



**CITY COUNCIL AGENDA ITEM NO. I.8
10/24/2023**

SUBJECT: Consider a Request from Council Member Mendoza Establishing a Council Design Standards Committee.

DEPARTMENT: City Manager's Office

STAFF: Tim Ogden, City Manager
Margaret Wimberly, City Clerk

TITLE/RECOMMENDATION

That the City Council consider and discuss the request from Council Member Mendoza establishing a Council Design Standards Committee.

FISCAL IMPACT

The fiscal impact of this item would depend on how and when the committee meets and the direction it provides to staff. If the scope of this request simply proceeds to the Land Use and Development (LUD) committee, there is no need for a new committee. If the newly proposed committee met in the evening, similar to the Land Use and Development (LUD) committee, the meeting would result in staff overtime. Agenda items regarding a complex subject could incur outside consultant costs, and costs would be paid out of the General Fund.

If a consultant or outside legal assistance were required, this would be an additional cost based on the hourly rates of those consultants. These costs could be \$1,200 or higher per meeting depending on the number of hours needed. This could also require an increase in the CIP budget for the residential Objective Design Standards (ODS) project (CIP #337-37258) and an amendment to the consultant's contract. The General Fund portion of the budget for this CIP project is \$140,000.

Staff will return with a General Fund Budget amendment request, if necessary, based on further direction and clarification received.

BACKGROUND

Pursuant to Council Policy 110-1 Rule 4.4 (b)(2), this item has been placed on the agenda so that Council may discuss it and provide further direction to staff. Pursuant to Section 4.4, Council discussion is limited to whether staff time and City resources should be spent on the item and the time period for scheduling.



CITY COUNCIL AGENDA ITEM NO. I.8
10/24/2023

The City has Commercial and Industrial Design Guidelines that were adopted by the City Council in 2001 and Residential Design Guidelines that were adopted by the City Council in 2006 in an effort to articulate the importance of high-quality design that complements and enhances the existing fabric of the community. Based on City Council direction on January 24, 2023, staff has been drafting a set of objective design standards for residential development. The intent of this effort is to address recent changes in State law that seek to streamline and increase housing production, focused on making approval processes more routine and predictable.

The standing LUD Committee meets on the third Monday of each month at 5:30 p.m. Currently, Vice Mayor Meyer and Councilmember Mendoza are the committee members. This committee reviews items relating to major land use, community development, economic development, and housing policy topics, as well as citywide areas of interest, including but not limited to: general plan, zoning, permit processing, strategic initiatives, ordinances, economic development projects and programs, affordable housing projects and programs, and other major matters or projects that could affect Council policy, or result in a significant expenditure of City staff or financial resources. This committee includes the Chair of the Planning Commission who serves in an advisory, non-voting role. As stated above, it was staff's intent to bring draft ODS to this committee for review and discussion, as well as Planning Commission and City Council.

Should Council direct staff to spend time and resources on this issue, including whether to form the proposed committee or not, the committee scope, and committee assignments will be brought to Council for consideration on January 9, 2024.

Based on Council direction on January 24, 2023, staff drafted Interim ODS for residential uses, which were adopted by the City Council June 27 (see attached City Council staff report), and the City has contracted with a consultant (the De Novo Group) to develop Permanent ODS. The Consultant has begun working on the project and in the next several months staff will be asking the Land Use and Development Committee (LUD), the City Council, and the Planning Commission for feedback and direction on the Permanent ODS they would like the City to adopt.

Planning staff is currently at capacity with multiple long range planning projects, future Council agenda items, development applications, plan checks, etc. It is unclear at this time what the purview of the possible new committee would be; but, if LUD or a new Committee was formed to discuss and draft design standards separately



CITY COUNCIL AGENDA ITEM NO. I.8
10/24/2023

from the Permanent ODS project already underway, staff does not have the capacity to work on separate projects related to design standards at the same time. Thus, the timelines of other projects would have to shift significantly to accommodate any additional work.

Further, if a new committee were to provide direction that conflicted with or differed from the direction received from the City Council, Planning Commission, and/or LUD, it would cause delays and confusion for the Permanent ODS project.

Alternatively, if LUD or a new committee were formed to periodically update the ODS in the future once they are adopted by the City Council, this would have no impact on the schedule for the ODS project.

CITY COUNCIL STRATEGIC INITIATIVE

City of Brentwood Strategic Plan FY 2022/23 – FY 2023/24 Focus Area 4: Land Use Planning, Goal 1: Implement Zoning Ordinance update to maintain compliance with State law, including developing objective design standards (SB 330 compliance).

PREVIOUS ACTION

Previous Action by the City Council is included on Attachment 1.

DATE OF NOTICE

Not Applicable.

ENVIRONMENTAL DETERMINATION

Not Applicable.

ATTACHMENT(S)

1. Previous Action
2. June 27, 2023, City Council Staff Report