



City of Oakland

Objective Design Standards

For 4-8 Story Residential & Mixed-Use
Multifamily Development

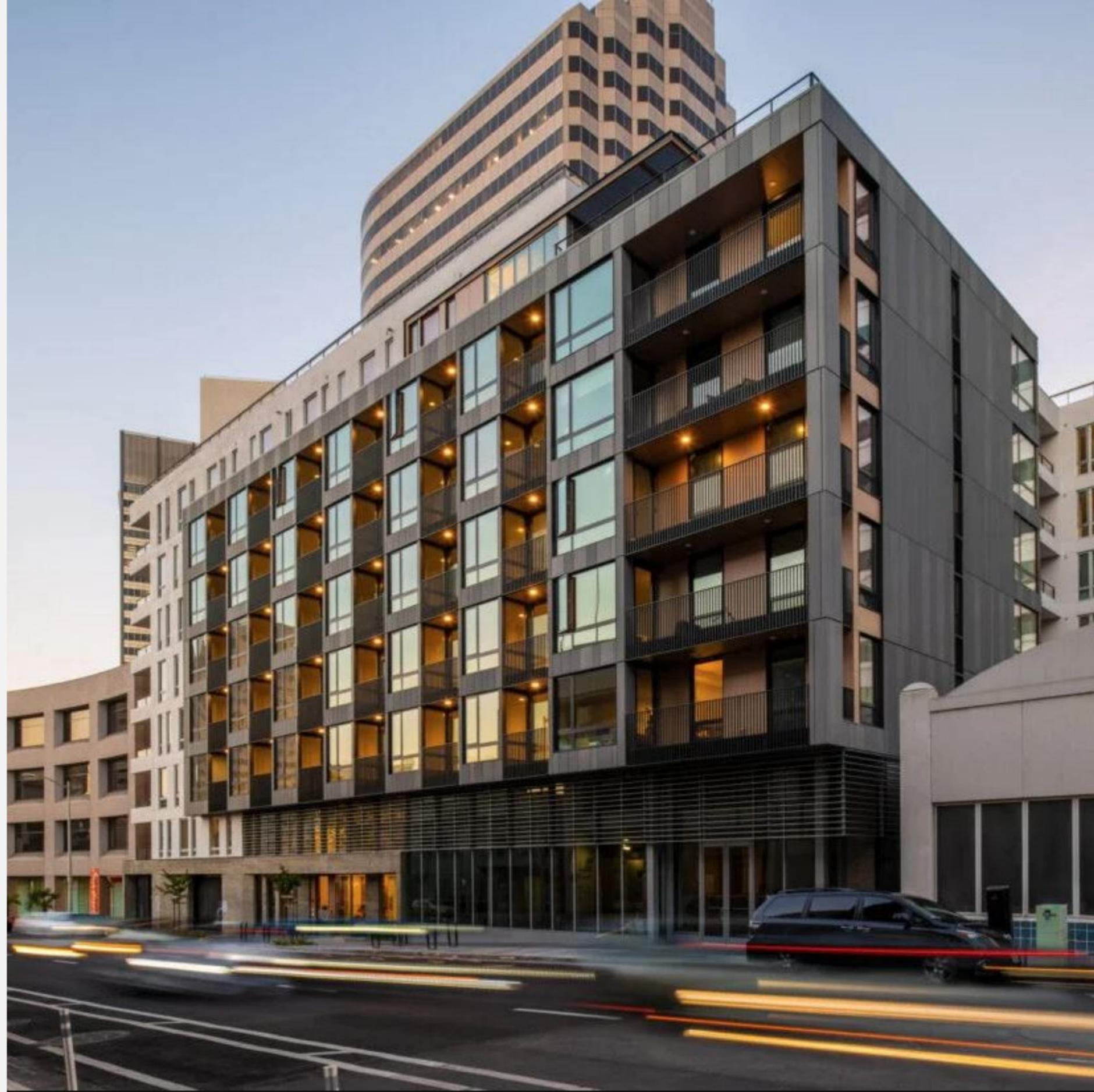
Planning Commission Presentation

October 2, 2024

Outline

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- **Key Design Considerations**
 - Context Transition Standards
 - DRC comments and other public considerations

