

CITY OF SANTA ROSA  
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL  
FROM: AMY NICHOLSON, SENIOR PLANNER  
PLANNING AND ECONOMIC DEVELOPMENT  
SUBJECT: OBJECTIVE DESIGN STANDARDS FOR STREAMLINED AND  
MINISTERIAL RESIDENTIAL DEVELOPMENTS

AGENDA ACTION: ORDINANCE INTRODUCTION

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RECOMMENDATION

It is recommended by the Planning Commission and the Planning and Economic Development Department that the Council introduce an ordinance to amend Title 20 of the Santa Rosa City Code adding Chapter 20-39 - Objective Design Standards for Streamlined and Ministerial Residential Developments, related to objective design standards for streamlined and ministerial residential developments.

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EXECUTIVE SUMMARY

The purpose of the Zoning Code text amendment regarding Objective Design Standards for Streamlined and Ministerial Residential Developments (Standards) is to add objective design standards that respond to State legislation to the City's Zoning Code. Recent State law, including Senate Bill 35 (SB35) and Assembly Bill 2162 (AB2162), requires a ministerial process for specified residential developments. The City is subject to SB35 and AB2162, which means that an eligible project within the City must be streamlined and shall not be subject to discretionary review (e.g.: Conditional Use Permit, Design Review and/or Landmark Alteration Permit). The Objective Design Standards are sourced from the City's Design Guidelines, which address residential and non-residential development. The proposed Standards aim to incorporate the intent of the Santa Rosa Design Guidelines to the greatest extent possible, while complying with the intent of State legislation to facilitate the construction of housing in Santa Rosa.

On September 12, 2019 the Planning Commission adopted a resolution, by a vote of 6-0-1, recommending that the Council approve the proposed Zoning Code text amendment. The City Council's role is to adopt an ordinance regarding the proposed Zoning Code text amendment as the Standards will be codified into the City's Zoning Code.

## BACKGROUND

Recent California legislation has been adopted to address the housing shortage within the State, requiring a streamlined and ministerial process for specific residential developments. A streamlined and ministerial review, per State legislation, requires projects to be reviewed against existing objective standards rather than through a City's traditional discretionary entitlement process, in specified timeframes. While the City Code does include a number of design-oriented standards, general guidance regarding the design for residential development are in the City's Design Guidelines, which are largely subjective in nature.

Two California bills, discussed throughout this report, are the impetus for the proposed objective design standards. It is anticipated that in coming years additional legislation will be enacted requiring additional ministerial processes. Therefore, while the two bills listed below provide recent examples, the proposed ordinance has been written to also address future legislation that may require ministerial processes.

### **Senate Bill 35**

California State Senate Bill 35 (SB35 – Government Code Section 65913.4), which went into effect on January 1, 2018, was part of a comprehensive housing package aimed at addressing the State's housing shortage and high housing costs. SB35 requires a streamlined ministerial approval process for developments located in jurisdictions that have not yet made sufficient progress towards their required allocation of the regional housing need. The City of Santa Rosa is subject to SB35, which means that an eligible project within the City must be streamlined and shall not be subject to discretionary review (e.g.: Conditional Use Permit, Design Review and/or Landmark Alteration Permit).

For a project to be eligible for the streamlined and ministerial SB35 process it is required to meet specific criteria, including, but not limited to, the following:

- Provide a specified level of affordability;
- Be located on an infill site without specified environmental issues;
- Comply with residential and mixed-use General Plan or Zoning provisions; and
- Comply with all City objective standards.

Additional information on project eligibility requirements can be found in Attachments 1 and 2 to this report.

## **Assembly Bill 2162**

California Assembly Bill 2162 (AB2162 – Government Code Sections 65583), which went into effect on January 1, 2019, was adopted to address shortages in Supportive and Emergency Housing. AB2162 requires that specified Supportive Housing developments undergo a streamlined and ministerial review and are not subject to discretionary review (e.g.: Conditional Use Permit, Design Review and/or Landmark Alteration Permit).

For a project to be eligible for the streamlined and ministerial AB2162 process it is required to meet specific criteria, including, but not limited to, the following:

- Units within the development are subject to a recorded affordability restriction for 55 years;
- One hundred percent of the units within the development, excluding managers' units, are dedicated to lower-income households and are receiving public funding to ensure affordability of the housing to lower-income Californians;
- A specified number of units are designated as supportive housing;
- Nonresidential floor areas are used for onsite supportive services in specified amounts;
- Units within the development, excluding managers' units, include at least one bathroom and a kitchen or other cooking facilities.

Additional information on AB 2162 can be found in Attachment 3 to this report.

### 1. Project Description

The purpose of the Objective Design Standards for Streamlined and Ministerial Residential Developments Zoning Code text amendment is to codify clear and objective design standards that respond to SB35, AB2162, and enable compliance with future State legislation that requires a ministerial process for housing developments. The Objective Design Standards are sourced from the City's Design Guidelines, which address residential and commercial development.

New multifamily and supportive housing residential developments that do not qualify for a ministerial review go through the City's discretionary Design Review process, which includes review for compliance with the City's Design Guidelines. The Design Guidelines are subjective in nature to demonstrate preferences while allowing discretion and flexibility, and as such, cannot be enforced through a streamlined ministerial process. The proposed Objective Design Standards aim to incorporate the intent of the Santa Rosa Design Guidelines to the greatest extent possible, while complying with the intent of State legislation to facilitate the construction of housing in Santa Rosa.

