



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Planning Commission

SUBJECT: SEE BELOW

DATE: February 17, 2021

REPLACEMENT

SUBJECT: PP20-015 & ER20-265. ADOPT A RESOLUTION (A) APPROVING NEW “SAN JOSÉ CITYWIDE DESIGN STANDARDS AND GUIDELINES” TO REPLACE THE EXISTING COMMERCIAL (1990), INDUSTRIAL (1992), AND RESIDENTIAL (1997) DESIGN GUIDELINES AND (B) DELEGATING THE AUTHORITY TO THE DIRECTOR OF PLANNING, BUILDING, AND CODE ENFORCEMENT TO MAKE MINOR CLARIFICATIONS, CORRECTIONS, OR TECHNICAL CHANGES TO THE TEXT AND DIAGRAMS OF THE SAN JOSÉ CITYWIDE DESIGN STANDARDS AND GUIDELINES TO BE PUBLISHED ON THE PLANNING, BUILDING, AND CODE ENFORCEMENT WEBPAGE.

REASON FOR REPLACEMENT

The purpose of this replacement memorandum is to correct and provide clarity on the revisions to the Citywide Design Standards and Guidelines included in the Planning Commission’s vote and recommendation to the City Council and the additional changes recommended by staff subsequent to the Planning Commission hearing on January 27, 2021.

RECOMMENDATION

The Planning Commission voted 7-0 to recommend that the City Council take the following actions:

1. Consider the Determination of Consistency with the Envision San Jose 2040 General Plan Final Program Environmental Impact Report (FEIR), adopted through Resolution No. 76041, and Supplemental EIR Resolution No. 77617, adopted on December 15, 2015, and Addenda thereto.
2. Adopt a resolution (a) approving new “San José Citywide Design Standards and Guidelines” to replace the existing Commercial (1990), Industrial (1992), and Residential (1997) Design

Guidelines and (b) delegating the authority to the Director of Planning, Building, and Code Enforcement to make minor clarifications, corrections, or technical changes to the text and diagrams of the San José Citywide Design Standards and Guidelines to be published on the Planning, Building, and Code Enforcement webpage, with the following revisions:

2.3.8 Landscaping and Stormwater Management, page 30

S1. Select trees which at maturity create a tree canopy cover that shades a minimum of 50 percent of all ~~each~~ on-site surface parking area, **common open space at the ground floor, and Privately-owned (and maintained) Public Open Space** and ~~publicly-accessible ground-floor common open spaces~~ (see Fig. 2.37).

3.3.5 Parking Garage Design, page 48

Remove S5 and add a New Guideline:

~~S5. For stand-alone parking garages, design the rooftop based on the following:~~

- ~~■ If carports are provided on rooftop, at least 75 percent of those parking spaces must have solar power infrastructure (see Fig 3.43).~~
- ~~■ If rooftops are not utilized for parking, provide renewable energy, green stormwater infrastructure, patios, landscaping, or other green roof strategies for a minimum of 50 percent of the top floor.~~

New Guideline: G4. For stand-alone parking garages, if rooftops are not utilized for parking, provide renewable energy, green stormwater infrastructure, patios, landscaping, or other green roof strategies.

Change notes in figures 3.44 & 5.40 to reflect the changes from standard S5 to a guideline, pages 78 and 49.

3.1.3 Historic Adjacency, page 37

The following guideline should be a standard (mistakenly numbered as a guideline):

~~G3~~ **S3.** Use historic materials that match nearby historic buildings on at least 25 percent of a street, paseo or public open space facing façade and on 10 percent of other façades that are visible from public realm. Historic materials include masonry, brick, limestone, terra cotta, cast stone, mosaic, concrete, and wood (trim, finishes, and ornament only) (see Fig. 3.9).

5.1.2 Infill Multi-Unit Developments - Triplex to Six-Plex, page 67

Fig 5.5, label - Façade Design and Articulation (3.3.1, S1): Primary street-facing building façade articulated for more than ~~80%~~ **60%** of building frontage along the street using bays, columns, and façade plane changes.

OUTCOME

Should the City Council adopt the resolution adopting the Determination of Consistency with the Envision San Jose 2040 General Plan Final Program Environmental Impact Report (FEIR), adopted through Resolution No. 76041, and Supplemental EIR Resolution No. 77617, adopted on December

15, 2015, and Addenda thereto; and adopt the resolution approving the new San José Citywide Design Standards and Guidelines, they would replace the existing Commercial (1990), Industrial (1992), and Residential (1997) Design Guidelines and authority would be delegated to the Director of Planning, Building and Code Enforcement to make minor clarifications, corrections, or technical changes to the text and diagrams of the San José Citywide Design Standards and Guidelines, to be published on the Department of Planning, Building and Code Enforcement website. Additionally, subsequent to the Planning Commission hearing, staff recommends additional clarity to the applicability of the San José Citywide Design Standards and Guidelines, as detailed in the Analysis section of this memorandum.

BACKGROUND

On January 27, 2021, the Planning Commission held a public hearing to consider the San José Citywide Design Standards and Guidelines. During staff's presentation, staff summarized the background, community outreach process, structure of the Design Standards and Guidelines, and explained how they were in conformance with goals and policies of the Envision San José 2040 General Plan, as detailed in the Planning Commission Staff Report.

Public Testimony

Three members of the public spoke on the item. The first speaker, Pedram Farashbandi, representing David Baker Architects (DBA), spoke in favor of the proposed new Citywide Design Standards and Guidelines and commented on staff's effort in involving the public and cooperating with architects to change the document. Mr. Farashbandi shared that he had submitted a new comment letter identifying six items to the Planning Commission during public hearing.

The second public commenter, Aashdeep Kahlon, encouraged staff to require all landscape to be native plants and follow a habitat style design to maintain the livelihood of California landscape, benefit wildlife, and emphasize the sense of place for San José. He asked for more mixed-use buildings that have office, retail, and housing in the same building instead of a vast swath of dense housing to achieve the city's goal of a "15-minute neighborhood" to reduce carbon emissions and support San José eco goals.

