



# Special Joint Meeting of the Housing and Economic Development Committee, Planning Commission, and Design Review Board Staff Report

**Date:** April 6, 2022

**To:** Housing and Economic Development Committee  
Planning Commission, and Design Review Board

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**Subject:** **Considering and providing input on an overview of the preparation of Objective Design Standards for housing projects in response to State legislation.**

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## Report in Brief

An overview will be provided of the City's recently initiated project to prepare Objective Design Standards. The overview will include: 1) the project's goals, 2) the timeline, 3) initial tasks, 3) the timeline, 4) outreach, and 5) the City's relevant design documents. In addition, the project team is interested in a dialogue with the Housing and Economic Development (HED) Committee, Planning Commission, and Design Review Board regarding their experiences in the review of planning projects and the implementation and incorporation of the City's design guidelines into development projects, as well as to obtain policy direction from the group on key items. The project's goals are to support and facilitate Concord's tradition of high quality design while assisting in the creation of streamlined housing implementation, consistent with State Law.

### **Recommended Action**

Consider and provide input on an overview of the preparation of Objective Design Standards in response to State legislation and the implementation of the City's existing design guidelines.

### **Background**

In response to California's housing crisis, several state laws have been enacted to bolster the State's Housing Accountability Act and to accelerate the production of housing, including Senate Bill (SB) 35, SB 330 (and now SB 9). These bills are intended to advance housing by streamlining permit processes and making it more difficult for communities to deny or reduce the density of housing projects that meet objective General Plan and zoning requirements. The State has dramatically limited a local jurisdiction's ability to apply subjective design standards on housing developments, whereby the City can now only rely on the application of objective design standards<sup>1</sup>. Objective design standards are those that do not involve discretion or subjective judgment. Those standards can typically be referenced to an external and uniform benchmark or criterion.

Due to these State-imposed limitations, the City's Objective Design Standards (ODS) project would develop codified objective development standards for multifamily, majority residential mixed-use (and now single-family residential) developments to ensure high quality design for the City's housing projects, providing certainty and clarity to applicants, while reducing the timeline necessary for the review of those projects.

On December 14, 2021, the City Council approved a Professional Services Agreement with MIG, Inc. to assist the City in the development of Objective Design Standards. This effort is being funded through Local Early Action Planning (LEAP) funds and Regional Early Action Planning (REAP) funds, awarded to the City. The consultant selection occurred as a result of a Request for Proposals (RFP) process, which concluded in November 2021. The City's kick-off meeting with the consultant took place in early February and is expected to be an approximate ten-month project.

### **Current Design Guidelines**

The ODS project will provide the City with the opportunity to ensure high-quality design for its housing projects. The proposed approach will ensure that the City has a creative, economically feasible, and sustainable strategy toward new development. More specifically, the City seeks to establish ODS to apply on residential housing development projects when the City's discretion is limited. Transforming guidelines and subjective criteria into objective design standards will create new standards for housing citywide and will start with an in-depth review of the City's 2030 General Plan, the City's Design

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<sup>1</sup> SB 330 defines objective design standards as, "involving no personal or subjective judgement by a public official and being 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."

Guidelines (1987), the Downtown Concord Specific Plan (2014), the Downtown Concord Design Guidelines (2020), and design-related portions of the City's Development Code (i.e. Zoning Ordinance). A thorough review will include cross-references between existing design documents and the Development Code to ensure that the new standards would be enforceable. The consultant has recently begun to undertake this review.

These aforementioned documents contain a variety of design guidelines and development standards applicable to housing development projects. Some of the City's development standards and most of the design guidelines will need to be evaluated and transformed (as appropriate) into objective design standards, and codified into the Concord Development Code so that they are enforceable for applicable housing projects. This project is expected to result in the creation of a new chapter in the Development Code, including a section specifically dedicated to the geographic area covered by the Downtown Concord Design Guidelines as well as a companion illustrative document to facilitate implementation.

### **Analysis**

The presentation at the April 6 meeting will focus on reviewing the project's goals, summarizing relevant design documents, discussing issues and opportunities related to design, and securing input from the HED Committee, Planning Commission, Design Review Board and the public. The presentation, which will be posted on the City's website and available prior to the meeting, intends to focus the group on the following:

- **Introductions**
- **Project Goals/Purpose and Why Objective Standards**  
Review key project goals, such as maintaining a tradition of high-quality design and streamlining housing creation and discuss schedule for creating and adopting standards to regulate design.
- **Summary of Relevant Documents**  
Preliminary review of current City of Concord Design Standards Documents as well as related policy documents including the General Plan, Downtown Specific Plan and Zoning Code. This will also include a discussion of initial feedback received to date from the development community.
- **Issues/Opportunities**  
Discuss what makes the City of Concord look and feel like Concord. Are there unique features that must be integrated into objective design standards to ensure that multi-family housing and majority residential mixed-use housing continues Concord's tradition of high-quality design.
- **Close of meeting**

Timeline and Coordination with Related Projects.

The ODS project will be coordinated with the other LEAP funded projects (the Housing Element Update and the Housing Acceleration Development Code Amendments) in order to ensure consistency among policies and a coordinated effort to reach grant timelines. Pursuant to State law, the City must update the Housing Element of its General Plan by January 2023 and City LEAP funds must be invoiced to the State by September 30, 2023.

The schedule (Attachment A) provides an overview of the timeline for project, the tasks and the types of engagement events that will occur during each task of the ODS project, culminating with Planning Commission and City Council meetings at the end of the year for consideration of the project. There will be a variety of check in points via workshops, and meetings to seek the necessary input of the public and decision-makers.

**Public Contact**

The Joint Meeting Agenda was posted at City Hall and on the City's website. Notification has been published in the East Bay Times posted to the City's various social media platforms.

**Attachments**

- A. Schedule of Meetings and Tasks

**Project Initiation**

**Draft Objective Design Standards**

**Final Objective Design Standards**

Project Management



Ongoing Project Management and Coordination

Kick-off Meeting



Process and Deliverables



Developer/  
Applicant  
Workshop #1



PC/DRB and  
HED Committee  
Meeting



PC/DRB  
Workshop



Community  
Open House  
(Optional)



Developer/  
Applicant  
Workshop #2  
(Optional)



PC/DRB and  
HED Committee  
Meetings



PC/DRB and  
City Council  
Meetings



City Council  
Meeting #2  
(Optional)



Document  
Review



Document  
Review



Outline



Administrative  
Draft



Public Draft



City Planning  
Staff Training



City Planning  
Staff Training  
(Optional)



Final Draft



Final  
Report



Web Applicant-  
ready Documents

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