. (RR) “...without vehicle parking”</p> <p>c. (SR) “...and a walking path plus either a bicycle path or a Class II bicycle lane on both sides of the road, and yield vehicle and bicycle parking where</p>	<p>We suggest language inclusive of bicycles – “complete streets.” Without inclusion, there is exclusion – as we currently experience on our city streets.</p> <p>OK</p> <p>Ok</p> <p>PW review</p>	

#70

complete streets permit. (drained by percolation, with

OK

d. (RS) "...drained by inlets and narrow sidewalks, separated from bicycle and vehicle lanes by a wide continuous planter, with bicycle and vehicle parking on one or both sides.

Tom

e. (SS) (AV) "...drained by inlets, with wide sidewalks separated from the bicycle and vehicle lanes by a narrow continuous planter, with bicycle and vehicle parking on both sides.

OK

f. (CS)(AV) "...drained by inlets, with very wide sidewalks along both sides separated from the bicycle and vehicle lanes by separate tree wells with grates, hard cape including public benches, with bicycle and vehicle parking on both sides.

OK

g. (BV) "...drained by inlets, with sidewalks

OK

CD staff and PW to consider adding a footnote to Table D-1, Public Frontages (Page 111) to explain/define bicycle boulevards.

along both sides, separated from bicycle and vehicle lanes by planters.”

- h. (BBV) For Bicycle Boulevards: This frontage can use standards from either (SS), (AV), or (RS). In addition, sections of a (BBV) may go from Class 2 or 3 bicycle ways, to a Class 1 – dedicated bicycle-only path when it goes across medians or between buildings. In these cases the frontage is level with the bicycle lane, drained by percolation.

#	new	Page	item	current text	recommendation	discussion
#71	new	112		<p>D-2 - Public Frontages Specific: “...curbs, walkways, benches, and planters”</p> <p>b. Curb: “The detailing of the edge of the bicycle and vehicular pavement...”</p> <p>c. Walkway “...dedicated to pedestrian, child bicycle, and wheelchair activity.”</p> <p>[Suggest correcting the</p>	<p>We suggest language inclusive of bicycles – “complete streets.” Without inclusion, there is exclusion – as we currently experience on our city streets.</p>	<p>These are issues are citywide. PW agrees there needs to be better direction regarding “sidewalk allocations” thru a new citywide policy. Should pursue this objective with PW.</p> <div style="border: 1px solid blue; padding: 5px; margin-top: 10px;"> <p>OR...consider deleting word “vehicle” a Rob Corley suggestion</p> </div>

#71		<p>curb-cuts. These type of curb-cuts put wheelchair users out of the walkways.]</p> <p>d. Planter “...accommodates street trees, benches, and other landscape and hardscape.”</p>	<ul style="list-style-type: none"> • Yes Dave Ward will amend paragraph A to address "wider sidewalk" • Public Works regulates what can be placed on a sidewalk, including benches, wastepaper bins, etc. through encroachment permitting. RC/RM to follow up on "Sidewalk Allocation" with Public Works Dept. • Consider narrowing travel lanes to increase sidewalk, bus, and bike space. <p>Consider reimbursement district or other mechanism (including RDA) to improve complete block frontage and sidewalk even if some parcels are not developing.</p>
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#72	new	115		<p>ADD</p> <p>D. Bicycle Access</p>	<p>Bicycle access is closer to Vehicle access than it is to Pedestrian access, but it still is different from either and should have a separate section.</p>	<p>PW to considier</p> <p>D. Bicycle Access</p> <p>Streets and roads, intersections, alleys and driveways, parking lots and in short, any place designed for traffic, shall safely and intentionally accommodate bicycle traffic. Street markings that are unclear and pit bicycle traffic against bus or automobile traffic shall be avoided through use of clear street marking, signage, and traffic lights calibrated and timed for bicycles. Citizens shall be offered a choice to travel by bicycle or car, and not be marginalized or put at risk through lack of complete street implementation.</p>

