



Sonoma County Planning Commission STAFF REPORT

FILE: ORD24-0007
DATE: November 6, 2025
TIME: At or after 1:05 pm
STAFF: Isabella Wotring, Project Planner

SUMMARY

Applicant: County of Sonoma
Address: Countywide, excluding the Coastal Zone
Supervisory District(s): All
Description: Amendments to Sonoma County Code to implement an initial set of Objective Design Standards (ODS) for multi-unit housing development projects (excluding single-family dwellings with ADUs) to implement the Sonoma County General Plan Housing Element Policy HE-2c and Program 12b.
CEQA Review: Categorically exempt from the California Environmental Quality Act (CEQA) under State CEQA Guidelines Section 15061(b)(3) (the common sense exemption) and Section 15308 (actions to protect the environment).
Ordinance References: Sonoma County Code Chapter 26, Article 04 (Glossary), Article 06 (Agriculture and Resource Zones), Article 08 (Residential Zones), Article 10 (Commercial Zones), Article 14 (Special Purpose Zones), Article 16 (Supplemental Development Standards), Article 24 (Residential Use Standards), Article 59 (Affordable House District), Article 82 (Design Review), Article 86 (Parking Regulations), Article 88 (General Exceptions and Special Use Standards), Article 89 (Affordable Housing Program Requirements and Incentives), and Article 90 (Local Area Development Guidelines).

RECOMMENDATION

Permit Sonoma recommends that the Planning Commission adopt the attached resolution recommending that the Board of Supervisors:

1. Amend Sonoma County Code Chapter 26 (Zoning Regulations) to establish an initial set of Objective Design Standards (ODS) for multi-unit housing development projects (excluding single-family dwellings proposed with ADUs), to implement the Sonoma County General Plan Housing Element Policy HE-2c and Program 12b, as shown in Exhibit A; and



2. Find the proposed action categorically exempt from CEQA pursuant to Section 15061(b)(3) (common sense exemption) and 15308 (actions by regulatory agencies for protection of the environment).

EXECUTIVE SUMMARY

Updates to State housing law continue to reduce or eliminate local government discretion on housing development projects to streamline development approvals and increase housing supply. The State Housing Accountability Act and the Housing Crisis Act limit local governments' ability to apply discretionary standards or otherwise deny, reduce the density of, or render infeasible housing development projects that comply with local objective standards.

Design standards apply to the build-out of property addressing physical characteristics such as the massing of structures, landscaping, lighting, access and circulation, common and private open space, and related features. Design standards within the County's Zoning Regulations, design guidelines, and various area and specific plans are largely subjective and unenforceable under the State Housing Accountability Act and Housing Crisis Act. Creating objective standards is necessary to ensure the County's practice complies with State law and to implement the General Plan Housing Element's Program 12b, which commits the County to adopt objective design standards for multifamily and mixed-use housing projects by the end of 2025. Per Government Code Section 65589.5(h)(8), objective means "involving no personal or subjective judgment by a public official and being 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." Implementation of Objective Design Standards (ODS) will be conducted in phases and apply to housing development projects consisting of two or more units. The first phase will establish basic objective design standards that can be applied broadly to multi-unit housing developments (except individual single-family dwellings with ADUs) across the unincorporated County without impacting design characteristics unique to communities. Future phases will create standards addressing community-specific context and standards for individual single-family dwellings proposed with ADUs.

PROJECT DESCRIPTION

Project Description and History

Sonoma County's Housing Element includes policies and programs to support housing production and align the County's housing entitlement practices with State mandates. Timely implementation of Housing Element programs is essential to maintaining the County's Prohousing designation and certified status of the adopted Housing Element. Program 12b of the Housing Element commits the County to adopt ODS for multifamily and affordable housing projects by the end of 2025. As referenced in this report, design and development standards apply to the build-out of property addressing physical characteristics such as the design of structures, site layout, landscaping, lighting, screening, common and open space, and related features.

To begin the process to develop ODS, Permit Sonoma staff completed an in-depth audit of the existing Zoning Code, General Plan, and area and specific plans to inventory current design and development standards and determine which are enforceable under applicable State regulation for housing projects. Finding that very few were, Permit Sonoma recommends approaching the development of ODS in phases. The first phase, included in this recommendation to the Commission, would establish universally applicable standards that would not conflict with the unique character that defines the many discrete communities across Sonoma County. Future

phases will address community-specific context and work to make objective standards that preserve community character while bringing subjective design guidelines into conformity with State law.

Proposed amendments include an initial set of ODS for multi-unit housing development projects as defined and covered by the Housing Accountability Act, excluding projects that consist only of a single-family dwelling and an ADU. This will include standards that can be applied broadly to multi-unit housing developments (except individual single-family dwellings with ADUs) across the unincorporated County without impacting design characteristics unique to communities.