Project Description



Project Description

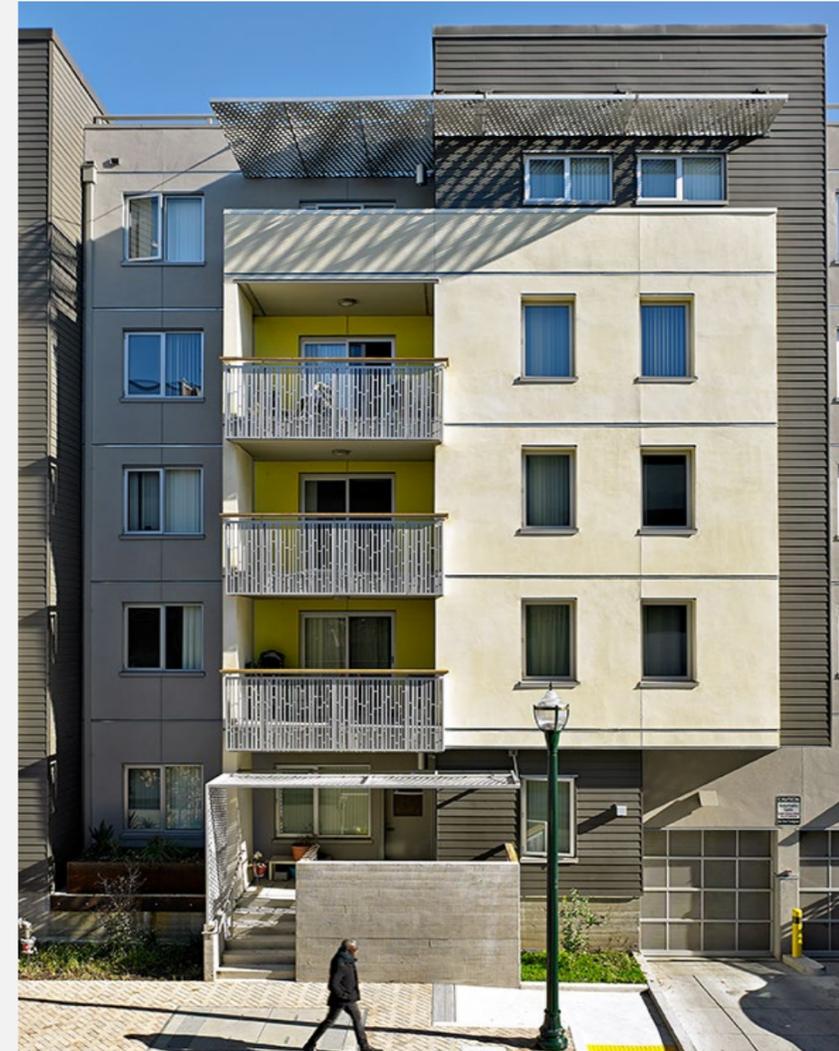
Why ODS are required? State law context.

- Build more new high-quality housing, faster.
- Comply with state laws intended to move cities toward streamlined review processes for housing, based on ODS. Laws include:
 - **Housing Accountability Act (HAA)**. Prevents denial or density reduction of housing projects compliant with objective criteria.
 - **SB35/SB423 Project Streamlining**. Review is limited to 90-180 days, depending on project size. No discretionary review permitted. CEQA does not apply.
 - **SB330 Housing Crisis Act**. Prohibits cities from enforcing subjective standards.
 - Additional Legislation includes **AB 2162** (Supportive Housing Streamlined Approval); **SB 9** (Housing Opportunity and Efficiency Act); **SB 684** (Small Sites Streamlining); **AB 2011** (Affordable Housing and High Road Jobs Act) - all contain language mandating streamlined review for projects consistent with ODS.

Project Description

Why ODS are required? Local context.

- Comply with local legislation for ministerial “by-right” approval for S-13 and S-14 affordable housing combining zones.
- City Council Resolution directed Planning Staff to study incentives that would encourage and streamline creation of affordable housing.
- Comply with Housing Element Action to implement ODS.
- Until ODS are adopted, the City is limited in enforcing compliance with existing design guidelines, as they are not sufficiently objective.

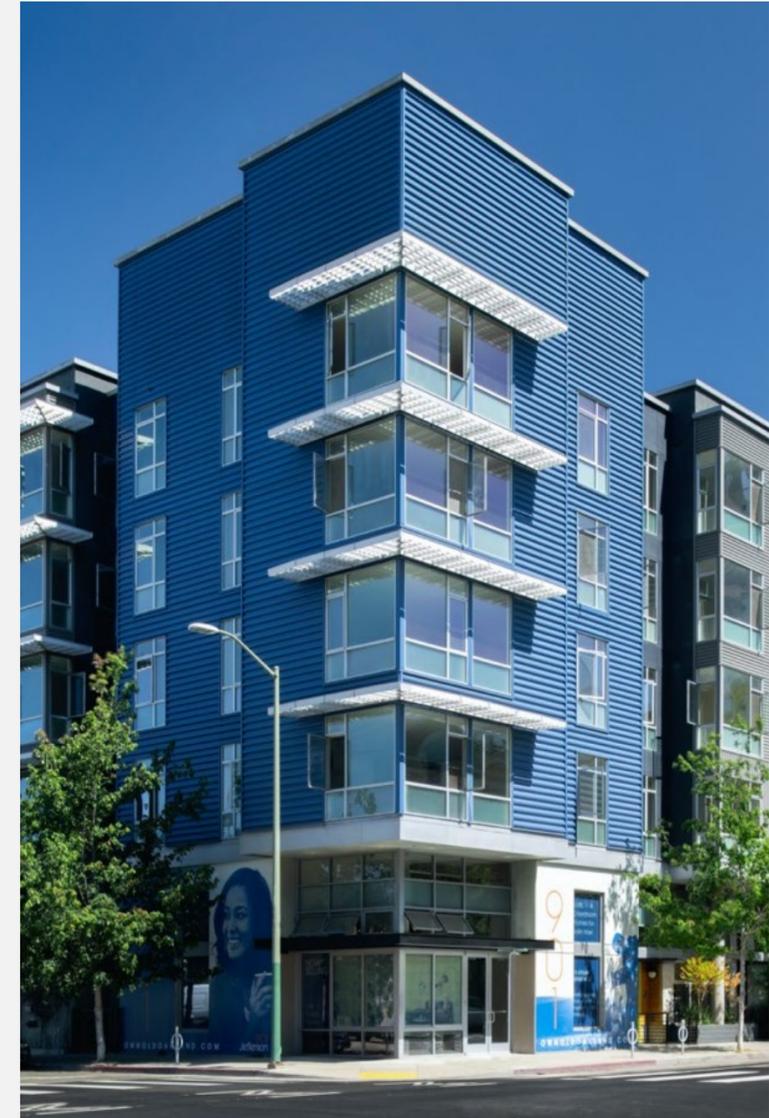


Affordable Housing in Oakland – Mural at MacArthur, VMWP Architects

Ministerial “By-Right” Design Review

Ministerial “By-Right” Design Review:

- **“By-right”** means that a project can be approved without requiring discretionary review or public input (e.g., public hearings and appeals). Note: ODS proposal does not create any additional by-right project categories.
- **“Ministerial”** design review involves decisions made based on objective rules and standards such as ODS, without personal or subjective judgment by a public official.
- Under the ministerial by-right process applications are approved or denied **based solely on applicable objective criteria**, including ODS, zoning, and other existing objective requirements.
- Most existing design guidelines cannot be used in ministerial by-right design review as they are not objective.



