



Meeting Date: 8/16/2021
Item Number: 4b
Time Estimate: 60 minutes

ARCHITECTURAL REVIEW COMMISSION AGENDA REPORT

SUBJECT: REVIEW OF A DRAFT ZONING REGULATIONS AMENDMENT CONSISTING OF OBJECTIVE DESIGN STANDARDS FOR QUALIFYING HOUSING PROJECTS. THE PROJECT IS EXEMPT FROM ENVIRONMENTAL REVIEW (CEQA).

PROJECT ADDRESS: Citywide

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FILE NUMBER: CODE-0523-2021

FROM: Shawna Scott, Senior Planner

RECOMMENDATION

Recommend the proposed draft Objective Design Guidelines to the Planning Commission for review. This action may include recommended revisions or changes to the draft Objective Design Standards.

1.0 BACKGROUND

In 2017, the Governor signed multiple housing bills, including Senate Bill (SB) 35 Streamlined Approval Process, which added [Section 65913.4](#) to the Government Code providing for a streamlined, ministerial approval process for multi-unit housing projects of two or more residential units or mixed-use, subject to certain conditions and consistent with objective zoning and design review standards. In addition, Government Code [65583.2](#) requires a city to allow housing developments in which at least 20 percent of the units are affordable to lower income households on sites that have been listed in the [City's Housing Element](#) inventory in two or more consecutive planning periods to be processed through a ministerial review. In response, the City adopted Program 6.22 as part of the City's 6th Cycle Housing Element. Program 6.22 puts forth that the City will update the municipal code to expand objective design standards within one year of the adoption of the Housing Element Update.

Projects that will be reviewed against objective standards include:

- Projects that qualify under Government Code Section 65913.4 (SB 35). Eligible developments must include a specified level of affordability, be on an infill site, comply with existing residential and mixed-use general plan or zoning provisions, and comply with other requirements.
- Transitional and supportive housing (AB 2126).
- Housing developments in which at least 20 percent of the units are affordable to lower income households (Housing Element Programs 2.17 and 2.18)

2.0 PROJECT DESCRIPTION

2.1 Objective Standards

Objective standards are a type of regulation that do not require a judgement to determine that they have been met. For example, the City has Zoning Regulations that identify specific building heights limits, require that buildings be set back a certain distance from property lines, and establish the minimum number of parking spaces required for a development project. These regulations are all considered “objective standards” because they are numeric and do not require a subjective opinion to determine whether a development project follows those standards. Currently, all design related direction is provided in the City’s Community Design Guidelines (CDG). While these guidelines will still be applicable to projects that qualify for discretionary review, most of the guidelines are not objective and cannot be used for the ministerial review process. The ministerial process is where a development project is reviewed and approved at the staff level utilizing set code requirements and standards (such as those outlined in the Zoning Regulations).

2.2 Objective Design Standards

On June 21, 2021, the ARC received a presentation from staff regarding the development of Objective Design Standards (ODS). As a part of that presentation, staff requested that ARC select an ARC subcommittee to assist staff with the draft ODS prior to full ARC review. On July 21st and July 27th staff met with the ARC subcommittee (ARC Chair Christie Withers and Commissioner Micah Smith) to review the draft ODS. Additionally, staff requested professionals involved with local building design, architecture, and development comment on the draft ODS. Based on discussions and comments received from the ARC subcommittee and local professionals, staff has completed a draft ODS for ARC’s review (see Attachment A).

3.0 FOCUS OF REVIEW AND DISCUSSION ITEMS

As noted in Section 1.0 above, the Objective Design Standards will only apply to those projects that meet certain qualifications. Items for the ARC to consider regarding the draft ODS include:

- Clarity of the proposed standards
- Any concerns in implementing the proposed standards
- Identifying standards that would benefit from an illustration
- If something appears to be missing

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4.0 ALTERNATIVES

- 4.1 Recommend the proposed draft Objective Design Guidelines to the Planning Commission for review. This action may include recommended revisions or changes to the draft Objective Design Standards.
- 4.2 Continue the project. An action continuing the project should include direction to the staff on pertinent issues. This action is not recommended as the Objective Design Standards must be adopted within one year of when the 6th Cycle Housing Element was adopted (adopted November 17, 2020).

5.0 ATTACHMENT

A – Draft Objective Design Standards