An early draft of standards was created in Spring of 2024, informed by the approach of other local jurisdictions such as the City of Santa Rosa and Town of Windsor, and modified to be broadly applicable to the rural unincorporated County. The early draft standards were discussed with professionals from the local development and design community as well as other jurisdictions with adopted ODS. Staff introduced the effort to develop ODS at a Planning Commission workshop in September of 2024.

A draft ordinance covering the first phase of ODS implementation is attached and discussed below. If the Commission recommends approval, Permit Sonoma will bring the ordinance before the Board of Supervisors in December of 2025. Establishing the first phase of ODS will fulfill the County's Housing Element commitment under Program 12b, better align the County's practice with State housing law, and support housing development by:

- Reducing the time and cost of developing multi-family and affordable housing by setting clear and measurable design standards;
- Providing more certainty to housing developers on the process for approval, and to community members on what to expect from housing development projects; and
- Applying minimum standards to ensure housing projects are well integrated into communities without limiting creativity or innovation in design, especially as new climate-forward building technology emerges.

Future Phases

Permit Sonoma recommends future phases to create standards addressing community-specific context and standards for single-family dwellings within Scenic Resource areas.

A single-family dwelling proposed with an ADU is considered a housing development project under the Housing Accountability Act, and County actions on this type of development must comply with the Act. For single-family dwellings outside of the Scenic Resource Combining District, the established ministerial permitting process is compliant and not affected. However, within the Scenic Resource Combining District, where discretionary Administrative Design Review is currently required, subjective design standards of the Scenic Resource District may not be enforceable. Future adoption of objective standards that implement the policies and criteria of the General Plan and Zoning Code Article 64 (Scenic Resources Combining District) will provide equivalent protection of valuable scenic resources while expediting permitting for housing.

BACKGROUND

Statutory Background and Definitions



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The **State Housing Accountability Act (HAA) (Government Code Section 65589.5)**, first enacted in 1982, limits local governments' ability to deny, reduce the density of, or make infeasible housing development projects, emergency shelters, or farmworker housing that are consistent with objective local development standards. Recent amendments to the HAA have expanded and strengthened its provisions.

The HAA applies to “**housing development projects**” (HDPs), which include: a development with more than one residential unit (inclusive of single or multifamily structures), certain types of mixed-use developments, transitional or supportive housing, and farmworker housing. HDPs may consist of detached or attached residential units and may occupy more than one parcel, provided that the units are part of the same development application.

The HAA defines the term “**objective**” with reference to standards, conditions, and policies to mean “involving no personal or subjective judgment by a public official and being 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.” (Government Code Section 65589.5(h)(9)).

For HDPs, that comply with applicable **objective** general plan, zoning, and subdivision standards and criteria, including design review standards, in effect at the time the application is deemed complete, the HAA requires local governments to find that the project would have a specific, adverse impact on public health or safety based on objective public health or safety standards to deny the project or condition it to be developed at a lower density. (Government Code Section 65589.5 (j)).

For HDPs that are also “**housing for very low, low-, or moderate-income households**,” as defined by the statute, a local government must make one of six specific findings to deny the project or condition its approval in a manner that renders the housing development project infeasible for development for the use of very low, low-, or moderate-income households. (Government Code Section 65589.5(d)). Generally, the six findings are summarized as follows:

- 1) The jurisdiction has an adopted, State-compliant Housing Element and has met or exceeded its Regional Housing Needs Allocation for the income category proposed by the HDP;
- 2) The HDP would have a specific adverse, impact on public health or safety based on an objective standard;
- 3) Denial of the project or imposition of conditions is required to comply with State or Federal law;
- 4) The HDP is proposed on land zoned for agriculture or resource preservation that is surrounded on at least two sides by land for agriculture and resource preservation purposes, or which does not have adequate water or wastewater facilities to serve the project;
- 5) The HDP is inconsistent with both zoning and the General Plan at the time the application is deemed complete and the jurisdiction has a compliant housing element; or the HDP is inconsistent with the General Plan and zoning.
- 6) The jurisdiction does not have a State-compliant Housing Element and the project is not a builder's remedy project as defined by the HAA.

The HAA specifies that a local government may still require an HDP to comply with “objective, quantifiable, written development standards, conditions, and policies appropriate to, and consistent with, meeting the jurisdiction's share of the regional housing need pursuant to Government Code Section 65584. However, the development standards, conditions, and policies must be applied to facilitate and accommodate development at the density permitted on the site and proposed by the development.” (Government Code Section 65589.5(f)). Additionally, the HAA requires findings of inconsistency or noncompliance with applicable requirements to be

made within 30 to 60 days from the date the application is determined to be complete, depending on the quantity of units proposed.

