



# Memorandum

**TO:** COMMUNITY & ECONOMIC  
DEVELOPMENT COMMITTEE

**FROM:** Rosalynn Hughey

**SUBJECT: COUNCIL PRORITY #19:  
UPDATE URBAN DESIGN  
GUIDELINES**

**DATE:** October 21, 2019

Approved

Date

Oct. 21, 2019

**COUNCIL DISTRICT:** Citywide

## RECOMMENDATION

Accept staff's update on the Design Guidelines and Standards Update, including the approach, schedule and outreach strategy for the Citywide Design Guidelines.

## OUTCOME

Receive committee input on the Design Guidelines Update process.

## BACKGROUND

Updating the City's design guidelines was identified as a Council-initiated policy priority at the Council priority setting session on October 27, 2017. Planning staff has been engaged in updating the City's design guidelines since January 2018, supported by a Knight Foundation grant and City funding. The first phase was completed in May 2019 with the adoption of the Downtown/Diridon Design Guidelines and Standards.

In April 2018, the City was awarded a \$200,000 Metropolitan Transportation Commission (MTC) Priority Development Area Staffing Grant to provide in-kind consultant support for the second phase of the guidelines and standards update: Citywide Residential, Commercial and Industrial Design Guidelines and Standards (Citywide Design Guidelines and Standards). In August 2018, a contract for the Citywide Guidelines and Standards work was executed between MTC and Urban Planning Partners with Van Meter Williams Pollack Architects as a sub-consultant. The Planning Division's urban design team is leading this work.

## **ANALYSIS**

### ***Existing Guidelines***

The new Citywide Design Guidelines and Standards will be a single, unified document that will fully replace the following existing guidelines:

- Residential Design Guidelines, February 1997
- Commercial Design Guidelines, May 1990
- Industrial Design Guidelines, August 1992

### ***Applicability***

The new Citywide Design Guidelines and Standards will apply to all multifamily residential, mixed-use, commercial and industrial development projects throughout the city, with the exception of the following areas, which have their own guidelines:

- Downtown/Diridon
- North San Jose
- Areas covered by Specific Plans
- Berryessa BART Urban Village
- Urban Villages with adopted Urban Village Plans as of the date the Citywide guidelines are adopted

### ***Approach***

The proposed Design Guidelines and Standards will provide guidance for the site planning, access and design, form, and design of buildings, their appearance in the larger cityscape, and their interface with the pedestrian level. These guidelines will have values and guiding principles that will be derived from community engagement and professional consultation.

The Citywide Guidelines and Standards, based on the successful model of the Downtown Guidelines and Standards, are being organized with chapters that address broad topics and track with the typical building design process. Within each of these chapters, guidelines and standards are provided to address individual topics:

- 1) The Site chapter has rules on the arrangement of activities on the site, particularly as they relate to and interact with adjacent public space.
- 2) The Building chapter discusses building architecture, including massing at the lower and upper levels and the design of facades.
- 3) The Pedestrian Level chapter discusses the building's interaction with the sidewalk, paseo, or open space beside it. Issues such as building transparency, different types of

access, and service are important to this topic, primarily appropriate in approximately the lowest 20 feet of the building.

- 4) A fourth chapter provides examples of various types of typical development projects and illustrates key standards and guidelines applicable to each type of project.

A typical guideline and standard page contains three written sections:

- 1) The Rationale describes the issue addressed in the guideline and gives the reasoning for its importance, with references to applicable General Plan policies.
- 2) The Guideline section gives design guidance describing the ideal outcome. The Guidelines are aspirational and serve as overall guidance for improving project quality, and are thus typically qualitative.
- 3) The Standards section gives design guidance that is more specific, numeric, and objective. Coupled with the creativity of an applicant design team, the standards are intended to ensure high architectural quality and public realm. Similar to the Downtown Guidelines and Standards, the Citywide Guidelines and Standards will include a process allowing the decision maker (Planning Director, Planning Commission or City Council) to grant exceptions from individual standards if certain findings are made.

### ***Regulatory Context***

Providing objective, measurable standards is particularly important for multifamily residential development due to two state laws that became effective in 2019:

- **AB 3194 (Assembly Member Tom Daly) – Housing Accountability Act Amendments.** This law makes three important revisions to strengthen the Housing Accountability Act (HAA). The HAA strictly limits local governments' authority to reject or restrict housing development projects that comply with applicable objective general plan, zoning and subdivision standards. In 2019, as revised by AB 3194, local agencies must now apply zoning standards and objective design criteria to facilitate and accommodate development at the density allowed on the site by the general plan.
- **SB 765 (Sen. Scott Wiener) – SB 35 Amendments** made a series of "cleanup" revisions to SB 35, the major streamlining law enacted in 2017, which requires localities to grant a streamlined ministerial approval to housing projects that meet the locality's objective standards, commit to providing prevailing wage labor, and provide a specified amount of affordable housing, among other criteria.

### ***Public Outreach/Interest***

Staff is reaching out for input on the Citywide Guidelines and Standards to the public at large, development community stakeholders, agency partners, and nonprofit stakeholder organizations, including but not limited to SPUR, the Santa Clara Valley Transportation Authority, bird safety and environmental advocates, and other community and neighborhood organizations. A

Developer's Roundtable on October 4, 2019 included a brief announcement of the guidelines update project and the planned public input process. Focus groups with development community members will be held after a public review draft has been released. An initial community meeting was held at the Martin Luther King, Jr. Library on October 15, 2019. Staff presented an overview of the process and a draft set of values and guiding principles and took public comment. A second community meeting is anticipated to be held in January 2020, after a public review draft of the Citywide Guidelines has been released. Planning Commission and Historic Landmark Commission study sessions will be held in February and March 2020.

### *Schedule*

Staff anticipates finalizing the Citywide Design Guidelines document in March 2020. The Planning Commission public hearing is anticipated in May 2020, with final City Council action in June 2020.

### **COORDINATION**

This memorandum was coordinated with the Office of Economic Development.

### **CEQA**

Not a Project, File No. PP17-009. Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action.

/s/  
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For questions please contact Tim Rood, Planning Division Manager, at 408-535-8122.