CITY OF OAKLAND

**Objective Design Standards & Project Streamlining
Summary Report - Stakeholder Interviews**

DECEMBER 2022

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1 Introduction

1.1 Objective Design Standards & Project Streamlining

The City of Oakland's Objective Design Standards (ODS) and Project Streamlining Project seeks to develop processes, procedures, regulations, and objective design and development standards to streamline the approval of a wide range of residential, mixed-use, and commercial building types. As opposed to "design guidelines," objective design standards will not result in subjective interpretation, with many projects being able to be approved without subjective design review, resulting in faster, more predictable approvals, and high-quality development that respects Oakland's history and benefits the local community. The Objective Standards effort will result from a collaborative process, with engagement of local designers, developers, community groups, and others.

More information on the Objective Design Standards and Project Streamlining is available at https://www.oaklandca.gov/topics/objective-design-standards.

1.2 Community Engagement Process

An effective participation program creates confidence in the planning process, promotes broad-based understanding, and reflects the interests and needs of the community. Successful implementation will require interactive and constructive relationships among an array of stakeholders, including property owners, tenants, and businesses, as well as members of the development community, historic preservation groups, major employers, City staff, an Advisory Group that is scheduled to meet four times in the process, the Planning Commission, the City Council, and the broader Oakland community.

This Community Engagement Strategy (Strategy) proposes a multi-faceted approach, with the goal of engaging a cross-section of stakeholders. The Strategy involves communicating with visualizations and graphic tools to facilitate understanding of concepts and standards and employing techniques such as design-oriented focus groups that effectively solicit input. Community engagement will assure participants that their voices have been heard and that a consensus is reflected in the resulting Objective Design Standards and Project Streamlining Process. This will be achieved by summarizing our findings from each meeting and incorporating the comments into the Objective Design Standards and Streamlining Process. The Strategy is intended as an internal working document to guide the project team, and specific details, activities, and stakeholders may be identified or changed during the course of the project.

Development of objective standards will build on the City's ongoing efforts to address racial equity in Oakland. Objective standards play a part in helping the City overcome a legacy of historic zoning policies and guidelines that intentionally excluded people of color from certain neighborhoods. The Strategy will employ a racial equity lens to ensure that equity and social justice are included in the project's process and outcomes. While the Strategy focuses mainly on representative organizations rather than the general public, engagement efforts will take care to seek out groups that have been negatively impacted by past zoning policies and meaningfully engage them in developing objective standards. These include cultural preservation groups in communities that have undergone cultural displacement, neighborhood and community advocacy groups in East and West Oakland, and nonprofit housing developers.

1.3 This Report

This report describes the results of four stakeholder meetings which were designed to bring together key individuals representing property owners, developers, architects, agencies, businesses, and community groups for small group discussions with project staff. The meetings were held virtually in November 2022. Representatives from 18 organizations and a total of 46 people participated. The purpose of the stakeholder meetings was to solicit the knowledge and expertise of these stakeholders regarding the existing process and standards and desired outcomes of the project. The format was a brief presentation followed by a relatively free-form discussion; interviewers from the project staff used a list of questions as framework/prompts for the discussion, with identification of key issues and priorities left to the discussion group members.

2 Meetings Summary

The following section highlights major themes that emerged across all interviews. The following groups were represented at the stakeholder interviews: Oakland Heritage Alliance, Eden Housing Inc. CBRE, Studio T-SQ, SPUR, East Bay Asian Local Development Corporation, SERA, Raimi and Associates, CSIG, Black Liberation Walking Tours, Black Cultural Zone, BCV Architecture, City of Oakland, Tidewater Capital, DBA, LS Partners, Milpitas Planning, Piedmont Avenue Heritage Alliance.

The following questions were asked at the stakeholder interviews:

Process & Existing Standards:

- What are the key challenges you have faced in the City project approval process? What is working and is not working or is challenging?

- Do standards provide clear direction, and have been helpful?

- What standards have been difficult to implement, or have required variances or exceptions? Please be specific.