Senate Bill 330 (Housing Crisis Act) took effect in 2020 and amended the Housing Accountability Act, the Permit Streamlining Act (Gov. Code Sec. 65920 et seq.), and other parts of State Planning and Zoning Law (Government Code Title 7, Division 1) to do the following:

- Create an optional **preliminary application process** for housing development projects to freeze the ordinances, policies, and standards applicable to a project to those in effect at the time of preliminary application submittal;
- Limit local agency review to **five public hearings** after the application is deemed complete for all housing development projects that comply with objective general plan and zoning standards; and
- Preclude certain geographical areas from placing limitations on housing by enacting policies that reduce allowed density, impose a moratorium on housing, or **impose new design standards that are not objective**.

The provisions of the Housing Crisis Act also apply to “housing development projects” as previously defined in the HAA, except that the definition of housing development projects is expanded to include construction of a singular single-family dwelling for the five-hearing limit discussed above.

Senate Bill 35, passed in 2017 and extended and modified by Senate Bill 423 in 2023, established a streamlined ministerial approval process for eligible housing projects in jurisdictions that have not made sufficient progress towards their Regional Housing Needs Allocation (RHNA). The State Department of Housing and Community Development (HCD) determines the applicability of SB 35 to jurisdictions on an annual basis. The County of Sonoma is not yet subject to SB 35 requirements, but the County may be subject to SB 35 as early as January of 2027. The streamlined **ministerial** process established by SB 35 involves only application of objective standards described in Government Code Section 65913.4 (a), which includes but is not limited to compliance with objective design review, zoning, and subdivision standards. No personal judgement or special discretion by the public agency to reach a decision may be used to apply these objective standards. Under the SB 35 streamlined ministerial approval process, the County will only be able to apply objective standards, including those for design review, adopted before submission of the development application. Creating objective standards will allow the County to implement SB 35 requirements without sacrificing quality of design.

Additionally, **Housing Element Law** currently requires local agencies to permit multifamily residential uses in which at least 20 percent of the units are affordable to lower income households “**by right**” on sites identified to meet the County’s Regional Housing Needs Allocation (RHNA) for lower income households. (Government Code Section 65583.2(h)). The phrase “use by right” is defined to mean that the local government’s review may not require a conditional use permit, planned unit development permit, or other discretionary local government review or approval that would constitute a “project” for purposes of the California Environmental Quality Act (CEQA). However, any subdivision of the sites is still subject to all laws, including, but not limited to, the local government’s ordinance implementing the Subdivision Map Act. A local ordinance may provide that “use by right” does not exempt the use from design review. However, that design review must not constitute a “project” for purposes of CEQA, and so must not involve discretionary review. Environmental analysis for these projects under CEQA has been accounted for with the Housing Element Environmental Impact Report.

With limited standards that are enforceable under the HAA, Housing Crisis Act, SB 35, and other State housing laws, the County is restricted in its ability to ensure housing development projects are designed to maximize



compatibility with their surroundings. State housing law continues to reduce local governments' ability to apply discretion to housing development projects in an effort to address the ongoing housing crisis affecting the state. This places the County's current design review standards and processes at odds with State direction.

Existing Permit Practice

The County's Zoning Regulations (Sonoma County Code Chapter 26) currently allow multi-unit housing development projects through various permitting pathways, depending on project scope and zoning of the project site.

Once an application is deemed complete, the project is analyzed under CEQA, if applicable, and evaluated for compliance with the General Plan, specific or area plans as applicable, zoning, and other regulations. CEQA review applies to projects requiring discretionary approval.

Multifamily and mixed-use residential projects are at minimum processed through a Design Review with Hearing (DRH) permit, which involves discretionary review by the Sonoma County Design Review Committee (DRC) at public hearings. Either concurrently or once the analysis of compliance with administratively assessable standards is complete, a project is reviewed by the DRC. The number of hearings required varies depending on complexity of the project and compliance with applicable standards and policies. Most housing development projects undergo at least two design review hearings, though there are three possible levels as described below.

- **Conceptual Design Review:** This is not a required hearing but is available to applicants and sometimes recommended by staff to present the Committee with early designs and ideas for feedback prior to investing in further design work. This hearing exists to limit applicant expense on an idea that might not be in alignment with the views of the Committee, staff, or public. Conceptual review may occur before or after a development application (i.e. Design Review permit) has been submitted.
- **Preliminary Design Review:** Preliminary hearings are held once a development application has been submitted. At this stage, designs and concepts are developed sufficiently to have a robust conversation on design, circulation, landscaping, and other concerns under the discretion of the Committee. Environmental analysis under CEQA may be complete or sufficiently underway by this point to help inform the discussions. If the project is determined to need extensive revision, the applicant may be advised to return for a Conceptual or second Preliminary Design Review, adding another hearing step to the process.
- **Final Design Review:** This includes finalization of design and, if the item needs no other decision-making body approvals, approval of the environmental determination and the entitlement. If the Design Review Committee requests revisions that are substantial enough to merit examination prior to proceeding to construction permitting, but not enough to require another hearing, the Committee may delegate final design approval to staff.