							Because bicycles are not encased in a protective shell, expensive parts, shopping in bike-bags, and bicycle seats all are exposed to weather as well as theft. Secured and protected parking shall be made available in public areas such as transit centers and apartments while bicycles are parked unattended for extended periods of time.
#73	new	120	24W.211.030	General Standards & Guidelines	<u>[new item] 8. Because many residents and visitors to the Ventura Avenue corridor speak and read Spanish as a primary language, public signage installed by the City of Ventura will seek a reasonable balance to present wayfinding, directional, and information in both English and Spanish. Private business, business organizations, and other public agencies are encouraged to join with the City in providing bilingual signage in the Ventura Avenue corridor.</u>	Inclusive neighborhoods are healthier and stronger in so many ways. We would like all residents to have ownership, and to feel that this city was designed with them in mind.	<p>No. The Code regulations apply to private signage, not public signs.</p> <p>This is more policy for Plan; not Code & would be directed to PW.</p> <ul style="list-style-type: none"> • First comment is that the Code regulates every detail of private signs, but is silent on public signs. When and how will a signage program for street signs, wayfinding, and other public signs be adopted? • Request is that significant public signs be in both English and Spanish due to the large population on the Westside (more than 20% of the adult population) who lack fluent English skills. • Referred by Dave Ward to the Westside Plan and to Public Works Dept.
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#75	fix	121	10. All signs (including temporary signs) should be constructed and installed utilizing the services of a professional sign fabricator.	<u>10. All signs (including temporary signs) should be constructed and installed utilizing the services of a professional sign fabricator.</u>	We believe this would place undue burden on current, small, Mom and Pop restaurants and shops.	<p>Concern is aesthetic appearance and how well the sign will weather. DRC would be concerned.</p> <p>Overly restrictive sign regulations should allow some flexibility</p> <p>#75 and 77, page 121 section 24w.211.030 Sign Standards and Guidelines:</p> <p>For example "All signs (including temporary signs) should be constructed and installed utilizing the services of a professional sign fabricator." Code should allow an expedited, no or low cost alternative to a local business; even a Director's permit is costly to a small business.</p>
#76	fix	127	<p>D. MURALS</p> <p>a. Murals shall only be located on unfenestrated wall areas of two thousand (2,000) square feet in size or greater.</p> <p>Only one (1) Mural shall be permitted per establishment per façade.</p> <p>b. Murals should be illuminated by external illumination only</p>	<p><u>a. Murals shall only be located on unfenestrated wall areas of two thousand (2,000) square feet in size or greater.</u></p> <p><u>Only one (1) Mural shall be permitted per establishment per façade.</u></p> <p><u>b. Murals should be illuminated by external illumination only.</u></p>	<p>This language unnecessarily complex. Murals can be beautiful and meaningful whether they are a small portrait by a doorway, or filling a large city wall. Arbitrary limitations should be avoided as they will only inhibit the beauty, creativity, and uniqueness of the Avenue.</p>	<p>Intentional regulation by City Code and previously addressed under both DRC/Public Arts Commission roles.</p> <p>Staff to consider proposal</p> <p>This needs to be reconsidered, as it is not currently serving the public. Already, across town, these rules are not being followed by artist and business owners who put decorative art over doorways, in small alleyways, and in combination with other murals. The results are attractive and respected by local residents, and should be encouraged by this "art town."</p>
#77	fix	144	c. A temporary window sign shall not exceed 40 percent of the area of any window upon which it is placed, singly, or in combination with any other	c. A temporary window sign shall not exceed 40 percent of the area of any window upon which it is placed, singly, or in combination with any other temporary or	We are concerned that these specifications may be impractical, inflexible, and discouraging for small shop owners.	<p>No. Rule necessary, but staff has this at the lowest level of review.</p> <p>Become a Code Enforcement issue.</p>

