



CITY COUNCIL STAFF REPORT

MEETING DATE: November 13, 2023

ITEM TITLE: Adopt Ordinance 1603 to Create Objective Design Standards for Single-Family Development by Amending San Carlos Municipal Code Title 18 - Zoning: Chapter 18:03 - Rules of Measurement; 18.04 - Residential Districts; 18.12 - Hillside Overlay District; 18.15 - General Site Regulations; 18.20 - Parking and Loading; 18.26 - Planning Authorities; 18.27 - Common Procedures; 18.29 - Design Review; 18.40 - Use Classification; and 18.41 - Terms and Definitions; and Adding a New Subsection 18.23.310 - Urban Infill Units, Under 18.23 - Standards for Specific Uses and Activities.

RECOMMENDATION:

Staff recommends that the City Council adopt Ordinance 1603 by amending the San Carlos Municipal Code Section 18.03 (Rules of Measurement), 18.04 (Residential Districts), 18.12 (Hillside Overlay District), 18.15 (General Site Regulations), 18.20 (Parking and Loading), 18.26 (Planning Authorities), 18.27 (Common Procedures), 18.29 (Design Review), 18.40 (Use Classification), and 18.41 (Terms and Definitions) and adding a new subsection 18.23.310 (Urban Infill Units) under Section 18.23 (Standards for Specific Uses and Activities) (see Attachment 1: Proposed Ordinance 1603).

FISCAL IMPLICATIONS:

There is no fiscal impact and no additional appropriation is needed for this action.

BACKGROUND:

On October 23, 2023, the City Council conducted the first reading and introduced Ordinance 1603 to amend the San Carlos Municipal Code Title 18 with amendments.¹ Staff has revised the proposed Ordinance to address and incorporate the Council's amendments (*See Attachment 1: Proposed Ordinance 1603*).

On January 23, 2023, the City Council adopted the 2023-2031 Housing Element as a part of the Focused General Plan Update. The updated Housing Element aims to accommodate additional residential units and remove obstacles to creating housing. Action HOU 4.4 identifies the need for the creation and adoption of objective design standards for residential development. This also

¹ The October 23, 2023 City Council Meeting staff report, attachments, and meeting recording can be found here – See Item 8a:

<https://cityofsancarlos.primegov.com/Portal/Meeting?meetingTemplateId=13057>

aligns with new state law that requires cities to create objective design standards that apply to projects with two or more residential units.

In 2021, the San Carlos City Council directed staff to prepare objective design standards for all residential development, including single-family homes, for the following reasons:

- To comply with state law;
- To implement policies of the San Carlos 2030 General Plan and Housing Element and help meet the Regional Housing Needs Allocation (RHNA);
- To prevent additional governmental constraints on the production of housing;
- To create standards that are verifiable and measurable;
- To streamline project review and permitting; and
- To ensure consistent application of standards for single-family homes with and without accessory dwelling units (ADUs).

Establishing objective design standards for residential development is essential to ensure orderly and streamlined development, comply with state law requirements, and to meet the 2023-2031 Regional Housing Needs Allocation (RHNA) of 2,735 new housing units.

ANALYSIS:

During the October 23, 2023 meeting, the City Council directed staff to amend the proposed Ordinance to include the changes shown in Table 1. Staff has revised the proposed Ordinance to include these changes. For specific details, refer to *Attachment 1: Proposed Ordinance 1603* which shows all amendments in strikethrough format.

Table 1. Council Directed-Amendments to the Proposed Ordinance

Category	SCMC Section	NEW - Proposed Changes
ADA Walkway Requirements	Throughout	Removed the reference of an ADA requirement from the proposed Ordinance.
Landscaping Requirements for Rear-Facing Balconies	18.04.040, 18.04.071, 18.04.072, 18.04.073	Added a height requirement to the landscaping requirements for rear facing balconies.
Porch Requirement	18.04.030	Revised the text to eliminate the need for a Discretionary Review request for projects that do not meet the porch requirement. The text was also modified to provide flexibility for applicants to consult an Architectural Guidebook when porches are not proposed if a specific architectural style does not recommend them.
Compliance Review and Neighborhood Notification	18.29	Added additional language to allow for a Director's Review when a dispute arises pertaining to Objective Standards only. Only adjacent neighbors will be able to request a Director's Review.
Urban Infill Units (SB-9 Ordinance)	18.23.310	Amended the text to allow a second unit on an SB-9 subdivided lot, with the provision that it does not exceed 800 sq.ft. The Council-recommended criterion for "50% of the primary unit" was deemed moot and was therefore excluded.

Environmental Determination.

The zoning amendments proposed in the draft Ordinance are within the scope of activities identified in the San Carlos 2030 General Plan Program Environmental Impact Report (EIR) and 2023 Housing Element Environmental Impact Report; therefore, no additional environmental review is required pursuant to Public Resources Code Section 21166 and California Environmental Quality Act (CEQA) Guidelines Section 15060(c)(2) "Preliminary Review" and Section 15061(b)(3) "Common Sense Exemption." In addition, Government Code Section 65852.21(j) and 66411.7(n) concludes that an Ordinance adopted to implement Senate Bill 9 (SB-9) is not a project under CEQA.

Next Steps:

Should the City Council adopt Ordinance 1603 at this second reading, the proposed amendments would become effective on December 13, 2023. The SB-9 Urgency Ordinance 1595 will expire at this time.

To support efficient implementation of the proposed Ordinance, staff will prepare a "Compliance Review Information Packet" as a supplemental document to provide guidance on administrative and internal compliance review processing procedures.

Staff will also conduct outreach activities to help disseminate information regarding objective design standards for single-family development and the compliance review process.

ALTERNATIVES:

Options available to the City Council include:

1. Adopt Ordinance 1603 to amend the San Carlos Municipal Code Section 18.03 (Rules of Measurement), 18.04 (Residential Districts), 18.12 (Hillside Overlay District), 18.15 (General Site Regulations), 18.20 (Parking and Loading), 18.26 (Planning Authorities), 18.27 (Common Procedures), 18.29 (Design Review), 18.40 (Use Classification), and 18.41 (Terms and Definitions) and to add a new subsection 18.23.310 (Urban Infill Units) under Section 18.23 (Standards for Specific Uses and Activities) to create Objective Design Standards for Single-Family Development; or
2. Do not adopt Ordinance 1603; or
3. Provide staff with alternative direction.

Respectfully submitted by:

Al Savay, Community Development Director

Approved for submission by:

A handwritten signature in black ink, appearing to be 'J. Maltbie', written over a horizontal line.

Jeff Maltbie, City Manager

ATTACHMENT(S):

1. Ordinance 1603
Exhibit A to the Ordinance – Proposed Amendments to Title 18