

ORDINANCE NO. 3311-26

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA, AMENDING TITLE 10 PLANNING AND ZONING, CHAPTER 2 ZONING AND LAND USE OF THE REDONDO BEACH MUNICIPAL CODE TO IMPLEMENT AMENDMENTS TO THE CITY'S CERTIFIED 6TH CYCLE 2021-2029 HOUSING ELEMENT THAT REPLACE THE AFFORDABLE HOUSING OVERLAY DISTRICTS ON THE CITY'S IDENTIFIED "HOUSING SITES" WITH HIGH-DENSITY RESIDENTIAL (65 DU/AC) AND MIXED-USE ZONING DISTRICTS (65 TO 80 DU/AC).

WHEREAS, the State of California requires each city and county to adopt a Housing Element as part of its General Plan in accordance with California Government Code Section 65580 et seq., which establishes policies and programs to address the housing needs of all economic segments of the community; and

WHEREAS, the City of Redondo Beach adopted the 2021–2029 Housing Element (6th Cycle) ("Housing Element") on July 5, 2022, which identified policies, programs, and "housing sites" intended to accommodate the City's Regional Housing Needs Assessment (RHNA) allocation for the planning period; and

WHEREAS, the State Department of Housing and Community Development (HCD) certified the City's Housing Element in their letter dated September 1, 2022; and

WHEREAS, following adoption and certification of the Housing Element, the City has continued implementing Housing Element programs, including zoning amendments, updates to development standards, and monitoring of housing project activity and the City has continued to work with HCD to ensure that the Housing Element remains consistent with State Housing Element law and provides a feasible strategy for housing development; and

WHEREAS, in furtherance of the City's implementation of its strategy for meeting its RHNA allocation, and in response to a recent court decision impacting the City's Housing Element, the City is proposing an amendment to the adopted Housing Element that replaces the program for "overlay" zoning standards on the City's identified "housing sites," required to meet the City's RHNA, with High Density Multi-Family Residential (65 du/ac) and Mixed Use zoning designations (65 du/ac to 80 du/ac) that require future redevelopment of the identified "housing sites" to include a minimum of 50% of the floor area be developed as residential; and

WHEREAS, the City released the draft Housing Element amendment for a seven (7) day public review period from January 6, 2026 through January 13, 2026, and again from February 13, 2026 through February 20, 2026, and transmitted the draft Housing Element along with all public comments received during that review period to HCD for

review. The City timely received a total of 5 written comments during the public review periods; and

WHEREAS, all the proposed amendments to the Housing Element have been reviewed and approved by HCD and a “substantial compliance” letter from HCD dated March 13, 2026 was received by the City of Redondo Beach; and

WHEREAS, proposed amendments to the city’s Zoning and Subdivision Ordinances are also required in order to implement and be consistent with this proposed Housing Element amendment; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA) (Pub. Resources Code § 21000, et seq.), an “Addendum” to the certified program Final Environmental Impact Report for the General Plan Update has been prepared concerning the amendments to the Housing Element, and Zoning and Subdivision Ordinances to replace the affordable housing overlay districts on the city’s identified “housing sites” with high-density residential (65 du/ac) and mixed-use zoning districts (65 to 80 du/ac) (March 2026); and

WHEREAS, on March 19, 2026 the Planning Commission held a duly noticed public hearing to consider the “Addendum” to the certified program Final Environmental Impact Report noted above and the proposed updates to the Housing Element and associated updates to the city’s Draft Land Use Element, and Zoning and Subdivision Ordinances required for consistency and to implement the City’s Housing Element updates, took testimony from staff, the public and other interested parties, deliberated, and continued the public hearing to a Special Meeting of the Planning Commission on March 31, 2026, to fulfill broadcast and virtual Zoom participation options included in the public notice for the March 19, 2026 public hearing that due to technical reasons were not available at the public hearing on March 19, 2026; and

WHEREAS, at their Special Meeting on March 31, 2026, the Planning Commission held a continued public hearing to again consider the “Addendum” to the certified program Final Environmental Impact Report and the proposed updates to the Housing Element and associated updates to the city’s Draft Land Use Element, and Zoning and Subdivision Ordinances noted above, took testimony from staff, the public and other interested parties, deliberated, closed the public hearing and recommended that the City Council approve, pursuant to the California Environmental Quality Act, an addendum to the certified “Redondo Beach Focused General Plan Update, Zoning Ordinance Update and Local Coastal Program Amendment Program EIR”, concerning the update of the City’s Housing Element, and adopt proposed amendments to Title 10 Planning and Zoning, Chapter 2 Zoning and Land Use of the Redondo Beach Municipal Code (“Exhibit A”) to implement amendments to the city’s certified 6th Cycle 2021-2029 Housing Element that replace the affordable housing overlay districts on the city’s identified “housing sites” with high-density residential (65 du/ac) and mixed-use zoning districts (65 to 80 du/ac); and

WHEREAS, following the Special Meeting of the Planning Commission on March 31, 2026, city staff and the city's housing consultant Veronica Tam & Associates, Inc. conferenced with HCD concerning the proposed amendments to the city's Zoning and Subdivision Ordinances required in order to implement and be consistent with the proposed Housing Element amendment and the city has since incorporated HCD's recommended edits and clarifications into the proposed Zoning and Subdivision Ordinances. HCD requested an increase in height and stories from the proposed 45' and 4 stories to 55' and 5 stories for the high-density residential (65 DU/AC) "Housing Sites" along 190th street and clarifying language concerning the requirement for 50% of any future development at the identified "Housing Sites" must be residential. HCD did not provide any comments concerning the proposed amendments to the Subdivision Ordinance; and

WHEREAS, on May 5, 2026 the City Council, at their duly noticed public hearing and pursuant to the California Environmental Quality Act (CEQA) (Pub. Resources Code § 21000, et seq.), approved an "Addendum" to the certified program Final Environmental Impact Report for the General Plan Update concerning the amendments to the Housing Element, and Zoning and Subdivision Ordinances to replace the affordable housing overlay districts on the city's identified "housing sites" with high-density residential (65 du/ac) and mixed-use zoning districts (65 to 80 du/ac) (March 2026) with the approval of Resolution No. 2605-027.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF REDONDO BEACH DOES HEREBY FIND AS FOLLOWS:

1. That the amendments to Title 10 Planning and Zoning, Chapter 2 Zoning and Land Use are consistent with the "Purpose" and procedures pursuant to Redondo Beach Municipal Code Section 10-2.2504 Zoning amendments.
2. That the amendments to Title 10 Planning and Zoning, Chapter 2 Zoning and Land Use are consistent with and serve to implement the City's certified 6th Cycle 2021-2029 Housing Element as amended.
3. The amendments to Title 10 Planning and Zoning, Chapter 2 Zoning and Land Use are necessary to facilitate the development of affordable housing in the community consistent with State housing law.
4. That the City Council pursuant to the California Environmental Quality Act (CEQA) (Pub. Resources Code § 21000, et seq.), considered the information and determinations contained in an "Addendum" to the certified program Final Environmental Impact Report for the General Plan Update (State Clearinghouse Number 2023050732) which was prepared concerning the amendments to the Housing Element, and Zoning and Subdivision Ordinances to replace the affordable housing overlay districts on the city's identified "housing sites" with high-density residential (65 du/ac) and mixed-use zoning districts (65 to 80 du/ac) prepared in March 2026.
5. That agencies and interested members of the public have been afforded ample notice and opportunity to comment on the "Addendum" to the certified program Final

Environmental Impact Report, the proposed amendments to the City's certified 6th Cycle 2021-2029 Housing Element, and the associated proposed amendments to the City's Zoning and Subdivision Ordinances, required to implement and be consistent with the Housing Element amendments.

6. That the City Council, in the exercise of its independent judgment and pursuant to CEQA, approved the "Addendum" to the certified "REDONDO BEACH FOCUSED GENERAL PLAN UPDATE, ZONING ORDINANCE UPDATE AND LOCAL COASTAL PROGRAM AMENDMENT PROGRAM EIR", concerning the amendments to the Housing Element, and Zoning and Subdivision Ordinances to replace the affordable housing overlay districts on the city's identified "housing sites" with high-density residential (65 du/ac) and mixed-use zoning districts (65 to 80 du/ac), with their approval of Resolution No. 2605-027 and as part of that approval directed staff to file a "Notice of Determination" as set forth in Public Resources Code Section 21152.
7. That the amendments to the City's certified 6th Cycle 2021-2029 Housing Element, and Zoning and Subdivision Ordinances are exempt from the requirements and procedures pursuant to Article XXVII of the City's Charter.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. That the above recitals and findings are true and correct, and are incorporated herein by reference as if set forth in full.

SECTION 2. TITLE 10 PLANNING AND ZONING, CHAPTER 2 ZONING AND LAND USE. That the City Council adopt amendments to the Redondo Beach Municipal Code, Title 10 Planning and Zoning, Chapter 2 Zoning and Land Use to make consistent with and implement the City's certified 6th Cycle 2021-2029 Housing Element Amendments in accordance with the proposed changes/edits attached as "Exhibit A".