The third public commenter, Shani Kleinhaus, representing the Santa Clara Valley Audubon Society, spoke in support of the proposed new Design Standards and Guidelines. She thanked staff for reaching out to the Society in developing guidelines that would protect birds from colliding with buildings and would contribute to tree canopies and planting in San José. She shared that she hoped to see a substantial increase in local and native trees and shrubs in San José over time, and added that in the Open Government and Rules Committee meeting earlier that day, Councilmember Davis had called for an urban greening implementation plan and that the committee recognized the benefits of nature and birds in the City as well as an approach that breaks the silos to bring green infrastructure into the city. Lastly, Ms. Kleinhaus stated that an urban greening implementation plan would align with the Design Standards and Guidelines and result into a livable city.

Staff and Planning Commission Discussion

In response to comments about native trees, staff shared general support for native trees but based on the recommendation of the City arborist and landscape designer, staff could not require native trees in new developments as standards. Staff added that any requirement for native trees should be a part of a citywide planting plan coordinated with the City arborist.

In response to the comments for mixed-use buildings, staff mentioned that the Design Standards and Guidelines do not regulate or change land use, and that requiring mixed-use buildings would require potential general plan and zoning amendments and implementation through Urban Village plans.

Commissioner Oliverio asked if staff could provide an example of an objective residential design standard or guideline that would comply with the residential requirements of SB35. Senior Deputy City Attorney Vera Todorov responded that, for example, many of the City's guidelines in the past would have said "that new construction shall be consistent with the design of surrounding neighborhood" and that such a statement is subjective. She shared an objective standard would be a requirement that "new construction shall have a red tile roof." Planning staff added that objective standards are quantifiable and measurable and are not described with adjectives that create ambiguity.

Commissioner Lardinois asked if staff could clarify the meaning of "façade articulation." Staff responded that the term is defined in the glossary and refers to changes in material, plane and fenestration pattern, ways of visually breaking up the bulk of the building by differentiating them into smaller masses and adding projection and recession to the façade. Commissioner Lardinois also asked if staff had responded to memoranda sent on behalf of the Santa Clara County Valley Transportation Authority. Staff responded that they had worked closely with DBA to respond to the comments that were received before the Planning Commission public hearing and a majority of those comments were addressed in the revisions to the Citywide Design Guidelines.

Commissioner Torrens asked why authority is given to the Director of Planning to make minor corrections and modifications to the Standards and Guidelines and asked if that permission did not exist in the past. Staff responded that they added this authority to the Downtown Design Guidelines update and were using it as a model for the Citywide Guidelines. This authority streamlines the minor technical corrections or modifications to the Downtown Guidelines without City Council approval.

Planning Commissioner Oliverio made a motion, seconded by Commissioner Torrens, to recommend that the City Council approve the staff's recommendation with the bulleted changes explained in the recommendation. The motion passed unanimously (7-0).

ANALYSIS

Staff analysis is included in the attached Planning Commission staff report. Subsequent to the Planning Commission hearing, staff recommends the following changes for additional clarity to the applicability of the San José Citywide Design Standards and Guidelines:

1.1.2 Applicability, Areas where Guidelines apply, page 8

~~Projects in Urban Villages, Specific Plan Areas, North San José, or other Area Development Policies are subject to the standards and guidelines within their respective applicable documents. If those documents are silent on any specific design components, the design standards and guidelines contained in the Design Standards and Guidelines shall apply for those design components only.~~

For approved Urban Village Plans, Specific Plans, North San José, or other Area Development Policies, the standards and guidelines within those documents still apply and shall take priority; however, if those documents are silent on any specific design components, the design standards and guidelines in the Citywide Design Standards and Guidelines shall apply.

Responses to David Baker Architects Comment Letter received on January 27, 2021

Planning staff worked closely with David Baker Architects from July to December 2020 to respond to their comments. However, David Baker Architects (DBA) on behalf of Santa Clara County Housing Authority, submitted a new comment letter that was delivered to staff after the January 27, 2021 Planning Commission meeting. The following changes have been made to the Design Standards and Guidelines in response to that comment letter:

- **2.2.3 Services and Utilities Access and Location**, page 20
S2: Provide a covered area for *solid waste* collection **when it is** located outside the building envelope (*see Fig. 2.10*).
- **3.3.7 Materials and Color**, page 51
S4: For buildings taller than **four** ~~three~~ stories, do not provide unbroken multi-story sections of the same material, texture, or color for more than 150 feet of façade length and more than two-thirds of the number of floors in height.
- **4.1.1 Commercial Frontages**, page 56
S6: Provide a minimum of ~~16 feet~~ **14-foot** floor-to-ceiling height for ground floor ~~building~~ **commercial building frontages**. ~~along primary streets and public open spaces for developments located within Urban Village boundaries and 14 feet for developments outside Urban Village boundaries~~ **This minimum height requirement does not apply to garage or utility areas which are separate and distinct from ground floor commercial spaces** (*see Fig 4.5*).
- **2.3.3 Paseo Placement and Design**, page 24
S3: Where paseos are covered by buildings, they must have at least 20 feet of height clearance from ground to ceiling. For buildings taller than six stories, the height of a covered paseo must be ~~36 feet~~ **34 feet** or more. In addition, trellises, decks, balconies, and sunshades extending from a building and projecting in a paseo must provide a minimum height clearance of 10 feet (*see Fig. 2.23*).

- **3.3.3 Decks and Balconies**, page 46
S4: When decks and balconies project into public rights-of-way, maintain a minimum vertical clearance above the public realm based on the location of the development and ground floor use:
 - ~~26 feet for developments that are located within Urban Village boundaries and have residential common areas, commercial, or mixed uses at the ground floor.~~
 - 24 feet for developments that ~~are located outside Urban Village boundaries and have~~ residential common areas, commercial, or mixed-uses at the ground floor.
 - 20 feet for developments with residential units at the ground floor.
- **4.1.2 Residential Frontages**, page 58
S2: The *finished floor level* of ground floor residential units must be within four vertical feet of the closest sidewalk (*see Fig. 4.7*). **For sloping sites, developments are allowed to have up to 25 percent of unit entrances and up to 1/4th of the ground floor level above four vertical feet for but not more than six vertical feet higher than the closest sidewalk along that property line.**
- **4.2.2 Common and Private Open Space Design**, page 62
S1. When all the ~~buildings fronting a~~ **building walls facing a** common open space are less than four stories tall, each **common open space** dimension must be at least 20 feet (*see Fig. 4.17 and 4.18*).
S2. When ~~at least one of the buildings fronting the~~ **one or more building walls facing a** common open space are four to eight stories tall, ~~one of its dimensions~~ **at least one of the common open space dimensions** must be equal to or greater than the height of the tallest building **wall facing the common open space** and ~~the other dimension must be 50 percent or more of the height of the tallest building.~~ **The other dimension must be 50 percent or more of the height of the tallest building wall facing the common open space** (*see Fig. 4.17 and 4.18*).
S3. When ~~at least one of the buildings fronting the~~ **one or more building walls facing a** common open space are more than eight stories tall, **at least one of the common open space** dimensions must be 80 feet or more and ~~the other dimension must be 50 percent or more of the height of the tallest building.~~ **The other dimension must be 50 percent or more of the height of the tallest building wall facing the common open space** (*see Fig. 4.18*).