The purview of the Design Review Committee includes ensuring that the architectural and general appearance of structures and grounds are in keeping with the character of the neighborhood and are not detrimental to the orderly and harmonious development of the county and do not impair the desirability of investment or occupation in the neighborhood. This includes assessment of adherence to design standards as well as compliance with various provisions for environmental protection. During the design review hearing process, discretion is used in applying existing subjective standards to the project. Zoning Code Section 26-82-030(j)



provides an example of a current design standard applied during the hearing process that would not meet the definition of objective, rendering it unenforceable under the Housing Accountability Act: “Each unit of development, as well as the total development, shall create an environment of desirability and stability. Every structure, when completed and in place, shall have a finished appearance.” The criteria of “an environment of desirability and stability” and “finished appearance” do not have uniform benchmarks and are subject to personal interpretation by members of the Design Review Committee.

A Conditional Use Permit may also be required for certain multi-unit projects depending on ownership type, or if not proposing onsite affordable housing that meets inclusionary requirements of Article 89 (Affordable Housing Program Requirements and Incentives) or specified affordability levels within the Workforce Housing Combining District (Article 75). Use Permits are heard by the Planning Commission or Zoning Administrator and evaluated based on the project’s consistency with the General Plan, applicable area or specific plans, and the zoning code. To approve a Use Permit, the Zoning Administrator or Planning Commission must also find that the proposed project will not be detrimental to health, safety, peace, comfort or general welfare of the area, and any additional findings as may be required by County Code for the particular use (Zoning Code Sec. 26-92-080).

All of these projects require some level of discretionary review, whether it be design review approval or use permit approval and design review approval, making them subject to the California Environmental Quality Act (CEQA). An exception to this is made on Housing Element Inventory Sites, where Housing Element Law requires ministerial processing of these projects and environmental impacts and required mitigation measures under CEQA were accounted for with adoption of the Housing Element.

The wide discretion afforded to the Design Review Committee and staff in applying subjective standards increases the number of hearings and often requires costly redesigns necessary to achieve project approval. This ultimately delays and makes housing development more expensive. Timelines are further compounded by other variables such as lengthy lead times for hearing scheduling due to the Permit Sonoma department caseload.

Community Engagement and Outreach

Feedback from design professionals and developers is critical to creating feasible, cost-friendly standards that allow for creativity. Staff sought input from the design and development community in summer 2024 with a workshop and six individual interviews. These outreach events were intended to inform local professionals on the County’s proposal to create ODS and provide a forum for input so that the proposed standards would meet the County’s goals: a predictable process for community members and developers; improved cost certainty in the design and permitting phase; and reduction of unnecessary constraints to housing developments.

Representatives from the following development or design firms participated in outreach: Axia Architects, PEP Housing, UrbanGreen, and Freebird Development. They provided input on early draft standards, shared their experience working with other jurisdictions with adopted ODS, and shared insight on the impact of certain design requirements on the financial feasibility of a project. Staff also spoke with staff from the City of Santa Rosa and the City of Petaluma to gain insight on their experience developing and applying ODS.

Key takeaways on developer opinions from outreach efforts include the following:

- In General. Differences in granularity of standards can be jarring. High granularity can be difficult to follow though supplemental “guidelines” may be helpful for communicating standards that are difficult to make objective. Additionally, having an offramp to use discretionary design criteria



instead is critical to avoid killing projects where a site's unique characteristics are hard to accommodate through universally objective standards.

- **Exterior Finishes.** Reflectivity is an easy and meaningful standard to quantify, though consideration should be given to heat retention and other logistical factors.
- **Open Space.** Dog parks and gardens are amongst the most used open spaces, while large areas of grass or gravel are amongst the least. Open space requirements should consider the useful life of different types of open space.
- **Window Details.** Trim surrounds and recessed windows can add heavy costs, particularly to affordable housing. Minor changes to common standards additionally make a large difference in construction costs and longevity of projects. For example, requiring a two-inch window recession instead of three-inch standardizes the materials needed for construction and invites less water intrusion while still providing desired reliefs. Alternatively, requiring these details only on public-facing exteriors may help reduce costs.
- **Character.** Leaving room for each area's niche style and allowing a variety of architectural features is important to avoiding cookie cutter development and accommodating community character.
- **Conflicts with Other Standards.** Standards should not create undue burden on material costs or design when combined with other standards such as for Americans with Disabilities Act (ADA) compliance and seismic requirements.

The proposed ODS incorporate these takeaways to the extent feasible while balancing goals for livability, neighborhood compatibility, and minimal burden on project costs. For example, the proposed initial phase of ODS allows for projects that do not meet all objective design standards to pursue a discretionary design approval process instead. Flexibility in proposed standards is also incorporated into the standards where possible to allow for the use of standardized materials while leaving room for creativity in design. Standards were refined to reduce potential conflicts with seismic requirements and ADA standards.