- Do existing standards limit design creativity and building outcome? How could they be improved?

Desired Outcomes

- The standards will provide a pathway for ministerial, or without subjective design review, approval. How can we best ensure predictability and also foster design creativity? What would be the most effective ways the City could help address barriers or challenges we discussed?

- Do you have any suggestions in terms of specific facility types (land uses) or specific building design or housing types?

- How do you think design standards should address specific building components – such as ground floor transparency and building/street relationship, setbacks and stepbacks, tower controls, transitions to lower density neighborhoods?

- How do we reflect historic and neighborhood context?

2.1   Key Findings

Project Streamlining

- **Staffing shortages are an impediment to a timely review process**. Coordination between departments isn't always effective and slows down design review and permitting. It would be more efficient if various departments worked in tandem.

- **Streamlining the review process will help overcome some of the many barriers to getting housing built**. The ODS development process should involve input from architects and developers (including tower developers) to get a clear understanding of the design and development process, including financing. Currently, too much work is required by the applicant to develop in Oakland. Other cities have basic applications with tiers and add-ons depending on the complexity of the application.

- **Different departments all have their own requirements**. Ideally, all development requirements could be found in one place.

- **The design review process guidelines are ambiguous** and understaffing in the planning department compounds this lack of clarity. It is not always clear why particular details require consideration, and each process might require multiple hearings.

- **The ODS should only be used when they simplify the approval process.** Otherwise, they might become too complex and prescriptive, though this is acceptable in historically sensitive areas.

Objective Design Standards (ODS)

- **Accessibility**. ODS should be written so that they are accessible to everyone and not just the professionals who have design or architectural knowledge.

- **Consider standards where it makes sense to make the approval process easier.** SB35 housing projects are time sensitive. They require a preapplication process and require coordination between various departments within the City which takes time.

- **Affordable housing requirements must be clearly defined**, including minimum percentages of 2-bedroom units, living area, guidelines for massing and modulation, and other guidelines intended to improve the quality of buildings.

- **Standards should focus on multi-family housing.** The ODS cover a range of building types. It would be helpful to focus on residential facility types.

- **Ground floor standards are essential in the ODS.** The ground floors of multifamily buildings have two sides: Primary and Functional (utilitarian) where entrances to parking, trash rooms, mechanical rooms and other facilities are located. It is very difficult to make the functional ground floor appealing, and the two need to be addressed separately in ODS.

- **The ODS should consider different standards for affordable housing and market rate housing** to have realistic financing options. One option to pursue could be to permit affordable housing developers to comply with fewer items in the ODS.

- **Standards must balance design with affordability**. Sustainability and high material quality are desirable but can be restrictive for affordable housing developers.

- **It is unlikely that every project can be approved via ODS.** Instead, consider the cases that can be approved ministerially and how ODS can be an incentive for developers to build more affordable housing. Can there be an incentive structure as a part of ODS?

- **Housing standards should not repeat the housing inequities of the past.** ODS should not perpetuate something that's exclusionary and lower density in areas that need and can accept more housing density.

- **Affordable Housing experts need to be included in the process**. Include people who have worked in housing review ODS to have a realistic perspective of the process.

- **ODS should consider massing, modulation, articulation, and transitions**, including a 45 degree angle for daylight plane, particularly for taller buildings. Standards should avoid "wedding cake" stepped design but should still provide daylight to lower-density context.

- **ODS intent should be clearly communicated.** Designer should be able to choose options based on context with built-in flexibility.

- **The ODS should allow for flexibility and interpretation** through tools like massing and alignments and avoid prescribing specific architectural details. Standards should be nuanced and may be difficult to meet without flexibility. Form based codes could help create more range or leeway in the standards.

- Developing a **menu of options** could allow for greater flexibility, though this strategy runs the risk of turning into an unintentionally restrictive list. Concerns were also raised that developers would exclusively choose the cheapest options from the "menu" resulting in repetitive designs.

