



CITY OF SAN MATEO

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Agenda Report

Agenda Number: 2

Section Name: {{section.name}}

Account Number:

File ID: {{item.tracking_number}}

TO: Planning Commission
FROM: Zachary Dahl, Interim Director
PREPARED BY: Community Development Department
MEETING DATE: August 8, 2023

SUBJECT:
Draft Objective Design Standards for Multi-Family and Mixed-Use Residential Developments (PA-2019-016)

RECOMMENDATION:

Review the Draft Objective Design Standards, receive public comments and provide input and direction to staff on the draft standards, specifically with regards to massing and transitions, colors and materials, the Downtown, open space and flexibility.

BACKGROUND:

Overview

The City of San Mateo is developing Objective Design Standards (ODS) for new multi-family and residential mixed-use development projects in response to State legislation focused on streamlining the approval process for housing production. Currently, many local jurisdictions, including San Mateo, largely rely on discretionary design review processes when considering development applications. State law now requires jurisdictions to apply clear and objective design and zoning standards to the review of housing project applications involving two or more units, with the overarching goal of streamlined review and approval for qualified housing projects to ensure that local housing production targets are achieved.

The City initially began its effort to develop Objective Design Standards (ODS) for multi-family and mixed-use residential development in 2018. However, due to a change in consultants and the COVID-19 epidemic, the project did not meaningfully get underway until the beginning of 2021 when design consultant MIG, Inc. was retained. A status report on the ODS was provided to the Planning Commission on August 24, 2021. Over the past two years, staff has been actively working with the MIG team to prepare objective design standards based on the City's existing design guidelines, policies, and other standards in the Zoning Code and specific plans. On April 6, 2023, staff held a community workshop and a developers' roundtable on ODS, with the community's feedback being incorporated into the current draft ODS. On July 26, 2023, the Draft ODS were released for public review and input ([Attachment 1](#)). Staff is now seeking Planning Commission input on key topics prior to preparing a complete draft for public review and adoption.

Adoption of local ODS will provide the community and developers with a predictable development process that does not require interpretation or personal judgement. Once the document is fully developed, staff proposes that the Zoning Code be amended to adopt the ODS by reference, but that the actual ODS be adopted as a policy by resolution rather than by ordinance. This would allow for refinements of the ODS during implementation and make it easier to respond to evolving building practices and community goals and objectives.

State Housing Legislation

Approved in 2017, Senate Bill 35 allows developers to apply for streamlined review and approval for multi-family and

residential mixed-use development projects in jurisdictions where production of new housing has not met the State-mandated Regional Housing Needs Allocation targets. Under this law, the City is required to review qualifying applications under a ministerial process without any discretionary review or local guidance on design and standards.

The Housing Crisis Act, Senate Bill 330 (2019) amended and expanded the scope of the existing Housing Accountability Act and included more streamlining requirements, limiting a local agency’s ability to deny a housing project, and requiring housing development projects to be reviewed against objective design standards. This law defines “objective standards” as “standards that involve no personal or subjective judgement by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official before submittal.”

State density bonus law, most recently amended in January 2023, also allows for concessions to offset the cost of affordable housing development and waivers from local standards that could preclude the construction of affordable housing projects as proposed. The City’s objective design standards could be subject to such requests, therefore staff attempted to make the standards as flexible as possible to meet design intent, while allowing for a broad range of affordable housing projects.

Existing Development Review Process

The City currently has multiple design guidelines for specific building types and neighborhood areas, most of which require subjective interpretation and judgement by staff and Commissioners. Historically, the City has referred large multi-family and residential mixed-use projects to the Planning Commission to provide early design feedback through study sessions. The Planning Commission also had discretion to ultimately determine if multi-family or residential mixed-use projects conform to the City’s design guidelines. A shift to ODS would be a departure from the City’s typical review process for multi-family and residential mixed-use projects, and could also provide an opportunity for smaller housing projects to be reviewed at the staff level, if consistent with ODS. The table below outlines possible changes to City processes upon adoption of the ODS.