Planning Commission Workshop

On September 19, 2024, the Planning Commission held a workshop to provide feedback on a preliminary draft of ODS. The Commission supported the development of objective design standards in general, and emphasized the importance of leaving room for creativity and "charm" in the standards. Visual interest and aesthetic compatibility with the surrounding area was cited as a top priority, and particular concern was expressed for large stretches of blank walls with minor differentiation between. The Commission recommended consideration of the following within the phases of ODS implementation:

- **Public Art.** A public art requirement or in-lieu fee to be dedicated to public art creation in absence of incorporation of public art into a project.
- **Massing Breaks and Façade Features.** Requirements such as for balconies or other features to avoid stretches of wall with little differentiation.
- **Landscaping.** Requirements for landscaped areas, particularly as screening for large walls and potentially on upper story stepbacks.



- **Open Space.** The placement of open space in relation to parking and dwellings.

The proposed initial phase of ODS includes basic provisions for massing breaks, façade features, landscaping, and open space to encourage livability within developments and compatibility with adjacent land uses while leaving room for creativity. Future phases of ODS will work together with updates to the General Plan to build off these provisions to address community-specific charm and consider related requirements, such as for public art.

DISCUSSION

Staff Recommended Policy Approach

Proposed amendments add new Article 83 Objective Design Standards (ODS) to Chapter 26 (Zoning Regulations), as well as update other parts of the Zoning Code to cross-reference the new standards, organize residential land use standards, and clarify design review requirements.

The proposed ordinance applies ODS (Article 83) to both market rate and affordable housing development projects as defined in the Housing Accountability Act (Gov. Code Sec. 65589.5(h)(2)), except that standards for an individual single-family dwelling proposed at the same time as an ADUs or will be addressed with future phases.

The proposed ordinance includes the following categories of standards:

- **Structure Design.** Standards to ensure that buildings are compatible with the overall character of the County, incorporating industry-standard features such as massing breaks, material differentiation, window and glass reflectivity, base-flood elevation concerns, and other architectural features.
 - **Height.** Standards including height limits and exceptions for Base Flood Elevation accommodation.
 - **Massing Breaks.** Standards governing building form to reduce the visual mass and prominence of large buildings.
 - **Rooflines.** Standards requiring vertical articulation or other variations to enhance the character of rooflines.
 - **Façades.** Standards requiring incorporation of features which enhance the character of building façades.
 - **Entries.** Standards to promote compatible and desirable placement and design of building entries.
 - **Windows and Other Openings.** Standards governing the placement, orientation, transparency, and reflectivity of windows and other openings to ensure privacy for dwellings, create inviting frontages for commercial uses, and reduce conflicts with birds.
 - **Material Finishes and Themes.** Standards to limit exterior gloss levels and ensure cohesive and interesting building themes.

- **Waste Collection Facilities.** Standards to protect residents from nuisances associated with waste collection facilities, building on standards described in Sec. 22-10.
- **Utilities and Screening.** Standards for the provision of utilities and utility screening, noise baffling, or undergrounding as applicable.
- **Sound Walls.** Standards pertaining to the screening and design of sound walls if required or proposed.
- **Site Design.** Standards for the overall layout and circulation of a site including access, screening of parking areas, and privacy concerns to support compatibility with adjacent development.
 - **Parking Areas.** Standards to promote compatible parking areas with adequate screening, shading, and landscaping.
 - **Landscaping.** Standards governing landscape materials, placement, compliance with external standards, and maintenance.
 - **Open Space.** Standards governing outdoor private and common areas in proposed developments to enhance the quality of life for both residents and neighbors.
 - **Screening for Neighborhood Compatibility.** Standards for screening intended to facilitate compatibility between varying densities of housing developments such as a multifamily apartment building adjacent to a single-family neighborhood.
- **Exterior Lighting.** Standards to protect the shared resource of Sonoma County’s dark sky, applicable to lighting both on buildings and elsewhere on the project site.

Permitting Using ODS

Adoption of this initial phase of ODS would aide in streamlining the permitting path for applicable multi-unit housing development projects. Projects would still require a Design Review with Hearing (DRH) permit, and the review process would consist of two steps of review: staff review and Design Review Committee verification and review. The Design Review Committee would retain the practice of imposing objective and subjective standards for environmental protection as granted by the General Plan, area and specific plans, and zoning code. However, in the case of design standards, the Committee would be limited to verifying compliance with applicable objective standards under Article 83, though may still make recommendations based on subjective design standards. Once an application is deemed complete, environmental analysis under CEQA following current practice and evaluation of ODS compliance would take place at the staff level. Staff would work with the applicant through this process to bring the project into ODS compliance. If there is no further review required by other hearing bodies, then once environmental analysis under CEQA is completed and ODS compliance is demonstrated, the project would go through the design review hearing process wherein the DRC will take an action affirming compliance with ODS, adopt any required environmental document, and adopt conditions as required to implement environmental protections, completing the entitlement process. Future phases of ODS will seek to provide objective standards for fully ministerial permitting of housing development projects.