#77			<p>temporary or permanent window signs. Temporary window signs shall be allowed on the first floor only. Temporary window signs require approval of a director's permit and may only be used for a maximum of 90 days per calendar year.</p>	<p>permanent window signs. Temporary window signs shall be allowed on the first floor only. <u>Temporary window signs require approval of a director's permit and may only be used for a maximum of 90 days per calendar year.</u></p>	<p>Overly restrictive sign regulations should allow some flexibility</p> <p>#75 and 77, page 121 section 24w.211.030 Sign Standards and Guidelines:</p> <p>For example "All signs (including temporary signs) should be constructed and installed utilizing the services of a professional sign fabricator." Code should allow an expedited, no or low cost alternative to a local business; even a Director's permit is costly to a small business.</p>	
#78	fix	Page 146	item	current text	recommendation	discussion
			<p>W. PORTABLE SIGNS A portable sign is a sign that is self-supporting, designed to be moveable, and not structurally attached to the ground, a building, a structure or another sign. Portable signs include, but are not limited to, sandwich board signs, A-frame signs, and other similar signs. These signs are prohibited within the Westside area since typically there are limited opportunities for placement on private property and have been placed on the narrow public sidewalk, which end up obstructing pedestrian circulation.</p>	<p>W. PORTABLE SIGNS A portable sign is a sign that is self-supporting, designed to be moveable, and not structurally attached to the ground, a building, a structure or another sign. Portable signs include, but are not limited to, sandwich board signs, A-frame signs, and other similar signs. <u>These signs are prohibited within the Westside area since typically there are limited opportunities for placement on private property and have been placed on the narrow public sidewalk, which end up obstructing pedestrian circulation.</u></p>	<p>Our experience is that business owners have been sensitive and careful with their signs, and that they are part of neighborhood charm. We feel this ban is unwarranted.</p>	<p>No. Need regulation, unfortunately to address "one bad apple."</p> <p>This rule affects the smaller, low-income businesses, community centers, schools, and non-profits. It seems like over-kill if all that is intended is to prevent a sign from blocking traffic. Recommend language such as that the "sign cannot block foot traffic."</p>

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#79	fix	147	24W.212.010	B. APPLICABILITY	B. APPLICABILITY	B. APPLICABILITY	Our intention is to make sure there is enough park space regardless of whether there are several smaller projects or one big one. The actual resource requirements and impact on the community is the same.	It could be too difficult to try to get small developers to put in tiny fractions of a park on their property.
				This Section applies to all new development required to provide Neighborhood Parks. Residential or mixed use development proposals on properties of 2 acres or more must provide public park and open space proportionate to the Neighborhood Parks standard of 2 acres per 1,000 residents, based on the current average number of people per type of dwelling. These are defined as the following types; natural parks, greens, squares, plazas, and playgrounds, which are the open space types allowed in the T3, T4 and/or T5 zones.	This Section applies to all new development required to provide Neighborhood Parks. Residential or mixed use development proposals <u>that singly or in combination with other projects on the same block include</u> <u>on</u> properties of 2 acres or more must provide public park and open space proportionate to the Neighborhood Parks standard of 2 acres per 1,000 residents, based on the current average number of people per type of dwelling. These are defined as the following types; natural parks, greens, squares, plazas, and playgrounds, which are the open space types allowed in the T3, T4 and/or T5 zones.			Action: Check into a fee toward purchase of green space for developments that are too small to put the green space on the property. (Group+Dave?)
								No. Legally cannot do this. Makes development infeasible.
								79, page 147, section 24w.212.010 Parks and Open Space Standards
								<ul style="list-style-type: none"> • Comment asks that Code be amended to require that ALL parcels developed for residential use contribute either land or funds to develop additional public parks for the Westside. This is important for the Westside because few parcels are two acres or larger. • Each parcel will be required to contribute land, money for land or a combination. Small parcels will remain viable by paying fee in-lieu of providing land. • Existing language requires dedication of land only for parcels of two acres or more that are developed for residential use. Text now reads: Residential or mixed use development proposals on properties of <u>2 acres or more</u> must provide public park and open space proportionate to the Neighborhood Parks standard of 2 acres per 1,000

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#80	new	148		Parks and Open Space Types by Zone	<p>Add</p> <p>a. Natural Park - T4 and T5</p> <p>b. Green: suggest that it can be smaller than an acre to help get parks of many sizes.</p> <p>d. Plaza: suggest its landscape shall consist of a mix of a decorative mix of hardscape and plants. Add T2 and T3</p> <p>e. Playground: suggested the fencing be optional, so that the space feels safe and welcoming.</p> <p>f. [New] Pocket Park: Is small public green space that needs no minimum. It can be as small as a 4x8 woodchip area with a bench and potted plants.</p>	A collection of suggestions designed to create a greener neighborhood that feels open and welcoming.	Yes, typo. T3 to be added to "playground" type on p. 148
#81	fix	161		<p>Parking, Shared - An offsite and/or reduced parking arrangement for more than one use, which provides adequate supply of parking spaces based on timeframe and duration of peak parking demand for each use. The maximum distance between use and parking shall be 300 feet for customers/visitors and 500 feet for employees. The maximum reduction of spaces</p>		<p>Perhaps we could have an even greater share and reduction of needed spaces. Let's not limit ourselves to 20%. What if it worked out to a 50% reduction?</p>	<p>This item should be in a Public Works planning document, rather than in code for individual developers.</p> <p>Action: Group talk w/ Public Works</p> <p>Topic addressed on Aug 31st Code Refinement Workshop. Staff to evaluate and revise Code as needed.</p> <p>Does this mean the restriction of planning only up to a 20% parking reduction will be moved to a different document?</p>