Current Discretionary Review Process without ODS	Streamlined Review Process with ODS
City staff reviews project using <u>Multi-Family Design guidelines</u> , zoning code, building code, specific plan(s), and other applicable documents.	City staff reviews project using <u>Objective Design Standards</u> , zoning code, building code, specific plan(s), and other applicable documents.
A design report from the City’s design consultant is <u>required</u> .	A design report <u>may not be required</u> .
Applicant revises plans to <u>incorporate design comments</u> and demonstrate conformance to code requirements.	Applicant revises plans to <u>demonstrate conformance to Objective Design Standards</u> and code requirements.
The Planning Commission reviews the project and has discretion to require design changes and <u>whether or not to approve the project</u> .	City staff or the Planning Commission reviews the project. If the project is deemed to comply with code requirements, environmental review, and the ODS, then the <u>project is approved</u> .

Proposed Objective Design Standards

Applicability

Per State law, ODS shall be applied to projects that include multi-family and residential mixed-use projects. This includes duplexes, townhomes, high-rise developments, and mixed-use housing projects where at least two-thirds of the building’s square footage is reserved for residential uses. In San Mateo, the ODS would apply to all sites that can support multi-family and/or residential mixed-use projects. This includes the following zoning districts: Multi-Family Residential (R2, R3, R4, R5, and R5-D), Commercial (C1, C2, C3, C4, and CBD), Transit-Oriented Development (TOD), Executive Park (E1 and E2), and all other zoning districts with a residential or downtown overlay. The ODS would also apply to lots zoned for single-family residential development of two or more units (i.e. primary unit plus ADU or duplex under SB 9), or a SB 9 urban lot split.

Commercial-only buildings would not be subject to the ODS or the streamlined approval process.

Approach

City staff and the MIG team have drawn from community input, the City's current Multi-family Design Guidelines, the many specific plans that apply to focused areas of San Mateo, and best practices utilized in other communities similar to San Mateo to create the draft ODS ([Attachment 1](#)). The proposed ODS aim to clearly establish the City's objectives for quality multi-family residential and mixed-use development projects, while providing flexibility that accommodates emerging development trends and building techniques. The ODS would be additive to all other standards that already apply to development projects, such as base zoning requirements including setbacks, height, coverage, density, open space, and landscaping requirements. The proposed ODS focus on private property and provide a minimum standard that projects must meet. If a project does not meet the ODS, applicants may elect to go through the city's standard discretionary review process.

ODS Content Outline

Recognizing the varying scales of development in the City, the ODS address three distinct building typologies:

- Low-rise Buildings: 1-3 stories and up to 35 feet in height
- Mid-rise Buildings: 4-7 stories and up to 90 feet in height (currently possible under state Density Bonus laws)
- High-rise Buildings: 8+ stories or more than 90 feet in height (currently possible under state Density Bonus laws)

For many of the standards, the draft ODS present a menu approach. For flexibility of design and project needs, developers are directed to select a minimum number of design components from a list. For example: Mid-rise buildings on corners would be required to provide at least one (1) of the following treatment options to accentuate the corner areas:

- 1) A tower element which extends between three (3) and six (6) feet in height from the building ridge
- 2) Special treatment of either different exterior materials, paint colors, or recesses or projections relative to the adjacent units, or combination of these features.
- 3) A cupola
- 4) Quoin treatment
- 5) Rooftop sculpture
- 6) Spire

The following summarizes the chapters of draft ODS document:

Section 1: Organization. Outlines the organization of the document.

Section 2: Purpose, Applicability, and Building Types. This section states that the standards are intended to streamline housing project review, ensure new development fits into existing neighborhoods' architectural style, building massing and articulation, and materials/colors, and ensures that pedestrians and pedestrian movement drive the site and building design of new development. The building typologies are introduced.

