

Case File Number: ZT04-197

October 13, 2004

Location:	Citywide
Proposal:	Consideration of a Draft Interim Design Review Manual for One and Two-Unit Residences.
Applicant:	City of Oakland
Environmental Determination:	Exempt; Section 15061(b)(3), State CEQA Guidelines, "general rule," no possibility of significant effect on the environment.
Action to be Taken:	Review and comment on draft Interim Design Review Manual.
Staff recommendation:	Review the draft Interim Manual and provide direction to staff for preparation of revisions to the document as needed.
For further information:	Contact case planner Christopher Buckley at 510-238-6983 or by email at: cbuckley@oaklandnet.com or Ed Manasse at 510-238-7733 or by email at emanasse@oaklandnet.com .

BACKGROUND AND SUMMARY

At its May 12, 2004 meeting, the Design Review Committee considered staff recommendations on how to make the 1-2 unit residential design review program more effective, easier to understand, and more consistent Citywide. The proposal has the following primary objectives:

- To simplify and refine the existing 1-2 unit residential zoning standards and design review processes to improve efficiency and ease of use while maintaining intent;
- To minimize the number of different design review procedures and establish uniform Citywide decision-making criteria; and
- To consolidate the many existing Design Review criteria and guidelines into a Citywide *Design Review Manual for 1-2 Unit Residences*.

The Manual would initially be in an "interim" version assembled from existing design review criteria and guideline documents, and accompany the draft changes to the zoning standards and design review procedures. After adoption of the zoning standards and design review changes, the Interim Manual would be expanded and refined as needed to create a final definitive version.

Because of the breadth and complexity of the proposed changes to the 1-2 unit residential design review program, staff has decided to return to the Committee for consideration of the Design Review Manual separately, and prior to the Committee's further consideration of the zoning standards and design review procedure changes. Staff believes this approach will help to focus discussion, and minimize confusion between the City's criteria and guidelines presented in the Manual and utilized in design review and the zoning standards contained in the Oakland Planning Code.

The Manual will provide a uniform set of Citywide design review criteria for all one- and two-unit structures that will promote project certainty and predictability. The Manual will help streamline the design review process by clearly communicating the City's expectations regarding such project elements as: site planning; bulk; compatibility with the surrounding neighborhood; view, privacy and solar access impacts; and building design. The Manual will merge existing standards now used only for certain situations and geographic areas into one Citywide standard, and serve as a user-friendly guide for property owners and designers on the expected qualities of additions, alterations, and new construction. The Manual will also improve communications between applicants and staff, and avoid unnecessary plan modifications and time loss.

At the May 12, 2004 meeting, the Design Review Committee made various directives to staff. The directives included immediate preparation of the Interim Design Review Manual so that it could accompany the zoning standards and design review process proposals while these proposals were still in the conceptual stage, rather than releasing the draft Manual later with the actual zoning text. By releasing the Manual early, reviewers would not have to wait before seeing the complete package. The draft Interim Manual would include updated versions of the View, Privacy and Solar Access and Mass and Bulk sections reviewed by the Committee in 2003. The Committee determined that the rough graphics in the Mass and Bulk section would not need to be improved for purposes of the next review phase.

Staff has decided to submit the draft Interim Manual to the Committee *before* submitting staff's responses to the Committee's other directives made at the May 12, 2004 meeting. The draft Manual contains an extensive amount of material and staff expects that some of it - such as that related to view, privacy and solar access impacts on neighboring properties - will most likely generate considerable community input and Committee discussion. Staff believes that by considering the Design Review Manual separately, and prior to the Committee's further consideration of the zoning standards and design review process changes, it will facilitate resolution of some of the design review process issues, and highlight many of the shortcomings in the City's zoning standards.

After adoption of the revised zoning standards and design review procedures, staff will proceed to draft the final Design Review Manual, which will replace the attached interim version. The final version would further consolidate material in the interim Manual as well as expand some sections - such as explaining what is meant by "compatible with but not necessarily identical to the existing residence" with regard to additions and alterations, including historic properties. The final Manual would also include additional graphics. Unlike the proposed 1-2 unit zoning standards and design review process changes, which require adoption by Ordinance by the City Council, the Design Review Manual will require adoption only by the full Planning Commission. However, the Commission's adoption of the Manual would not become effective until the Council adopts the 1-2 unit design review process changes.

After receiving the Committee's comments in the draft Interim Manual, staff will revise the document as needed and bring the revised version back to the Committee along with staff's responses to the Committee's other directives made at the May 12, 2004 meeting.

PROPOSAL DESCRIPTION

Source Documents Used for the Interim Manual

The draft Interim Design Review Manual is included as **Attachment A**. The draft mostly consists of material from the following existing “source documents”:

1. Special Residential Design Review (SRDR) New Construction Checklist Procedure, Standards and Criteria (adopted by the City Council in 1992). See **Attachment B**.
2. SRDR Discretionary Criteria Application Supplement for New (Unit) Construction (adopted by the City Council in 1992). See **Attachment C**.
3. SRDR Discretionary Criteria, Checklist Criteria, Guidelines and Detailed Instructions for Additions and Alterations (adopted by the City Council in 1992). See **Attachment D**.
4. Expedited Design and Bulk Review Criteria for Single Family Houses in the S-14 Zone (completed in 1993) – See **Attachment E**.
5. S-10 Scenic Route Combining Zone Design Guidelines (adopted by the Planning Commission in 1973 and 1975) – See **Attachment F**.
6. Draft Criteria and Guidelines for View, Solar Access, and Privacy Impacts (reviewed by the Design Review Committee in 2003, but not formally adopted).
7. Draft Criteria and Guidelines for Building Mass and Bulk (reviewed by the Design Review Committee in 2003, but not formally adopted).

