

Draft By-right Housing Ordinance Objective Design Standards

Chapter 13.11 – By-right Housing Projects

A. Purpose. The purpose of this Chapter is to establish a ministerial procedure for processing qualifying by-right housing projects and corresponding objective design standards that provide the public, building and design professionals, and the City with objective criteria for eligible multifamily and mixed-use development in the City. The intent is to provide a clear process that allows for the streamlining of eligible projects while ensuring high-quality development with design criteria that enhances an area's unique character and sense of place, respects existing neighborhood compatibility and privacy, and ensures a high-quality living environment.

B. Applicability. The provisions of this Chapter apply to all eligible by-right housing projects that qualify for streamlined, ministerial processing and which meet the definition of "housing development projects" under California Government Code §69988.5(h)(2). These include multifamily housing with two or more units, and mixed-use projects with up to two-thirds of the project dedicated to residential square footage. Eligible residential projects shall comply with all objective development standards of this Chapter and all applicable design, performance, improvement and development standards of the Santee Municipal Code, the Santee General Plan, and applicable Mitigation Monitoring and Reporting Programs. Where applicable, projects shall obtain regulatory permits and/or clearances as required by state or Federal law, including, but not limited from agencies such as the Federal Emergency Management Agency (FEMA), the Federal Aviation Administration (FAA), the United States Fish and Wildlife Agency, the California Department of Fish and Wildlife, the San Diego Airport Land Use Commission (ALUC), and the State Water Resources Control Board.

1. Conflicting Standards. Projects must meet objective development standards in this Chapter, in addition to all pertinent sections of the Santee Municipal Code and the California Building Code (CBC). If there is any conflict between these objective standards and existing City and/or State requirements, the more restrictive objective standard applicable to the project shall apply.

2. Severability. In the event that a development standard is found to be unenforceable, invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Chapter, and all other development standards will remain enforceable.

C. Definitions.

By-right means that the project is subject to ministerial processing and not subject to discretionary review by the City and no review is required under the California Environmental Quality Act (CEQA) per Cal. Gov. Code, § 65583.2(i). By-right projects do not require a public hearing before the City Council.

Discretionary review means a process for project entitlement where the City has the discretion to approve, modify or deny a project based on personal judgment. Projects

subject to discretionary review are subject to CEQA and the discretionary review process for multifamily projects typically requires a public hearing before the City Council.

Ministerial processing means a process for project approval involving little or no personal judgment by the City as to the wisdom or manner of carrying out the project. The City merely ensures that the proposed development meets all objective standards without using special discretion or judgment.

Mixed-use means a development consisting of residential and non-residential uses (e.g., commercial retail, retail service, office, civic, and institutional) with at least two-thirds of the square footage designated for residential use, transitional housing, or supportive housing. For purposes of this Chapter a mixed-use development may be classified as a By-right Housing Project.

Multifamily housing means a development containing two or more residential dwelling units, each of which is for the occupancy by one or more persons, including duplexes, triplexes, fourplexes, apartments, condominiums, and townhouses.

D. By-right Housing Application and Procedure. An application made to the Department of Development Services shall be required for proposed multifamily housing or mixed-use projects to move forward as a by-right housing project. The application shall include all information necessary for the City to determine the eligibility of a proposed multifamily housing or mixed-use development as a by-right housing project. The application shall include all necessary information and plans to ensure that a proposal complies with all objective development standards in this Chapter and all applicable design, performance, improvement and development standards of the Santee Municipal Code and the Santee General Plan and, where applicable, that the project has obtained all regulatory permits and/or clearances as required by state or Federal law. Upon submittal of a By-right Housing Application the City shall make a determination on the completeness of the application within 30 days in accordance with the provisions of the Permit Streamlining Act (California Government Code § 65921). Once a By-right Housing Application has been deemed complete, the Director of Development Services shall issue a written determination within 30 days of the project being deemed complete, approving the proposed multifamily or mixed-use development as a By-right Housing Project with clear steps and requirements for moving forward with grading and building permits.

E. Objective Design Standards.

1. Building entries, stairwells, and garages. To create an attractive, welcoming, safe, and active interface between private development and the public realm, buildings and site design shall meet the following objective criteria:

a. Residential units that are not adjacent to the street shall have front entries that are oriented to common areas such as paseos, courtyards, parking areas, and active landscape areas.

b. Exterior stairwells shall not be oriented to the street. For safety and security, exterior stairwells shall face interior spaces, such as plazas and gathering areas, parking areas, and pedestrian pathways and shall not be separated from these

areas by landscaping, fences, or walls taller than three feet.

c. Gated, fenced, or underground parking facilities, and gated exterior stairwells shall incorporate access control technology (e.g., access card or key).

d. Developments with more than 50 units shall incorporate a monitored or recorded security camera system

e. Buildings positioned along the street shall orient front entries to the street. Street facing residential units shall have covered front entries with a minimum recess or projection of 48 square feet in area.