Ministerial “By-Right” Design Review

Ministerial “By-Right” Design Review:

- Provides certainty to housing developers that their projects will be approved if they meet ODS and other objective requirements.
- Assures neighbors that new buildings will meet basic community design expectations known in advance.
- Speeds up the production of a wide variety of housing and aids in affordability
- This approach utilizes a streamlined, transparent, and measurable "checklist" method that eliminates the need for subjective evaluation.

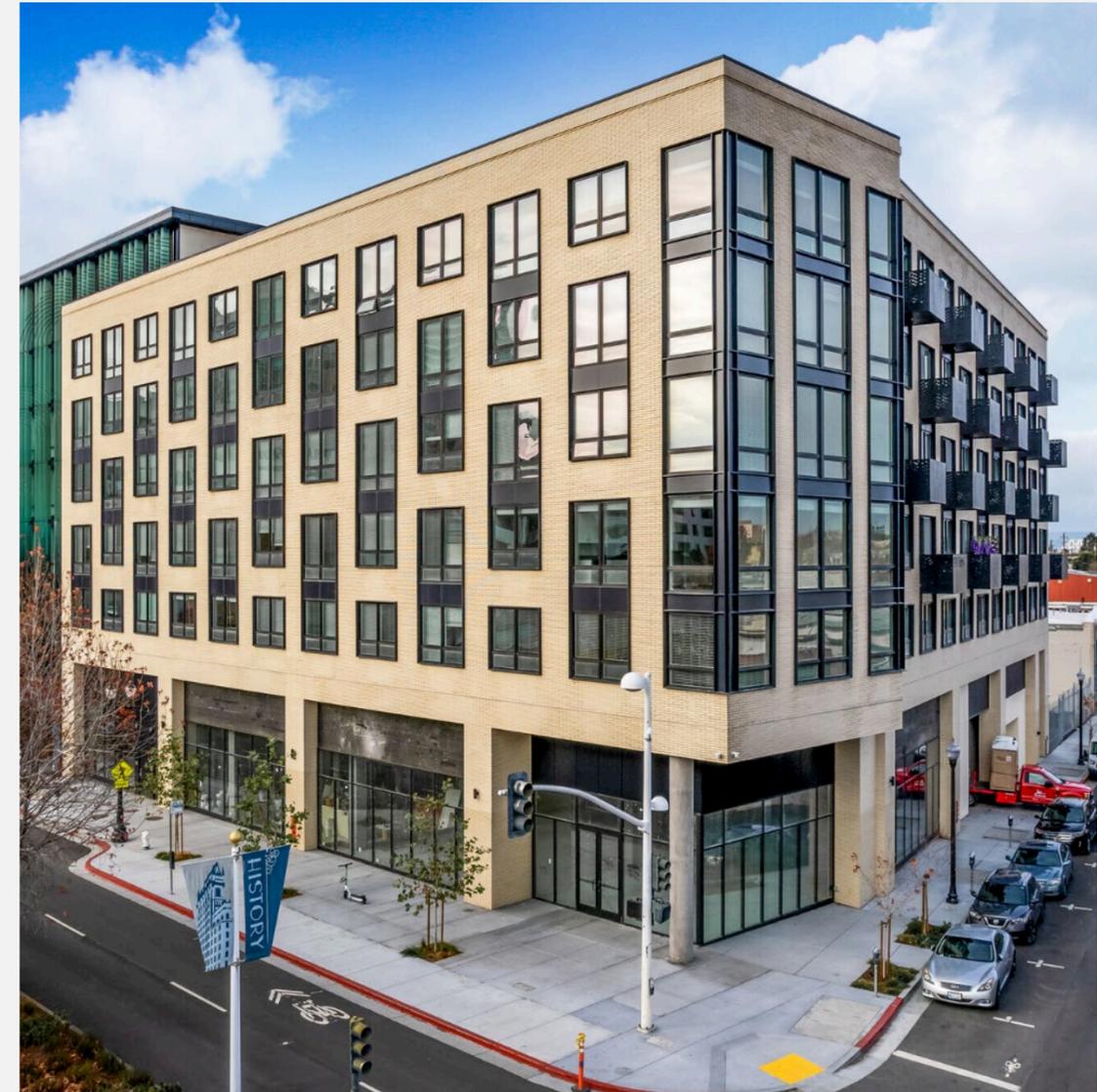


Tahanan Supportive Housing, David Baker Architects

Objective Design Standards Applicability

How will ODS Apply?

