

# SB 35 Objective Design Standards Toolkit **DRAFT**

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# I. Introduction

## Background

California must plan for more than 2.5 million homes in the next eight-year planning cycle (2021-2029), including 8,874 in Santa Monica. This need for additional dwelling units due to the statewide housing shortage has led to the passage of laws such as Senate Bill 35 (Streamlining Approvals), Senate Bill 167 (Removing Barriers), and Senate Bill 330 (Expediting Residential Development), to produce more housing to meet the growing needs of Californians during the ongoing housing crisis. Cities must ensure they are complying with all aspects of State law and not hindering the development of housing, so these new laws have prompted cities across California to review residential development and design standards to make them simpler to understand and easier to implement, resulting in faster permitting timelines to encourage housing production.

Each city has zoning regulations that establish the rules for all development (including residential, commercial, industrial, and other uses), in the form of development standards. These include building height, the number of units allowed per parcel, the distance between buildings and adjacent properties, the amount of open space needed on a site, parking requirements, building design standards, and more. Standards that influence the design of a structure or open space are also typical, including articulation/modulation, roof line variation, transparency, lighting, and parking screening.

To align with the State's needs and goals for housing production, cities and counties are updating and adding to existing regulations and guidelines to create standards that can be "objectively" reviewed by City staff. Objective standards use measurable requirements, simple tables and diagrams, and require no personal or subjective judgment to determine if the standards have been met. This allows for a straightforward administrative process that reduces timelines, adds certainty, and achieves reasonable design goals.

## Project Grant Funding

The City of Santa Monica ("City") is part of a project funded by the Southern California Association of Governments (SCAG) through the State's Regional Early Action Planning (REAP) Grant Program to document, assess, and modernize multi-unit and mixed-use objective standards and permitting. This project is serving the cities of Montebello, Santa Fe Springs, Santa Monica, and South Pasadena. It will help support a greater understanding of the role of objective standards in increasing housing production in Los Angeles County and throughout California.

SCAG's Regional Council approved the 2020 Sustainable Communities Program (SCP) Housing and Sustainable Development (HSD) Call for Applications in November 2020. The goal of the SCP is to implement the policies and programs of Connect SoCal, the 2020 Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS). With the 2019-2020 Budget Act, \$250 million was budgeted to prioritize planning initiatives that would increase housing production to meet the needs of every community throughout the state. The California Department of Housing and Community Development (HCD) received \$125 million of this funding to establish REAP Grant Program. REAP provides one-time grants to regional entities for planning activities that facilitate compliance in implementing the sixth cycle of the Regional Housing Needs Allocation (RHNA). This includes efforts to accelerate housing production – such as the development of objective standards.

## Toolkit Objectives

The purpose of this toolkit is to develop a menu of objective standards for a selection of mixed-use zones for the City to consider for incorporation into their Zoning Code. This document is intended to be reviewed by city planning staff and decision-makers, and codified as appropriate.

### The standards are designed to:

- Translate existing applicable Zoning Code regulations and design guidelines into clear, objective standards in plain language, supplemented with explanatory graphics, making the standards easy to understand and simple to implement in compliance with Senate Bill 35
- Integrate with the maximum density allowed consistent with Senate Bill 330
- Allow for flexibility to adapt to market fluctuations, trends, and shifting demand
- Focus on zones that apply to the highest volume potential development type and locations
- Inform building form and site planning

### The toolkit is designed to:

- Make it easier for applicants to understand the regulations
- Be the foundation for the development of standards for mixed use projects that support higher levels of design, confirming compliance through an administrative process
- Create greater certainty in the review process and streamline project approvals
- Encourage housing production so the City can meet its state-mandated Regional Housing Needs Allocation (RHNA) goals
- Comply with SB35, which requires qualifying projects to be reviewed against objective standards<sup>1</sup>

Standards were developed to be shared across each of the four cities served by the project for mixed-use, multi-unit zones. The standards developed for the two highest priority zones have been tested on prototypical sites to ensure the standards enable intended development, allow for maximum density, and provide the appropriate level of regulation. [Note that basic development standards such as height limits, floor area ratios, and minimum setbacks are not included in this toolkit as they are already in the Zoning Code.]

For the most part, the following standards are designed to scale to different densities and building heights, so the same or similar standards can be used across zoning districts regardless of development intensity. This is an effort to simplify the code and ease understanding for the benefit of applicants, staff, and the public. As this is a toolkit of recommendations, standards selected by the City to propose for inclusion in the Zoning Code may need further refinement from City staff to customize based on the City's unique requirements and approaches, including different measurement definitions and contextual considerations.

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<sup>1</sup> Senate Bill 9 also requires use of objective standards for related project reviews in single-family zones; separate from this SCAG project focused on multi-unit/mixed-use zones.

## Informing the Toolkit

The project included a high-level technical analysis of existing policy documents, development standards and regulations, design guidelines, permit procedures, and recently approved projects and submitted applications under review to understand:

- How the City currently processes applications and how long the process typically takes; and
- How standards are being interpreted and applied during the permitting and entitlement process.

This analysis included a review of the General Plan Land Use and Housing elements and associated policies, the City's Zoning Code and specific plans, as well as a handful of representative housing development projects. It resulted in initial findings and recommendations to inform the standards developed for the toolkit and other related actions for City consideration.

## Public Engagement

The City undertook an engagement process to provide information to community members about the objective development standards and streamlined permitting project, and gather input to inform the creation of the recommended standards in the toolkit. The following outreach events were held to engage the public, stakeholders, and decision-makers in ways that result in meaningful participation.

