



CITY OF SANTA BARBARA

ORDINANCE COMMITTEE AGENDA REPORT

AGENDA DATE: October 22, 2024

TO: Ordinance Committee

FROM: Planning Division, Community Development Department

SUBJECT: Title 25 Objective Design and Development Standards, and Amendments to the Title 30 Zoning Ordinance

RECOMMENDATION:

That Ordinance Committee forward a recommendation to City Council that Council:

- A. Adopt the Title 25 Objective Design and Development Standards;
- B. Repeal Resolution No. 21-031 adopting the Objective Design and Development Standards for Streamlined Housing Projects in its entirety;
- C. Adopt Amendments to the Title 30 Zoning Ordinance;
- D. Determine that the Title 25 and Title 30 Amendments are Exempt from CEQA Pursuant to CEQA Guidelines Section 15305; and
- E. Determine that the Title 25 and Title 30 Amendments are Consistent with the General Plan.

If necessary, the discussion of this topic at Ordinance Committee can be continued to a later date to allow additional time for public comment and revisions to the proposed ordinance.

EXECUTIVE SUMMARY:

Increasingly, State laws mandate a streamlined, ministerial approval process for eligible multi-unit housing projects. Projects that qualify for streamlined approval are only subject to objective zoning and design review standards, as defined in the legislation. The Title 25 Objective Design and Development Standards respond to the State's requirements for objective standards while maintaining the City's high standards for aesthetics and

sensitivity to historic context. The related Title 30 Zoning Ordinance amendments include regulations for the objective design review process and other minor corrections and clarifications to reflect recent changes to state law, implement Housing Element programs, or simply to make the ordinance more readable and easier to interpret.

DISCUSSION:

The Title 25 Objective Design and Development Standards (ODDS – Attachment 1) implement 2023–2031 Housing Element Program HE-7: Objective Design Standards. They are proposed as a new Title 25 of the Municipal Code to provide detailed objective design and development review standards and a process for developers seeking streamlined design review in accordance with State law. The ODDS will apply to all areas of the City currently zoned for two or more residential units. The project also includes related amendments to the Title 30 Zoning Ordinance (Attachment 2) to regulate the new design review process and provide objective findings for projects using the ODDS. Program HE-7 is scheduled to be completed by December 2024.

Project Background

In 2019, the City initiated the first staff-led work effort to establish objective design standards in response to Senate Bill 35¹ that created a streamlined approval process for multi-unit housing projects with a specified percentage of units affordable to lower-income households. The Objective Design Standards for Streamlined Housing Projects, adopted by Resolution 21-031, are exclusive to Senate Bill 35 projects and require projects to be designed only in the Spanish Colonial Revival architectural style. At the time of adoption, staff outlined a future work effort to broaden and refine objective design standards, allow the objective design review process as an option for any applicant of multi-unit housing projects, and incorporate additional architectural style choices.

In 2021, the City was awarded a \$300,000 Local Early Action Planning (LEAP) grant from the State Department of Housing and Community Development (HCD) to prepare the new Objective Design and Development Standards (ODDS). The City hired Opticos Design Inc. to prepare the design standards and work on related tasks. A Work Group composed of representatives from the Architectural Board of Review (ABR), Historic Landmarks Commission (HLC), Planning Commission, and American Institute of Architects (AIA) was formed to advise staff, serve as subject matter experts, and comment on draft materials.

Opticos Design's approach included incorporating the existing and intended physical character of the City as inputs for the new standards. Preparation and research included a staff-led site tour and group interviews of developers, affordable housing advocates, and community members to inform the process with ideas and observations of the existing design review process, zoning, and characteristics of constructed projects. The outcome was an Existing Conditions report that analyzed elements and characteristics

¹ Passed in 2017 to ease California's housing shortage.

that shape the city's physical qualities and prevalent architectural styles by neighborhood to inform which physical characteristics should become objective design standards.

The ODDS building location, form, and style regulations were carefully calibrated to ensure new residential and mixed-use buildings would fit seamlessly into neighborhoods and to encourage pedestrian-friendly design. The ODDS include multiple standards to ensure that the ground floor of each building along the public realm supports walkable places that are active and visually engaging. The elements that work together to make the public realm appealing are building location and height, depth of ground floor occupiable space, and the building frontage that provides the transition and interface between the public and private realms (setback or building at/near the sidewalk).

The work program included considerable public input via surveys and meetings, and drafts of the ODDS were posted for public input and presented to the Historic Landmarks Commission, Architectural Board of Review, and Planning Commission in 2022, 2023, and 2024. Throughout the process, public review drafts of the ODDS and related maps, fact sheets, and other project-related information was noticed and posted on the Santa Barbara Design Standards webpage.