SECTION 3. SEVERANCE. If any section, subsection, sentence, clause, or phrase of this amendment to Title 10 Planning and Zoning, Chapter 2 Zoning and Land Use Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of these amendments to Title 10 Planning and Zoning, Chapter 2 Zoning and Land Use Ordinance. The City Council declares that it would have passed this amendment to Title 10 Planning and Zoning, Chapter 2 Zoning and Land Use Ordinance and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid or unconstitutional.

SECTION 4. PUBLICATION AND EFFECTIVE DATE. This ordinance shall be published by one insertion in the Easy Reader, the official newspaper of said City, and same shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.

[THIS SECTION INTENTIONALLY LEFT BLANK]

PASSED, APPROVED AND ADOPTED this 12th day of May, 2026.

James A. Light, Mayor

APPROVED AS TO FORM:

ATTEST:

Joy A. Ford, City Attorney

Eleanor Manzano, CMC, City Clerk

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF REDONDO BEACH)

I, Eleanor Manzano, City Clerk of the City of Redondo Beach, California, do hereby certify that Ordinance No. 3311-26 was introduced at a regular meeting of the City Council held on the 5th day of May, 2026 and approved and adopted by the City Council of the City of Redondo Beach, California, at a regular meeting of said City Council held on the 12th day of May, 2026, and there after signed and approved by the Mayor and attested by the City Clerk, and that said Ordinance was adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Eleanor Manzano, CMC
City Clerk

ORDINANCE NO. CC-3311-26

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA, AMENDING TITLE 10 PLANNING AND ZONING, CHAPTER 2 ZONING AND LAND USE OF THE REDONDO BEACH MUNICIPAL CODE TO IMPLEMENT AMENDMENTS TO THE CITY'S CERTIFIED 6TH CYCLE 2021-2029 HOUSING ELEMENT THAT REPLACE THE AFFORDABLE HOUSING OVERLAY DISTRICTS ON THE CITY'S IDENTIFIED "HOUSING SITES" WITH HIGH-DENSITY RESIDENTIAL (65 DU/AC) AND MIXED-USE ZONING DISTRICTS (65 TO 80 DU/AC).

"Exhibit A"

Amendments to Title 10 Planning and Zoning, Chapter 2 Zoning and Land Use of the Redondo Beach Municipal Code.

Amendments to Chapter 2, Zoning and Land Use

Amendments to Article 1, General Provisions

Section 10-2.300, Designation of Zones:

§ 10-2.300 Designation of zones.

For the purposes related to the orderly development of the City, and in order to carry out the provisions of this chapter, the City is divided into the following zones:

- (a) Residential.
 - (1) R-1 Single-Family Residential Zone.
 - (2) R-1 A Single-Family Residential Zone.
 - (3) R-2 Low Density Multiple-Family Residential Zone.
 - (4) R-3 Low Density Multiple-Family Residential Zones: R-3 and R-3A.
 - (5) RMD Medium Density Multiple-Family Residential Zone.
 - (6) RH High Density Multiple-Family Residential Zones: RH-1, RH-2, ~~and~~ RH-3, and RH-4.
 - (7) R-MHP Mobile Home Park Zone.
- (b) Commercial.
 - (1) C-1 Commercial Zone.
 - (2) C-2 Commercial Zones: C-2, C-2A, C-2B, and C-2-PD.
 - (3) C-3 Commercial Zones: C-3, C-3A, C-3B and C-3-PD.
 - (4) C-4 Commercial Zones: C-4, C-4A, and C-4-PD.
 - (5) C-5 Commercial Zones: C-5A.

(6) CC Coastal Commercial Zones: CC-1, CC-2, CC-3, CC-4 and CC-5.

(c) Mixed Use.

(1) MU-1 Mixed Use Zone.

~~(2) MU-2 Mixed Use Zone.~~

~~(3)~~ MU-3 Mixed Use Zones: MU-3, MU-3A, and MU-3C.

(3) MU-H Mixed Use

(4) CR Regional Commercial Zones: CR, and CR-H.

(d) Industrial.

(1) I-1 Industrial Zones: I-1, I-1A, and I-1B.

(2) I-2 Industrial Zones: I-2 and I-2A.

(3) IC-1 Industrial-Commercial Zone.

(e) Public and Institutional.

(1) P-CIV Civic Center Zone.

(2) P-RVP Riviera Village Parking Zone.

(3) P-ROW Right-of-Way Zone.

(4) P-CF Community Facility Zone.

(5) P-PRO Parks, Recreation, and Open Space Zone.

(6) P-SF School Facility Zone.

(7) P-GP Generating Plant Zone.

(f) Overlay Zones.

(1) (H) Historic Overlay Zone.

(2) (PLD) Planned Development Overlay Zone.

(3) (MU) Mixed-Use Overlay Zone.

(4) (RIV) Riviera Village Overlay Zone.

~~(5) (AHO) Affordable Housing Overlay Zone.~~

(5) (IF) Industrial Flex Overlay Zone.

Section 10-2.402, Definitions:

The following definitions will be revised (shown as strike through and underlined text) within Section 10-2.402, Definitions:

...

- (9) "Affordable Housing ~~Overlay (AHO)~~ Project - Housing Element" shall mean any development project proposed or developed ~~within an affordable housing overlay zone that qualifies to use the optional standards of the AHO zone and on a Housing Element Affordable Housing Site that provides at least 20 percent of units affordable to lower-income households. Low Barrier Navigation Centers also qualify as affordable housing projects. elects to do so. Qualifying projects must meet the requirements of either a Tier 1 or Tier 2 project as follows:~~

- ~~(1) Tier 1. Any project within an AHO zone with a residential component, including transitional housing, supportive housing, and employee housing, that occupies at least 50 percent of the total floor area in the project site.~~
- ~~(2) Tier 2. Any project within an AHO zone that meets the requirements of Tier 1 and also provides at least 20 percent of units affordable to lower income households. Low Barrier Navigation Centers also qualify as a Tier 2 projects.~~
- (10) "Affordable Housing ~~Overlay (AHO)~~ Site - Housing Element" shall mean a site identified in the Housing Element of the General Plan that is included in the Housing Element Sites inventory as suitable to fulfill the City's low or very low income RHNA obligation, ~~would be rezoned with an "Affordable Housing Overlay"~~ and ~~represented~~ is identified in the Land Use rezoning program (Program 8) of the Housing Element by the residential overlay (R) General Plan land use designation. On these sites, qualifying AHO at least 50 percent of the floor area for any new development project must be for residential use. Affordable Housing Projects-Housing Element may benefit from streamlined administrative procedures identified in Article 12. ~~elect to use the regulations and standards of the AHO zone rather than those of the underlying zone. AHO sites~~ Affordable Housing Sites - Housing Element include the following sites identified ~~on~~ in the ~~Land Use Plan~~ Housing Element of the General Plan:

- ~~(1) — North Tech~~
- ~~(2)~~ a. South of Transit Center (RH-4)
- ~~(3)~~ b. South Bay Marketplace (CR-H)
- ~~(4)~~ c. Kingsdale (RH-4 and MU-H)
- ~~(5)~~ d. 190th Street (RH-4)
- ~~(6)~~ e. FedEx (MU-H), and
- f. Scattered Sites (MU-1)

...

- (79) "Floor area, gross." In calculating gross floor area, all horizontal dimensions shall be taken from the exterior faces of walls, including covered enclosed porches, but not including the area of inner courts or shaft enclosures.
- a. Uses in nonresidential zones. Gross floor area shall mean the floor area of the ground floor and any additional stories, and the floor area of mezzanines, lofts, and basements of a structure. Gross floor area shall not include any area used exclusively for vehicle parking and loading, enclosed vertical shafts, or elevators.
- b. Residential uses in "R" residential zones. Gross floor area shall mean the floor area of the ground floor and any additional stories of all buildings on the lot including accessory buildings. The gross floor area shall include mezzanines and lofts, and garages. Gross floor area shall not include decks, balconies, attics, basements where the finished first floor above the basement (or the roof of the basement where there is no first floor above) is no more than two feet above the existing grade or finished grade, whichever is lower, within the front 40 feet of the lot, or basements not located within the front 40 feet of the lot.
- c. Mixed uses in mixed use ~~and AHO~~ zones. Gross floor area shall mean the floor area of the ground floor and any additional stories of all buildings on the lot including accessory buildings. The gross floor area shall include mezzanines, and lofts. Gross floor area shall not include decks, balconies, attics, basements where the finished first floor above the basement (or the roof of the basement where there is no first floor above) is no more than two feet above the existing grade or finished grade, whichever is lower, within the front 40 feet of the lot, or basements not located within the front 40 feet of the lot. Gross floor area shall not include any area used exclusively for vehicle parking and loading, enclosed vertical shafts, or elevators.

Amendments to Article 2, Zoning Districts

Section 10-2.510, Specific purposes, R-2, R-3, RMD, and RH multiple-family residential zones.

§ 10-2.510 Specific purposes, R-2, R-3, RMD, and RH multiple-family residential zones.