Manual Format

The draft Interim Manual is in a format similar to that used for the S-14 Zone Criteria (**Attachment E**). Key features of this format include:

- Horizontal layout.
- Organization of the document’s provisions into “Criteria” and “Guidelines”.

The Criteria are relatively general policy statements and serve as “findings” that must be met in order for a design review application to be approved. The Guidelines that follow each Criterion provide methods to interpret and help meet that Criterion. Strict conformity with the Guidelines may therefore not be necessary as long as the relevant Criteria are met. This format, including the use of the Criteria and Guidelines, is very similar to that used for the Draft Criteria and Guidelines for View, Solar Access and Privacy Impacts and for Building Mass and Bulk, which was generally favorably received by the Committee during its 2003 review of these documents.

Manual Contents and Relation to Source Documents

The Manual is arranged into twelve sections, each defined by its own Criterion statement, plus appendices. These sections and the existing “source documents” that form the basis of each section are as follows:

Criterion 1: View Impacts on Neighboring Properties

Criterion 2: Solar Access Impacts on Neighboring Properties

Criterion 3: Privacy Impacts on Neighboring Properties

Criteria 1-3 are based on the Draft Criteria and Guidelines for View, Solar Access and Privacy Impacts reviewed by the Committee in 2003.

Criterion 4: Site Planning

Criterion 5: Building Design

Criteria 4 and 5 are based on the S-14 Criteria and the SRDR Discretionary Criteria and Guidelines for New Construction and for Additions and Alternatives.

Criterion 6: Bulk – All Projects

Criterion 7: Bulk – Special Methods for Hillside

Criteria 6 and 7 are based on the Draft Criteria for Building Mass and Bulk reviewed by the Committee in 2003 and expanded from the S-14 Criteria’s bulk and related building design provisions.

Criterion 8: Neighborhood Compatibility (Context)

This section is based on the SRDR New Construction Checklist’s “Context” section, but with the Checklist’s numerically weighted scoring system converted to discretionary criteria and some of the provisions eliminated since they were incorporated into zoning standards adopted in 2001.

Criterion 9: Site Access and Parking

Criterion 10: Landscaping

Criteria 9 and 10 are based on the S-14 Criteria and the SRDR Discretionary Criteria and Guidelines for New Construction and Additions and Alterations.

Criterion 11: Street Fronting Fences and Freestanding Walls

This section is mostly new and developed in response to the more restrictive zoning standards adopted in 2001 for street fronting fences and freestanding walls.

Criterion 12: S-10 Scenic Route Combining Zone

Based on the Guidelines adopted by the Commission in 1973 and 1975.

Appendix A: Projects Exempt from Design Review

Appendix A is based on the “Exterior Treatment Conformance Standards” for exemption in the SRDR Discretionary Criteria and Guidelines for Additions and Alterations.

Appendix B: Architectural Styles

Appendix B is taken from the S-14 Criteria.

Appendix C: Bibliography

Appendix C is taken from the S-14 Criteria.

KEY ISSUES AND IMPACTS

Substantive Changes to Existing Design Review “Source” Documents

Staff has attempted to consolidate the existing design review “source” documents in a manner that minimizes repetition and redundancy while, in most cases, trying to avoid any substantive changes.

However, staff has included several major substantive changes that should be called to the Committee’s attention:

1. Eliminating most of the SRDR New Construction Checklist and replacing it with the Manual’s discretionary criteria and guidelines. This is necessary in order to implement the replacement of the existing points-based checklist with discretionary criteria as proposed in the 1-2 unit design review process changes considered by the Committee at its May 12, 2004 meeting.
2. Conversion of the SRDR New Construction Checklist’s context section to discretionary criteria. See Criterion 8 discussion above.
3. Changing the SRDR Discretionary Criteria’s and Addition/Alteration Checklist’s provisions for solar access to address only “actively used outdoor areas” and changing SRDR’s somewhat complex formula (based among other things on sun angles between September 21 and March 21) to allow a simpler 45° angle “skyplane” method as an alternative. These changes were incorporated into the draft Solar Access Impact Criteria and Guidelines reviewed by the Committee in 2003. The changes were proposed because:
 - a. The magnitude of a solar access impact on an interior space is often difficult to verify, frequently requiring either a site visit by staff at a specific time of day and during a specific season, or extremely complex analysis. Staff has inadequate resources to perform this function adequately while still giving proper attention to other design review issues and other types of zoning cases.
 - b. Solar access impacts on interior spaces are typically from the side, rather than from the front or rear. This is due to the narrow lots and narrow side yards that are very typical in Oakland. Staff believes that requiring a project to preserve solar access to the interior spaces of neighboring properties is unreasonable in a relatively dense, highly urbanized community such as Oakland and in many cases would deprive project sponsors of the ability to develop a residence that is comparable in size and scale (including floor area ratio) to those that already exist in the immediate area.

Some residents, primarily in the Rockridge neighborhood, have expressed strong opposition to the solar access changes above. Therefore, staff recommends that the Committee give special attention to the Manual’s solar access provisions.

RECOMMENDATION: Review the draft Interim Manual and provide direction to staff for preparation of revisions to the document as needed.

Respectfully submitted:

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ATTACHMENTS:

- A. Draft Interim Design Review Manual for One and Two Unit Residences.
- B. Special Residential Design Review (SRDR) New Construction Checklist Procedure, Standards and Criteria.
- C. SRDR Discretionary Criteria Application Supplement for New (Unit) Construction.
- D. SRDR Discretionary Criteria, Checklist Criteria, Guidelines and Detailed Instructions for Additions and Alternatives.
- E. Expedited Design and Bulk Review Criteria for Single Family Houses in the S-14 Zone.
- F. S-10 Scenic Route Combining Zone Design Guidelines.