i. Street facing entries shall be accentuated by a minimum of one (1) of the following: a change in roof pitch or form, such as a gable, that extends a minimum of one foot past the sides of the door jamb.

ii. an increase in roof height of at least one (1) foot to accentuate the entry.

iii. wood, stone, tile, or brick accent materials covering a minimum of 30 percent of the entryway wall surface area, inclusive of windows and doors.

f. For projects containing five (5) or more units, garage doors shall not face a public street(s) but may be oriented toward an alley or a private street/driveway that is internal to the project. All garage doors shall be recessed a minimum of six (6) inches from the surrounding building wall and shall include trim of at least one and a half (1.5) inches in depth.

g. Commercial/Office unit entrances in a mixed-use development shall face the street, a parking area, or an interior common space.

h. Residential units in a mixed-use development shall be located on the upper floors of any elevation that faces a public street with residential access provided through a separate entry along each street frontage or a single entry at the corner.

2. Massing and articulation. To create a human-scale environment and buildings that are compatible with and enhance the surrounding area, building design shall meet the following objective criteria:

a. Buildings shall have major massing breaks at least every 56 feet along any street frontage or publicly visible area, by incorporating at least one (1) of the following features.

i. stepping back at least 51 percent of the upper floors by a minimum of 10 feet for at least 70% of the facade;

ii. recessed or projected covered entries with a minimum area of 24 square feet;

iii. exterior arcades or other ground floor building recessions that provide sheltered walkways within the building footprint with a minimum width of eight feet;

- iv. ground floor courtyards within the building footprint with a minimum area of 48 square feet; or
- v. architectural features that are at least four (4) feet wide and extend a minimum of one (1) floor in height.

b. Buildings shall have minor massing breaks at least every 30 feet along any elevation, by incorporating at least one (1) of the following features:

- i. doors and windows recessed by a minimum of four (4) inches;
- ii. variations in wall plane (projection or recess) by a minimum of two (2) feet in depth for at least 30% of the facade;
- iii. vertical elements, such as pilasters, that protrude a minimum of one (1) foot from the wall surface and extend the full height of the structure; or
- iv. Any of the major massing breaks noted above can be double counted as a minor massing break, so long as it is located within the 30-foot section.

c. Rooflines shall be vertically articulated at least every 48-feet along the street frontage through one (1) of the following techniques:

- i. A change in wall or roof height of a minimum four (4) feet;
- ii. A change in roof pitch or form; or
- iii. The inclusion of dormers, gables, parapets, and/or varying cornices.

d. Buildings three (3) stories or taller and wider than 30 feet shall be designed to differentiate the ground floor, middle body, and top floor or cornice/parapet cap. Each of these elements shall be distinguished from one another through use of one (1) of the following techniques:

- i. Variation in building modulation for a minimum 70% of the length of the façade, through changes in wall planes that protrude and/or recess with a minimum dimension of four (4) feet;
- ii. Balconies or habitable projections with a minimum two (2) feet in depth for a minimum 25% of the length of the façade;
- iii. Variation in façade articulation, through horizontal and/or vertical recesses or projections; (minimum four (4) inches in depth) such as shading and weather protection devices, decorative architectural details, or a pattern or grouping of windows, panels, or bay windows;
- iv. Variation in fenestration, through at least two (2) of the following: size, proportion or pattern; or
- v. Variation in façade material, through at least two (2) of the following: size, texture, pattern, or color.

3. Architectural elements. To create a sense of place with buildings that are cohesive, well-crafted, and enhance the public's experience, buildings shall be designed to meet the following objective criteria

- a. Corner buildings that are two (2) stories in height shall include at least one (1) of the following features within 15 feet from each edge of the building corner. Buildings that are three (3) or more stories in height shall incorporate a minimum of

two (2) of the following features within 15 feet from each edge of the building corner:

- i. change in primary wall material and color;
- ii. change in height of more than four (4) feet;
- iii. change in wall plane of a minimum depth of two (2) feet;
- iv. entry to ground floor retail or primary building entrance;
- v. different fenestration pattern from the primary façade;
- vi. open space with a minimum dimension of 16 feet and minimum area of 450 square feet, which accommodates either a publicly accessible courtyard/plaza, or outdoor seating for public dining.

b. End units shall include the following features on their side elevations: a minimum of 15 percent fenestration area, and at least one (1) facade modulation with a minimum depth of 18 inches and a minimum width of two (2) feet. Example: Wrap around front porch.

c. All ground floor residential units and a minimum of 51 percent of the upper floor residential units shall include a balcony, patio, porch, or stoop, and this feature shall be a minimum 48 square feet in area. Fractional calculations shall be rounded up. Balcony walls above the ground floor shall be a maximum of 15 percent transparent.

d. At least 60 percent of the ground floor, street facing walls of non-residential units shall include transparent window or door glazing between two and 10 feet in height from grade, providing unobstructed views into the non-residential space. Where it is infeasible to provide glazing, such as a parking garage, trash room, mechanical room, or electrical room, landscaping with a minimum dimension of 18-inches in depth and a width equivalent to 70 percent of the wall shall be provided to soften the appearance of a blank wall on the ground floor.