In addition to changes above, DBA requested changes to the following standards. After analysis and study, staff did not make changes to these standards for the reasons stated:

- **4.1.1 Commercial Frontages**, page 56
S5: All ground floor commercial tenant spaces must be at least 45 feet deep for a minimum of 50 percent of *primary street* building *façades*, and at least 25 feet deep for a minimum of 50 percent of *secondary street* *façades*.
Analysis: The depth of retail spaces matters for creating efficient spaces that are open to customers. It is also important for back of house activities that do not require street frontage such as office spaces, break rooms, services, and inventory. The City has several examples of shallow commercial frontages that have been empty for several years because they were not

able to accommodate a variety of uses due to their depth. The design standard exception process provides the Director with the authority to approve exceptions in cases of unusual site constraints.

- **4.1.2 Residential frontages**, page 58

S4: Partially sub-grade podium garages along streets and pedestrian walkways must: Not extend more than four feet above grade.

***Analysis:** Staff did not increase the limit of sub-grade podium garages from four feet since other cities in the Bay Area have been successful with this requirement.*

CONCLUSION

The Planning Commission voted 7-0 to recommend that the City Council: 1) consider the Determination of Consistency with the Envision San Jose 2040 General Plan Final Program Environmental Impact Report (FEIR), adopted through Resolution No. 76041, and Supplemental EIR Resolution No. 77617, adopted on December 15, 2015, and Addenda thereto; and 2) adopt a resolution approving the new Citywide Design Standards and Guidelines, with revisions. Subsequent to the January 27, 2021 Planning Commission hearing, staff recommends additional clarifications in response to the comment letter from David Baker Architects (DBA) on behalf of the Santa Clara County Housing Authority.

EVALUATION AND FOLLOW UP

Should the City Council approve the new “San José Citywide Design Standards and Guidelines,” they would replace the existing Commercial (1990), Industrial (1992), and Residential (1997) Design Guidelines and authority would be delegated to the Director of Planning, Building and Code Enforcement to make minor clarifications, corrections, or technical changes to the text and diagrams of the San José Citywide Design Standards and Guidelines, to be published on the Department of Planning, Building and Code Enforcement website.

CLIMATE SMART SAN JOSE

The recommendation in this memorandum aligns with the following Climate Smart San José energy, water, or mobility goals.

- Facilitates the reduction of energy or water use consumption, or increases the demand for renewable energy
- Facilitates the energy and water efficiency of homes or commercial buildings
- Facilitates the choice of mobility choices other than single-occupancy, gas-powered vehicles

PUBLIC OUTREACH

Staff followed Council Policy 6-30, Public Outreach Policy, to inform the public of the proposed project. Staff posted a notice of the Planning Commission and City Council public hearings on the City website and sent it to the interested stakeholders on the project list. The staff report is also posted on the City's website and staff has been available to respond to questions from the public. Staff engaged multiple stakeholders, including San José residents and business owners, developers, architects, environmental advocacy groups, and the Santa Clara Valley Transportation Authority from October 2019 to December 2020 to receive comments.

The first community workshop was held on October 15, 2019. Approximately 30 residents and stakeholders attended and participated in a brainstorming exercise to develop values and guiding principles for the Citywide Design Standards and Guidelines.

The second and third virtual community workshops were held on July 21 and 28, 2020 via Zoom. Approximately 60 residents and stakeholders provided comments on or asked questions about the draft document that was published on the City's website on July 7, 2020. Some community members and design professionals provided comments after the workshop. In addition, staff held a focus group meeting on July 24, 2020 with over 55 developers and designers.

Two Planning Commission Study Sessions were held on July 22, 2020 and August 12, 2020; and two Historic Landmarks Commission Study Sessions were held July 15, 2020 and August 5, 2020, during which commissioners asked questions and provided comments, in addition to comments from the public.

COORDINATION

Preparation of this memorandum was coordinated with the City Attorney's Office.

CEQA

Determination of Consistency with the Envision San José 2040 General Plan Final Program Environmental Impact Report (FEIR), for which findings were adopted by City Council with Resolution No. 76041 on November 1, 2011, and Supplemental EIR Resolution No. 77617, adopted by City Council on December 15, 2015, and Addenda thereto (SCH#2009072096). Pursuant to Section 15168 of the CEQA Guidelines, the City of San José has determined that this activity is within the scope of the earlier approved programs and the Final Program EIRs adequately describe the activity for purposes of CEQA. The project does not involve new significant effects beyond those analyzed in the Final Program EIRs.

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The adoption of the San José Citywide Design Standards and Guidelines will advance the General Plan goals and policies and is consistent with the analysis and discussion of the Goals and Policies in the General Plan Final and Supplemental EIRs. Any further actions, such as actions to approve individual development projects within the Guidelines Boundary, will require additional environmental review at the time such actions are proposed.

/s/

ROSALYNN HUGHEY, Secretary
Planning Commission

For questions, please contact Planning Division Manager, Timothy Rood, at timothy.rood@sanjoseca.gov.

