

RESOLUTION 2023-26
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FORTUNA ADOPTING
THE MULTIFAMILY DESIGN STANDARDS

WHEREAS, SB-35 (Chapter 366, Statutes of 2017) enacted section 65913.4 to the Government Code, effective January 1, 2018; and

WHEREAS, Government Code section 65913.4 requires cities and counties to approve qualifying multifamily projects through a streamlined ministerial process if a project conforms to applicable objective standards and meets other requirements;

WHEREAS, The Housing Accountability Act (HAA), Government Code section 65589.5, limits the ability of cities and counties to deny or reduce the density of housing development projects that are consistent with objective standards;

WHEREAS, SB-330 (Chapter 654, Statutes of 2019) enacted Government Code section 66300 which prohibits cities and counties from establishing design standards that are not objective;

WHEREAS, Fortuna's Zoning Code currently contains limited objective design standards for multifamily residential development;

WHEREAS, Fortuna currently relies on subjective design review criteria in Zoning Code Section 17.07.100 to ensure that multifamily residential development conforms with the General Plan and the City's design review manual;

WHEREAS, for a project requesting streamlined review under SB-35, the City cannot enforce subjective design review criteria;

WHEREAS, under the Housing Accountability Act and SB-330, the City cannot require compliance with these standards for any multifamily or mixed-use residential project in a manner that disallows or reduces the density of the proposed project;

WHEREAS, in 2019 Fortuna was awarded an SB-2 grant from the State of California established to fund city planning efforts to streamline housing approvals and accelerate housing production;

WHEREAS, Fortuna elected to use part of this SB-2 grant to prepare new Multifamily Design Standards;

WHEREAS, On December 7, 2020 the City Council and Planning Commission held a study session to provide feedback on a recommended approach to the Multifamily Design Standards task;

WHEREAS, On October 14 and December 1, 2020 City staff received feedback on the approach from a group of local stakeholders.

WHEREAS, the City prepared draft Multifamily Design Standards based on feedback from the City Council, Planning Commission, and local stakeholders;

WHEREAS, the Multifamily Design Standards contains objective standards that would apply

to SB-35 projects and conforms to the requirements of the Housing Accountability Act and SB-330;

WHEREAS, the Planning Commission held a public hearing on the Multifamily Design Standards on June 27, 2023 considered the staff report, and public testimony, and made a recommendation to the City Council pursuant to Resolution P-2023-3103 to adopt the Multifamily Design Standards.

WHEREAS, on August 12, 2023, a notice was published in the North Coast Journal and notices were posted in conspicuous locations including City Hall and the City website, specifying the availability of the proposal, and the date, time, and location of the City Council public hearing for this Multifamily Design Standards; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council adopts, by resolution, Multifamily Design Standards in the form attached hereto as Exhibit “1”.

PASSED AND ADOPTED on this 5th day of September, 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Tami Trent, Mayor

ATTEST:

Siana L. Emmons, City Clerk