



CITY of CALABASAS

PLANNING COMMISSION AGENDA REPORT

APRIL 18, 2024

DATE: APRIL 10, 2024

TO: PLANNING COMMISSIONERS

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SUBJECT: DISCUSS, AND PROVIDE TO THE CITY COUNCIL RECOMMENDATIONS FOR ACCOMPLISHING THE FOLLOWING GENERAL PLAN HOUSING ELEMENT IMPLEMENTATION PROGRAMS: 1) PRE-APPROVED PLANS FOR ACCESSORY DWELLING UNITS; 2) OBJECTIVE DESIGN STANDARDS FOR RESIDENTIAL DEVELOPMENT PROJECTS; AND, 3) STANDARDS AND PROCESSING REQUIREMENTS FOR ADAPTIVE REUSE PROJECTS.

MEETING DATE: APRIL 18, 2024

SUMMARY RECOMMENDATION:

Discuss and provide to the City Council recommendations for accomplishing the following City of Calabasas General Plan 2021-2029 Housing Element implementation programs: 1) pre-approved plans for accessory dwelling units; 2) objective design standards for residential development projects; and, 3) standards and processing requirements for adaptive reuse projects.

BACKGROUND:

Responsive to California law, and consistent with the provisions of the Calabasas General Plan 2021-2029 Housing Element, the Community Development Department will undertake the following three projects:

1. Prepare a set of pre-approved (e.g., zoning and building code compliant) Accessory Dwelling Unit plans, and to establish a process by which such pre-approved ADU plans may be used for new ADU construction projects at minimal cost to the ADU builder. Additionally, we will establish a process by which prospective ADU builders may use ADU plans prepared and submitted to the City by a registered architect, where that architect has provided consent for use and distribution of the set of plans for reuse.
2. Develop objective design standards for residential housing development projects. Objective standards are measurable and quantifiable – where it can be readily and conclusively determined that a feature of a development proposal falls below a specified maximum allowable quantity, above a specified maximum allowable quantity, or otherwise meets a specified quantity. The purpose of developing objective design standards is to:
 - Implement streamlined and ministerial review processes for qualifying projects (consistent with State law and the City’s Housing Element);
 - Ensure that qualifying projects align with the City’s expectations for maintaining the character of the City;
 - Provide a set of clear criteria to guide building design; and,
 - Establish an objective framework by which qualifying projects will be evaluated.

Without these changes and tools, the City will have little control over the design of future housing developments. The Planning Commission and City Council would continue to review projects under current design guidelines but would not be able to deny a project based on noncompliance with subjective guidelines. This project will enable the City to shape the design of new housing proposals based on the standards developed through this process.

3. Prepare a zoning review and approval process for conversion of existing commercial structures to multi-family residential use.

Input and recommendations from the Planning Commission will help determine the best approach to develop the three programs.

Regulatory Framework and Applicable California Law

California Government Code Section 65913.4 requires cities to streamline the approval of certain housing projects by providing a ministerial approval process. The CGC also stipulates that where housing is an allowable use, a City cannot “impos[e] or enforc[e] design standards established on or after January 1, 2020, that are not objective design standards.” (Gov. Code 66300(b)(1)(C).) Furthermore, the CGC provides that “objective design standard” is a design standard that involves no personal or subjective judgment by a public official and is 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 before submittal of an application.” (Gov. Code 66300(a)(7).)

The CGC also stipulates that local jurisdictions are required to include ADU plans to incentivize and encourage affordable ADU production.

Calabasas General Plan Housing Element

The City’s Housing Element was updated for the 6th Regional Housing Needs Allocation cycle (covering the years 2021 – 2029), and was certified by HCD as being compliant with State housing law on April 25, 2022. Regarding the three programs discussed in this report, the Housing Element policies and programs listed below apply.

Accessory Dwelling Units

Policy V-11: Facilitate the creation of accessory dwelling units in all residential districts as a means of dispersing small, affordable units throughout the community.

2021-2029 Objective [regarding ADUs]: Initiate an education and marketing program for homeowners on the benefits of ADUs and the availability of City funds for ADU development (2022). Develop an ADU Design Workbook and pre-approvable construction plans (2023).

Objective Zoning and Design Standards

Policy V-18: *Promote the timely processing and approval of residential projects that meet General Plan policies and City regulatory requirements.*

Policy V-9a: *Pursuant to AB 1397, allow housing developments with at least 20 percent affordable housing by-right, consistent with objective design standards, on lower-income housing sites that have been counted in previous housing element cycles.*

2021-2029 Objective: *“Amend the Development Code to facilitate housing for Calabasas’ special needs and extremely low income (ELI) populations. Amend the Zoning Code to remove subjective findings related to neighborhood character as necessary to ensure for reasonable accommodation for persons with disabilities and other protected classes.” (2022)*

Adaptive Reuse Processes and Standards

“The Housing Element sites inventory includes three office sites as suitable for conversion to residential during the eight-year planning period; the mixed-use zoning is in place for any number of office buildings to convert [to residential use].”