In addition to the general purposes listed in Section 10-2.102, the specific purposes of the multiple-family residential zone regulations are to:

- (a) Provide appropriately located areas for multiple-family residential development, including those units used as transitional housing, supportive housing or employee housing consistent with the General Plan, and with the standards of public health, safety, and welfare established by the Municipal Code;
- (b) Provide an adequate supply and range of housing types to accommodate the City's future population growth;
- (c) Achieve a high level of design quality consistent with the surrounding neighborhood;
- (d) Ensure adequate light, air, privacy, and open space for each dwelling;
- (e) Protect residential areas from public safety hazards;
- (f) Provide sites for public or semi-public land uses needed to complement residential development or requiring a residential environment;
- (g) Ensure the provision of public services and facilities needed to accommodate the residential population.
- (h) The additional purposes of each multiple-family residential zone are:
 - (1) R-2, R-3 and R-3A low density multiple-family residential zones. To provide opportunities for low density multi-family residential land use, including attached or detached units in condominiums, duplexes, and apartments, and designed to convey the visual character of single family residential neighborhoods.
 - (2) RMD medium density multiple-family residential zone. To provide opportunities for medium density multi-family residential land use, including attached or detached units in condominiums, duplexes, and apartments, with standards appropriate for such development and designed to convey a distinctive residential neighborhood quality.
 - (3) RH high density multiple-family residential zones. To provide opportunities for higher density multi-family residential land use, including apartments and condominiums, with standards appropriate for such development and designed to convey a distinctive residential neighborhood quality.
 - (4) RH-4 very high density multiple-family residential zones. To promote high density housing, including condominiums and apartments, that provides opportunities for housing that is affordable to lower income households and helps satisfy the City's RHNA obligation consistent with the City's Housing Element and State law.

Section 10-2.511, Land use regulations: R-2, R-3, RMD, and RH multiple-family residential zones.

§ 10-2.511 Land use regulations: R-2, R-3, RMD, and RH multiple-family residential zones.

In the following schedule the letter "P" designates use classifications permitted in the specified zone and the letter "C" designates use classifications permitted subject to approval of a Conditional Use Permit, as provided in Section 10-2.2506. Where there is neither a "P" nor a "C" indicated under a specified zone, or where a use classification is not listed, that classification is not permitted. The "Additional Regulations" column references regulations located elsewhere in the Municipal Code.

Classifications	R-2	R-3	R-3A	RMD	RH-1	RH-2	RH-3	RH-4 ¹	Additional Regulations See Section:
Residential Uses									
Employee housing	P	P	P	P	P	P	P	<u>P</u>	
Single-family housing	P	P	P	P	P	P	P	<u>=</u>	
2-15 residential units on a lot*	P	P	P	P	P	P	P	<u>P</u>	10-2.1608
16 or more residential units on a lot*	C	C	C	C	C	C	C	<u>C/P</u> ²	10-2.1608
Family day care homes:									
Family day care home, small	P	P	P	P	P	P	P	<u>P</u>	
Family day care home, large	P	P	P	P	P	P	P	<u>P</u>	
Residential care facilities, limited	P	P	P	P	P	P	P	<u>P</u>	
Senior housing	P	P	P	P	P	P	P	<u>P</u>	10-2.1624
Second units	P	P	P	P	P	P	P	<u>P</u>	10-2.1506
Supportive housing	P	P	P	P	P	P	P	<u>P</u>	10-2.1638 1608
Transitional housing	P	P	P	P	P	P	P	<u>P</u>	
Commercial Uses									
Home occupations	P	P	P	P	P	P	P	<u>P</u>	6-1.22(h)
Parking lots	C	C	C	C	C	C	C	<u>C</u>	10-2.1702(c)(2)
Other Uses									
Adult day care centers	C	C	C	C	C	C	C	<u>C</u>	
Child day care centers	C	C	C	C	C	C	C	<u>C</u>	
Churches	C	C	C	C	C	C	C	<u>C</u>	
Convalescent facilities	C	C	C	C	C	C	C	<u>C</u>	
Non-profits	C	C	C	C	C	C	C	<u>C</u>	
Private schools	C	C	C	C	C	C	C	<u>C</u>	
Public utility facilities	C	C	C	C	C	C	C	<u>C</u>	10-2.1614

*The maximum number of units per zone is established by the applicable zone's development standards.

Notes:

1. New development projects in the RH-4 zone must include residential use. A minimum of 50 percent of the total gross floor area of any new development project in the RH-4 zone shall be occupied by residential uses. Floor area shall be calculated as outlined in Section 10-2.402.
2. Residential development projects in the RH-4 zone that include at least 20% of the units dedicated to lower income households and are located on properties identified in appendix B of the 2021-2029 Housing Element that meet the requirements of § 10-2.2500 (a) (9) are processed administratively pursuant to § 10-2.2500 Administrative Design Review otherwise a Conditional Use Permit is required.

NEW Section 10-2.520 Development standards: RH-4 high density multiple-family residential zone.

§ 10-2.519 Development standards: RH-4 high density multiple-family residential zone.

(a) Lot area per dwelling unit.

- (1) The maximum number of dwelling units permitted on a lot shall be not more than one dwelling unit for each 670 square feet of lot area.

- (2) Minimum lot area per dwelling unit. The minimum number of dwelling units permitted on a lot shall be no less than one unit for each 2,179 square feet of lot area.
- (b) Permitted lot combinations. Two or more lots may be combined provided that the following requirements are satisfied:
- (1) A parcel map is approved pursuant to the standards and requirements set forth in Chapter 1, Title 10 of the Municipal Code and the Subdivision Map Act.
- (c) Building height. No building or structure shall exceed a height of 55 feet, unless an Affordable Housing Benefit, as defined in Section 10-2.2102, is granted pursuant to the provisions of Article 9 of this chapter.
- (d) Stories. No building shall exceed five stories (see definition of story in Section 10-2.402), unless an Affordable Housing Benefit, as defined in Section 10-2.2102, is granted pursuant to Article 9 of this chapter.
- (e) Setbacks. The minimum setback requirements shall be as follows:
- (1) Front setback. There shall be a minimum front setback of 10 feet the full width of the lot.
- (2) Side setback. There shall be a minimum side setback of five feet the full length of the lot, except as follows:
- a. Single-family dwellings on lots less than fifty feet in width. Additions to existing single-family dwellings constructed on lots less than 50 feet in width, with existing side setbacks of less than five feet, shall be permitted to match the existing side setback, provided that the side setback shall not be less than 10% of the width of the lot.
- b. Lots exceeding fifty feet of frontage.
1. Where the lot frontage is greater than 50 feet and not more than 75 feet, the side setback requirement shall be five feet.
2. Where the lot frontage is greater than 75 feet and not more than 100 feet, the side setback requirement shall be six feet.
3. Where the lot frontage is greater than 100 feet and not more than 150 feet the side setback requirement shall be 10 feet.
4. Where the lot frontage is greater than 150 feet the side setback requirement shall be 15 feet.
- (3) Rear setback. No rear setback shall be required, except where the rear lot line is contiguous to a residential zone, in which case, the rear setback shall average no less than 15 feet, but at no point be less than 10 feet.
- (4) Second story setback. The second story shall have a minimum setback of 15 feet from any property line abutting a street.
- (5) Third and fourth story setback. Within the first 30 feet of property depth, all building elevations above the second floor shall have a minimum average setback of five feet from the second floor building face.
- (f) Outdoor living space. Each dwelling unit shall be provided a minimum of 200 square feet of outdoor living space (see standards for outdoor living space in Section 10-5.1510).
- (g) General regulations (including, but not limited to, accessory structures, projections into setbacks, and fences and walls). See Article 3 of this chapter.
- (h) Legal non-conforming uses/structures. A legal nonconforming use may continue and is considered a legal conforming use, but shall not be enlarged or expanded, except for minor alterations necessary for maintenance or for an expansion not exceeding 10 percent of the total existing square footage or 1,000 square feet, whichever is less, subject to a Conditional Use Permit. Any proposed change in excess of this will be considered

a new development project and all provisions of this section must be implemented. A legal nonconforming structure is subject to Article 8 Nonconforming Structures, Section 10-2.2004.

(i) Parking regulations. See Article 5 of this chapter.

(j) Sign regulations. See Article 6 of this chapter.

(k) Landscaping regulations. See Article 7 of this chapter.

(l) Procedures. See Article 12 of this chapter.

Section 10-2.900 Specific Purposes, MU-1, and MU-3, MU-H mixed-use zones and CR and CR-H regional commercial zones.

§ 10-2.900 Specific purposes, MU-1, ~~and~~ MU-3, and MU-H mixed-use zones, and CR and CR-H regional commercial zones.

In addition to the general purposes listed in Section 10-2.102, the specific purposes of the MU-1, ~~and~~ MU-3, and MU-H mixed-use zones and the CR and CR-H regional commercial zones regulations are to:

- (a) Encourage residential uses in conjunction with commercial activities in order to create an active street life, enhance the vitality of businesses, and reduce vehicular traffic;
- (b) Provide appropriately located areas consistent with the General Plan for a full range of neighborhood and community-oriented retail sales, services, professional offices, and other commercial uses;
- (c) Strengthen the City's economic base, and provide employment opportunities close to home for residents of the City;
- (d) Ensure that commercial and residential uses in a development are designed to be compatible with each other;
- (e) Ensure that the appearance and effects of buildings and uses are harmonious with the character of the area in which they are located;
- (f) Accommodate the development of regional-serving commercial uses in areas designated CR (Regional Commercial);
- (g) Ensure that the primary character of mixed-use developments should be commercial in nature so as to integrate with and enhance the quality of the surrounding business districts;
- (h) Ensure that high quality, usable, public open spaces are provided within mix-use developments for purposes of aesthetics, social interaction, internal and external connectivity;
- (i) Implement the City's 2021-2029 Housing Element, promote the public good by incentivizing the development of housing affordable to lower income households, satisfy the City's RHNA obligation consistent with the City's Housing Element and State law, and promote city planning goals of achieving greater socioeconomic diversity and a distribution of affordable housing citywide.

