

## WESTWOOD PLANNING COMMISSION

Staff Report

Meeting Date: August 4, 2025

Staff Contact: Leslie Herring, City Administrator

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**New Business Item** – Begin annual review of zoning regulations and introduction of text amendments

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### Background

Throughout the year, the Planning Commission has identified several areas in the zoning regulations that either conflict with one another, are commonly requested be waived by applicants for building permits, or which constitute possible conflicts between the letter and the spirit of the zoning regulations. Although most of the cases coming before the Planning Commission are for waivers from the zoning regulations pertaining to new home builds, there are also other sections of the Zoning Ordinance identified by staff, Planning Commissioners, and City Councilmembers outside of new infill housing that should be considered for updating, especially following current regional and local conversations about housing product availability and environmental sustainability. Conversations about proposed amendments to the zoning regulations have been a topic at several meetings during public hearings.

Conducting an annual review of the zoning regulations is an established goal of the Planning Commission and is included in the Planning Commission's annual work plan adopted at the beginning of each year. The 2 ½ year-long City Code recodification process has complicated conducting this annual review until now, since the zoning regulations are housed in Article 16 of the City Code. The recodification effort is concluding this month, with formal adoption anticipated to occur at the City Council's August 14<sup>th</sup> regular meeting and final review and recommendation from Planning Commission occurring tonight.

### Staff Comments

The following provisions of the zoning regulations are flagged for review and possible revision based on recent permit applications. The Planning Commission should review this list and determine whether additional provisions should be added to the list for review.

#### Article Two: Definitions

- 2.3.275 – Facade ([linked here](#))
  - Action recommended: Clarify whether “façade” includes the roofline for a covered porch.
- 23.660 – Story, Half ([linked here](#))
  - Action recommended: Determine whether this definition should be revised to include recent trends in architecture; whether usable open rooftop areas constitute a floor. (citation: [WE 2025-02, March 3, 2025](#))

#### Article Four: Residential Zoning District

- 4.3.2.D – Minimum façade situated on build-to line ([linked here](#))
  - Action recommended:
    - Clarify whether minimum façade on built to line is a line is calculated using the line along the façade or the vertical plane (surface area); consider adding a diagrammatic illustration (citation: [WE 2024-04, January 6, 2025](#))
    - Clarify whether the build-to line has a width (i.e. +/- 1')

- Clarify whether stem walls (garbage can screening) can be included in calculation of façade
- 4.3.2.G & 4.3.3.E – Front yard setback encroachments ([linked here](#) and [linked here](#))
  - Action recommended: Consider increasing allowable encroachments for open front porches (citation: [WE 2025-01, March 3, 2025](#))
- 4.3.2.J.1, 2, & 5 – Residential lots with less than 65' of frontage at the right-of-way ([linked here](#))
  - Action recommended:
    - Review regulations against houses built and waivers sought to determine whether revisions should be made to more closely align with the existing character of the street
    - Consider eliminating existing prohibition on platting new lots in these residential categories, under 65' of lot frontage at the right-of-way ([1.5.1.I linked here](#); [4.3.3.A linked here](#))
- 4.3.6.F – Attached garage regulations ([linked here](#))
  - Action recommended:
    - Clarify whether this applies to subgrade garages (citation: [WE 2025-02, March 3, 2025](#))
    - Clarify whether the front wall of the primary building is synonymous with façade or whether a new definition should be added; also determine whether the wall has a width (i.e. +/- 1') (citation: [WE 2025-02, March 3, 2025](#))
- 4.3.7.A & 4.3.9 – Building & fencing materials ([linked here](#) and [linked here](#))
  - Action recommended: Review to determine whether list should be updated to include additional modern materials? (i.e. appearance of wood)
- 4.3.10.A.3 – Impervious area maximum for driveways ([linked here](#))
  - Action recommended: Clarify whether this provision applies only to impervious drive and sidewalk area for multiple curb cut properties or whether it also applies only to lots with multiple curb cuts (circle drives) or all lots with driveways.
- 4.3.10.G – Side entry garages ([linked here](#))
  - Action recommended: Determine whether section should be revised to respond to increasing number of side entry garages and accommodating larger vehicles. (citation: [WE 2023-03, July 10, 2023](#))
- 4.4.2 – Tree preservation ([linked here](#))
  - Action recommended:
    - Consider clarifying whether tree health determination must be made by a licensed arborist.
    - Consider requiring demolition permit application be submitted – but not necessarily approved – prior to disruption of any tree roots for utility disconnections required for permit issuance

Article Seven: Commercial Overlay Districts ([linked here](#))

- Action recommended: Review each district and determine whether revisions are desired to more closely align with the City's comprehensive plan

Article Nine: Signs ([linked here](#))

- Action recommended:
  - Clarify whether window decals and window painted signs and artwork should be included in the temporary sign or window sign categories.

City staff recommends the Planning Commission consider taking the following approach with this regular review of the zoning regulations:

1. Review this list of staff-identified zoning regulation provisions (August 4);
2. Share opinions and discuss amongst yourselves as an appointed body responses to the points where action is recommended (August 4);
3. Determine if items should be added or removed from this list (August 4);
4. Allow the City Administrator/Planning Commission Secretary to work with a couple Planning Commissioners and a City Council member or two as well as City staff to draft recommendations for amendments (throughout September);
5. Receive draft recommendations for amendments from work group and determine whether amendments are acceptable and ready to set for public hearing, or whether additional work on the proposed amendments should be conducted (September 8);
6. Set a public hearing on the text amendments to the zoning regulations (September 8 or October 6)
7. Hold the public hearing at a future Planning Commission meeting; make recommendation for City Council consideration for adoption (October 6 or November 3).