Legislative Background

The Housing Accountability Act² (Government Code §65589.5) established the state's overarching policy that a local government may not deny, reduce the density of, or make infeasible housing development projects, emergency shelters, or farmworker housing that are consistent with objective standards unless the City can make written findings that a specific, adverse health or safety impact exists that cannot otherwise be mitigated. Multiple state laws allow for streamlined approvals for multi-unit housing projects consistent with objective standards. Each of these laws has different requirements for housing unit affordability, location, and other considerations, but they all uphold the concept that subjective design guidelines cannot be enforced for housing projects undergoing streamlined or "by right" review.

Overview of Title 25 Objective Design and Development Standards

For decades, the City has used discretionary design review to assert significant oversight and discretion in new development, consistent with the City's charter direction to ensure protection and preservation of the community's natural beauty and charm. To address California's housing crisis, the state has increasingly passed legislation that prohibits review and approval per subjective guidelines for certain multi-unit housing projects. This transition from using subjective design guidelines to objective design standards for specific types of housing projects is a significant shift for the City, but it provides an opportunity to advance housing production targets while maintaining the City's design priorities.

² Enacted in 1982 and amended in 2017, 2018, and 2019 (Housing Crisis Act) and other amendments up to 2023.

As noted in the recommendation, the ODDS are intended to replace the previously adopted Objective Design Standards for Streamlined Housing Projects prepared specifically in response to Senate Bill 35. The new Title 25 Objective Design and Development Standards, developed to comply with state law while integrating new development within the city's existing urban context, are much more comprehensive than the previously adopted standards to better communicate local standards with photographs, illustrations, maps, and tables in a catalog of standardized designs.

Objective design standards allow the City to retain control over building form, placement, and design. To that end, the ODDS also include standards addressing design features typically recommended during the discretionary design review process to meet community expectations for design quality and livability (e.g., landscape, access to light and air, privacy to and from neighboring properties, and adjacency standards to ease transitions from newer to existing buildings).

The intent is to make the requirements for housing projects more predictable and easier to interpret for everyone—decision-makers, staff, applicants, and the public. The goal is for applicants to understand which requirements apply to a proposed housing project before submittal so they can design a project to meet those requirements. The City benefits from ODDS by having a standard of review for projects using objective standards and more complete applications that necessitate fewer changes and resubmittals. Applicants benefit by having clear and predictable design expectations, fewer design review hearings (due to combining Project Design and Final Approvals), and limits on appeals. The community benefits by enjoying new compatible housing projects that preserve local character and enhance, rather than degrade, neighborhoods.

Applicability

The ODDS will be available in areas of the City that are zoned to allow two or more residential units (i.e., Two-Unit Residential [R-2], Residential Multi-Unit [RM], and other multi-unit and mixed-use zones). The ODDS work in conjunction with the entire Santa Barbara Municipal Code to implement state law that requires "...objective general plan, zoning, and subdivision standards and criteria, including design review standards..." per the Housing Crisis Act of 2019 (Senate Bill 330) and similar legislation. The ODDS will apply in the Coastal Zone, but ODDS projects will also require a Coastal Development Permit and consistency with the Coastal Land Use Plan policies and with the densities assigned in the underlying Coastal Plan land use designation (i.e., maximum of 12 or 27 units per acre).

Objective Design Review Process

The state-mandated processes that limit the City's ability to deny, make infeasible, or reduce the density of objective housing development projects do not entirely eliminate the requirement for public hearings or design review approval. The City's Charter requires

review of all multi-unit housing projects by either the ABR or HLC. This means that projects using the ODDS will still undergo design review, and any other applicable land use entitlement procedures (i.e., Tentative Map, Development Plan, etc.), but the design review and zoning portion will be limited to the objective design and development standards found in the ODDS. Applicants not seeking project approval under the provision of such state laws can opt out of using ODDS and proceed using the City's existing subjective design review process.

New Concepts

The ODDS introduces a form-based approach to building placement, design, and other site design requirements that do not currently exist in the Zoning Ordinance but are often included in new projects as conditions during the design review process. Key new concepts are discussed below.

Form-Based Zones Approach

A form-based zone is a land development regulation that fosters predictable built results and a high-quality public realm (street and sidewalks). Form-based zones are used when physical form and character as well as a walkable neighborhood are top priorities. This approach enables a variety of housing types near retail and services with the building, the block, and the neighborhood, as desired by the community. The form-based approach addresses the relationship between building facades and the public realm, the form and mass of buildings in relation to one another, and, for larger sites, the scale and types of streets and blocks. ODDS uses the form-based approach to fill the gaps between what is regulated by zoning and what is often achieved through design review.