Section 10-2.910, Land use regulations: MU-1, MU-3, MU-3A, MU-3C, MU-H mixed-use zones, and CR and CR-H regional commercial zones.

§ 10-2.910 Land use regulations: MU-1, MU-3, MU-3A, ~~MU-3B~~, ~~and~~ MU-3C, and MU-H mixed-use zones, and CR and CR-H regional commercial zones.

In the following schedule the letter "P" designates use classifications permitted in the specified zone, the letter "C" designates use classifications permitted subject to approval of a Conditional Use Permit, as provided in Section 10-

2.2506, and the letter "A" designates use classifications permitted subject to approval of an Administrative Use Permit, as provided in Section 10-2.2507. Where there is neither a "P," a "C" nor an "A" indicated under a specified zone, or where a use classification is not listed, that classification is not permitted. The "Additional Regulations" column references regulations located elsewhere in the Municipal Code.

Classifications	MU-1	MU-3	MU-3A MU-3B MU-3C	CR	MU-H ¹	CR-H ¹	Additional Regulations See Section:
Residential Uses							
Multi-family residential	<u>EC/P²</u>	<u>EC/P²</u>	<u>EC/P²</u>	<u>EC/P²</u>	<u>C/P²</u>	<u>C/P²</u>	10-2.911(b)
Condominiums	<u>EC/P²</u>	<u>EC/P²</u>	<u>EC/P²</u>	<u>EC/P²</u>	<u>C/P²</u>	<u>C/P²</u>	10-2.911(b)
Family day care home, small	P	P	P	P	<u>P</u>	<u>P</u>	
Family day care home, large	P	P	P	P	<u>P</u>	<u>P</u>	
Residential care, limited	P	P	P	P	<u>P</u>	<u>P</u>	
Supportive housing	P	P	P	P	<u>P</u>	<u>P</u>	10-2.1638
Transitional housing	P	P	P	P	<u>P</u>	<u>P</u>	
Employee housing	P	P	P	P	<u>P</u>	<u>P</u>	
Commercial Uses							
Home occupations	P	P	P	P	<u>P</u>	<u>P</u>	6-1.22(h)
Parking lots	C	C	C	C	<u>C</u>	<u>C</u>	10-2.1702(c)(2)
Other Uses							
Animal sales and services:							
Animal feed and supplies	P	P	P	P	<u>P</u>	<u>P</u>	
Animal grooming	C	C	C	C	<u>C</u>	<u>C</u>	10-2.911(a)
Animal hospitals	C	C	C	C	<u>C</u>	<u>C</u>	10-2.911(a)
Animal sales	C	C	C	C	<u>C</u>	<u>C</u>	10-2.911(a)
Artist's studios	P	P	P	P	<u>P</u>	<u>P</u>	
Banks and savings and loans	P	P	P	P	<u>P</u>	<u>P</u>	
with drive-up service	C	C	C	C	<u>C</u>	<u>C</u>	10-2.911(a)
Bars and cocktail lounges	C	C	C	C	<u>C</u>	<u>C</u>	10-2.1600
Business and trade schools	C	C	C	C	<u>C</u>	<u>C</u>	
Commercial printing, limited	P	P	P	P	<u>P</u>	<u>P</u>	
Commercial recreation	C	C	C	C	<u>C</u>	<u>C</u>	10-2.1600
Communications facilities	C	C	C	C	<u>C</u>	<u>C</u>	
Drive-up services	C	C	C	C	<u>C</u>	<u>C</u>	10-2.911(a)
Food and beverage sales:							
30,000 sq. ft. or less floor area	P	P	P	P	<u>P</u>	<u>P</u>	
more than 30,000 sq. ft. floor area	C	C	C	C	<u>C</u>	<u>C</u>	10-2.911(c)
Hotels	C	C	C	C	<u>C</u>	<u>C</u>	
Liquor stores	C	C	C	C	<u>C</u>	<u>C</u>	10-2.1600
Maintenance and repair services	P	P	P	P	<u>P</u>	<u>P</u>	
Massage businesses	C	C	C	C	<u>C</u>	<u>C</u>	10-2.1628, 6-2.03, 6-2.08

Offices	P	P	P	P	<u>P</u>	<u>P</u>	10-2.911(d)
Personal convenience services	P	P	P	P	<u>P</u>	<u>P</u>	
Personal improvement services:							
1,000 sq. ft. or less floor area with no drive-up service	C	C	C	C	<u>C</u>	<u>C</u>	Except music studios 2,000 sq. ft. or less floor area require an AUP
1,001 - 2,000 sq. ft. floor area	A	A	A	A	<u>A</u>	<u>A</u>	10-2.2507
2,001 sq. ft. or greater floor area	C	C	C	C	<u>C</u>	<u>C</u>	
Plant nurseries	C	C	C	C	<u>C</u>	<u>C</u>	
Recycling collection facilities:							10-2.1616
Reverse vending machines	P	P	P	P	<u>P</u>	<u>P</u>	10-2.911(a)
Small collection facilities	C	C	C	C	<u>C</u>	<u>C</u>	10-2.911(a)
Restaurants:							
2,000 sq. ft. or less floor area with no drive-up service	P	P	P	P	<u>P</u>	<u>P</u>	
more than 2,000 sq. ft. floor area or with drive-up service	A/C	C	C	C	<u>C</u>	<u>C</u>	10-2.911(e)
Retail sales:							
30,000 sq. ft. or less floor area	P	P	P	P	<u>P</u>	<u>P</u>	
more than 30,000 sq. ft. floor area	C	C	C	C	<u>C</u>	<u>C</u>	10-2.911(c)
Snack shops	P	P	P	P	<u>P</u>	<u>P</u>	
Thrift shops	C	C	C	C	<u>C</u>	<u>C</u>	10-2.1600
Vehicle sales and services:							10-2.911(a), 10-2.1602
Service stations	—	C	—	—	<u>—</u>	<u>—</u>	
Car wash	—	C (Not MU-3C)	—	—	<u>—</u>	<u>—</u>	
Other Uses							
Adult day care centers	C	C	C	C	<u>C</u>	<u>C</u>	
Antennae for public communications	C	C	C	C	<u>C</u>	<u>C</u>	
Child day care centers	C	C	C	C	<u>C</u>	<u>C</u>	
Churches	C	C	C	C	<u>C</u>	<u>C</u>	
Clubs and lodges	C	C	C	C	<u>C</u>	<u>C</u>	
Cultural institutions	C	C	C	C	<u>C</u>	<u>C</u>	
Government offices	P	P	P	P	<u>P</u>	<u>P</u>	10-2.911(d)
Low barrier navigation centers	P	P	P	P	<u>P</u>	<u>P</u>	10-2.1636
Parking lots	C	C	C	C	<u>C</u>	<u>C</u>	
Public Safety Facilities	C	C	C	C	<u>C</u>	<u>C</u>	
Public utility facilities	C	C	C	C	<u>C</u>	<u>C</u>	10-2.1614
Recreation facilities	C	C	C	C	<u>C</u>	<u>C</u>	
Schools, public or private	C	C	C	C	<u>C</u>	<u>C</u>	
Senior housing	C	C	C	C	<u>C</u>	<u>C</u>	10-2.1624

Notes:

1. New development projects in the MU-H and CR-H zones must include residential uses. A minimum of 50 percent of the total gross floor area of any new development project in the MU-H and CR-H zones shall be occupied by residential uses. Floor area shall be calculated as outlined in Section 10-2.402.
2. Residential development projects in the MU-1, MU-3, MU-3A, MU-3C, CR, MU-H and CR-H zones that include at least 20% of the units dedicated to lower income households and are located on properties identified in appendix B of the 2021-2029 Housing Element that meet the requirements of § 10-2.2500 (a) (9) are processed administratively pursuant to § 10-2.2500 Administrative Design Review otherwise a Conditional Use Permit is required.

Section 10-2.911, Additional Land use regulations: MU-1, MU-3, MU-3A, ~~MU-3B~~, and MU-3C mixed-use zones, and CR regional commercial zone.

§ 10-2.911 Additional land use regulations: MU-1, MU-3, MU-3A, ~~MU-3B~~, and MU-3C, and MU-H mixed-use zones, and CR and CR-H regional commercial zones.