Attachment: Planning Commission Staff Report



Memorandum

TO: PLANNING COMMISSION

FROM: Rosalynn Hughey

SUBJECT: San José Citywide Design
Standards and Guidelines

DATE: January 27, 2021

COUNCIL DISTRICT: Citywide

Project	San José Citywide Design Standards and Guidelines
Guidelines Application	Areas of the City of San José within the Urban Growth boundary, excluding single-family residences; rehabilitation, modifications, or addition to historic buildings or adaptive reuse of historic buildings; and excluding Downtown San José and the Diridon Station Area.
Project Description	Replace the existing Commercial (1990), Industrial (1992), and Residential (1997) Design Guidelines with one document, the “San José Citywide Design Standards and Guidelines.”
CEQA	Determination of Consistency with the Final Program Environmental Impact Report (EIR) for the Envision San José 2040 General Plan (Resolution No. 76041), the Supplemental EIR to Envision San José 2040 General Plan EIR (Resolution No. 77617), and Addenda thereto.
Project Planner	Leila Hakimizadeh, AICP, Supervising Planner

RECOMMENDATION

Planning staff recommends that the Planning Commission recommend that the City Council the following action:

1. Consider the Determination of Consistency with the Envision San Jose 2040 General Plan Final Program Environmental Impact Report (FEIR), adopted through Resolution No. 76041, and Supplemental EIR Resolution No. 77617, adopted on December 15, 2015, and Addenda thereto.
2. Adopt a resolution (a) approving new “San José Citywide Design Standards and Guidelines” to replace the existing Commercial (1990), Industrial (1992), and Residential (1997) Design Guidelines and (b) delegating the authority to the Director of Planning, Building, and Code Enforcement to make minor clarifications, corrections, or technical changes to the text and diagrams of the San José Citywide Design Standards and Guidelines to be published on the Planning, Building, and Code Enforcement webpage.

PROJECT BACKGROUND

Background

In April 2018, the City received a \$200,000 staffing grant, paid directly to consultants, from the Association of Bay Area Governments and Metropolitan Transportation Commission (ABAG/MTC) to continue the process of updating the City's design guidelines that began in 2018 with City and Knight Foundation funding. Updating the City's design guidelines was identified as Council Priority No. 20 on October 27, 2017, No. 19 on March 5, 2019 and No. 21 on February 27, 2020.

Phasing Strategy

The City of San José has developed various design guidelines over the years, including the Commercial Design Guidelines (1990), Industrial Design Guidelines (1992), Residential Design Guidelines (1997), Single-Family Design Guidelines (1999), Downtown Historic Design Guidelines (2003), and Downtown Design Guidelines (2019). Due to the large number of existing City guidelines to be updated, staff developed a phased approach for the guidelines update. The San José Downtown Design Guidelines and Standards, approved by City Council in April 2019, was the first phase, followed by the proposed Citywide Design Standards and Guidelines as the second phase. Other existing design guidelines, including historic and single-family design guidelines will be updated in the future when feasible.

ABAG/MTC contracted with Urban Planning Partners/Van Meter Williams Pollack LLP to assist in the preparation of the proposed San José Citywide Design Standards and Guidelines. As discussed in detail below, City staff held various community meetings and incorporated comments from various City departments and stakeholders in preparing the Citywide Design Standards and Guidelines.

Project Description

The proposed San José Citywide Design Guidelines and Standards would replace the Commercial (1990), Industrial (1992), and Residential (1997) Design Guidelines with one document.

ANALYSIS

Document Scope and Applicability

The proposed Citywide Design Standards and Guidelines would apply to the portions of the City of San José within the Urban Growth boundary, excluding: single-family residences; rehabilitation, modifications, or addition to historic buildings or adaptive reuse of historic buildings; and excluding Downtown San José and the Diridon Station Area (where the Downtown Design Guidelines and Standards approved by City Council in April 2019 apply). In addition, the proposed Citywide Design Standards and Guidelines do not make any changes relating to zoning, land use, density, growth, height, parking requirements, open space requirements, transit, transportation, streetscape improvements, or affordable housing policies and guidelines.

Projects in Urban Villages, Specific Plan Areas, North San José, or other Area Development Policies are subject to the standards and guidelines within their respective applicable documents. If those documents are silent on any specific design components, the design standards and guidelines contained in the Citywide Design Standards and Guidelines shall apply for those design components only.

Effective Date

The Citywide Design Standards and Guidelines are effective thirty (30) days after approval by the City Council ("Effective Date"). Any Planning application submitted after the Effective Date for a new permit or permit amendment is required to comply with the Design Standards and Guidelines, except for projects with Planning applications under review prior to the Effective Date.

Administrative Changes to the Citywide Design Standards and Guidelines after the City Council approval

The proposed Resolution approving the Citywide Design Standards and Guidelines would delegate authority to the Director of Planning, Building, and Code Enforcement to update and/or revise the Citywide Design Standards and Guidelines to make minor clarifications, corrections, or technical changes to the text, diagrams, and images after the Effective Date. The Planning Director's approved updates would be published on the Planning, Building, and Code Enforcement webpage. The Downtown Design Guidelines and Standards adopted in 2019 include a similar administrative update process.

Document Structure

The Citywide Design Standards and Guidelines are organized into five chapters and two appendices:

1.0 Introduction: Explains why the Citywide Design Standards and Guidelines were created, their intended function, where they apply, and how to implement them to create quality developments. Identifies the values and guiding principles that set the direction for this document.

2.0 Site: Details design standards and guidelines for sites to support cohesive neighborhoods, complement surrounding buildings, bolster multimodal connectivity, and create accessible and inviting places.

3.0 Building: Covers architectural detailing of buildings, including designing location-sensitive buildings, *articulating façades*, creating visual interest, and communicating building function and hierarchy through design.

4.0 Pedestrian Level: Explains building and site-design techniques that facilitate active streets and enhance community amenities.

5.0 Specific Development Types: Provides examples of how to apply design standards and guidelines as 'roadmaps' for typical development categories, including townhomes, offices, and warehouses.

A.0 Glossary: Defines italicized terms used in the Citywide Design Standards and Guidelines.

B.0 Common and Private Open Space: Identifies additional requirements for Common and Private Open Space. This appendix is temporary pending incorporation of these standards into a Zoning Ordinance update in 2021.

Subsection Organization

Each subsection of the Citywide Design Standards and Guidelines follows the same format:

Section Name is the topic group that encompasses one or more Subsections.

Subsection Name includes the Subsection number and a title that briefly summarizes content.

Guiding Principles identify the guiding principles supported by the Subsection.

Objective identifies the purpose or primary objective of a Subsection.