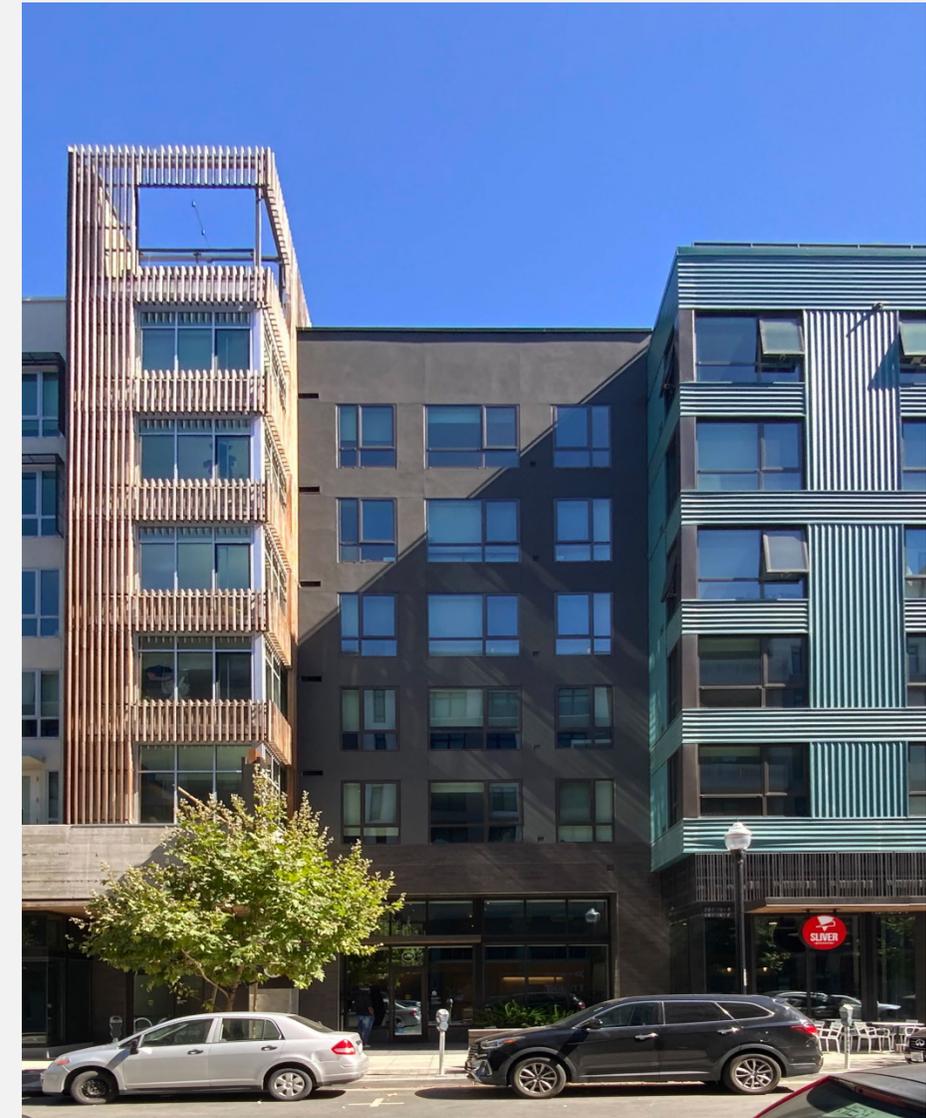
- The proposal would create ODS for eligible 4-8 story multifamily developments, applicable Citywide (staff priority).
- ODS will apply to projects undergoing the “by-right” ministerial review pathways, including both state and local programs:
 - 100% affordable housing, S-13 Affordable Housing Combining Zone and S-14 Housing Sites Combining Zone by-right review.
 - SB-35, SB-684, AB-2162, SB-9, and AB-2011 state-required projects.



Iterative Process

ODS Evolution

- The Planning Commission (PC) and Design Review Committee (DRC) will provide feedback on each set of ODS and review the standards before they apply to ensure that ODS support high quality, context-sensitive development.
- ODS for 1-3 story residential developments will be prepared next, followed by 9+ story development.
- ODS will be continuously refined based on real project outcomes, with adjustments made as necessary to address issues or gaps.
- Substantive changes will be brought to the PC for adoption as needed.



Zoning & General Plan Analysis

Consistency with Existing Regulations.

- ODS complement the existing zoning standards and align with goals, policies and actions of the Oakland General Plan and Housing Element.
- If ODS conflicts with the Planning Code, the Planning Code will always prevail.
- While zoning controls land use regulations and the general building envelope, ODS address site and building design aspects previously governed by design guidelines.
- ODS draw from existing adopted City regulations, design guidelines, and Area plans. If an eligible housing project is reviewed ministerially and meets all ODS, the City's existing design guidelines will not apply.
- All OMC regulations under the purview of other City Departments and Standard Conditions of Approval will continue to apply.

Community Engagement with Focus on Equity

- Community feedback has been instrumental in shaping the ODS. Outreach focused on communities impacted by racial disparities and people with disabilities.
- To date Planning staff hosted several community engagement events including:
 - Four stakeholder meetings
 - Two focus group meetings
 - Two advisory group meetings
 - A community workshop on 4-8 story ODS
 - Posted regular project updates, shared several ODS documents, including the Public Review Draft and hearing drafts ODS
 - Received and considered hundreds of comments in drafting the proposed ODS.

Project documents and meeting recordings are posted on the project website:



<https://www.oaklandca.gov/topics/objective-design-standards>

Equity Considerations

- ODS promote equitable housing opportunities across Oakland, including affordable housing, by reducing barriers to higher-density multi-family developments in historically exclusionary, lower-density areas, complementing density provisions in the Planning Code and Housing Element goals.
- The standards apply to eligible projects equally, ensuring affordable housing meets the same design standards as market-rate developments, promoting consistent, high-quality design across all projects.
- The ODS reduce preferential biases toward certain architectural or historic styles, preventing obstruction of higher-density, diverse, affordable building designs Citywide.
- Context transition standards ensure continuity with existing neighborhoods while allowing design flexibility and preventing unnecessary restrictions on building styles.
- ODS create a level playing field for smaller developers, avoid unnecessary design elements that raise costs, promote inclusivity in housing development.