  - The objective standards might avoid numbered lists and instead incorporate "such as" language or ranges of options to encourage more open-ended development possibilities. Rather than list a specific array of options that are permitted, the ODS could instead provide guidelines that prohibit some options but allow any options that aren't clearly prohibited.

  - The "menu" of options could be helpful, but only if it leaves room for exceptions. Variables in the ODS can allow for more creativity.

- **Standards must address a diverse array of housing types and sizes.** Morphology of housing must meet the needs of individuals and families from a wide range of backgrounds and identities.

  - Many projects under review are smaller buildings, such as ADUs, duplexes, and fourplexes. A separate approval path for smaller buildings would be helpful and ideally, ODS would supersede conditional use permits.

- **Private Open Space standards are a challenge and** tend to be financially restrictive for development. One option could be to scale open space by building size by some percentage. In multifamily housing, it's important to provide some private open space, but not necessarily for every unit.

- **ODS standards should ensure ADA accessibility.** One example mentioned was that people park in their garage entries and block the sidewalks because the setbacks are not wide or deep enough, blocking wheelchairs.

- **Transparency requirements should be revised.** Ground floor transparency is not always necessary and should be thoughtfully considered. Other cities have effectively maintained active frontages and street level activity without extensive transparency requirements.

- **Built-in incentives can help the ODS encourage creativity.** For example, a density bonus in exchange for artistic spaces is an example of an incentive that encourages ground floor activation.

- **The ODS should allow for creativity.** Stakeholders expressed concern that the ODS could result in many identical looking buildings.

- **Setback standards should be consistent.** The ODS could also consider establishing a stepdown provision stepdown provision adjacent from one intensity/height to a property zoned for higher density

use. Standards should be flexible around façade materiality and articulation, and only include critical setback depths.

- o Adequate setbacks from curb are necessary. Setback standards are generally easier than corner standards to understand, which should also be simplified.

- o Some "academic" requirements look good on paper but cause problems when it comes to actual place and actual building. For example, some step back requirements do not make sense when they are translated into realities of design.

- **Standards should consider potential adverse construction costs.** The development of the standards should involve general contractors, building managers, and other relevant parties to explore the full range of possible effects.

Context

- **Consider cultural overlays to help preserve cultural resources**. Standards should reflect context and history and consider what activities in the landscape and buildings can bring people together, including how ground floor activity can be better connected to the public. Cultural districts should be approached at important nodes, not patchwork.

- **Standards should take a place specific approach and incorporate a diverse array of uses**. This extends beyond just office and retail (residential, commercial, nonresidential). Standards should also consider factors such as retail space depth and active frontage.

- The planning process in **historic contexts is slow and insufficiently defined**. City planning staff lack clear guidance regarding project evaluation. The current standards for historic buildings are not consistent. The new standards should have clear definitions of historic buildings, compatibility, and context.

- **Larger developments should not overwhelm historic buildings.** ODS need to balance flexibility with continuity in historic districts. Larger developments could have stepbacks in massing adjacent to the historic buildings to avoid being overwhelming or overpowering.

- The new standards should have clear **definitions about historic buildings, compatibility and context.** For example, does context include only adjacent buildings? The size of the context should be clearly defined. A cultural survey of historic buildings should be conducted to compile information for the City's historic buildings. For APIs and ASIs, the entire area should be considered. For isolated buildings, a certain distance, 250 ft in either direction could work.

- **Historic Context can be time consuming**. Historic preservation is important, but **affordable housing need is more important**.

- **Historic Context is important to consider**. Coordination with multiple groups may be only way it can be successful.

- **Current procedures to protect historic resources are not equally and universally applied**. Sometimes planners do not know which requirements are applicable to certain projects. Oakland Housing Authority (OHA) uses the public review period to comment to and to make projects better.

- Maps that clearly indicate historic significant of buildings in Oakland would be useful. Up to date and publicly available maps and GIS **information about historic buildings** could help the public determine if each project is historically significant early on in the development process.