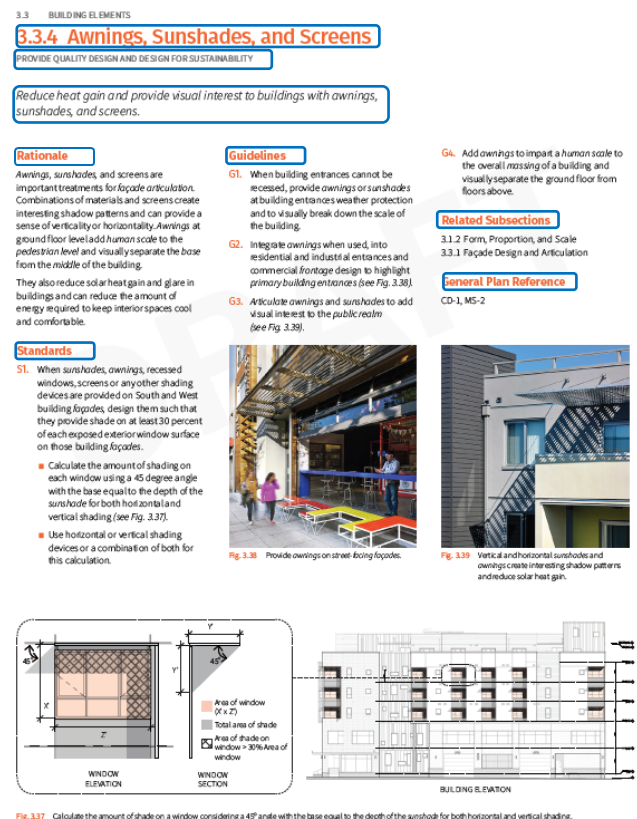


Fig. 3.37 Calculate the amount of shade on a window considering a 45° angle with the base equal to the depth of the sunshade for both horizontal and vertical shading.

Rationale explains the reasoning for a Subsection and introduces larger considerations for that specific topic.

Standards are objective requirements that are quantifiable and verifiable. Development projects must comply with Standards identified within this document.

Guidelines describe best practices and serve as overarching design guidance.

Related Subsections list other Subsections that are related to the topic or area that is being addressed.

General Plan Reference provides a list of sections from the *General Plan* that each Subsection generally supports.

Exceptions to the Standards:

Similar to the Downtown Design Guidelines and Standards, the proposed Citywide Design Standards and Guidelines include a process by which a project applicant may request an exception or exceptions to one or more design standards. The exception process set forth in Design Standards and Guidelines is in addition to concessions and waivers process under State Density Bonus laws or other applicable state laws. The request must be made in writing as part of the Planning permit application for the proposed project. The application for an exception must contain detailed information on the design standard that is requested to be waived; how the physical constraints and unique situations of the project site make it infeasible to comply with that design standard; and how the request meets each exception requirements. The decision-maker (Planning Director, Planning Commission, or City Council, as applicable) will consider the request and information provided and make findings to approve or deny the request.

Changes made to the proposed Citywide Design Standards and Guidelines

In response to comments on the public review draft, changes made since the July and August 2020 Planning Commission Study Session and Community Meetings include the following:

- 2.1 Site and 2.2.1 Relationship to Surroundings and Internal Site Circulation - merged to 2.1.1 Site, Surrounding Context, and Internal Site Circulation
- 2.1.1 Site Significance - new Standards and Guidelines for hillside sites added
- 2.1.3 Block Size (previously 2.2.3) - requirements for Commercial and Industrial land uses removed
- 2.2.1 Pedestrian and Bicycle Access Location (previously 2.3.1) - Clarifications provided as requested
- 2.3.1 Building Placement (previously 2.4.1) - Standards language simplified
- 2.3.2 Active Frontages (previously 2.4.2) - Standards and guidelines changed for clarification
- 2.3.3 Paseo Placement and Design (previously 2.4.3) - New minimum dimensions added based on the heights of buildings fronting the paseo.
- 2.3.7 Site Lighting (previously 2.4.7) - Revised based on comments from the community
- 2.3.8 Landscaping and Stormwater Management (previously 2.4.8) - Revised the entire subsection based on comments from the community
- 3.1.3 Historic Adjacency - Clarifications regarding ground floor height based on adjacency to historic buildings.
- 3.2.1 - Pedestrian and Bicycle Entrance Design - Clarifications regarding dwelling units' entrances
- 3.2.2 Vehicular Entrances and Driveways - Driveway dimensions clarified and modified
- 3.3.4 Awnings, Sunshades, and Screens - Added a sample building elevation to help planners and designers calculate the shading and meet the requirements

- 3.3.6 Bird Safety - Added new standards and guidelines based on the comments from Audubon Society and Sierra Club representatives
- 4.1.1 - Commercial Frontages (previously Commercial and Industrial Frontages) - modified ground floor frontage height and transparency requirements
- 4.2.2 Common and Private Open Space Design - Simplified and clarified the standards
- 4.3.1 Public Art in Private Development - Added images from San José

Conformance to the Envision San José 2040 General Plan (General Plan) Policies

The proposed Citywide Design Standards and Guidelines conform to General Plan policies. The following are example of policies that the Citywide Design Standards and Guidelines conform to:

General Plan policies regarding updating the Design Standards and Guidelines

CD-4.1 Maintain and update design guidelines adopted by the City and abide by them in the development of projects.

CD-1.1 Require the highest standards of architectural and site design, and apply strong design controls for all development projects, both public and private, for the enhancement and development of community character and for the proper transition between areas with different types of land uses.

CD-1.13 Use design review to encourage creative, high-quality, innovative, and distinctive architecture that helps to create unique, vibrant places that are both desirable urban places to live, work, and play and that lead to competitive advantages over other regions.

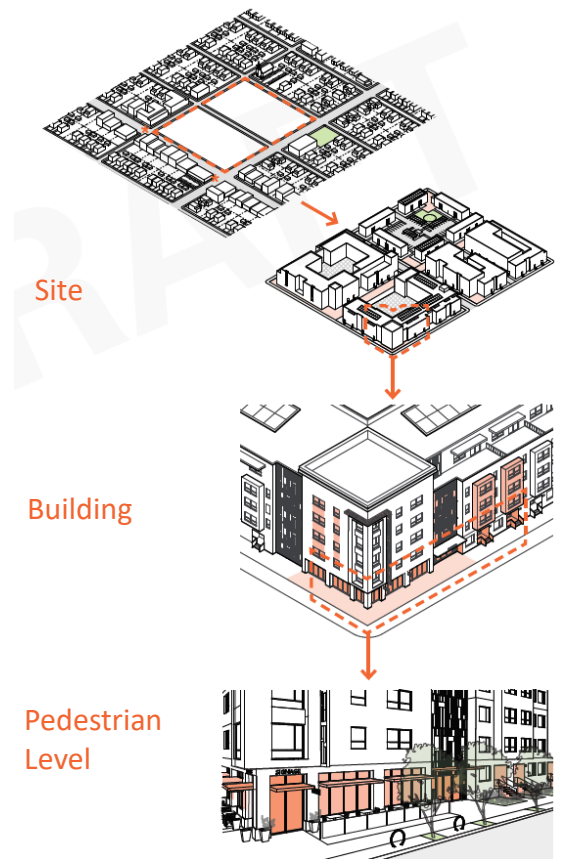
***Analysis:** The analysis below shows how the proposed San Jose Citywide Design Standards and Guidelines would update, consolidate, and replace the Commercial (1990), Industrial (1992), and Residential (1997) Design Guidelines with one efficient document, and how it would meet the above General Plan policies.*