Key Design Considerations



Key Design Considerations

Relation to Diverse Neighborhood Contexts and Historic Contexts.

ODS include 15 context transition standards that help new buildings integrate into existing neighborhoods. These ODS are crucial in the absence of design guidelines, and address the following aspects of building design:

- Setback
- Height
- Light wells alignment
- Building base height and articulation
- Building top articulation
- Ground floor expression line
- Ground floor shade elements (awnings)
- Roof form (only for 4 story buildings)
- Roof eaves and overhangs (only for 4 story buildings)
- Window orientation
- Window materials (in APIs)
- Building materials

Most context standards apply only in narrow cases when a proposal is adjacent to valuable Local Register Properties, which account for about 2% of buildings. Some standards also apply when a project is adjacent to “C”-rated PDHPs. Some standards apply regardless of historic designation (see Attachment C for more detail)

Key Design Considerations

Context Transition Standards.

- Must balance context considerations with housing goals.
- Standards apply primarily when highly rated Local Register Properties are adjacent , with limited/targeted application next to "C"-rated properties to avoid hindering housing creation.
- Citywide application of context standards avoids creation of additional exclusionary district limitations that could prevent housing development or make it not feasible in those areas.
- Avoids blanket application in ASIs because these areas are very diverse architecturally and not significantly different from neighborhoods without the official historic designation.
- Staff considered a comment for broader application of context transitions in ASIs, but determined the current application aligns best with Oakland's 'pro-housing' designation.
- After DRC, context massing break standard was eliminated to both reduce costs and avoid 'busy' building appearance, and
- Ground floor articulation context standard was removed due to redundancy and high difficulty of compliance and verification.

Key Design Considerations

Accessibility Priorities.

- ODS prioritize accessibility in the built environment, particularly for people with limited mobility, by implementing several key measures including:
- Priority for at-grade entries for residential units in buildings with ground-floor residential uses and limiting the ground floor level height for commercial entries.
- Direct pedestrian access from adjacent sidewalks to primary building entries with min. 5-foot-wide pedestrian pathway to access building entrances
- Limits on curb cut frequency. Curb cuts are prohibited on streets with existing or proposed protected bike lanes, unless no other street frontage is available.
- Continuously lit pedestrian pathways within a development



Key Design Considerations

Ground Floor Design Standards.

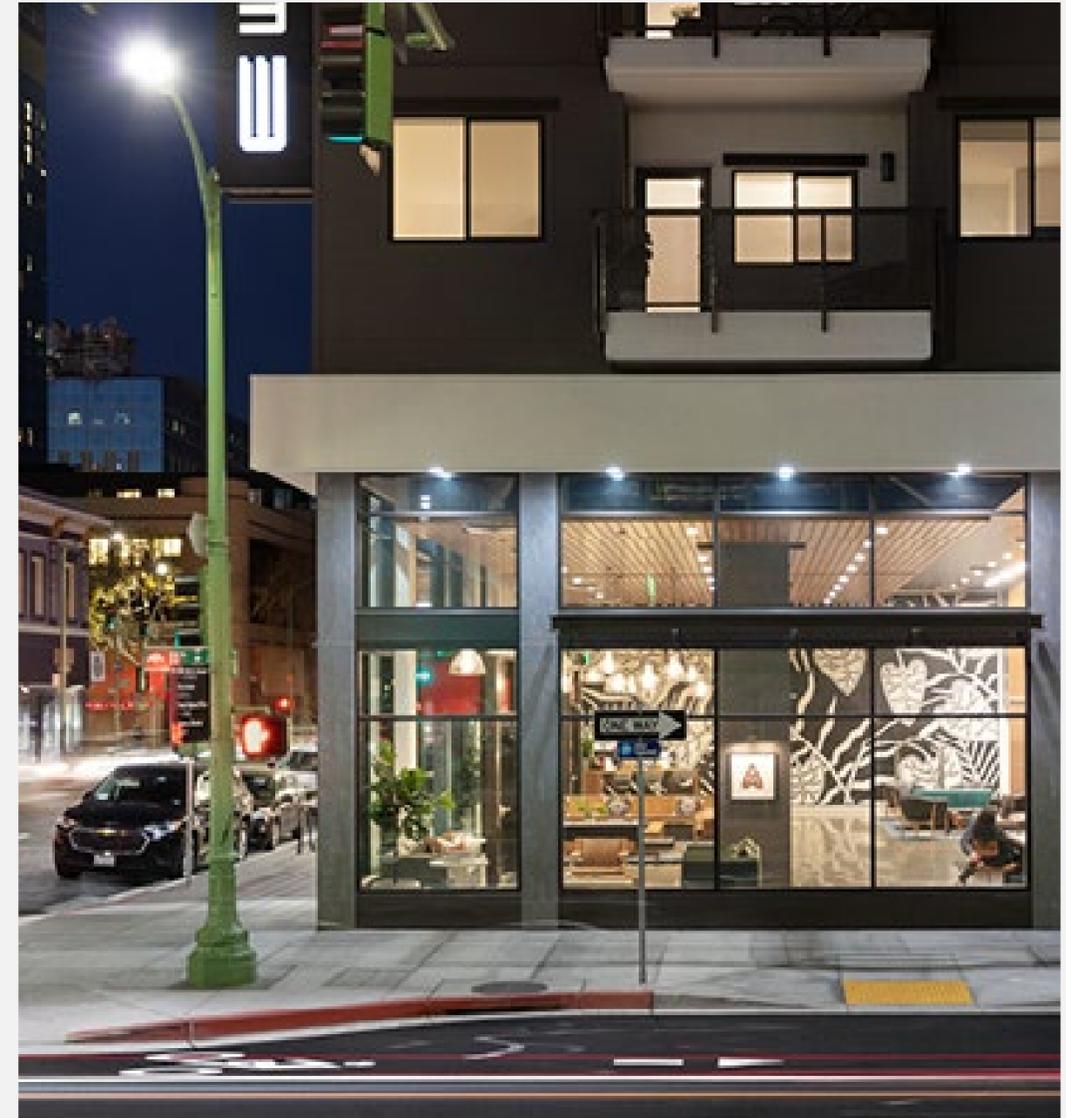
- Ground-floor spaces define pedestrian experience, safety, and business success. Well-designed ground floors integrate buildings into the existing urban context.
- Elements such as large windows, columns, awnings, cornices, high-quality and durable materials, and other architectural features contribute to the success of ground floors.
- Residential ground floor standards enhance safety and walkability. Elements like fences and porches ensure privacy and define public-private boundaries.