“[T]he City supports the repurposing of existing offices to residential use, thereby reducing the environmental impacts associated with new construction. Tools to facilitate the adaptive reuse of offices to residential include:

- Flexibility in use of Building Code, e.g., allow use of State Historic Building Code standards for older offices (but that aren’t necessarily historic);*
- Establish adaptive reuse ordinance/modified standards for office conversions.”*

2021-2029 Objective: *Research and develop Objective Design and Development standards for qualifying multi-family and mixed-use development to streamline the review process, provide greater certainty to developers, and facilitate development on Housing Element sites. (2023)*

DISCUSSION:

The Commission is tasked with reviewing alternative approaches for accomplishing the three programs, and recommending to the City Council preferred parameters for each.

Creating Pre-Approved A.D.U. Plans

The intended end-product will be fully prepared building plans that will be made available to any person proposing to construct an accessory dwelling unit in the City. The plans would encompass the physical dwelling only – all site engineering, proposed hardscape areas, and proposed landscaping will be separately prepared by applicants to address conditions of each specific property. Completed plan sets must fully comply with all applicable State laws, as well as the City’s zoning and building code requirements for an ADU.

Considerations:

- How many different sets of plans to prepare?
- Whether to provide plans for *different sizes* of ADU (e.g., 800 s.f. and/or 1,200 s.f.)
- Whether to also provide pre-approved JADU plans
- Whether to include multiple design styles
- Approved ADU plans prepared by licensed architects and approved by the City for an ADU project must be offered to other prospective ADU applicants as an option (provided the architect so authorizes).

Developing Objective Design Standards

Objective design standards are defined under State law as “standards that involve no personal or subjective judgement by a public official and are 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 prior to submittal” (California Government Code, Section 65913.4).

Considerations:

- Preference for a simple and short set of standards versus a more detailed and complex set of standards.
- Whether to differentiate objective standards for multi-family zoning and mixed-use zoning.
- Review of existing subjective standards which conflict with objectivity requirements, and provide recommendations for revisions where appropriate and necessary.

Objective Design Standards in the CMC Today:

- Fundamental measurable standards already provided in the City's Land Use and Development Code include: maximum allowable building height, minimum property line setback distances, maximum allowable site coverage limits, maximum retaining wall heights, etc. These are objective measurable standards.
- More complicated but still measurable standards in the Land Use and Development Code include (but are not limited to): minimum off-street parking spaces and loading spaces, minimum percentage of pervious surface area; maximum allowable site coverage; and, maximum allowable downhill-facing wall heights, etc.
- However, a number of subjective measures are also found in the Land Use and Development Code, including (but not limited to): Design Considerations (CMC 17.20.070); Community Standards (CMC 17.20.060, particularly subsection A.5); Hillside and Residential Development (CMC 17.20.150), Scenic Corridor Overlay (CMC chapter 17.18); and, Landscape Standards (17.26.050).

Creating Adaptive Reuse Standards

Adaptive reuse is when an existing structure (or more than one) would be converted from one use (usually commercial offices) to a different use (such as residential). Several sites in Calabasas are identified in the City's Housing Element for adaptive reuse.

Considerations:

- Zoning standards developed to accommodate and promote adaptive reuse should not conflict with applicable Building Code requirements.
- How to address non-conforming conditions – both existing and ‘new’ nonconformities precipitated by the residential reuse.
- Should a range of options be included as a means of incentivizing adaptive reuse projects?

Comparing Approaches Taken by Other California Cities

Recognizing that most local jurisdictions are only now wrestling with these same obligations, not many jurisdictions have yet adopted versions of the three discussed programs. Nonetheless, Planning Staff reviewed what is available; the comparison tables below include jurisdictions with adopted programs which best represent the range of options available to the City of Calabasas.