***Is User-friendly and Easy to navigate:** The document is easier to navigate and find information. Each guideline page in Chapters 2-4 discusses one topic, which helps users directly find the information they need, instead of reading the entire document. Each guideline page has eight identical subsections. This helps the document read like a manual, with all pages having the same format.*

***Is Clear and Consistent:** The document uses Standards and Guidelines, which are clearly defined, as opposed to a lack of clarity between requirements and best practices in the current guidelines. The document uses a consistent graphic layout throughout the document. The high-quality diagrams use a consistent graphic style to give the document a cohesive look.*

***Is Practical and Contemporary:** City staff and consultants compared the proposed Design Standards and Guidelines to industry best practices and tested them with several current development projects under review to ensure the content is feasible and practical. Planners from the City's Planning division and other departments have reviewed the document and provided comments.*

***Values Sense of Place:** The document starts with a Values and Guideline Principles section, which creates a direction for how new projects should contribute to their context and implement the community's goals*



and vision. It has guidelines for projects located immediately adjacent to a historic building or in a historic context, to ensure that new projects contribute to a sense of place and do not diminish the historic context.

Is Collaborative: City staff has incorporated many of the comments received from developers, architects, historic advocates, environmentalists, non-profit organizations, and other community members who reviewed the draft document as part of the outreach process for the document. In addition, City staff from various departments have reviewed and provided feedback on the draft document to prevent conflicts with other City guidelines and policies.

Provides a New Approach to Sustainability: The document has a different approach to the sustainability section. Instead of having a one-page summary of California Green Building Standards Code, Reach Code, or Leadership in Energy and Environmental Design, this document has embedded the sustainability guidelines relevant to urban design inside each section and have left the rest of the sustainability criteria to be determined by those codes, which are updated in shorter intervals than urban design guidelines.

Includes New Topics: The document has new guidelines sections that were not included in the current guidelines, such as relationship to pedestrian, bike, and transit systems; Privately-Owned Public Open Space; mitigating blank walls and facades; historic adjacency; lighting plan; etc.

Has Specific Development Types (Chapter 5) This chapter provides examples to help users understand how the Standards and Guidelines may be implemented across a variety of development types, including new housing with various scales, live-work units, data centers, etc. This chapter is unique in its kind as most guideline documents provide guidelines but not examples on how to use them.

Chapter 2: Site

CD-3.9 Minimize driveway entrances to enhance pedestrian safety and decrease the area of paved surfaces. Avoid driveways that break up continuous commercial building frontages. Position vehicular access to minimize negative impacts to aesthetics and to pedestrian and bicycle safety.

CD-1.18 Encourage the placement of loading docks and other utility uses within parking structures or at other locations that minimize their visibility and reduce their potential to detract from pedestrian activity.

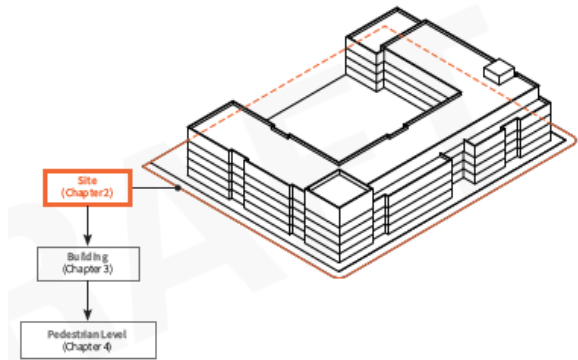
CD-3.8 Provide direct access from developments to adjacent parks or open spaces and encourage residential development to provide common open space contiguous to such areas.

CD-3.3 Within new development, create and maintain a pedestrian-friendly environment by connecting the internal components with safe, convenient, accessible, and pleasant pedestrian facilities and by requiring pedestrian connections between building entrances, other site features, and adjacent public streets.

CD-1.23 Require new development to plant and maintain trees at appropriate locations on private property and along public street frontages. Use trees to help soften the appearance of the built environment, help provide transitions between land uses, and shade pedestrian and bicycle areas.

CD-2.5 Integrate Green Building Goals and Policies of this Plan into site design to create healthful environments. Consider factors such as shaded parking areas, pedestrian connections, minimization of impervious surfaces, incorporation of stormwater treatment measures, and building orientations.

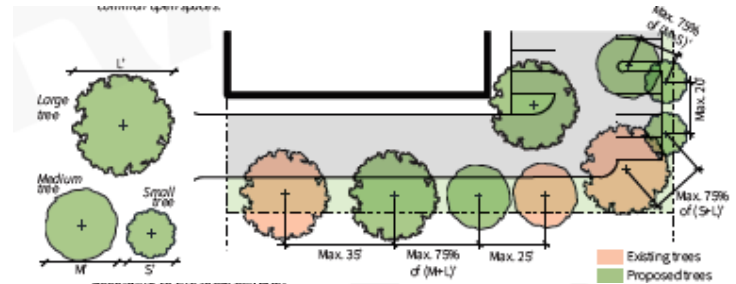
LU-17.9 Maintain design guidelines and policies adopted by the City to guide hillside development, promote aesthetics, and enhance the rural character of hillside areas.