Section 3: Site Planning. Proposed site planning address:

- Standards for building siting along primary street frontages
- Pedestrian access, accommodations, and connections, including paseo standards
- Location and screening of parking facilities

Section 4: Building Design and Architecture. A significant portion of the ODS focus on the appearance, design, and architecture of buildings (see below for further discussion). The standards divide these requirements into:

- Massing and articulation
- Transitions and screening
- Roof form
- Windows, doors, entry design, and security

- Materials and colors
- Additions to existing structures

Section 5: Landscaping, Open Space, and Exterior Lighting. Generation of open space and required landscape areas is contained within the zoning code and will not be changed with the ODS document. This section does not create new open space or landscape generation standards but it does provide a menu of options for features that must be included in common and private open spaces to ensure variety in landscaping, hardscape and amenities, such as materials, entrance design, access, seating, and shade. Common open spaces are required to be fully accessible for all units, and could be provided through green roofs, decks, community gardens, and dog runs. Shadow requirements for mid- and high-rise buildings, based on the spring and fall equinox unless an existing building already shades the open space, and no other opportunities exist on the site to provide access to sunlight have also been included.

Section 6: Other Site Features. This section addresses accessory structures, enclosures, utility and mechanical equipment. Screening standards are introduced to reduce visual impacts and better integrate these features into the site design.

Section 7: Specific Plan Area Standards. Several key areas of the City, including Downtown, Hillsdale Caltrain station area, and various sections of El Camino Real, are subject to additional standards contained in specific plans. There are currently seven specific plan areas within the City. A map of these specific plan areas is included in [Attachment 2](#). The private development subjective standards contained within these specific plan area documents have been made into objective standards and are included in this section. These standards are additive to the standards contained in Sections 2-6 of the ODS document. Subjective standards related to the public right-of-way have not been translated into the ODS but remain in the specific plan document(s). Developers can still meet these standards to enhance their project.

ODS, Downtown and the Downtown Historic District

Recently approved and currently proposed projects in and around Downtown have sparked community discussions regarding design styles and requirements within the downtown area. The Downtown Area Plan, adopted in 2009, and the Downtown Guidelines, adopted in 1993, are mostly subjective with regard to design requirements and do not dictate or exclude any specific architectural styles. The ODS for the Downtown do not seek to establish new standards but rather clarify existing private property subjective standards. The Downtown Retail Core Design Guidelines subjective standards include relating height of structures to adjacent structures, encouraging vertical changes in street facades, pedestrian entry ways, achieving compatibility of building styles, provide architectural detailing, creating distinct ground floors, and providing visual interest at the public realm. These standards have been translated into the ODS and include: transitional requirements to step down to adjacent building heights and to align architectural features, wall plane break standards, pedestrian entryway and awning requirements, minimum depth requirements for recesses/reveals and architectural details, standards for a distinct building base, a blank wall prohibition, ground floor glazing requirements, and a requirement for the provision of plazas or public seating along street frontages.

The standards of the Downtown Historic District Design Guidelines relate to retaining and preserving storefronts of historic buildings, retaining the character of historic buildings during alterations, aligning historic architectural features, incorporating common historic elements and materials into building designs, and acknowledging the architectural rhythm of historic buildings. These standards are subjective, contextual, based on site specific considerations, and will be addressed in the Secretary of Interior Standards and the environmental review of a project.

Once the City's General Plan Update effort is completed, the Downtown Area Plan is planned for a comprehensive update and will include appropriate outreach and community conversations. This update of the Downtown Area Plan will provide the best opportunity to review the downtown area in a holistic manner, conduct the necessary historic reviews and surveys, and include robust public and community outreach if further refinement of the existing downtown area standards are needed or if specific architectural styles are desired for the downtown area.

Community Workshops

City Staff and MIG led two online workshops to provide information on the new State laws and gather community input on what constitutes good design in San Mateo. The first ODS workshop was held on June 1, 2021, where approximately 30 members of the public attended. The second event consisted of a remote daytime developers' roundtable discussion and evening community workshop conducted via Zoom on April 6, 2023, with approximately 15 people attending each meeting.

Community Workshop #1 (2021)

This workshop discussed eight key design elements: site design, massing, articulation, materials, transitional design, streetscape relationship, open space, and lighting and site security. Members of the public spoke about appropriate building articulation and materials, the importance of balancing competing needs between large windows to provide natural lighting and adequate wall space to accommodate furniture particularly for small multi-family units, and more. The visuals and public comments are included as [Attachment 3](#) and questions during the workshop can be found in [Attachment 4](#).