- (a) Commercial uses prohibited in mixed-use projects. The following commercial uses are prohibited when located on a site containing both residential and commercial uses:
 - (1) Animal grooming; animal hospitals; animal sales.
 - (2) Bars and cocktail lounges.
 - (3) Drive-up services associated with any commercial use.
 - (4) Liquor stores.
 - (5) Recycling collection facilities.
 - (6) Service stations.
 - (7) Thrift shops.
 - (8) Car wash.
- (b) Residential uses. Residential dwelling units may only be located on the second floor and higher of structures developed with commercial uses on the lower levels, with the following exceptions:
 - (1) MU-1 zone. In the MU-1 zone, lots may be developed exclusively for residential use where the entirety of the block frontage is developed exclusively for residential use.
 - (2) MU-3A zone. In the MU-3A zone, residential dwelling units may be located on any floor in structures located behind street-facing commercial or mixed-use structures, or above parking on the ground floor in structures located behind street-facing commercial or mixed-use structures.
 - (3) MU-H zone. In the MU-H zone, lots may be developed exclusively for residential use, a residential dwelling unit may be located on any floor in the structure, and a minimum of 50 percent of the total gross floor area of any new development project shall be occupied by residential uses. Floor area shall be calculated as outlined in Section 10-2.1440(b)(2).
 - (4) CR-H. In the CR-H zone, lots may be developed exclusively for residential use, a residential dwelling unit may be located on any floor in the structure, and a minimum of 50 percent of the total gross floor area of any new development project shall be occupied by residential uses. Floor area shall be calculated as outlined in Section 10-2.1440(b)(2).
 - (35) Housing Element Sites subject to rezoning that accommodate units affordable to lower income households. For projects located on parcels identified in Table B-2 of the 6th Cycle 2021-2029 Housing Element as accommodating any portion of the City's low, or very low, income regional housing needs allocation (RHNA), 100 percent residential uses shall be permitted, the minimum density for any residential use shall be 20 dwelling units per acre, and a minimum of 50 percent of the total gross floor area of any new development project shall be occupied by residential uses. Floor area shall be calculated

as outlined in Section 10-2.1440(b)(2). ~~FAR standards shall not apply to exclusively residential projects, density standards shall apply, including a minimum density of 20 du/ac.~~ Where different standards are noted for commercial and mixed-use projects, the mixed-use standards shall apply to mixed-use and exclusively residential projects.

- (c) Uses exceeding 30,000 square feet. In the MU-1, MU-3, MU-3A, ~~MU-3B~~, and MU-3C zones, uses exceeding 30,000 square feet shall be prohibited except where they are designed to be compatible with the intended pedestrian-oriented character of the zone, pursuant to the requirements for a Conditional Use Permit (Section 10-2.2506).
- (d) Offices. Offices may occupy up to a maximum of 50% of the linear frontage of the building in all mixed-use zones, except that such ground floor uses along the street frontage are permitted in the MU-3C zone within the Riviera Village overlay zone (see Section 10-2.1315) and in the MU-1 zone within the Artesia and Aviation Corridors Area Plan area as adopted by resolution of the City Council.
- (e) Restaurants. Restaurants with more than 2,000 square feet and no drive-up service and within the Artesia and Aviation Corridors Area Plan area as adopted by resolution of the City Council, shall obtain an Administrative Use Permit pursuant to Section 10-2.1622 and are exempt from the requirement of a Conditional Use Permit.

NEW Section 10-2.920 Development standards: MU-H mixed-use zone.

§ 10-2.920 Development standards: MU-H mixed-use zone.

(a) Floor area ratio. (See definition of floor area ratio in Section 10-2.402.)

- (1) Residential uses. For projects containing only residential uses, the floor area ratio (F.A.R.) of all buildings on a lot shall not exceed 1.5.
- (2) Mixed-use. For projects including both commercial and residential uses, the floor area ratio (F.A.R.) of all buildings on a lot shall not exceed 1.5, and a minimum of 50 percent of the total gross floor area of any new development project shall be for residential uses.
 - a. Total floor area. The total floor area shall be calculated per the definition of "Floor Area, Gross" in Section 10-2.402. The total floor area shall combine the floor area for existing uses that are proposed to remain with the floor area for new proposed uses. A site for the purposes of calculating the gross floor area for the project shall be defined as the parcel or assemblage of parcels where the project is proposed.
 - b. Residential floor area. Residential square footage shall be calculated per the definition of "Floor Area, Gross" for Mixed Use zones in Section 10-2.402.

(b) Residential Density.

- (1) Maximum lot area per dwelling unit. The maximum number of dwelling units permitted on a lot shall be not more than one dwelling unit for each 670 square feet of lot area.
- (2) Minimum lot area per dwelling unit. The minimum number of dwelling units permitted on a lot shall be no less than one unit for each 2,179 square feet of lot area.

(c) Minimum lot size, mixed-use projects. 15,000 square feet of lot area.

(d) Building height. (See definition of building height in Section 10-2.402.)

- (1) Residential uses. For projects containing only residential uses, no building or structure shall exceed a height of 45 feet, unless an Affordable Housing Benefit, as defined in Section 10-2.2102, is granted pursuant to the provisions of Article 9 of this chapter.

- (2) Mixed-use. For projects including both commercial and residential uses, no building or structure shall exceed a height of 55 feet, unless an Affordable Housing Benefit, as defined in Section 10-2.2102, is granted pursuant to the provisions of Article 9 of this chapter.
- (e) Stories. (See definition of story in Section 10-2.402.)
- (1) Residential uses. For projects containing only residential uses, no building shall exceed four stories, unless an Affordable Housing Benefit, as defined in Section 10-2.2102, is granted pursuant to the provisions of Article 9 of this chapter.
- (2) Mixed-use. For projects including both commercial and residential uses, no building shall exceed five stories, unless an Affordable Housing Benefit, as defined in Section 10-2.2102, is granted pursuant to the provisions of Article 9 of this chapter.
- (f) Setbacks. The minimum setback requirements shall be as follows:
- (1) Front setback.
- a. Minimum required. There shall be a minimum front setback of 10 feet the full width of the lot, except as follows:
1. Unenclosed pedestrian arcades, outdoor dining areas, and similar unenclosed features contributing to a pedestrian-oriented environment may project seven feet into the required setback.
2. Where a lot is contiguous to a residentially zoned lot fronting on the same street, the required front setback shall be the same as required for the contiguous residential lot.
- b. Maximum permitted. In residential or mixed-use projects, the front setback shall not exceed 15 feet for 50% of the linear frontage of the building, except areas contiguous with the structure and used for outdoor dining or courtyards shall be exempt from this requirement. This setback area shall not be used for parking.
- (2) Side setback.
- a. There shall be a minimum side setback of 10 feet the full length of the lot on the street side of a corner or reverse corner lot.
- b. No side setback shall be required along the interior lot lines, except where the side lot line is contiguous to a residential zone, in which case the following standards shall apply:
1. There shall be a minimum side setback of 20 feet the full length of the lot;
2. The required side setback may be modified pursuant to Administrative Design Review (Section 10-2.2500).
- (3) Rear setback. No rear setback shall be required, except where the rear lot line is contiguous to a residential zone, in which case the following standards shall apply:
- a. There shall be a minimum rear setback of 20 feet the full width of the lot;
- b. The required rear setback may be modified pursuant to Administrative Design Review (Section 10-2.2500).
- (4) Second story setback. The second story shall have a minimum setback of 15 feet from any property line abutting a street.
- (5) Third story setback. Within the first 30 feet of property depth, all building elevations above the second floor shall have a minimum average setback of five feet from the second floor building face.
- (g) Outdoor living space. Each dwelling unit shall be provided a minimum of 200 square feet of outdoor living space (see standards for outdoor living space in Section 10-5.1510).

- (h) Usable public open space. Spaces such as public plazas, public walkways and other public spaces of at least 10% of the F.A.R. shall be provided, except for qualifying Affordable Housing Projects (Housing Element) as defined in section 10-2.402, which may reduce the requirement to 5% of the F.A.R.
 - (1) Public open space shall be accessible to the public and not be fenced or gated so as to prevent public access.
 - (2) Public open space shall be contiguous to the maximum extent feasible.
 - (3) Areas less than 10 feet in width shall not count as public open space.
 - (4) The requirement of 10% public open space may be modified by the Community Development Director for projects developed on lots less than 20,000 square feet in size.
- (i) General regulations. See Article 3 of this chapter.
- (j) Parking regulations. See Article 5 of this chapter.
- (k) Legal non-conforming uses/structures. A legal nonconforming use may continue and is considered a legal conforming use, but shall not be enlarged or expanded, except for minor alterations necessary for maintenance or for an expansion not exceeding 10 percent of the total existing square footage or 1,000 square feet, whichever is less, subject to a Conditional Use Permit. Any proposed change in excess of this will be considered a new development project and all provisions of this section must be implemented. A legal nonconforming structure is subject to Article 8 Nonconforming Structures, Section 10-2.2004.
- (l) Sign regulations. See Article 6 of this chapter.
- (m) Landscaping regulations. See Article 7 of this chapter.
- (n) Procedures. See Article 12 of this chapter.

NEW Section 10-2.921 Development standards: CR-H mixed-use zone.

§ 10-2.921 Development standards: CR-H mixed-use zone.