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The proposed Objective Design Standards are grouped into multiple categories that include Neighborhood Compatibility, Building Design, Massing/Articulation, Outdoor/Common Space, Site Design, and Accessory Elements, and are included in the Resolution attached to this report.

2. Project History

January 1, 2018 - Senate Bill 35 became effective State law.

January 1, 2019 – Assembly Bill 2162 became effective State law.

June 10, 2019 - A survey was released to the public to receive input on proposed design standards.

June 20, 2019 – The proposed draft guidelines were presented to a joint meeting of the Cultural Heritage Board and Design Review Board.

September 12, 2019 – The Planning Commission adopted a resolution, by a vote of 6-0-1, recommending that the Council approve the proposed Zoning Code text amendment.

PRIOR CITY COUNCIL REVIEW

None.

ANALYSIS

The majority of the attached draft standards are based on the existing City Design Guidelines related to multifamily development and the more general design principles included in the Design Guidelines. Several of the draft standards were formed after reviewing the objective design standards of other California cities.

The primary goal with these objective standards is to ensure superior architecture, sensitive site planning and neighborhood compatibility without the typical discretionary Design Review or Landmark Alteration process. Specific areas of challenge include objective standards to ensure the aforementioned compatibility in existing historic residential neighborhoods.

FISCAL IMPACT

Approval of this action does not have a fiscal impact on the General Fund.

### ENVIRONMENTAL IMPACT

The proposed amendments are exempt from the requirements of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15061(b)(3) in that the amendments do not have the potential to cause a significant effect on the environment and are not subject to CEQA review. The amendments proposed will preserve and enhance aesthetic resources and each of the proposed amendments is necessary to conform the Code to State law, and any conceivable impact of the proposed amendments would be speculative in the absence of specific development proposals.

### BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

During the June 20, 2019, Joint Design Review Board and Cultural Heritage Board meeting, a number of comments were provided regarding the proposed objective design standards. A majority of Board members expressed their concerns regarding a ministerial design review process and understood the difficulty associated with objective design standards for architecture.

Specific comments incorporated into the proposed Objective Standards included utilizing caution about constraining development, particularly in the downtown. As a result, the proposed standard related to open space minimums within the downtown were eliminated, and additional flexibility was added into the standard regarding parking area location and screening. In addition, it was suggested that requiring on-site amenities to be located to the rear or center of the site could deactivate the street space, and thus, this standard was removed. Finally, based on a concern that the standard for inset windows would prohibit the use of a commonly used vinyl window type for multifamily housing, this standard was also removed. Additional context and comments from both Boards can be found in Attachment 4 to this Staff Report.

On September 12, 2019, the Planning Commission held a public hearing regarding the proposed text amendment. Following comments in support of the proposed Objective Design Standards, the Commission voted to approve the resolution recommending approval of the text amendment to the Council by a vote of 6-1-0.

### COMMUNITY COMMENTS

On June 10, 2019, an online survey regarding the proposed design standards was released to the public. This survey was distributed to the Community Advisory Board and the Planning and Economic Development Department email distribution list (which includes over 15,000 e-mail addresses) and includes builders, non-profit organizations, governmental organizations, and other interested parties. The website and survey were also posted on the City's various social media accounts and were distributed by way of flyers at two community events. The online survey was created in English and Spanish.

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The survey included each of the proposed design standards, and asked participants to rank them in order of preference by topical area. There was general consensus in favor of proposed design standards in each topical area including limiting the height of new buildings abutting preservation districts, the location of parking and building orientation, and the inclusion of single-family dwelling design elements. Commenters also favored requiring affordable units to include the same materials and level of details on the exterior as market rate units, the incorporation of at least two architectural features, the location of primary building entrances and paths of travel in visible areas and requiring common open space areas for projects with more than 10 units.

An opportunity to add additional suggestions was also provided in the survey. Participants expressed the importance of water efficient landscaping and landscaping generally, the need for compatible or earth toned neighborhood colors, high quality materials, and additional parking. The complete results of the Community Survey are included as Attachment 5 to this Staff Report.

#### NOTIFICATION

Pursuant to Zoning Code Section 20-66.020(D), Alternative to Mailing, the public hearing notice was placed as a one-eighth page in the Press Democrat. The notice was disseminated to the Department's email distribution list, which includes the City's Community Advisory Board, was uploaded to the Planning and Economic Department's webpage, and was posted at City Hall.

#### CITY COUNCIL'S ROLE

The City Council's role is to review the proposed Zoning Code text amendment, hold a public hearing and adopt an ordinance. Although the project is related to design standards, which would typically be under the purview of the Design Review Board, the location of the proposed standards in the City's Zoning Code make the City Council the appropriate review authority.

#### ATTACHMENTS

Attachment 1 – HCD – Draft SB35 Guidelines  
Attachment 2 – Government Code for SB35  
Attachment 3 – Government Code for AB2162  
Attachment 4 – Minutes of the June 20, 2019 Joint Design Review Board and Cultural Heritage Board Meeting  
Attachment 5 – Results of the Community Survey  
Attachment 6 - Correspondence  
Ordinance

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WEB RESOURCES

City Website: Existing Design Guidelines for Multifamily Housing -  
<https://srcity.org/368/Design-Guidelines>

City Website: Existing Standards in the Zoning Code related to Lighting, Landscaping,  
other Development Standards -  
<http://www.qcode.us/codes/santarosa/view.php?topic=20&frames=on>

City Website: Objective Design Standards Initiative – [www.srcity.org/SB35](http://www.srcity.org/SB35) - Includes link  
to public input survey and future public meetings

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