

COMMUNITY DEVELOPMENT AGENCY  
**HOUSING AND FEDERAL GRANTS DIVISION**

Brian C. Crawford  
DIRECTOR

February 4, 2020

Marin County Civic Center  
3501 Civic Center Drive  
Suite 308  
San Rafael, CA 94903  
415 473 6269 T  
415 473 7880 F  
415 473 2255 TTY

Marin County Board of Supervisors  
3501 Civic Center Drive  
San Rafael, CA 94903

**SUBJECT:** State Housing Legislation Update on Objective Design and Development Standards for Multi-Family Developments

Dear Board Members:

**RECOMMENDATION:**

1. Receive presentation on California State Housing Legislation regarding Objective Design and Development Standards (ODDS).

Building and Safety  
Environmental Health Services  
Planning  
Environmental Review  
Housing  
Sustainability  
Code Enforcement  
GIS  
Federal Grants

[www.marincounty.org/cda](http://www.marincounty.org/cda)

Recent State housing legislation, including Senate Bill 35, Senate Bill 330 and the Housing Accountability Act (HAA,) have established mandates for cities, towns and counties to streamline the review process for multi-family housing projects. As a result, local jurisdictions are now required to limit their review of qualifying projects to objective design and development standards (ODDS)<sup>1</sup> and to refrain from applying subjective discretionary policies.<sup>2</sup> ODDS allow the County to specify objective design criteria related to aesthetic and physical characteristics, to ensure that design continues to reflect high quality design while being consistent with state legislation. ODDS include prescriptive standards commonly found in zoning codes such as height, setback, lot coverage, and building material. ODDS can also address local architectural styles, building patterns, and historic areas.

In general, the new rules have broad application to multi-family housing developments, although projects that require a general plan or zoning amendment or would result in one or more significant public health and safety impacts would not be eligible for the streamlined review process. Additionally, these rules may not apply to a project located in a very high fire hazard severity zone.

The Board of Supervisors Housing Subcommittee and staff of the Community Development Agency have invited Barbara Kautz, the County's outside housing council, to the Board's February 4, 2020 meeting to provide a presentation on recent state housing laws and objective standards. The presentation will focus on the legal

<sup>1</sup> Housing legislation defines an "objective" standard as one that involves no personal or subjective judgment by a public official and uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant and the public official prior to submittal.

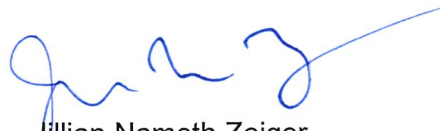
<sup>2</sup> In contrast to objective standards, the process of using subjective factors to review a proposed development and/or use involves discretionary judgement. Example statements include "produce high quality design" and "consistent with the character of the neighborhood."

aspects of the State legislation and is intended as the first of a two-part overview and discussion regarding the multi-jurisdictional effort to update and expand objective design and development standards for the County and cities and towns in Marin. The second presentation scheduled for February 11<sup>th</sup> will address the process and general approach for updating the standards.

**REVIEWED BY:**

- |   |   |
|---|---|
| <input type="checkbox"/> Auditor Controller                       | <input checked="" type="checkbox"/> N/A |
| <input checked="" type="checkbox"/> County Administrator's Office | <input type="checkbox"/> N/A            |
| <input checked="" type="checkbox"/> County Counsel                | <input type="checkbox"/> N/A            |
| <input type="checkbox"/> Human Resources                          | <input checked="" type="checkbox"/> N/A |

**SIGNATURE:**

  
Jillian Nameth Zeiger  
Planner

  
Brian Crawford  
Director

**ATTACHMENTS:**

1. Presentation by Barbara Kautz, Goldfarb and Lipman.