- (a) Floor area ratio. (See definition of floor area ratio in Section 10-2.402.)
 - (1) Residential uses. For projects containing only residential uses, the floor area ratio (F.A.R.) of all buildings on a lot shall not exceed 1.5.
 - (2) Mixed-use. For projects including both commercial and residential uses, the floor area ratio (F.A.R.) of all buildings on a lot shall not exceed 1.5. The following shall also apply:
 - a. Maximum commercial floor area. All floor area exceeding a floor area ratio of 0.75 shall be developed for residential uses.
 - b. Ratio of commercial and residential uses. A minimum of 50 percent of the total gross floor area of any new development project, shall be for residential uses.
 - i. Total floor area. The total floor area shall be calculated per the definition of "Floor Area, Gross" in Section 10-2.402. The total floor area shall combine the floor area for existing uses that are proposed to remain with the floor area for new proposed uses. A site for the purposes of calculating the gross floor area for the project shall be defined as the parcel or assemblage of parcels where the project is proposed.
 - ii. Residential floor area. Residential square footage shall be calculated per the definition of "Floor Area, Gross" for mixed-use zones in Section 10-2.402.
- (b) Residential Density.

- (1) Maximum lot area per dwelling unit. The maximum number of dwelling units permitted on a lot shall be not more than one dwelling unit for each 545 square feet of lot area.
- (2) Minimum lot area per dwelling unit. The minimum number of dwelling units permitted on a lot shall be no less than one unit for each 2,179 square feet of lot area.
- (3) Clustering density on Affordable Housing Sites - Housing Element. To allow for the preservation of existing uses while achieving the density of residential uses identified in the Housing Element, clustering of the allowable density shall be permitted on Affordable Housing Sites - Housing Element as follows:
 - a. The maximum units allowed within each Affordable Housing Site - Housing Element may be clustered on individual lots or an assemblage of contiguous lots under common ownership, provided the cumulative density of all parcels within the Affordable Housing Site - Housing Element site identified in the Housing Element of the General Plan does not exceed the maximum density allowed on all parcels. Units up to the cluster maximum (the maximum units allowed on all parcels associated with each site) shall be considered part of the base density before any density bonus. Clustering of density shall be allowed on a first-come basis, to incentivize the production of housing and to allow for residential uses to be clustered in the developable portions of the Housing Element sites, such as parking areas, while existing uses remain.
 - b. When a project is submitted for review and consideration, it must identify the maximum units allowed within the Affordable Housing Site - Housing Element, the number of existing, entitled and proposed units within the site, separated by base units and those permitted with density bonus (if any) to demonstrate that the total existing and entitled base units combined with the base units of the proposed project do not exceed the cumulative density allowed within the site. The following table identifies the gross acreage Affordable Housing Sites - Housing Element within the CR-H zone, the maximum density allowed, and the cluster maximum (the maximum units allowed within each site based on the gross acreage and maximum density).

<u>Affordable Housing Site (Housing Element)</u>	<u>Site Size (gross acres)</u>	<u>Max. Density (sq.ft./unit)</u>	<u>Cluster Maximum (Max. Units)</u>
<u>South Bay Marketplace</u>	<u>17.2</u>	<u>545</u>	<u>1,374</u>
<u>Notes:</u> <u>The gross acreage for the purposes of calculating permitted units shall be rounded to the 10th decimal, as shown here.</u> <u>Acreage shall be converted to square footage using a conversion factor of 43,560 square feet = 1 acre.</u> <u>Unit estimates should always be rounded down to the nearest whole unit.</u>			

- (c) Minimum lot size, mixed-use projects. 15,000 square feet of lot area.
- (d) Building height. No building or structure shall exceed a height of 90 feet (see definition of building height in Section 10-2.402), unless an Affordable Housing Benefit, as defined in Section 10-2.2102, is granted pursuant to the provisions of Article 9 of this chapter.
- (e) Stories. No building shall exceed seven stories (see definition of story in Section 10-2.402), unless an Affordable Housing Benefit, as defined in Section 10-2.2102, is granted pursuant to the provisions of Article 9 of this chapter.
- (f) Setbacks. The minimum setback requirements shall be as follows:
 - (1) Hawthorne Boulevard. There shall be a minimum setback of 50 feet from the Hawthorne Boulevard right-of-way.
 - (2) 182nd Street. There shall be a minimum setback of 25 feet from the 182nd Street right-of-way.
 - (3) Kingsdale Ave. There shall be a minimum setback of 20 feet from the Kingsdale Avenue right-of-way.

- (4) West 177th Street. There shall be a minimum setback of 12 feet from the West 177th Street right-of-way.
- (5) Internal Roadways. There shall be a minimum setback of 5 feet from any internal roadways.
- (6) Industrial areas. There shall be a minimum setback of 25 feet from any area with an industrial zoning designation.
- (7) The required setbacks may be modified pursuant to Administrative Design Review (Section 10-2.2500).
- (g) Allowed protrusions.
 - (1) Unenclosed pedestrian arcades, outdoor dining areas, courtyards, and publicly accessible private open space may project up to 75% into the required setback.
- (h) Upper floor setbacks. Within the first 30 feet from the front property line, all building elevations above three stories shall have a minimum average setback of five feet from the building face of the lower floors. An additional 5 foot step back is required at every additional two stories above the third.
- (g) Outdoor living space. Each dwelling unit shall be provided a minimum of 200 square feet of outdoor living space (see standards for outdoor living space in Section 10-2.1510).
- (h) Usable public open space. Spaces such as public plazas, public walkways and other public spaces of at least 10% of the F.A.R. shall be provided, except for qualifying Affordable Housing Projects (Housing Element) as defined in section 10-2.402, which may reduce the requirement to 5% of the F.A.R.
 - (1) Public open space shall be accessible to the public and not be fenced or gated so as to prevent public access.
 - (2) Public open space shall be contiguous to the maximum extent feasible.
 - (3) Areas less than 10 feet in width shall not count as public open space.
 - (4) The requirement of 10% public open space may be modified by the Community Development Director for projects developed on lots less than 20,000 square feet in size.
- (i) Parking requirements. The parking provisions of Article 5 of this chapter shall apply, except that an allowance for overlapping the parking requirements of activities having non-simultaneous usage peaks may be permitted pursuant to RBMC Section 10-2.1706(d).
- (j) Legal non-conforming uses/structures. A legal nonconforming use may continue and is considered a legal conforming use, but shall not be enlarged or expanded, except for minor alterations necessary for maintenance or for an expansion not exceeding 10 percent of the total existing square footage or 1,000 square feet, whichever is less, subject to a Conditional Use Permit. Any proposed change in excess of this will be considered a new development project and all provisions of this section must be implemented. A legal nonconforming structure is subject to Article 8 Nonconforming Structures, Section 10-2.2004.
- (k) General regulations. See Article 3 of this chapter.
- (l) Parking regulations. See Article 5 of this chapter.
- (m) Sign regulations. See Article 6 of this chapter.
- (m) Landscaping regulations. See Article 7 of this chapter.
- (n) Procedures. See Article 12 of this chapter.

REMOVE Division 14 (AHO) Affordable Housing Overlay Zone

~~Section 10-2.1430 Specific purposes, (AHO) affordable housing overlay zone~~

~~In addition to the general purposes listed in Section 10-2.102, the specific purposes of the affordable housing overlay (AHO) zone are to:~~

- ~~(a) Implement the City's 2021-2029 Housing Element and the "R" Residential Overlay land use category identified in the General Plan Land Use Element, including the following AHO sites:
 - ~~(1) North Tech~~
 - ~~(2) South of Transit Center~~
 - ~~(3) South Bay Marketplace~~
 - ~~(4) Kingsdale~~
 - ~~(5) 190th Street, and~~
 - ~~(6) FedEx~~~~
- ~~(b) Promote the public good by incentivizing the development of housing affordable to lower income households.~~
- ~~(c) Satisfy the City's RHNA obligation consistent with the City's Housing Element and State law.~~
- ~~(d) Set the minimum density for any residential or mixed-use project that includes residential uses within the AHO Zone.~~
- ~~(e) Establish standards to regulate the development of AHO projects within the AHO Zone that allow for a variety of development scenarios including:
 - ~~(1) Clustering density to be on portions of a site to allow for existing uses to remain while housing is developed in parking areas.~~
 - ~~(2) Tearing down existing structures and redeveloping each site with new buildings that include residential uses only or a combination of residential and other non-residential structures.~~
 - ~~(3) Reconfiguring the existing structures and expanding existing structures with residential uses.~~~~
- ~~(f) Promote city planning goals of achieving greater socioeconomic diversity and a distribution of affordable housing citywide.~~

~~Section 10-2.1432 Applicability, (AHO) affordable housing overlay zone~~

- ~~(a) Applicants may elect to apply the provisions of this division to AHO projects (see Section 10-2.402 for definition), within an AHO site (see Section 10-2.402 for definition) if the project meets the requirements of an AHO project under either qualifying tier as follows:
 - ~~(1) Tier 1. Any project within an AHO zone with a residential component, including transitional housing, supportive housing, and employee housing, that occupies at least 50 percent of the total existing or proposed floor area within the project site shall qualify as a Tier 1 project. All provisions of this division shall apply to Tier 1 projects with the exception of Section 10-2.1436(b).~~
 - ~~(2) Tier 2. Any project within an AHO zone that meets the requirements of Tier 1 and also provides at least 20 percent of units affordable to lower-income households shall qualify as a Tier 2 project. Low-Barrier Navigation Centers also qualify as a Tier 2 project. All provisions of this division shall apply to Tier 2 projects.~~~~
- ~~(b) Projects that do not qualify as an AHO project and any project for which the applicant does not elect to pursue the special regulations or standards allowed by the AHO zone shall be subject to all regulations and standards of the base land use zone (herein referred to as the "underlying" zone), with the following exception:~~

- (1) If the underlying zone allows for residential development, the minimum density established by the AHO overlay (Section 10-2.1444(a)(1)) shall prevail over the minimum density of the underlying zone, if any.