Community Workshop #2 and Developers Roundtable (2023)

In the second workshop series, City staff and MIG shared progress on the City's ODS effort and sought feedback in four key areas: massing, building transitions, open space, and pedestrian connections. Community members supported flexibility in the ODS based on development size and type, publicly accessible open and green space, and reduced reliance on cars through improved pedestrian spaces. Participants further spoke on the importance of coherence between architectural styles and aesthetics, especially in transitional areas that border different densities or uses. Community visuals and comments are included in [Attachment 5](#). The developers' roundtable discussion provided a more technical perspective on the feasibility of implementing ODS. Developers also highlighted the importance of flexibility in addition to consistent and specific standards that facilitate construction and development while maintaining project affordability. Developers' comments are included in [Attachment 6](#).

Community and Developers' Input:

1. Massing.

Community members raised concerns about large-scale developments in San Mateo that could cast shadows on adjacent buildings and create wind tunnel effects in the City. These concerns can also be linked to a potential reduction in the use of public open spaces due to less pleasant outdoor conditions.

Developers noted that stepbacks may become cost-intensive, as they may require greater structural and material requirements. With respect to inset or breaks in massing, developers highlighted the importance of providing a realistic range for requiring such breaks to reduce interruption to the internal building configuration and external aesthetics.

Response: Shadow requirements for mid-and-high-rise buildings were added to the ODS document. No additional standards related to wind tunnel effects were added as existing ODS requirements for small articulations and massing breaks would collectively reduce wind tunnel effects. Stepback requirements were retained in the ODS, however, State Density Bonus Law may allow developers to waive or reduce stepback standards if cost-savings can be demonstrated by the developer. Existing wall plane break standards are based on a range that allows flexibility for developers and allows for feasible internal building configurations.

2. Building Transitions.

Community members supported transitional ODS elements such as stepbacks, offsets, and landscaping as buffers for projects adjacent to single-family areas and suggested using townhomes as a buffer and transition between areas of intensifying densities. They also recognized that the City has a variety of neighborhoods, each with different characters, and cautioned against regulations that create a "cookie-cutter effect" in projects.

Developers indicated that setback and stepback requirements may result in reduced residential square footage and/or the number of units which may reduce the financial feasibility of a project. Legacy non-conforming land uses that differ from their current surroundings or zoning also pose a challenge as developers design their project(s).

Response: No additional transitional elements beyond stepbacks, offsets, and landscaping were added. The menu option approach of the ODS document along with not requiring certain architectural styles has built enough flexibility into reduce the risk of a “cookie-cutter effect” in projects. Stepbacks for the top floor(s) of a structure were made an optional as one of many ways to provide a distinct building top. Except for in the downtown area, building transitions are only required if adjacent to R1 or R2 zoned parcels.

3. Open Space.

There was strong support for open space for a variety of passive and active uses, a desire to have more features such as community roof top gardens contribute to a project’s open space requirements, and an emphasis on the importance of maintaining open space and landscaping to ensure a pleasant outdoor experience for all.

Developers stated that site constraints coupled with open space requirements reduce unit yields and that providing at-grade open space may be difficult as it limits the opportunities for housing above grade.

Response: Zoning code standards for the generation for open space have remained unchanged. Standards that provide a menu list of features (such as fixed seating, shade structures, limits on hardscape, etc.) that must be included in landscaped/open space areas as well as clarification that dog runs and roof top gardens may now contribute to required open space have been incorporated in to the ODS document.

4. Pedestrian Connections.

Community members supported paseos and pedestrian-only right-of-ways that are unique, contextual, and that are furnished with pedestrian amenities such as planters, trees, public art, and cafes. They suggested paseos be used as connections between transit nodes to reduce car reliance and improve the public transit experience in San Mateo.

Developers shared that the practicality of implementing paseos largely depends on the size of the site itself as they may also reduce unit yield, and may not be a feasible tool unless connecting appropriate public circulation networks.

