



# Department of Planning + Urban Design

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## MEMORANDUM

TO: Gunnar Hand, AICP, Director of Planning

FROM: Michael Farley, Ordinance Studies Division Lead

DATE: February 13, 2024

SUBJECT: Director Discretion to Require Planning Charrettes for Master Plan Amendments; 2024 Annual Publication of Planning Charrette Requirements

The Zoning Code allows for director discretion in creating planning charrette requirements and requires annual publication of such requirements.

### I. The Authority and Discretion of the Director

Per Section 27-218(a), the “director of planning shall have authority to make all written interpretations concerning the provisions of these regulations and the official zoning map”.

### II. Facts of the Question

The discretion of the Director of Planning (“Director”) to require planning charrettes in addition to a neighborhood meeting for master (comprehensive) plan amendments is codified in Section 27-213 of the Unified Government Code of Ordinances. Such charrette requirements “including number, timing, and notice shall be established by the director and published on an annual basis”. (Section 27-213(g)(2)b).

### III. Applicable Zoning Code

Chapter 27 of the Code of Ordinances, the Zoning Code, distinguishes a planning charrette (or workshop) from the neighborhood meeting required by Table 27-196(a) and defined in Section 27-199. At a neighborhood meeting, the applicant shall “present a full and accurate description of the proposed development plans, describe projected impacts of development, describe plans to mitigate or off-set impacts, and facilitate a discussion of neighborhood questions and comments.” (Section 27-199(d)). In contrast, Section 27-213(g)(2)b states that

an applicant for “standard and major amendments shall schedule at least two [2] public planning charrettes (workshops) within or near the subject area. Charrette requirements, including number, timing, and notice shall be established by the director and published on an annual basis.”

#### IV. Interpretation of the Code

The Zoning Code distinguishes a neighborhood meeting from a planning charrette (workshop) by defining the required content, arrangements, and noticing of the former, but leaving the details of the latter to be defined by the Director. Planning charrettes are not simply additional neighborhood meetings, but rather they are an interactive dialogue with all community stakeholders to work through the design of a project and its impact on the community. Neighborhood concerns about the design of the project are intended to be incorporated into revised project designs.

Furthermore, the Director may create and shall publish the requirements of the planning charrettes each year; and the Director may do so in this memorandum.

#### V. Annual Requirements of Planning Charrettes for Master Plan Amendments

For the calendar year of 2024, the planning charrette requirements for master plan amendments are as follows:

- A. Any type of amendment (minor, standard, or major) may require up to two (2) planning charrettes, subject to the Director’s discretion;
- B. If two (2) planning charrettes are required, they shall be separated by no more than seven (7) days and by no fewer than one (1) day. One (1) planning charrette shall be held during workday hours, and one (1) planning charrette shall be held after workday hours. Workday hours are defined as 8AM to 5PM, and after workday hours are defined as 5PM to 9PM. The intent of the timing requirement is to capture as many residents as possible by offering the same charrette on different days and at different times in order to accommodate the schedules of neighbors and other stakeholders;
- C. Notices must be sent out to all parcels located within 200 feet of the boundaries of the subject parcel(s), and any homeowners association, neighborhood association, or merchants association (all as represented by their board of directors or their designee) registered with the Department of Planning and Urban Design and with boundaries located within 500 feet of the parcel. These boundaries can be modified by the Director by up to 30 percent either larger or smaller, depending upon the size, location and density of the proposed development. Only one (1) letter may be mailed to give notice for two (2) charrettes, so long as the date, time, and location of both charrettes are provided within the letter. The letter must be postmarked no fewer than ten (10) days before the first charrette will be held; and,
- D. Any charrette is allowed to be held virtually, so long as reasonable access is provided to any and all community members who wish to attend. Any in-person charrette must comply with the most up-to-date health protocols issued by the County, State, or federal government, including capacity and social distancing.