Section 10-2.1434 Relationship to underlying zone, (AHO) affordable housing overlay zone

- (a) Where the AHO zone has been imposed, the regulations and standards of the underlying zone shall remain in full force unless an AHO project is proposed and the applicant has elected to use the provisions of AHO zone, with the following exception:

- (1) If the underlying zone allows for residential development, the minimum density established by the AHO overlay (Section 10-2.1444(a)(1)) shall prevail over the minimum density of the underlying zone, if any.

- (b) Where the AHO zone has been imposed on an area where another overlay zone exists, regulations and standards of the other overlay zone shall be treated as part of the underlying zone, with the exception of the minimum density as noted in Section 10-2.1434(a)(1).

- (c) Where imposed, the AHO zone shall be added to the underlying zone designation to establish a new zone designation. The zone of the affected properties shall thereafter be designated on the Zoning Map by the symbol of the underlying zone, followed by the parenthetically enclosed letters of "AHO".

Section 10-2.1436 Housing and affordability incentives, (AHO) affordable housing overlay zone

- (a) Tier 1 AHO projects. Tier 1 projects are allowed through the establishment of the AHO zone. The AHO zone encourages housing development by allowing for housing in areas of the city where it would not otherwise be permitted including the North Tech, South of Transit Center, South Bay Marketplace, 190th Street, and portions of the Kingsdale AHO sites, and by raising the permitted density for AHO projects, and establishing a minimum density for all residential and mixed-use projects that include residential (applicable on the FedEx and portions of the Kingsdale AHO sites).

- (b) Tier 2 AHO projects. To encourage the inclusion of housing affordable to lower income households, Tier 2 projects shall benefit from the same provisions as Tier 1 projects as well as the following:

- (1) Tier 2 projects shall be permitted by right, processed through administrative design review per Section 10-2.2500, and approved if all objective standards are met, consistent with State law.
- (2) The requirement to provide usable public open space per Section 10-2.1444(h) may be reduced to 5%.

Section 10-2.1438 Land Use Regulations, (AHO) affordable housing overlay zone

In the following schedule the letter "P" designates use classifications permitted in the specified zone and the letter "C" designates use classifications permitted subject to approval of a Conditional Use Permit, as provided in Section 10-2.2506. Where there is neither a "P" nor a "C" indicated under a specified zone, or where a use classification is not listed, that classification is not permitted. The "Additional Regulations" column references regulations located elsewhere in the Municipal Code.

Classifications	AHO Sites						Additional Regulations See Section:
	North Tech	South of Transit Center	South Bay Marketplace	Kingsdale	190th Street	FedEx	
Residential Uses							
Multi-family residential	P	P	P	P	P	P	10-2.1440(a)/ 10-2.1608
Family day-care homes	P	P	P	P	P	P	
Family day-care home, small	P	P	P	P	P	P	
Family day-care home, large	P	P	P	P	P	P	

Residential care facilities, limited	P	P	P	P	P	P	
Senior housing	P	P	P	P	P	P	10-2.1624
Supportive housing	P	P	P	P	P	P	10-2.1638
Transitional housing	P	P	P	P	P	P	
Employee housing	P	P	P	P	P	P	
Commercial Uses							
Home Occupations	P	P	P	P	P	P	10-2.1440(a)
Other Uses							
Parking lots	G	G	G	G	G	G	10-2.1440(a)
Parking structures	G	G	G	G	G	G	10-2.1440(a)
Public Open Space	P	P	P	P	P	P	10-2.1440(a)
Low-Barrier Navigation Centers	P	P	P	P (C-4 only)	P	P	10-2.1636

~~Section 10-2.1440 Additional Land Use Regulations, (AHO) affordable housing overlay zone~~

~~(a) Residential projects. 100 percent residential projects may be developed on all AHO Sites. 100 percent residential projects may include home occupations, parking lots, parking structures, and public open space.~~

~~(b) Mixed-use projects. Projects with a mix of residential and non-residential uses may be developed on AHO sites, as follows:~~

~~(1) The nonresidential land use regulations shall be consistent with the underlying zone, with the following exceptions:~~

~~a. The following uses shall not be permitted as part of an AHO project:~~

- ~~1. Adult businesses~~
- ~~2. Beverage manufacturing~~
- ~~3. Ambulance services~~
- ~~4. Animal grooming; animal hospitals; animal sales.~~
- ~~5. Building material sales~~
- ~~6. Car wash~~
- ~~7. Carpet cleaning plants~~
- ~~8. Construction-related uses~~
- ~~9. Drive-up services associated with any commercial use.~~
- ~~10. Facilities maintenance and construction shops~~
- ~~11. Fire arm sales~~
- ~~12. Food products manufacturing~~
- ~~13. Foundries~~
- ~~14. Furniture manufacturing~~
- ~~15. Government maintenance facilities~~
- ~~16. Heliports and helistops~~
- ~~17. Household products manufacturing~~
- ~~18. Laundries and wholesale dry cleaning plants~~
- ~~19. Machine shops~~
- ~~20. Motion picture and sound studios~~
- ~~21. Maintenance and repair services~~
- ~~22. Manufacturing and fabrication~~
- ~~23. Massage business~~
- ~~24. Mini-warehousing and self-storage~~
- ~~25. Mortuaries~~

- ~~26. Motor vehicle-related uses~~
- ~~27. Pharmaceuticals manufacturing~~
- ~~28. Plant nurseries~~
- ~~29. Recycling collection facilities.~~
- ~~30. Service stations.~~
- ~~31. Sheet metal shops~~
- ~~32. Spray painting businesses~~
- ~~33. Trucking terminals~~
- ~~34. Vehicle sales and services~~
- ~~35. Welding shops~~
- ~~36. Wholesaling/ distribution/ storage~~

~~(2) A minimum of 50 percent of the gross floor area, existing and proposed, shall be for residential uses.~~

- ~~a. Total floor area. The total floor area shall be calculated per the definition of "Floor Area, Gross" in Section 10-2.402. The total existing and proposed floor area shall combine the floor area for existing uses that are proposed to remain with the floor area for new proposed uses. A site for the purposes of calculating the gross floor area for the project shall be defined as the parcel or assemblage of parcels where the project is proposed.~~
- ~~b. Residential floor area. Residential square footage shall be calculated per the definition of "Floor Area, Gross" for AHO zones in Section 10-2.402.~~

~~(3) AHO Projects may be configured as a vertical mixed use (VMU) project or a horizontal mixed use (HMU) project as defined in Article 1, Section 10-2.402, Definitions.~~

Section 10-2.1442 Performance Standards, (AHO) affordable housing overlay zone

- ~~(a) Purpose. The purpose of this section is to ensure that new residential uses in AHO zones are not adversely impacted by the commercial or industrial uses within the project or on adjacent properties and existing residential uses adjacent to AHO zones are not adversely impacted by the AHO project, including, but not limited to noise, light and glare, odors, air quality, and safety impacts. In the interests of both the residents and the businesses, no AHO project shall be approved unless the project is designed to meet the following performance standards, in addition to all other applicable regulations of this chapter.~~
- ~~(b) Noise. Provisions of Section 10-2.912(a)(1) shall apply.~~
- ~~(c) Security. Provisions of Section 10-2.912(a)(2) shall apply.~~
- ~~(d) Lighting. Provisions of Section 10-2.912(a)(3) shall apply.~~
- ~~(e) Odors, dust, vibrations. Provisions of Section 10-2.912(a)(4) shall apply.~~
- ~~(f) Refuse storage and location. Provisions of Section 10-2.912(a)(5) shall apply.~~

Section 10-2.1444 Development Standards, (AHO) affordable housing overlay zone

- ~~(a) Residential density.~~
 - ~~(1) Minimum density. The minimum number of dwelling units on a lot shall be no less than one unit for each 2,179 square feet of lot area.~~
 - ~~(2) Maximum density. The maximum number of dwelling units on a lot shall be no more than one unit for each 792 square feet of lot area.~~
- ~~(b) Clustering density. To allow for the preservation of existing uses while achieving the density of residential uses identified in the Housing Element, clustering of the allowable density shall be permitted for AHO projects as follows:~~

- (1) ~~The maximum units allowed within each AHO Sites may be clustered on individual lots or an assemblage of contiguous lots under common ownership, provided the cumulative density of all parcels within the AHO site does not exceed the maximum density. Units up to the cluster maximum (the maximum units allowed within each AHO site) shall be considered part of the base density before any density bonus. Clustering of density shall be allowed on a first-come basis, to incentivize the production of housing and to allow for residential uses to be clustered in the developable portions of the AHO sites, such as parking areas, while existing uses remain.~~
- (2) ~~When a project is submitted for review and consideration, it must identify the maximum units allowed within the AHO Site, the number of entitled and proposed units within the AHO site, separated by base units and those permitted with density bonus (if any) to demonstrate that the total entitled base units combined with the base units of the proposed project do not exceed the cumulative density allowed within the AHO site. The following table identifies the gross acreage of all properties within each AHO site, the maximum density allowed, and the cluster maximum (the maximum units allowed within each AHO site based on the gross acreage and maximum density).~~

AHO Site	Site Size (gross acres)	Max. Density (sq.ft./unit)	Cluster Maximum (Site Size / Max. Density)
North Tech	8.0	792	440
Kingsdale	2.4	792	132
South of Transit Center	6.2	792	341
190th Street	7.9	792	434
South Bay Marketplace	17.2	792	946
FedEx	1.8	792	99
Notes: • The gross acreage of the overall AHO site shall be rounded to the 10th decimal, as shown here. • Acreage shall be converted to square footage using a conversion factor of 43,560 square feet = 1 acre.			