Analysis: This chapter provides site design standards and guidelines to support walkable, accessible, and safe communities and discusses the role of a building in a block, street, and larger urban context. This chapter responds to Climate Smart San José and Green Building Goals and policies of the General Plan. The landscape and stormwater management subsection has been rewritten to respond to climate change, the heat island effect, bird safety, and light pollution. There are several standards that emphasize pedestrian and bicycle circulation and connection to the transit by carefully locating loading docks, driveways, and pedestrian and bicycle entrances. The following are a few examples:

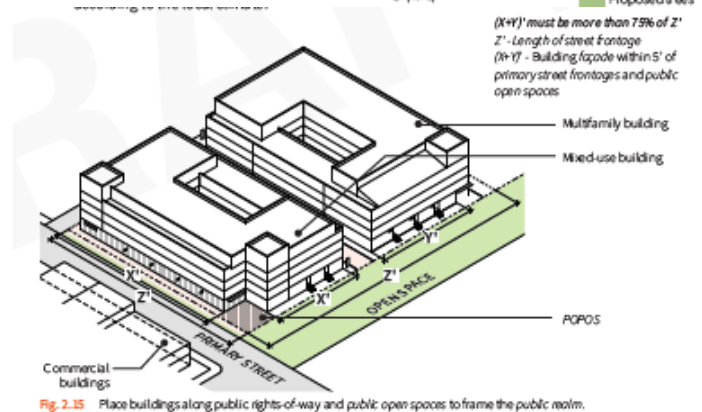
S6 2.3.8 Landscaping and Stormwater

Management: Provide the following minimum distances from the center of trees to the edges of buildings for all trees to reach maturity and to prevent unnecessary tree removal (see Fig. 2.37): Five feet for small trees, 12 feet for medium trees, and 20 feet for large trees.

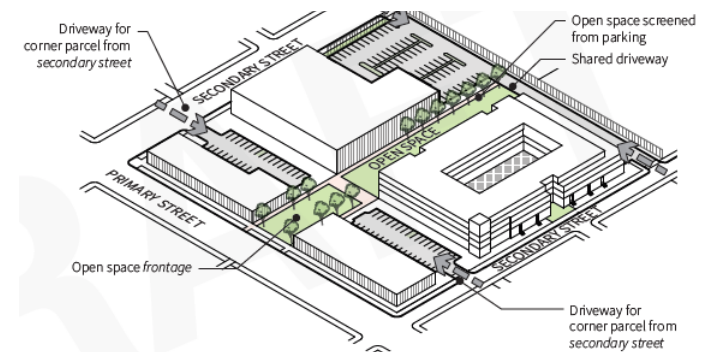


S2 2.2.1 Pedestrian and Bicycle Access Location:

All ground floor residential units fronting a street or paseo must have either one or a combination of: a primary front door access from the street or paseo; or a patio, balcony, or similar private open space placed along the street or paseo. The enclosure/railing for such an amenity must be at least 50 percent transparent and must be integrated in the design of the development.



S1 Driveway and Vehicle Drop-off: All ground floor residential units fronting a street or paseo must have either one or a combination of: a primary front door access from the street or paseo; or a patio, balcony, or similar private open space placed along the street or paseo. The enclosure/railing for such an amenity must be at least 50 percent transparent and must be integrated in the design of the development



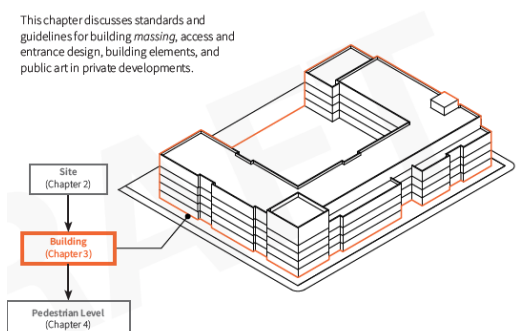
Chapter 3: Building

CD-4.6 Support cohesive and architecturally distinctive urban development along Grand Boulevards and include such design elements as enhanced landscaping; attractive lighting; wide, comfortable sidewalks; area identification banners; and harmonious building scale features.

CD-4.7 Along Main Streets, support pedestrian-oriented development that facilitates interaction among community members and conveys a unique identity that reflects the character of the surrounding area.

CD-1.8 Create an attractive street presence with pedestrian-scaled building and landscaping elements that provide an engaging, safe, and diverse walking environment.

CD-1.17 Minimize the footprint and visibility of parking areas. Where parking areas are necessary, provide aesthetically pleasing and visually interesting parking garages with clearly identified pedestrian entrances



and walkways. Encourage designs that encapsulate parking facilities behind active building space or screen parked vehicles from view from the public realm.

CD-1.26 Apply the Historic Preservation Goals and Policies of this Plan to proposals that modify historic resources or include development near historic resources.

Analysis: To respond to policies CD 4.6 and 4.7, this document emphasizes higher quality building design and well-defined entrances along General Plan-designated Grand Boulevards and Main Streets, classified in this document as Primary Streets. The standards and guidelines provide direction for building massing relationship to context, articulated façades, and human-scale presence. Well-designed massing, combined with details such as on-site public art, balconies, and well-placed entrances, create buildings that are welcoming to both occupants and people walking by. This chapter set the path for efficiency and moderation in the use of materials, energy, and the development of spaces to minimize the negative environmental impact of buildings in conformance with Climate Smart San José. The following are a few examples of the mentioned General Plan policies:

S1. 3.1.2 Form, Proportion, and Scale Buildings at street intersections with traffic signals, terminus points, open spaces, and gateway locations must include at least two of the following architectural features for a minimum of 20 percent of each building frontage along the street (see Fig. 3.7):

- Corner plaza;
- Articulated corner with vertical or horizontal projections;
- Taller massing or exaggerated roof elements;
- Building entrances with a minimum recess of three feet;
- Different façade treatments such as variations in materials and color

S1. 3.3.1 Façade Design and Articulation Articulate all building façades facing a street or public open space for at least 80 percent of each façade length. Articulate all other building façades for at least 60 percent of each façade length. Façade articulation can be achieved by providing material changes, and plane changes, or by providing a rhythmic pattern of bays, columns, balconies, and other architectural elements to break up the building mass.

S3 3.1.3 Historic Adjacency Use historic materials of the nearby historic buildings on at least 25 percent of a street, paseo or public open space facing façade and on 10 percent of other façades that are visible from public realm. Historic materials include masonry, limestone, terra cotta, cast stone, mosaic, concrete, and wood (trim, finishes and ornament only) (see Fig. 3.9).



