



Legislation Text

File #: 19-682, **Version:** 1

Staff Report for a City Council Resolution Approving a Consulting Services Agreement with Miller Planning Associates to Prepare Objective Residential and Mixed-Use Design and Development Standards and Authorizing the City Manager to Execute a Consulting Services Agreement with Miller Planning Associates with a Not to Exceed amount of \$310,000 (from the State Housing and Community Development Department's SB 2 Planning Grant Program)

SUMMARY AND RECOMMENDATIONS

Staff recommends that the City Council authorize the City Manager to enter into a consulting services agreement (CSA) with Miller Planning Associates to prepare objective residential and mixed-use design and development standards funded by the City of San Leandro's SB 2 Planning Grant award from the State Housing and Community Development Department (HCD). The not-to-exceed amount of \$310,000 will be for the time period ending June 30, 2022.

BACKGROUND

In 2017, Senate Bill 35 (SB 35) was signed by the Governor establishing a mandated, ministerial (streamlined) review process for multi-family residential projects under specific conditions and near transit locations. To qualify for this process, an applicant would be required to pay prevailing wage for construction labor and meet the affordable housing production threshold. This law exempts such projects from environmental (CEQA) review and limits the local government agency's project review to locally adopted "objective design and development standards."

Also in 2017, Governor Brown signed Senate Bill 2 (SB 2), titled the "Building Homes and Jobs Act," which specifically established a permanent, on-going source of funding dedicated to promoting and facilitating affordable housing development. On March 28, 2019, HCD released a Notice of Funding Availability (NOFA) for approximately \$123 million in revenue earmarked for local government planning grants. Under this grant program, local governments are provided an eligibility allowance based on community population. The City of San Leandro falls within the "medium localities" category, which is eligible for up to \$310,000 in grant funding. The purpose of the Planning Grants Program is to provide financial and technical assistance to local governments to update planning documents to:

- Accelerate housing production;
- Streamline the approval of housing development;
- Facilitate housing affordability;
- Promote the development of housing; and
- Ensure geographic equity in the distribution and expenditure of allocated funds.

On September 16, 2019, the City Council adopted Resolution 2019-154 authorizing the City Manager to apply for SB 2 Planning Grant funding for a potential grant of up to \$310,000 to develop objective

residential design standards and stimulate high quality residential and mixed-use development.

On December 30, 2019, the Department of Housing and Community Development (HCD) sent a conditional award letter and on February 6, 2020, HCD provided the City with a Planning Grants Program Standard Agreement, outlining standard grant terms and reimbursement information, for execution and confirming acceptance of the grant funds.

Analysis

The SB 2 Planning Grants Program provides funding for the City of San Leandro to evaluate the General Plan and Zoning Ordinance and develop objective design and development standards. Currently, proposed development projects are evaluated, in part, against design guidelines and subjective criteria through a discretionary review process. A new set of objective development standards will be crafted for each Zoning District that accommodates multi-family development. Establishing objective standards will provide property owners and developers with greater predictability and will streamline the development review process. The objective design and development standards will be incorporated into the Zoning Code through a Zoning Code Amendment.

Staff from the Community Development and Engineering and Transportation Departments received proposals from three qualified firms and held interviews prior to selecting Miller Planning Associates, who stood apart due to its multi-disciplinary team's thoughtful approach and extensive experience writing zoning codes and form-based planning documents. Martha Miller, Principal and owner of Miller Planning Associates, will serve as project manager and primary author of the objective development standards with support from Urban Field Studio, an urban design and architecture firm, and Lexington Planning, a planning and entitlement firm.

Preparation of Objective Development Standards will consist of the following primary tasks:

- Task 1: Project Initiation and Site Analysis;
- Task 2: Identification of Development Constraints;
- Task 3: Stakeholder and Community Engagement (including coordination with City Departments, key stakeholder sessions, and community workshops);
- Task 4: Preparation of Objective Development Standards and General Plan Update Language;
- Task 5: CEQA Review;
- Task 6: Public Review and Adoption of Objective Development Standards and General Plan Update (including Planning Commission Work Session, Planning Commission Public Hearing, and City Council Public Hearings); and
- Task 7: Creation of Implementation Aids (including checklists for staff and public).

These efforts are anticipated to begin in March 2020 and will conclude with City Council adoption in the summer of 2021 (approximately 18 months). A robust stakeholder and community engagement process will run concurrent with the project, providing opportunity for the public to participate in the creation of objective development standards. This outreach effort will include collaboration and coordination across City Departments and Divisions. The project will culminate with a study session at the Planning Commission and public hearings at the Planning Commission and City Council to adopt the Zoning Code and General Plan Amendments, if necessary. After adoption, implementation materials will be prepared, including checklists for staff and the public.

Community Involvement

Development of a public outreach program will be one of the first project deliverables. The community engagement strategy is anticipated to include:

- A kick-off presentation to City Council;
- Stakeholder roundtable discussions and interviews;
- Interactive community workshops;
- Neighborhood meetings;
- Development of a project website;
- Outreach toolkits for staff to attend established community group meetings;
- Email distribution list; and
- Press releases, updates to City Council, and online postings on the City blog, SL Next, and Nextdoor.

Previous Actions

- September 16, 2019, Resolution No. 2019-154 City Council authorized the City Manager to apply and enter into a grant agreement for Senate Bill 2 Planning Grants Program funds for up to \$310,000 to develop objective residential design standards

Applicable General Plan Policies

- **Policy CD-5.4 Architectural Consistency.** In established neighborhoods, protect architectural integrity by requiring infill housing, replacement housing, and major additions or remodels to be sensitive to and compatible with the prevailing scale and appearance of adjacent development.
- **Policy LU-6.1 Downtown Plans.** In accordance with the adopted Downtown Plan and Urban Design Guidelines and the Downtown San Leandro Transit Oriented Development Strategy, ensure that new downtown development is attractive and creates an image conducive to revitalization.
- **Housing Element Policy 59.01 Zoning Regulations.** Ensure that the development standards, use restrictions, parking requirements, and other regulations contained in the San Leandro Zoning Code enable the production of housing for all income groups. Overly restrictive or redundant requirements should be strongly discouraged.

Environmental Review

No environmental review is required for the authorization to execute the consulting services agreement with Miller Planning Associates. Appropriate environmental documentation will be completed for the Zoning Code amendments.

Legal Analysis

The Consulting Services Agreement was reviewed by the City Attorney and approved as to form.

Fiscal Impacts

The CSA is for an amount not to exceed \$310,000. There is no fiscal impact on the General Fund. The SB2 Planning Grants Program under State HCD (a reimbursable grant) does not require a local financial commitment or “match” from local jurisdictions requesting grant funds. City staff time required for administering the grant applications and managing the projects funded by the grant would be absorbed as part of the staff workload. Up to 5% of the grant may be used to cover administrative support for the applications.

Budget Authority

State HCD notified the City that it was awarded SB 2 Planning Grant funding in the amount of \$310,000 on December 30, 2019. The EDEN account number for this project will be 150-41-100-5120.

ATTACHMENTS

Attachment to Resolution

- Consulting Services Agreement with Miller Planning Associates

PREPARED BY:

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