Housing Element law requires the County, at minimum, to permit multifamily residential uses in which at least 20 percent of the units are affordable to lower income households by-right on sites in the Housing Element identified to meet the County’s share of lower income regional housing needs. If a project is proposed on one of



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the County's Housing Element sites identified to support lower income households (see Housing Element Appendix D, Tables 15 and 16), the permit pathway will follow that of a multi-unit housing development project as described above except that the project would not be subject to discretionary review or CEQA. Instead, the project would be required to comply with ODS and applicable mitigation measures in the certified Environmental Impact Report for the 2023-2031 Housing Element Update.

Discretionary Offramp

Concerns with the shift to ODS may include the potential to limit creative design and architecture, advances in building technology not contemplated by objective standards, or to accommodate difficult or varied terrain of the vast unincorporated County requiring deviation from standards. Staff outreach with architects and developers found that other jurisdictions failed to consider these concerns and housing projects stalled with no pathway forward without flexibility in the objective standards. To address this possibility, the staff recommended ordinance incorporates an option for an applicant to request a discretionary design review process to allow flexibility in the application of ODS. This avenue ensures that housing projects will not be stalled by regulation that does not address all circumstances and allows for creativity in design. Most jurisdictions with adopted ODS provide a discretionary offramp.

State Density Bonus Law

A multi-unit housing development project that chooses to comply with the County's ODS would still be permitted to request waivers or reductions of development standards, concessions, or incentives as allowed by State Density Bonus Law (Government Code Section 65915) for a project that is entitled to a density bonus as provided by the law.

Projects within Historic Districts and Landmarks

The Historic District (HD) Combining District is applied to parcels with structures, sites, and areas that are remainders of past eras, events, and persons important in local, state, or national history, or which provide significant examples of architectural styles of the past, or which are unique and irreplaceable assets to the county and its communities. Zoning Code Section 26-68-020 states:

"No zoning permit authorizing alterations (including demolition) in the exterior of a structure within the boundaries of a historic district and no zoning permits authorizing construction of a new building within the boundaries of a historic district shall be granted unless approval has been granted by the county landmarks commission. Minor alterations may be reviewed and approved by staff in conformance with adopted design guidelines and standards."

The purview of the Landmarks Commission includes many of the same design components addressed in ODS. This phase of ODS will not change the required authorization from the Landmarks Commission for housing development in HD Combining Districts. Housing development projects will still be required to apply for design review and receive approval from the Landmarks Commission. Existing standards in the County's Historic District Guidelines and the Secretary of the Interior's Standards for Treatment of Historic Properties will be applied to housing development projects to the extent allowed under the Housing Accountability Act and Housing Crisis Act.

Due to the irreplaceability of these areas and structures and the unique contributions they make to the region, Permit Sonoma recommends that a future phase of ODS includes the development of ODS to protect these

resources. Other jurisdictions in California have developed ODS for their historic areas, however this implementation would be best served in a future phase focused on the character of individual communities, in tandem with updates to Local Design Guidelines to align their approach with State direction.

Neighborhood Compatibility & Rural Character

This initial set of ODS will seek to produce the same quality of housing development projects that would be achieved through the existing discretionary design review process by addressing livability within proposed developments and compatibility of new developments with adjacent land uses. Proposed standards support policies of the General Plan for maintaining rural character without inhibiting the incorporation of community specific design, which will be addressed in future phases of ODS.

Local Area Development Guidelines and Area/Specific Plans

Subjective standards in the County's Local Area Development Guidelines and area or specific plans are not enforceable under the Housing Accountability Act. Housing projects are and will continue to be encouraged to align with subjective standards and policies in Local Guidelines and Area or Specific Plans, provided that consistency with these standards or policies is not used to deny, reduce the density of, or render infeasible a project. Housing projects are and will continue to be required to comply with objective standards in Local Guidelines and Area or Specific Plans to the extent permitted under State law.

Once ODS are adopted, if there is a conflict between an objective standard or policy in Local Area Development Guidelines or an area or specific plan and a standard in ODS, the standard in the Local Area Development Guidelines or area or specific plan will apply.

General Plan Consistency

The proposed amendments, including the initial set of ODS, are consistent with the Sonoma County General Plan as discussed below.

Housing Element.

Relevant Housing Element programs and policies are as follows:

- ***Program 12b:*** Develop Objective Design and Development Standards (ODDs) for multifamily and mixed-use projects. Timeline: End of 2025
- ***Policy HE-1c:*** Continue to ensure that design review, development standards, and conditions of approval for affordable housing projects do not reduce allowable project density or the number of affordable units. Where possible, reduce permitting levels and replace discretionary review processes with objective standards. (Existing; revised to address Housing Accountability Act [Gov. Code Section 65589.5] ("HAA") and Senate Bill 35 [Gov. Code Section 65913.4], as amended)
- ***Policy HE-2c:*** Prepare objective design and development standards and checklists for new residential and mixed-use development. (Existing; revised to address Housing Accountability Act [Gov. Code Section 65589.5, ["HAA"] and Senate Bill 35 [Gov. Code Section 65913.4], as amended)
- ***Policy HE-6b:*** Promote energy and water conservation and energy efficiency in new residential and mixed-use construction projects.



