

Zoning Information Reports – Discussion at Planning Commission

September 19, 2013

Consideration of possible changes to the Zoning Information Report (ZIR) process was discussed at Council on August 13, 2013. The Council heard concerns from many realtors regarding the ZIR requirement, cost, timeliness, discrepancies between prior ZIRs and current ZIRs, and enforcement. The realtors requested that the Zoning Ordinance be amended so that attaining a ZIR before close of escrow would no longer be required but would be made optional. Staff explained that we shared some concerns with the realtors, such as resolving discrepancies that sometimes occur between ZIRs, and staff also explained the value of the ZIR and gave reasons why ZIRs should remain a requirement rather than optional. Council indicated that changes in the process should be made to improve timeliness and resolution of problems, but

Council felt that ZIRs should continue to be required rather than optional.

Council directed staff to put the matter on for a brief discussion at the Joint Meeting of Council and the Planning Commission on September 12th, and to schedule further consideration at the Planning Commission meeting on September 19th.

The Staff Report for the Planning Commission meeting will contain background information on ZIRs from staff and the Santa Barbara Association of Realtors, an explanation of the issues, and staff's recommendations to address the issues including the exploration of: the pros and cons of the use of private planning consultants or other consultants to prepare ZIRs; an Ordinance amendment to create more administrative authority to resolve record discrepancies and minor code deviations; and, a formal appeal process on the findings of the ZIR. In addition, more information will be provided on the discrepancies that arise between ZIRs, including responses to some of the realtors case examples. Some statements from realtors were incomplete with regards to prior ZIRs, City records, and/or staff's efforts to identify and resolve issues.

In response to Council's concern regarding the scheduling of ZIR inspections, management is immediately pulling in additional staff from zoning enforcement to prepare ZIRs to address scheduling concerns. Staff will monitor what it takes to maintain the increased service level. In addition, management suggests that Council authorize the waiving of Planning fees for modifications and design review, if needed, in cases where it is clear an error was made in the previous ZIR. Applicable building permit fees would still apply.

After the Planning Commission discussion and staff follow up on possible changes, we will return to Council in November for direction on administrative changes and as necessary possible Zoning Ordinance Amendments to the Ordinance Committee. Staff anticipates further discussion with the Ordinance Committee in January 2014.