Key Design Considerations

Ground Floor Design Standards.

- After DRC, commercial and residential ground-floor articulation standards were consolidated while preserving essential design principles.
- One context standard was removed due to redundancy and difficulty in meeting and verifying aspects like depths of existing recessed entries.
- Despite consolidation or removal of standards, articulation of commercial ground floors remains priority in ODS, with most standards preserved.



Key Design Considerations

Building Scale and Form.

- The goal is to reduce the visual mass of long building frontages and help buildings relate to context.
- Volumetric Massing Breaks can be costly, reduce usable floor area, and lead to inefficient floor plans. If used improperly, can result in complex designs with 'busy' appearance.
- Staff eliminated non-contextual and some contextual massing breaks to reduce costs, maximize usable space, and simplify designs. Instead, ODS rely on articulation treatments that visually reduce building size without impacting volume.



Key Design Considerations

Blank Wall Mitigation vs Transparency.

- Minimize long stretches of blank walls on non-active frontages to a maximum of 15 feet, apply treatments to unavoidable blank walls.
- Transparency requirements for non-residential ground floors are handled separately in the Planning Code.
- Added provisions for side-facing blank walls, requiring treatments for taller buildings.



Key Design Considerations

Façade Treatments & Articulation.

- Enhance visual richness, reduces imposing appearances, add character and facilitate context transitions.
- Commercial Base: transparent storefronts, architectural detailing, and high-quality materials create lively street experience and support commercial success.
- Residential Base: Recessed entries, landscaping, and transition elements between public and private spaces create safer pedestrian-friendly environment.
- Middle and Top Sections require less articulation: bays, balconies, change in materials, and roofline treatments help integrate the building with its surroundings.



Key Design Considerations

Façade Treatments & Articulation.

- Staff considered the overall impact of various articulation requirements for all building parts (Base, Middle, Top). Multiple articulation standards were consolidated, reducing redundancies and allowing desirable features (like the 12-inch balcony recess) to fulfill multiple requirements (counting toward the Middle treatment).
- Roof articulation standards were simplified and consolidated reducing overall articulation requirements to maintain cohesion without excessive complexity.



Key Design Considerations

Façade Treatments & Articulation.

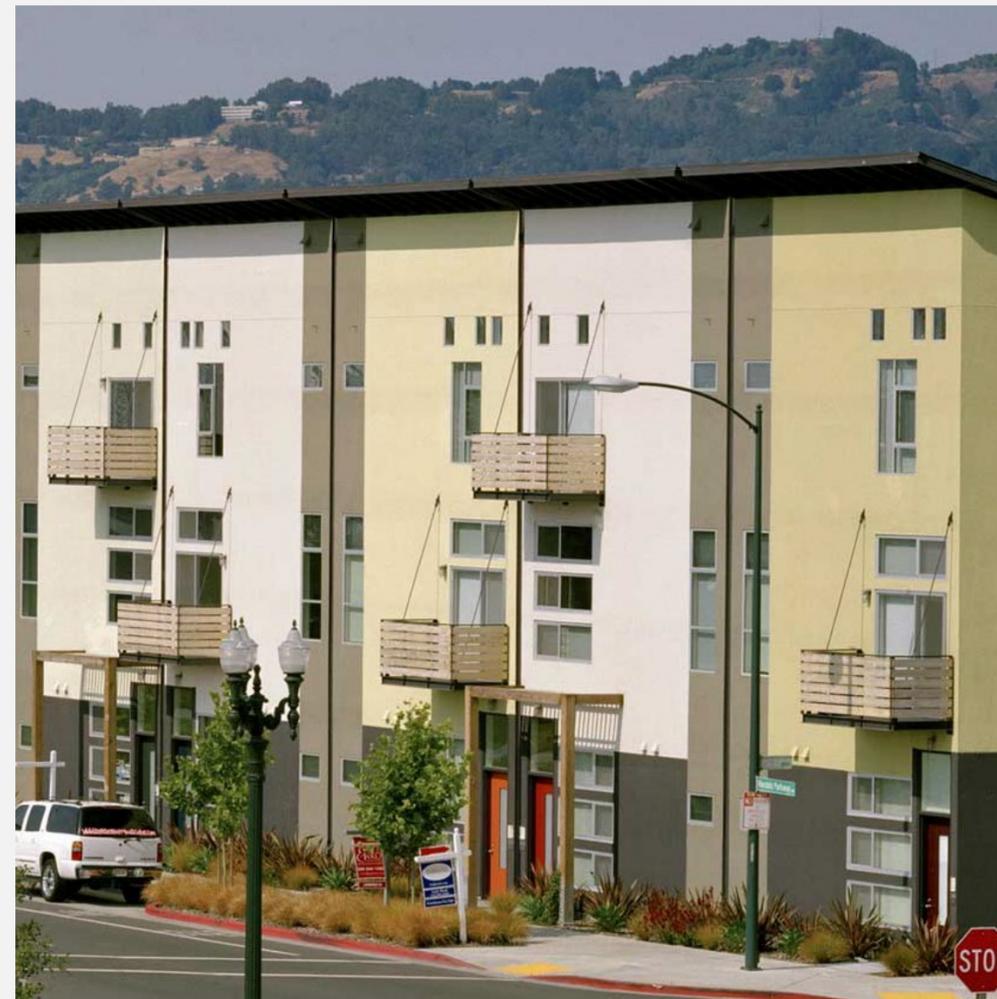
- A suggestion to reduce the Middle Treatment requirement from two elements to one was considered, but standard was not modified as the current options are easy to meet and provide adequate level of articulation to prevent a monotonous appearance of new large buildings, as demonstrated in recent projects with insufficient articulation (such as shown on the right).