Proposed ODS will replace discretionary design standards with objective standards for new residential and mixed-use developments, including affordable housing development projects, likely reducing the number of hearings and permitting time required. Proposed standards include compliance with the County's Water Efficient Landscape Ordinance (WELO), supporting water conservation goals for new development while building code standards will continue to apply for energy and water conservation measures for internal residential uses. Standards further ensure there are no cost prohibitive design barriers to the incorporation of photovoltaic systems required for new residential projects, supporting State and General Plan energy efficiency goals

Open Space and Resource Conservation Element

Relevant policies of the Open Space and Resource Conservation Element are as follows:

- **Policy OSRC-1f** (Community Separators), **OSRC-2d** (Scenic Landscape Units): *Unless there are existing design guidelines that have been adopted for the affected area, require that new structures within Community Separators/Scenic Landscape Units meet the following criteria:*
 - 1) *Site and design structures to take maximum advantage of existing topography and vegetation in order to substantially screen them from view from public roads.*
 - 2) *Minimize cuts and fills on hills and ridges.*
 - 3) *Minimize the removal of trees and other mature vegetation; avoid removal of specimen trees, tree groupings, and windbreaks.*
 - 4) *Where existing topography and vegetation would not screen structures from view from public roads, install landscaping consisting of native vegetation in natural groupings that fits with the character of the area in order to substantially screen structures from view. Screening with native, fire retardant plants may be required.*
 - 5) *Design structures to use building materials and color schemes that blend with the natural landscape and vegetation.*
 - 6) *To the extent feasible, cluster structures on each parcel within existing built areas, and near existing natural features such as tree groupings.*
 - 7) *Utilities are underground where economically practical.*
 - 8) *On hills and ridges, avoid structures that project above the silhouette of the hill or ridge against the sky as viewed from public roads, and substantially screen driveways from view where practical.*
 - 9) *Minimize impervious surfaces and encourage groundwater recharge with effective design features and materials that allow stormwater infiltration and detention.*
- **Policy OSRC-4a:** *Require that all new development projects, County projects, and signage utilize light fixtures that shield the light source so that light is cast downward and that are no more than the minimum height and power necessary to adequately light the proposed use.*
- **Policy OSRC-4b:** *Prohibit continuous all night exterior lighting in rural areas, unless it is demonstrated to the decision making body that such lighting is necessary for security or operational purposes or that it is necessary for agricultural production or processing on a seasonal basis. Where lighting is necessary for the above purposes, minimize glare onto adjacent properties and into the night sky.*

- **Policy OSRC-5b:** *Use the following general urban design principles until Urban Design Guidelines specific to each Urban Service Area are adopted.*
 - 1) *Promotion of pedestrian and/or bicycle use.*
 - 2) *Compatibility with adjacent development.*
 - 3) *Incorporation of important historical and natural resources.*
 - 4) *Complementary parking out of view of the streetscape.*
 - 5) *Opportunities for social interaction with other community members.*
 - 6) *Promotion of visible access to buildings and use areas.*
 - 7) *Appropriate lighting levels.*
- **Policy OSRC-6a:** *Develop design guidelines for discretionary projects in rural areas, but not including administrative design review for single family homes on existing lots, that protect and reflect the rural character of Sonoma County. Use the following general design principles until these Design Guidelines are adopted, while assuring that Design Guidelines for agricultural support uses on agricultural lands are consistent with Policy AR-9h of the Agricultural Resources Element.*
 - 1) *New structures blend into the surrounding landscape, rather than stand out.*
 - 2) *Landscaping is included and is designed to blend in with the character of the area.*
 - 3) *Paved areas are minimized and allow for informal parking areas.*
 - 4) *Adequate space is provided for natural site amenities.*
 - 5) *Exterior lighting and signage is minimized.*

Proposed initial ODS include provisions pertaining to the placement of building access points, screening and landscaping of parking areas, open space requirements, use of native and climate adapted plants for landscaping, limitations on exterior lighting to minimize light pollution and glare, transparency of commercial portions of mixed use development frontages, and various standards for compatibility such as massing breaks, screening requirements, incorporation of façade and roofline variations, and limitations on exterior gloss and reflectivity levels. Additionally, amendments to Article 86 (Parking Regulations) include provisions for bicycle parking for multifamily and mixed-use projects.