- **Public Workshops:** Two community workshops focused on building an understanding of objective standards and providing the public with an opportunity to give feedback on draft materials. The first workshop was held on August 22, 2022. The second is to be scheduled.
- **Architectural Review Board Study Session:** This event was held on September 19, 2022, to inform the City's decision-makers at the Architectural Review Board about the project and relevant State laws to collaborate on locally appropriate solutions to increase capacity potential and accelerate housing production.
- **Final Project Presentations:** The final presentations to the Planning Commission and City Council will be held in Fall 2023, providing background, analysis, and a summary of the proposed objective standards and other project deliverables.

## II. SB35 Housing Projects Standards

### Ground Floor

**Horizontal Element for buildings with a ground floor height of 15 feet or greater :** Incorporate a horizontal element between 9 and 14 feet above sidewalk elevation for a minimum of 30% of building frontage. Any horizontal elements shall not consist of vinyl or plastic materials. Elements may be continuous or intermittent, and may include but not limited to:

- a) An awning, canopy, or other covering;
- b) Signage band
- c) An architectural projection of at least 18 inches; and/or
- d) A trellis.

**Entrances Except For Entrances to Residential Units:** Street-facing façades shall provide a minimum of one entrance for each street frontage that opens onto the sidewalk. Entrances shall be articulated by one or more of the following:

- a) A canopy, awning or other covering;
- b) Signage band
- c) Porch/portico;
- d) Trellis; or
- e) Recessed entryway.

**Entrances to Residential Units:** Ground floor residential units shall have either an entrance or Private Outdoor Living Area facing the street.

- a) Entrances to residential units on the ground floor shall be set back a minimum of 4 feet from the street-facing property line.
- b) Entrances shall have a minimum 3-foot covered landing area at the same grade as the interior floor.
- c) Entrances shall incorporate at least three of the following:
  - 1. Recession of entrance at least 2 feet from the building façade;
  - 2. Overhead projection (e.g. porch roof);
  - 3. A sidelight window, adjacent window, or door with a window;
  - 4. At least one stair, up or down, from the pedestrian pathway;
  - 5. Paving material, texture, or pattern differentiated from the pedestrian pathway.
- d) **Stoops and patios:** The side of a patio or stoop (when parallel to a sidewalk) taller than 30 inches shall be set back a minimum of 18 inches from the property line, separated by planted area.

## Façades

**Transparency:** Street-facing façades shall incorporate glazing for at least 30 percent of the façade, inclusive of ground floor transparency.

**Transparency – Ground Floor Residential Units:** A minimum of 20% of each ground floor street-facing façade shall be transparent, measured between floor and ceiling height.

### 1. Openings:

- a. Every room on an exterior wall shall contain an operable opening unless prohibited by Building Code or located within the Air Quality Assessment Zone.
- b. Windows shall be recessed at least 2 inches from the face of the façade unless windows have an exterior shading device **on a street facing façade.**

### 2. Materials:

- a. Material transitions shall occur at the inside corner of a plane change. When material changes occur in the same plane, projecting or recessed architectural elements shall be used to create a corner for material transition.
- b. Drainage shall be routed away from the façade to prevent the staining of materials.
- c. No foam materials shall be used

**Roof decks:** Roof decks located within 12 feet of a residential zoning district shall be set back a minimum of 30 inches from the building edge.

### Fences & Walls:

1. Fences and walls shall be made of prefinished materials except for foam, plastic, or vinyl. If the wall is constructed of concrete block, the wall shall be stacked bond or polished block.

## Open Space

**Balconets:** At least half of residential units without private outdoor living area shall have a balconet (e.g. Juliet balcony). **The balconet is not required to allow residents to step beyond the façade; it may be a railing at the outer plane of a façade opening that extends to the floor.**

### **Common Outdoor Living Area**

*Common outdoor living areas typically consist of landscaped areas, landscaped courts, walks, patios, swimming pools, barbeque areas, playgrounds, turf, gardens, or other such improvements.*

**Open-to-the-sky:** No more than 20 percent of Common Outdoor Living Area may be covered by occupied building space.

**Landscaping:** A minimum of 25 percent of Common Outdoor Living Area shall be planting area with a minimum length and wide of 30 inches.

**Trees:** A minimum of one 24-inch box tree for every 500 square feet of Common Outdoor Living Area shall be planted within the Common Outdoor Living Area. At least 50 percent shall be shade trees.

**Social space:** A minimum of one social space, either soft or hardscape, with a minimum dimension of 10 feet in each direction shall be provided for every 25 units. Each required Social Spaces shall incorporate one of the following amenities:

1. Cooking facilities
2. Edible gardens
3. Pools and/or spas
4. Water features
5. Exercise space and/or equipment
6. Play space and/or play equipment

**Seating:** A minimum of 1 seat per 200 square feet of Common Outdoor Living Area shall be provided with a minimum of four seats. Benches at least 48 linear inches in length may be calculated as 2 seats. At least 50% of required seating shall be arranged in groups of four or more seats.

## Parking

**Design of Parking Entrances:** Exterior building finishes shall wrap into parking entrances/exits for a minimum of 20 feet from the building façade.

**Screening of Structured Parking:** Facades shall be screened with materials that are used elsewhere in the building design or may use any of the following materials:

1. At least 13-gauge metal;
2. Precast concrete panels;
3. Laminated glass; and/or
4. Green walls.