ODDS Zones

Similar to Title 30, the ODDS categorizes parcels into "zones" for the purpose of generating and supporting the variety and physical character of existing and new pedestrian-oriented, walkable environments. The ODDS zone designations are based on existing conditions and the intended physical character of the neighborhood to provide transitions between lower density, single-unit neighborhoods and higher density, multi-unit and commercial areas. The ODDS zones correlate with the City's underlying base zones and the densities assigned to the underlying General Plan land use designations (i.e., 2-3, 12, 27, 36, or 63 maximum dwelling units per acre).

For example, the ODDS Neighborhood Medium (NM) Zone (covering 36% of ODDS parcels) is intended to support low-to-moderate intensity housing choices and correlates to the Two-Unit Residential (R-2) zone supporting low- to medium-density land use designations. Neighborhood Large and Mixed-Use Corridor (covering 53% of ODDS parcels) are transition areas supporting moderate-to-high intensity housing choices that correlate to both residential and nonresidential base zones and medium-high to high-density land use designations. Downtown Edge and Downtown Core (about 11% of ODDS parcels) promote higher-intensity housing choices and are correlated to

nonresidential zones that allow multi-unit housing and medium-high to high-density land use designations.

Design Site

The ODDS use the term “design site” to apply zoning and building type standards to a lot. Most design sites will be consistent with the existing lot size (i.e., a single design site is equivalent to one lot), but on larger sites (generally over 10,000 square feet), multiple design sites could be delineated within the existing lot. The main purpose of allowing multiple design sites is to provide flexibility for larger sites to develop more than one building type without requiring a legal subdivision.

Architectural Styles

Santa Barbara is somewhat rare in that the ODDS regulate architectural style to further refine intended building form and physical character, comply with existing style regulations, and produce new buildings that harmonize with the existing character. Three style groups are allowed with two sub-styles each: 1) Mediterranean, 2) Craftsman, and 3) Contemporary. The ODDS Architectural Styles Map (ODDS-ASM) further refines this concept by regulating which areas of the City allow 1) Mediterranean only (colored yellow), Mediterranean and Craftsman (colored green), or Mediterranean, Craftsman, and Contemporary (colored blue).

TITLE 25 — ODDS SUMMARY

A brief summary of the Chapters found in Title 25 – Objective Design and Development Standards follows.

Chapter 1 Introduction

This chapter includes goals and guiding principles, a description of how Title 25 relates to the General Plan and Municipal Code, a quick code guide to assist applicants, and two regulatory maps: 1) ODDS Zone map (ODDS-ZM) and 2) Architectural Styles Map (ODDS-ASM).

Chapter 2 Zones

This chapter provides the standards for each zone, including the granular details for design elements needed to implement the ODDS. Each zone regulates the following standards:

- Minimum design site dimensions;
- Building types (e.g., duplex, multiplex, courtyard, etc.);
- Building form and placement (height, setbacks, footprint, and ground floor occupiable space requirements);

- Parking setbacks³; and
- Frontage types (e.g., porch, shop front, arcade, etc.).

Chapter 3 General Site Design Standards

This chapter provides general standards such as landscaping, lighting, fences and hedges, screening, parking techniques, sloped parcels (greater than 10 percent), privacy, and rooftop decks. Many of these standards focus on the concept of “livability,” which considers a person’s quality of life as it pertains to their home and neighborhood. The standards ensure that new development makes a positive contribution to the development pattern of the area and considers impacts on neighboring properties.

Chapter 4 Building Types

This chapter includes standards for ten distinct building types that articulate the size, scale, and intensity of development according to the intent of each zone. The building type options are selected to maintain the existing and intended physical character of each zone, offer housing choices and affordable housing opportunities, and encourage a mix of land uses to include retail and workplace centers, residential living in commercial centers with easy access to grocery stores and recreation, connectivity and civic engagement, and public space for pedestrians.

Chapter 5 Frontages

This chapter includes standards for ten frontage types that orient the building toward pedestrian activities, enriching the character of established neighborhoods and providing the transition and interface between the public space (street and sidewalk) and the private space (setback or building at/near the sidewalk).

Chapter 6 Architectural Design

This chapter includes standards that regulate exterior building details (e.g., roof, eaves, windows, and doors) that exemplify the character of the chosen architectural style group.