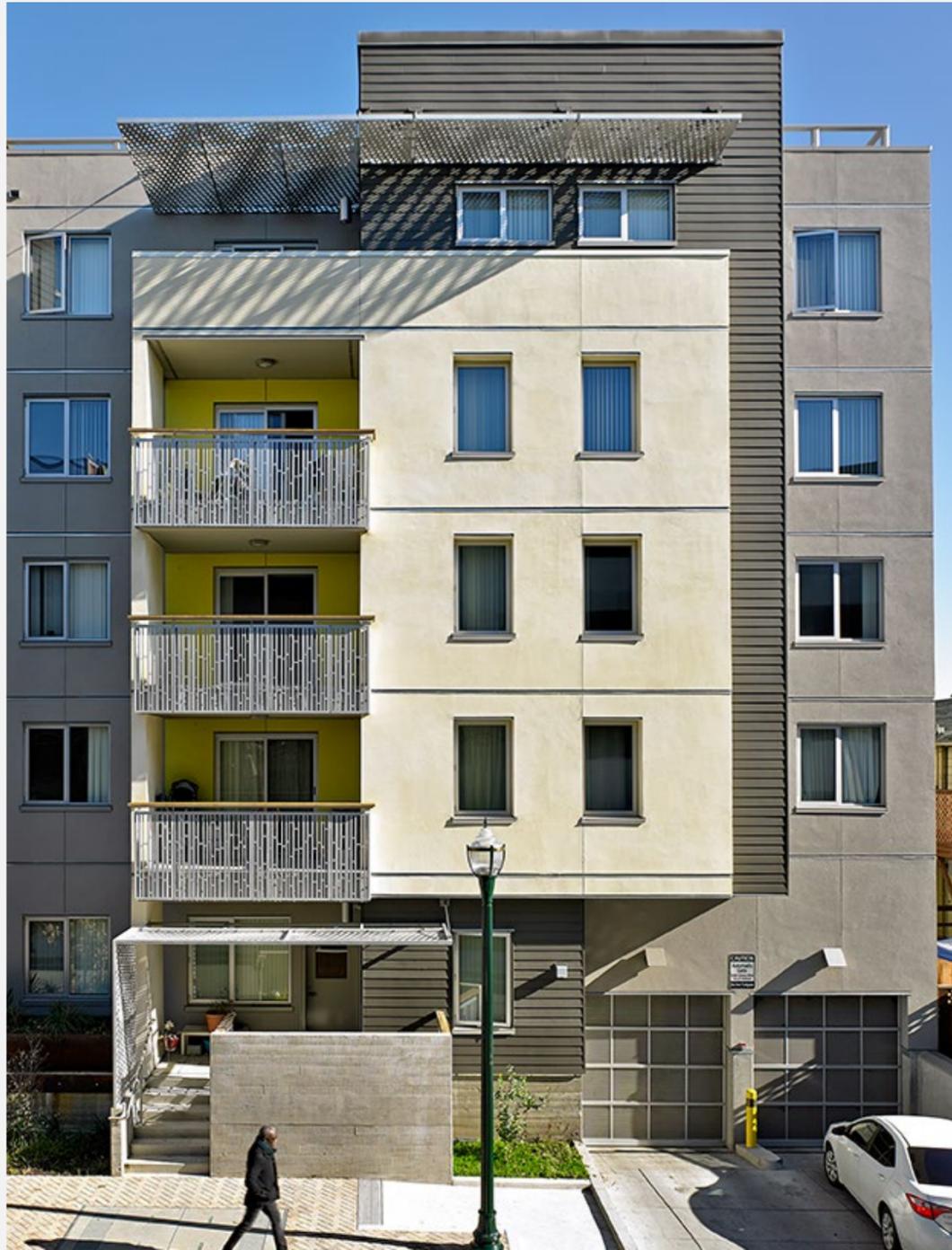
DRC Considerations and Responses

Balcony Recess.

- The 12-inch min recess for balconies was preserved. The recess helps integrate balconies into the building design and provide more sheltered outdoor space. However, recessed balconies double-counts as the building's Middle portion articulation requirement.



DRC Considerations and Responses



DRC Considerations and Responses

Window Arrangement.

- Addressing random window arrangements, while maintaining architectural flexibility.
- To balance creativity and order, ODS requires that at least 60% of street-facing windows are either horizontally or vertically oriented if there is existing context of either orientation. Also, at least 60% must also be vertically aligned with each other.
- At least 80% of windows must be horizontally aligned, with tops and bottoms aligned, when projects are near Local Register Properties. These rules aim to prevent chaotic window designs while still allowing for flexibility.