		Page	item	current text	recommendation	discussion	
#82	clarity	162		<p>allowed is 20%.</p> <p>Parking, Off site – An offsite parking location provided for a principal use or for commercial parking, which is located within 1,250 feet from the use served and provides 100% of the required parking. Reduced parking may be allowed up to 20% of the required by incorporation of transportation and parking demand management strategies subject to the Community Development Director approval or through the shared parking Use permit process.</p>		<p>This is confusing. Is it 100% of required parking or 20%?</p>	<p>- Yes. Amend Code to clarify, possibly as 2 separate standards.</p>
#83	clarity	162		<p>Produce Sales: Onsite sale of fruits, vegetables or other crops. "Onsite sale," for purposes of this use type classify action, means sale of fruits, vegetables or other crops on a site on which a use type is conducted. Typical uses include fruit or vegetable stands.</p>	<p>Produce Sales: Onsite sale of fruits, vegetables or other crops.</p> <p>where a private</p> <p>; or urban horticulturist use</p>	<p>This is not clear and somewhat circular. Perhaps this could be simplified.</p>	<p>Yes. See text edits.</p>

		Page	item	current text	recommendation	discussion	
#84	fix	162		<p>Personal Services, Restricted: Use types consisting of establishments that due to their nature may have a blighting and/or deteriorating effect upon surrounding areas and which may need to be dispersed to mitigate their adverse impact. Examples of these use types include tattoo and body piercing services. All new uses, as defined by Chapter</p> <p>24.115.3325, shall be permitted only if the following provisions are met: A) No such use shall be established within 500 feet of any primary or secondary school, school grounds, park, playground, preschool, nursery, day-care center or other place frequented by children;</p>	<p>Personal Services, Restricted: Use types consisting of establishments that due to their nature may have a blighting and/or deteriorating effect upon surrounding areas and which may need to be dispersed to mitigate their adverse impact. Examples of these use types include tattoo and body piercing services. All new uses, as defined by Chapter</p> <p>24.115.3325, shall be permitted only if the following provisions are met: A) No such use shall be established within 1,000 feet of any primary or secondary school, school grounds, park, playground, preschool, nursery, day-care center or other place frequented by children;</p>	<p>The De Anza/ DATA campus is set back from Ventura Avenue, these uses could occur on the Ventura Avenue frontage of the Westside's largest school. We believe that the 1000 feet limit will solve the problem.</p>	<p>- This is Rob's comment - See #49 Comment</p>
#85	new	164		<p>Transit Station or Terminal: A passenger station for vehicular, and rail mass transit</p>	<p>SUGGESTED SUBSTITUTION</p> <p><u>Transit Center: A location where</u></p>	<p>We feel this could really be filled out to offer so much more. It's these types of</p>	<p>No. Too detailed for Code</p> <ul style="list-style-type: none"> • Definition of Transit Station or Terminal

systems; also terminal facilities providing maintenance and service for the vehicles operated in the transit system. Includes bus terminals, taxi stands, railway stations, etc.

local buses, intercity buses, shuttle/dial-a-ride vehicles stop to allow passengers to embark, disembark, transfer or change modes of travel. Conveniently located, designed for safety and efficiency, with space for bicycle parking, seating for waiting passengers, information on timetables, routes, transfer costs and steps, in addition to passenger restrooms, drinking fountains, food vendors or machines, litter receptacles, telephones, and similar improvements.

attractive amenities that help people transition from the single-use auto, to something much better for everyone.

should be revised to more clearly list what will be built.

- This topic may be addressed by the Transportation Planning staff to identify prototype transit stations/terminals that may be incorporated by reference in the Westside and other codes?

KEY: The meanings of the “type” column:

clarity - This includes style and language suggestions. This is important in that clarity helps insure use of a living document, as well as avoidance of costly mistakes.

new - These items are ideas that are in addition to the existing draft.

fix - These items are areas where we believe the existing code would have undesirable and/or unintended consequences, or cause hardships to a group of Westside residents or business owners.