COMPARISON TABLE FOR PRE-APPROVED A.D.U. PLANS

Jurisdiction	Has Program?	Complexity	Notes	Links to Documents
Agoura Hills	Y	Unknown--not posted yet	<ul style="list-style-type: none"> • 3 different floor plans (Studio, 1 BR, and 2 BR), each with three style options. • Site plan still required along with pre-approved plan set 	Website info
LA City	Y		<ul style="list-style-type: none"> • 50+ options that can be purchased from respective plan owners • 1 free option available from City 	Website Info
LA County	In-Process	Unknown	<ul style="list-style-type: none"> • Plans pre-approved by County; homeowners must work with design firms directly to purchase plans & submit to County. 	Website Info
Burbank	Y		<ul style="list-style-type: none"> • 12 pre-approved from the 50+ options approved by LA City • Applicants must purchase the linked plans directly from plan owner 	Website info
Ventura County	Y		<ul style="list-style-type: none"> • 3 options - 1 BR, 2 BR, 3 BR • Façade materials and color can be personalized 	Website Info

			<ul style="list-style-type: none"> Free construction drawings available online 	
Westlake Village	Y		<ul style="list-style-type: none"> Pre-approved plans for garage conversions only (Utilizing LA County B&S Plans) 	Website Info
Pasadena	N		<ul style="list-style-type: none"> No pre-approved ADU program but they do have a ADU loan program for low-income families to apply for <u>assistance in designing</u>, financing, & permitting an ADU 	Website Info
Dublin	Y	Complex; many different designs	<ul style="list-style-type: none"> 3 different architectural styles (Spanish, contemporary, and traditional) and three different ADU sizes. Exterior colors, materials, and style required to be most close match to primary residence! Garage conversion or detached 	Website info Sample 2BR
Fresno	Y	Moderate	<ul style="list-style-type: none"> Floorplans and designs very basic Architecture does not seem transferrable to Calabasas 	Website Info

The Cities of Thousand Oaks, Malibu, Camarillo, Santa Clarita, San Fernando, and Simi Valley have not yet adopted pre-approved ADU plans.

COMPARISON TABLE FOR OBJECTIVE DESIGN STANDARDS

Jurisdiction	Has Program?	Complexity	Notes	Links to Documents
Agoura Hills	Y	Very specific	<ul style="list-style-type: none"> For multifamily dwellings only Allows streamlined review for qualifying projects Helpful colored elevations & figures are included in the municipal code 	Municipal Code Presentation
LA County	Y		<ul style="list-style-type: none"> For multifamily and single-family (p. 19) Not very user-friendly Not enough visuals 	Draft Ordinance
City of San Mateo	Y	Very specific	<ul style="list-style-type: none"> Great visuals, very detailed For multifamily/mixed use projects 	Website Info Design Standards

			<ul style="list-style-type: none"> Allows streamlined review for projects up to 25 units 	
Hemet	Y	Not very complex	<ul style="list-style-type: none"> Visuals/diagrams contained within municipal code; not as separate design document Standards are clear and simplistic 	Municipal code
Santa Cruz County	Y	Mildly complex	<ul style="list-style-type: none"> Described as objective but not necessarily objective/related to streamlined projects Guidelines for some projects, requirements for others Great visuals 	Design Guidelines
Santa Cruz City	Y	Not very complex	<ul style="list-style-type: none"> All objective standards anywhere within municipal code are compiled into one list with references to sections; not very helpful or user friendly Multi-family/mixed use standards more user friendly, but not very complex with minimal visuals 	News article List of all objective standards Multifamily/mixed-use standards
Los Gatos	Y	Exceptionally detailed	<ul style="list-style-type: none"> Wide variety of standards are presented in a well-articulated and illustrated fashion. 	Web link - Los Gatos
Arcadia	Y		<ul style="list-style-type: none"> Objective design standards within ordinance very specific, but not very detailed or user-friendly Design guidelines good visual document, but not necessarily objective 	Website Info Design Guidelines

COMPARISON TABLE FOR ADAPTIVE REUSE

Jurisdiction	Has Program?	Complexity	Summary of Key Elements	Document Links
City of Los Angeles	Yes		Sets specific boundaries for Adaptive Reuse zones, in addition to general ordinance; 2022 Update in progress	Website Info 2022 Update Fact Sheet News article

After reviewing the above referenced programs administered by other cities, Planning Staff suggests that among the above listed programs, the following offer the most appropriate guidance for Calabasas:

Pre-approved ADU plans:

Three different ADU plan options are provided by the City of Agoura Hills – studio, one-bedroom, and two-bedroom. Also, three design style options are provided. This appears to be an excellent model for Calabasas.

Objective Design Standards:

Cities offering particularly good examples of objective design standards (as potential templates for Calabasas) include those developed by the City of San Mateo for exceptionally detailed standards, and the City of Agoura Hills for a less complicated set of standards.

Adaptive Reuse:

Thus far, we have found an example of standards and procedures for evaluating and processing adaptive reuse projects for only the City of Los Angeles.

REQUESTED ACTION:

That the Planning Commission discuss and provide recommendations for consideration by the City Council for accomplishing: 1) pre-approved plans for accessory dwelling units; 2) objective design standards for residential development projects; and, 3) standards and processing requirements for adaptive reuse projects.