DRC Considerations and Responses



DRC Considerations and Responses



Public Considerations and Responses

All DRC and public suggestions were considered, and certain standards were modified:

- The number of required amenities in shared open spaces is now linked with the size of the contiguous shared open space developments are required to provide by Code.
- Broadened the application of the materials context standard Citywide and increased the percent of the applicable wall area from 30% to 50%
- Window Materials standard now include any materials that are visually matching wood.
- Staff considered a general suggestion for more flexibility for smaller developments. Existing standards are already minimum requirements and include reduced requirements for smaller projects. However, staff added additional flexibility, such as linking the number of required open space amenities with the size of the open space.

Public Considerations and Responses

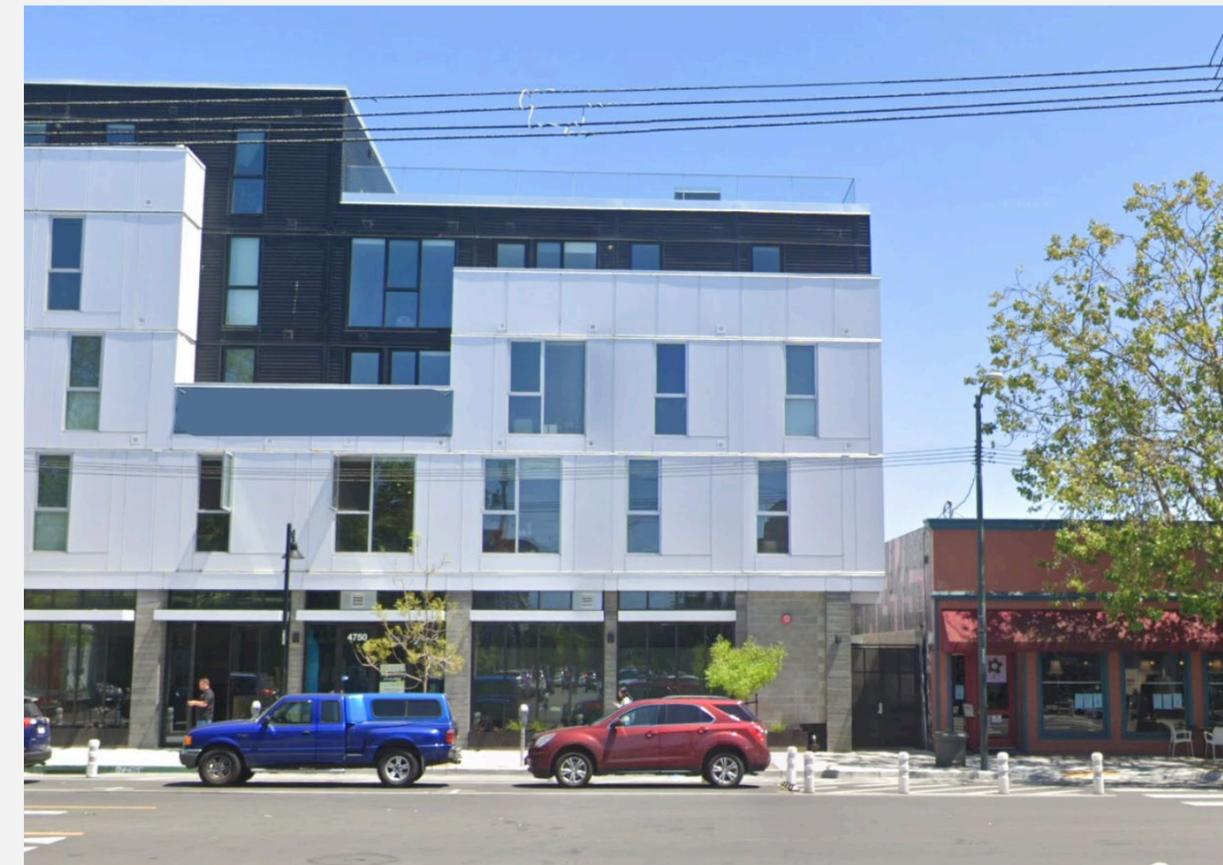
Public comments that were considered but not reflected as suggested:

- The proposal to extend any/all horizontal design elements and align window tops and bottoms across new buildings in APIs and ASIs was not included due to its rigidity. Instead, ODS includes a context transition standard for horizontal elements, such as a cornice above the ground floor, when a project is adjacent to Local Register or PDHP-rated "C" buildings.
- Prescriptive window detail standards, such as requiring traditional wood window dimensions and articulation for non-wood windows, were not included, as modern construction methods and available materials no longer align with some traditional dimensions. However, staff incorporated key elements, including a standard for window muntins.
- Overly prescriptive provisions from the existing “Small Project Design Review” guidelines applicable to storefronts. The guidelines were written to apply discretionary and most of them are not appropriate for ministerial process.

Public Considerations and Responses

Public comments that were considered but not reflected as suggested:

- The contextual height transition standard was retained as it is essential and applies only in rare cases when a new project is adjacent to a highly rated historic resource. However, design flexibility was increased by allowing transitions from both the front or side of buildings.
- ODS were not extended to 9-story buildings due to concerns about building scale, construction types, and height limits designed for mid-rise structures. Extending ODS to taller buildings would also conflict with the minimum ground floor height requirements.



ODS Information and Materials

Project documents and meeting materials are posted
on the project website:

<https://www.oaklandca.gov/topics/objective-design-standards>



Follow-up questions or comments? Email ODS@oaklandca.gov