Response: ODS has incorporated standards that require mid-block paseos for larger block developments and menu option approaches for developers to choose from a list of public amenities to provide within a paseo. Paseo requirements for larger block development projects would all developers to adequately connect with surrounding circulation networks.

5. Additional Comments.

Developers also stated that they would welcome a streamlined entitlement process from application to construction.

Response: ODS is an effort towards streamlining the overall entitlement process by providing predictability of requirements. As either part of the ODS effort or Housing Element program implementation, the City is looking to improve project streamlining by increasing projects that can be approved by the Zoning Administrator from 5 units (currently) to 25 units as part of a future code amendment. The City is also exploring options to eliminate the pre-application process in its current form or make it optional.

DISCUSSION:

To help guide the discussion around the draft ODS and to focus on the areas that can best support high-quality, attractive multi-family residential and mixed-use development, staff has provided a list of general questions to frame and support

the Commission's discussion. However, this list is not intended to be exhaustive and there may be other topics and areas that the Commission and the public want to address with the ODS.

1. *Massing and Transitions.* The ODS provides options to reduce massing and increase visual interest through articulation. This includes standards for façade breaks (horizontal and vertical massing breaks), stepbacks, and use of detailing (windows, balconies, awning etc.). Question 1: Are there articulation options that may be overlooked, need refinement, or are unnecessary? Current transitional elements for projects adjacent to R1 or R2 zoned parcels include increased stepbacks above the second story for all building types or increased setbacks and landscaping screening requirements. Question 2: Are these appropriate transition treatments adjacent to R-1 and R-2 districts? Should other transitional elements be considered?
2. *Colors and Materials.* Is the proposed approach of requiring a combination of at least four and a maximum of six different colors and/or materials and prohibiting neon colors too constraining?
3. *Downtown.* Have the existing subjective standards of the Downtown Retail Core and Historic District Design Guidelines been effectively translated into objective standards? Are there other architectural options that may have been overlooked that should be included in the ODS to meet the intent of the Downtown Design Guidelines?
4. *Open Space.* Community members and developers shared a similar interest in using stepback space as open space opportunities. The ODS includes provisions for green roofs, decks, and community gardens in such spaces. Are there other design features that could be counted towards open space requirements?
5. *Flexibility.* Flexibility was a key theme that emerged in both the community workshop and the developers' roundtable. The ODS aims to provide flexibility to implement required standards by differentiating standards for different scales of development and providing a menu of options for compliance. Does the ODS provide adequate flexibility to address community concerns?

PUBLIC COMMENTS:

Public comments received related to the Draft ODS are included in [Attachment 7](#) and included concerns and recommendations for development within the downtown and downtown historic district. Any additional public comments received after the publication of this report will be provided to the Planning Commission as a post publication attachment.

NEXT STEPS:

Following the study session, staff will work with MIG to refine the draft objective design standards based on public and Commission input. Revised draft language will then be presented to the Commission at a public hearing for a recommendation prior to bringing the ODS to City Council for review and adoption. Based on the current project timeline, staff anticipates that the objective design standards will be ready for City Council consideration in late 2023.

BUDGET IMPACT:

There is no fiscal impact on the City. The development of Objective Design Standards is funded by the State's SB 2 Planning Grants Program, and accounted for in the Community Development Department budget. However, to receive this grant funding, the City must adopt the ODS by the State's deadline of December 31, 2023.

ENVIRONMENTAL DETERMINATION:

In accordance with Public Resources Code Section 21065, this item is not subject to CEQA, because it is an informational study session item that the Planning Commission is not taking action on at this time. Additional CEQA review will be conducted upon the adoption of the objective design standards and associated code amendments.

NOTICE PROVIDED

All meeting noticing requirements were met.

ATTACHMENTS

Att 1 – Draft Objective Design Standards for Multi-Family Residential Development
Att 2 – Map of Specific Plan Areas
Att 3 – June 2021 Workshop Mural Board
Att 4 – June 2021 Workshop Questions and Answers
Att 5 – April 2023 Community Workshop Mural Board
Att 6 – April 2023 Developers’ Roundtable Mural Board
Att 7 – Public Comments on Draft ODS

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