Chapter 4: Pedestrian Level

CD-1.11 To create a more pleasing pedestrian-oriented environment, for new building frontages, include design elements with a human scale, varied and articulated facades using a variety of materials, and entries oriented to public sidewalks or pedestrian pathways. Provide windows or entries along sidewalks and pathways; avoid blank walls that do not enhance the pedestrian experience. Encourage inviting, transparent façades for ground-floor commercial spaces that attract customers by revealing active uses and merchandise displays.

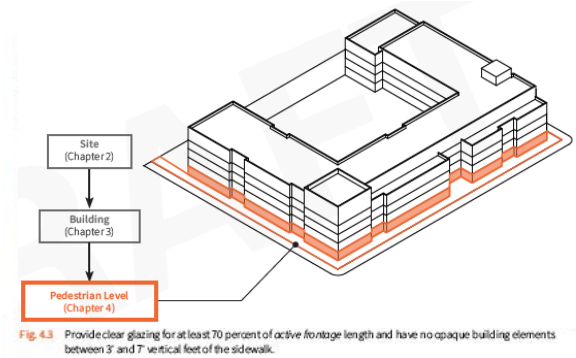
CD-2.8 Size and configure mixed-use development to accommodate viable commercial spaces with appropriate floor-to-floor heights, tenant space configurations, window glazing, and other infrastructure for restaurants and retail uses to ensure appropriate flexibility for accommodating a variety of commercial tenants over time. Retail commercial buildings should have primary entrances at the street at sidewalk grade, particularly in pedestrian-oriented areas.

VN-1.7 Use new development within neighborhoods to enhance the public realm, provide for direct and convenient pedestrian access, and visually connect to the surrounding neighborhood.

Analysis: While the level of street activity can vary from bustling commercial corridors to quiet residential streets or areas, the principles of a healthy public realm are the same. Safe, welcoming streets prioritize pedestrians, offer spaces for people to gather, and have buildings that concentrate activity and visibility towards sidewalks. The first vertical 20 feet of a building's façade has a substantial impact on the public realm. Attractive and approachable façades, combined with careful placement of interior uses, create connections and energize street life. This chapter discusses techniques for laying out and designing buildings and open spaces within the public realm.

For example, **S3 in 4.1.2 Residential Frontage** requires the following: "For all residential active frontages, provide at least six-foot-tall transparent windows or clear glazing that cover a minimum of 60 percent of the active frontage along primary streets and 40 percent along secondary streets."

S5 and S6 on 4.1.1 Commercial Frontage require that all ground floor commercial tenant spaces must be at least 45 feet deep for a minimum of 50 percent of primary street building façades, and at least 25 feet deep for a minimum of 50 percent of secondary street façades. They also require providing a minimum of 16-foot floor-to ceiling heights for ground floor building frontages along primary streets and public open spaces for projects located in urban village boundaries and 14 feet for projects outside urban village boundaries.



COORDINATION

The preparation of the proposed resolution and this staff report were coordinated with the City Attorney's Office.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Determination of Consistency with the Envision San José 2040 General Plan Final Program Environmental Impact Report (FEIR), for which findings were adopted by City Council with Resolution No. 76041 on November 1, 2011, and Supplemental EIR Resolution No. 77617, adopted by City Council on December 15, 2015, and Addenda thereto (SCH#2009072096). Pursuant to Section 15168 of the CEQA Guidelines, the City of San José has determined that this activity is within the scope of the earlier approved programs and the Final Program EIRs adequately describe the activity for purposes of CEQA. The project does not involve new significant effects beyond those analyzed in the Final Program EIRs.

The adoption of the San José Citywide Design Standards and Guidelines will advance the General Plan goals and policies and is consistent with the analysis and discussion of the Goals and Policies in the General Plan Final and Supplemental EIRs. Any further actions, such as actions to approve individual development projects within the Guidelines Boundary, will require additional environmental review at the time such actions are proposed.

COMMUNITY OUTREACH

Consistency with Council Policy 6-30

Staff followed Council Policy 6-30, Public Outreach Policy, to inform the public of the proposed project.

In preparation for the Planning Commission hearing, staff posted a notice of the Planning Commission and City Council public hearings on the City website and sent it to the interested stakeholders on the project list. The staff report is also posted on the City's website and staff has been available to respond to questions from the public. Staff engaged multiple stakeholders, including San José residents and business owners, developers, architects, environmental advocacy groups, and the Santa Clara Valley Transportation Authority from October 2019 to December 2020 to receive comments.

The first community workshop was held on October 15, 2019. Approximately 30 residents and stakeholders attended and participated in a brainstorming exercise to develop values and guiding principles for the Citywide Design Standards and Guidelines.

The second and third virtual community workshops were held on July 21 and 28, 2020 through Zoom. Approximately 60 residents and stakeholders provided comments on or asked questions about the draft document that was published in the City's website on July 7, 2020. Some community members and design professionals provided comments after the workshop. In addition, staff held a focus group meeting on July 24, 2020 with over 55 developers and designers.

This project included two Planning Commission Study Sessions, held on July 22, 2020 and August 12, 2020, and two study Sessions with the Historic Landmarks Commission on July 15, 2020 and August 5, 2020, during which commissioners asked questions and provided comments, in addition to comments from the public.

Comments from community members, commissioners, non-profit organizations, architects, and other advocates were used in updating the Citywide Design Standards and Guidelines. In general, public comments were about bird-safe design, relationship to historic context, privately-owned publicly accessible open space, landscape and stormwater management, lighting, being authentic to San José, encouragement of mixed-use design, connection and accessibility, design sustainability, high-quality building design, reduction in blank walls, vibrancy of retail, and housing affordability.

The development community, architects, Planning Commission, and Historic Landmark Commission provided comments on the user-friendliness and applicability of the guidelines, compatibility with historic context, economic and architectural feasibility, consistency within the document, and consideration of sustainability elements. City staff and the consultant revised the document to respond to those comments.

Project Manager: Leila Hakimizadeh, AICP, Project Manager

Approved by: /s/ , Deputy Director for Rosalynn Hughey, Planning Director

ATTACHMENTS:
Exhibit A: Determination of Consistency (CEQA)
Exhibit B: Proposed Resolution Approving San José Citywide Design Standards and Guidelines
Exhibit C: Public Comments

PP20-015 List of Attachments

[Exhibit A- Determination of Consistency \(CEQA\)](#)

[Exhibit B- Proposed Resolution Approving San José Citywide Design Standards and Guidelines](#)

[Exhibit C- Public Comments](#)

[Correspondence Received After January 20, 2021](#)