Chapter 7 Exceptions

This chapter establishes findings for allowing minor deviations from certain standards because of the prescriptive nature of the ODDS and as allowed by state law. It allows administrative relief for design site dimensions, setbacks, open yard, building footprint, parking setbacks, etc. based on site constraints.

Chapter 8 Definitions

³ The number of parking spaces and other parking standards continue to be regulated by Title 30.

This chapter provides definitions for specialized terms and phrases used in the ODDS. All other applicable definitions in Title 30 apply.

Title 30 Zoning Ordinance Amendments

The Title 25 ODDS was designed to coordinate with and reference the City's existing Zoning Ordinance (Title 30) for certain topics common to all projects, such as rules for measurements, design review, and noticing. Title 30 amendments are necessary, however, to reflect the new objective design review process for ODDS projects. In addition, for the chapters already being altered by ODDS, staff incorporated minor corrections and clarifications to reflect recent changes to state law, implement Housing Element programs, or to make the ordinance more readable and easier to interpret. The Title 30 amendments fall into one or more of these categories: 1) ODDS-related cross references and process improvements; 2) clarifying and corrective amendments with no significant change; 3) clarifying amendments that streamline processes; 4) clarifying amendments required by State law. Attachment 3 describes the disposition of the Title 30 amendments by chapter and section.

Planning Commission Review

On August 8, 2024, staff presented the Title 25 Objective Design and Development Standards and Title 30 Zoning Ordinance amendments to the Planning Commission and requested a recommendation for adoption to City Council. The Planning Commission made a motion to continue the hearing to August 29, 2024, with 11 comments, including requested text changes to Title 25, revisions to the Architectural Styles map, text changes to the Title 30 amendments, and regular follow-up status reports to the Planning Commission after Title 25 is adopted. The minutes of August 8, 2024, are included as Attachment 4.

On August 29, 2024, staff returned to Planning Commission and presented responses to the 11 comments along with a few additional editorial changes to Title 25 and Title 30 found during further review. One of the requested changes to the Architectural Styles map was directed to the "Westside" neighborhood, which was not fully defined in the hearing on August 8. As follow-up, staff requested a Planning Commission straw poll vote on four additional amendments to the Architectural Styles map for pocket areas on the Mesa.

On August 29, the Planning Commission voted 6-0 to recommend that City Council 1) amend the Municipal Code to add Title 25 Objective Design and Development Standards with the further amendments to the Architectural Styles map; 2) amend Title 30 pertaining to process and other regulations for Objective Design and Development Standards and to implement Zoning Ordinance clean-up items; 3) determine the Objective Design and Development Standards and Title 30 amendments are categorically exempt from CEQA; and 4) determine that the Objective Design and Development Standards and Title 30 amendments are consistent with the General Plan. The minutes of August 29, 2024, are included as Attachment 5.

BUDGET/FINANCIAL IMPACT:

This action does not have a budget/financial impact on the City.

ENVIRONMENTAL REVIEW:

Staff has determined that this action qualifies for a categorical exemption from further environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15305. The exemption is based on the City's adopted CEQA implementation ordinance, per SBMC Section 22.100.070 List of Ministerial Projects and Categorical Exemptions, subsection C.5. Class 5: Minor Alternations in Land Use Limitations, subsection c. Adoption or amendment of land use or development ordinance, regulations, standards, or guidelines that substantially maintain existing land use intensity or density.

The ODDS do not change the density allowed under the General Plan Land Use designation or change the intensity of use. The related amendments to Title 30 are either administrative in nature and outline permitting procedures for ODDS projects, correct and clarify zoning standards, or add ODDS-related definitions. Although there is a proposed change to how density is calculated in Titles 25 and 30, that amendment does not change the underlying land use designation and density, as analyzed in the General Plan and the associated 2011 Program Environmental Impact Report for the Plan Santa Barbara General Plan Update. Based on review of the project, there would be no significant project-specific or cumulative impact on the environment due to unusual circumstances, and the project does not have the potential to damage scenic highways or historic resources. Future development of individual project sites would still be reviewed for compliance with CEQA, including review of biological resources and hazardous waste sites. Accordingly, the action is consistent with the description of a Class 5 categorical exemption under CEQA Guidelines Section 15305, and none of the exceptions under Section 15300.2 apply.

- ATTACHMENTS:**
1. Title 25 Objective Design and Development Standards
 2. Title 30 Zoning Ordinance Amendments
 3. Title 30 Amendments Summary Table
 4. Planning Commission Minutes of August 8, 2024
 5. Planning Commission Minutes of August 29, 2024

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APPROVED BY: Kelly McAdoo, City Administrator