Environmental Justice Element

Relevant policies of the Environmental Justice Element are as follows:

- **Policy EJ-4f:** *Promote complete neighborhoods that have safe and convenient access to needed goods and services and that support physical activity, including walking, bicycling, and recreational opportunities.*
- **Policy EJ-7a:** *Support the maintenance and development of housing that is structurally sound, comfortable, and prepared for changing climatic conditions.*

Proposed amendments include provisions for shade in parking and seating areas to reduce heat exposure, window articulation requirements to improve privacy between buildings, common open space requirements for recreation and leisure, and minimums for bicycle parking facilities to support bicycle usage.



Water Resources Element

Relevant policies of the Water Resources Element are as follows:

- **Policy WR-1c:** *Prioritize stormwater management measures in coordination with the RWQCB direction, focusing first upon watershed areas that are urbanizing and watersheds with impaired water bodies. Work cooperatively with the RWQCBs to manage the quality and quantity of stormwater runoff from new development and redevelopment in order to:*
 - (1) *Prevent, to the maximum extent practicable, pollutants from reaching stormwater conveyance systems.*
 - (2) *Ensure, to the maximum extent practicable, that discharges from regulated municipal storm drains comply with water quality objectives.*
 - (3) *Limit, to the maximum extent practicable, stormwater from post development sites to pre-development quantities.*
 - (4) *Conserve and protect natural areas to the maximum extent practicable.*
- **Policy WR-4e:** *Require water conserving plumbing and water conserving landscaping in all new development projects and require water conserving plumbing in all new dwellings. Promote programs to minimize water loss and waste by public water suppliers and their customers. Require County operated water systems to minimize water loss and waste.*

Proposed initial ODS emphasize compliance with Low-Impact Development standards for stormwater management and the County's Water Efficient Landscape Ordinance (County Code Chapter 7B3) for water conservation.

Public Facilities Element

A relevant policy of the Public Facilities Element is as follows:

- **Policy PF-2v:** *Consider requiring the undergrounding of new electrical transmission and distribution lines where appropriate in Community Separators, Scenic Landscape Units, along Scenic Corridors and in selected urban areas. Where feasible and under the Public Utility Commission (PUC) rules, convert existing overhead lines to underground facilities in urban areas.*

Proposed initial ODS include provisions for the undergrounding and screening of utilities for new housing development projects.

Applicability of the California Environmental Quality Act (CEQA) to ODS-Compliant Projects

Projects that comply with ODS will still be subject to environmental review under the California Environmental Quality Act (CEQA). A project that complies with ODS will not be subject to the County's discretion over design-related aspects of a housing development, but the County still retains discretion to address potential environmental impacts of the project. The design review with hearing process generally extends beyond the design of the structure and landscaping, and includes review of environmental issues that impact the ultimate siting and construction of the project, such as biotic resources constraints, impacts to drainage and water quality, and groundwater impacts if the use is served by a well. ODS compliance will reduce potentially significant aesthetic impacts of applicable multi-unit housing development projects, however, the proposed ODS do not address other environmental factors. Therefore, the County will continue to address these issues through environmental review under CEQA where a project is not exempt.



ENVIRONMENTAL REVIEW

Permit Sonoma has determined that the proposed amendments to Chapter 26 (Zoning Code) are exempt from the California Environmental Quality Act (CEQA) under State CEQA Guidelines Section 15061(b)(3) (the common sense exemption) and Section 15308 (actions to protect the environment). CEQA Guidelines Section 15061 (b)(3) provides that CEQA applies only to projects which have the potential for causing a significant effect (substantial adverse change) on the environment. It can be seen with certainty that there is no possibility the project will result in a direct or indirect adverse change in the environment because the code amendments do not make changes to allowed land uses or intensities and instead provide objective design standards where subjective standards previously applied, covering all the same topics and ensuring potential aesthetic impacts are addressed. Additionally or alternatively, the ordinance is exempt under CEQA Guidelines Section 15308, which provides that actions by regulatory agencies to assure enhancement or protection of the environment are categorically exempt from CEQA. The proposed amendments would only enhance and improve protections of the environment because the objective standards are more specific and more restrictive than the current subjective design review standards, thus ensuring greater protections to aesthetic resources, and because the current subjective standards are often unenforceable under the HAA. Further, all projects currently reviewed under CEQA will continue to be subject to environmental review.

RECOMMENDATIONS

Staff recommends that the Planning Commission adopt the attached resolution recommending that the Board of Supervisors:

1. Amend Sonoma County Code Chapter 26 (Zoning Regulations) to establish an initial set of Objective Design Standards (ODS) for multi-unit housing development projects (excluding single-family dwellings proposed with ADUs), to implement the Sonoma County General Plan Housing Element Policy HE-2c and Program 12b, as shown in Exhibit A; and
2. Find the proposed action categorically exempt from CEQA pursuant to Section 15061(b)(3) (common sense exemption) and 15308 (actions by regulatory agencies for protection of the environment).

ATTACHMENTS

1. Draft Planning Commission Resolution
Exhibit A. Proposed Ordinance and Code Amendments
2. Legal Noticing Affidavit