e. Windows and doors shall either be trimmed or recessed. When trimmed, the trim material shall not be less than 3.5" in width by $\frac{3}{4}$ " in depth when protruding from the wall. Foam trim molding is prohibited on the ground floor. When recessed, the building primary siding material (masonry or stucco) shall cover the recessed edge faces and wrap toward the interior face of the window glazing or door face by not less than 3" in depth.

f. A minimum of 10 square feet (80 cubic feet) of personal outdoor storage space shall be provided for each dwelling unit without a garage. Personal outdoor storage areas shall be covered and able to be locked.

g. Utilities and utility vaults, and all mechanical equipment shall be screened or hidden from view from the ground level.

h. Trash enclosures shall be constructed of the same primary wall material and color as the most adjacent building within the development.

4. Colors and materials. To ensure that buildings include a variety of color palettes

and textures with durable and attractive materials that contribute to the aesthetic quality of the development and the neighborhood, buildings shall be designed to meet the following objective criteria:

- a. The primary wall finish material⁵ shall be wood, stone, brick, stucco, fiber cement or other cementitious material, or stone. T1-11 siding and all grooved or patterned wood panel or composite wood panel siding are prohibited.
- b. Structures shall incorporate a minimum of two building materials on each building elevation. Trim does not count as the second material.
- c. Structures shall have a color palette that consists of at least two (2) body colors and two (2) accent colors (not including roof color). Projects with two (2) or more residential structures shall include a minimum of two (2) color palettes and shall not use a single palette on more than 70 percent of the residential structures. Stone materials shall not be painted.
- d. Chain link and wooden fences and unfinished cinderblock walls shall be prohibited.

5. Circulation. To provide pedestrians, vehicles, and cyclists with safe and efficient site access and circulation, site design shall meet the following objective criteria:

- a. All structures, entries, facilities, amenities, and parking areas shall be internally connected with pedestrian pathways. Pedestrian pathways shall connect to the public sidewalk along each street frontage. Pedestrian pathways shall be separated from roads and parking areas by a physical barrier, such as a grade-separation, of six inches or more or a raised planting strip.
- b. All parking areas shall be internally connected and shall use shared driveways within the development.
- c. Carports shall be painted with the approved color palette for the project.
- d. Parking shall not be located between the building frontage and a public sidewalk.
- e. Uncovered parking areas shall include a landscaped break with one (1) tree and a minimum width of five (5) feet at intervals of a maximum of every 5 parking stalls.
- f. All structures with dwelling units shall provide short-term bike parking in the form of an inverted "U". An artistic rack may be proposed, subject to discretionary City approval. Bicycle parking shall not be separated from building entrances by a road, parking area, or structure.

6. Open space and common areas. To ensure that residents and visitors have access to usable open space and common facilities that provide recreational opportunities, promote a safe environment, and enhance the pedestrian experience, common area and open space design shall meet the following objective criteria:

- a. Landscaping shall be located in all outdoor areas that are not specifically used

for parking, driveways, walkways, patios, or other outdoor amenities as described below.

b. Paved areas shall not exceed 50 percent of the required front or street side setback area.

c. Internal courtyards and common areas shall be visible from the street, parking areas, pedestrian pathways, and/or interior building entries.

d. Developments with more than 20 units shall provide at least one public art amenity.

e. Multi-family developments with more than 10 units shall provide a play area with at least two structured play modules (e.g., slide and sand box, or tunnel and climber) and a picnic table adjacent to the play area as one of the required active outdoor amenities. Senior or convalescent type housing is exempted from the play area requirement but shall provide a shaded outdoor patio area with minimum seating capacity of eight persons as one of the required active outdoor amenities.

f. Projects shall provide outdoor amenities as follows:

i. 11-30 units shall provide two passive recreation amenities with a minimum area of 300 sq. ft. and one active recreation amenity with a minimum area of 500 sq. ft.

ii. 31-60 units shall provide two passive recreation amenities with a minimum area of 400 sq. ft. and 2 active recreation amenity with a minimum area of 800 sq. ft.

iii. 61-100 units shall provide two passive recreation amenities with a minimum area of 500 sq. ft. and 2 active recreation amenity with a minimum area of 1,200 sq. ft.

iv. 101 or more units shall provide two passive recreation amenities with a minimum area of 600 sq. ft. and 2 active recreation amenity with a minimum area of 2,000 sq. ft.

g. Required amenity areas may be combined into a single area, if the minimum requirements for each amenity area are met within the combined area.

h. Passive recreation amenities include community gardens, outdoor gathering/seating area, picnic/barbeque area, pet area/dog park, or courtyard/plaza. Each passive recreation area shall include a minimum seating capacity of one for each 10 units and at least one of the following: trellis, gas fire pit, BBQ, or picnic table.

i. Active recreation amenities include playground/tot lots, sport court/field, outdoor fitness area, swimming pool, exercise structure or complex, clubhouse w/kitchen, recreation hall.