(c) ~~Mixed-use development.~~

- (1) ~~Residential development shall be consistent with Sections 10-2.1444(a) and (b).~~
- (2) ~~Overall FAR. The total FAR for all components of a mixed-use project shall not exceed 1.50 FAR. FAR shall be calculated including both residential and nonresidential uses before any density bonuses are applied.~~

(d) ~~Minimum lot size, AHO projects. 12,672 square feet of lot area.~~

(e) ~~Building height and stories. No building or structure shall exceed the maximum height (see definition of building height in Section 10-2.402) or number of stories (see definition of story in Section 10-2.402) for each AHO site, as follows:~~

- (1) ~~North Tech: 90 feet / 7 stories maximum.~~
- (2) ~~South of Transit Center: 90 feet / 7 stories maximum.~~
- (3) ~~South Bay Marketplace: 90 feet / 7 stories maximum.~~
- (4) ~~Kingsdale: 60 feet / 4 stories maximum.~~
- (5) ~~190th Street: 45 feet / 4 stories maximum.~~
- (6) ~~FedEx: 45 feet / 4 stories maximum.~~

(f) ~~Setbacks. The minimum setback requirements shall be as follows:~~

- (1) ~~Front setback.~~

- a. ~~Minimum required. There shall be a minimum front setback of 10 feet the full width of the lot, except as follows:~~
 - 1. ~~Display windows may project three feet into the required front setback provided that the bottom of the projection is no less than three feet above the adjacent sidewalk grade.~~
 - 2. ~~Unenclosed pedestrian arcades, outdoor dining areas, courtyards, and publicly accessible private open space may project seven feet into the required setback.~~
 - 3. ~~Where a lot is contiguous to a residentially zoned lot fronting on the same street, the required front setback shall be the same as required for the contiguous residential lot.~~
- b. ~~Maximum permitted. The front setback shall not exceed 15 feet for 50% of the linear frontage of the building, except areas contiguous with the structure and used for outdoor dining or courtyards shall be exempt from this requirement. No portion of the setback area shall be used for parking.~~

~~(2) Side setback.~~

- a. ~~There shall be a minimum side setback of 10 feet the full length of the lot on the street side of a corner or reverse corner lot.~~
- b. ~~No side setback shall be required along the interior lot lines, except where the side lot line is contiguous to a residential zone, in which case the following standards shall apply:~~
 - 1. ~~The side setback requirement shall be five feet where the lot frontage is less than 75 feet.~~
 - 2. ~~The side setback requirement shall be six feet where the lot frontage is greater than 75 feet and not more than 100 feet.~~
 - 3. ~~The side setback requirement shall be 15 feet where the lot frontage is greater than 100 feet and not more than 150 feet.~~
 - 4. ~~The side setback requirement shall be 20 feet where the lot frontage is greater than 150 feet.~~

~~(3) Rear setback. No rear setback shall be required, except where the rear lot line is contiguous to a residential zone, in which case the following standards shall apply:~~

- a. ~~The rear setback shall average no less than 15 feet, but at no point be less than 10 feet.~~

~~(4) Upper floor setbacks. Within the first 30 feet from the front property line and any property line adjacent to a residential zone, all building elevations above the number of stories noted below for each AHO site shall have a minimum average setback of five feet from the building face of the lower floors. The heights at which upper floor setbacks are required are noted for each AHO site as follows:~~

~~a. North Tech:~~

- 1. ~~First Upper floor setback: above 3 stories~~
- 2. ~~Second Upper floor setback: above 5 stories~~

~~b. South of Transit Center:~~

- 1. ~~First Upper floor setback: above 3 stories~~
- 2. ~~Second Upper floor setback: above 5 stories~~

- ~~c. South Bay Marketplace:

 - 1. First Upper floor setback: above 3 stories
 - 2. Second Upper floor setback: above 5 stories~~
- ~~d. Kingsdale: Upper floor setback above 3 stories.~~
- ~~e. 190th Street: Upper floor setback above 2 stories~~
- ~~f. FedEx: Upper floor setback above 3 stories~~

~~(g) Outdoor living space for residential uses. Each dwelling unit shall be provided a minimum of 200 square feet of outdoor living space (see standards for outdoor living space in Section 10-2.1510).~~

~~(h) Usable public open space. Spaces such as public plazas, public walkways and other public spaces of at least 10% of the FAR shall be provided. Tier 2 AHO sites need only provide 5% of the project's FAR as usable public open space.~~

~~(1) Public open space may be provided on any level of the AHO project, provided it is accessible to the public and not fenced, gated, only accessible through private areas, or otherwise inaccessible to the public.~~

~~(2) Public open space shall be contiguous to the maximum extent feasible.~~

~~(3) Areas less than 10 feet in width shall not count as public open space.~~

~~(i) Parking requirements. The parking provisions of Article 5 of this chapter shall apply, except that "Overlap parking requirements, nonresidential uses" (Section 10-2.1706 (d)) shall also apply to AHO sites.~~

~~(j) General regulations. See Article 3 of this chapter.~~

~~(k) Sign regulations. See Article 6 of this chapter.~~

~~(l) Landscaping regulations. See Article 7 of this chapter.~~

~~(m) Procedures. See Article 12 of this chapter.~~

~~(n) The AHO project shall comply with Objective Residential Standards.~~

Division 15 (IF) industrial Flex Overlay Zone

Section 10-2.1450 Specific purposes, (IF) industrial flex overlay zone.

§ 10-2.1450 Specific purposes, (IF) industrial flex overlay zone.

The specific purpose of the IF Industrial flex overlay zone is to implement the city's General Plan by allowing development that provides for an integrated mix of light industrial and commercial and/or office uses such as: commercial, research and development, incubator space, creative or technology-based businesses, offices, hotel, and supporting commercial uses. The overall character in this designation is intended to be a creative/tech incubator district with supporting uses. For the purpose of this section, an incubator space is defined as a facility with shared space intended to nurture and accelerate the growth of new businesses. It typically provides resources such as office space, access to shared services and other resources to help entrepreneurs launch their business.

In addition to the general purposes listed above and in Section 10-2.102, the specific purpose of the (IF) Industrial flex overlay zone is to:

- (a) Provide opportunities to integrate new creative or technology-based uses in horizontal or vertical mixed-use developments with commercial, office and hospitality uses;

~~(1) Encourage residential uses in conjunction with other nonresidential activities in the IF overlay zone on properties that are also designated with an AHO overlay zone to create a mix of uses that allows for the~~

~~integration of new residential housing opportunities in close proximity to transit, job centers, and commercial service centers.~~

- (b) Encourage compatibility between residential and commercial and industrial uses in areas where ~~the AHO overlay~~ **mixed use and residential** zones directly abut commercial and industrial zones, by permitting greater design flexibility across the existing boundaries of the zones;

1. Section 10-2.1452 Applicability, (IF) industrial flex overlay zone.

§ 10-2.1452 Applicability, (IF) industrial flex overlay zone.

The area boundary for the Industrial flex (IF) overlay zone (and underlying land uses) are depicted below.



2. Section 10-2.1454 Relationship to underlying zone, (IF) industrial flex overlay zone.

§ 10-2.1454 Relationship to underlying zone, (IF) industrial flex overlay zone.

- (a) The (IF) industrial flex overlay zone may be implemented by the application of one of three zones: CR, I-2 and IC-1 in locations as shown on the map in Section 10-2.1452.
- (b) Where imposed, the (IF) industrial flex overlay zone designation shall be added to the underlying zone designation to establish a new zone designation. The zone of the affected properties shall thereafter be designated on the Zoning Map by the symbol of the underlying zone, followed by the parenthetically enclosed letters "IF" or (IF).
- (c) Where the (IF) industrial flex overlay zone has been imposed, the land use regulations and development standards of the existing land use zone (herein referred to as the "underlying" zone) shall remain in full force, except as follows:
- (1) A maximum 1.0 FAR shall apply to all commercial and industrial zones within the IF overlay.

(d) Regional commercial (CR).

(1) Residential uses shall not be permitted in the underlying (CR) regional commercial zone, ~~except for projects meeting the requirements of the (AHO) affordable housing overlay zone AHO zone located on properties also designated as AHO (see Division 14).~~

(2) Industrial uses that support smaller, technology and incubator spaces, are permitted.

(e) Industrial (I-2).

(1) "Manufacturing and fabrication" uses with a conditional use permit.

(2) "Construction-related uses" are prohibited.

(3) "Wholesaling/distribution/storage" are prohibited.

(4) "Motor vehicle-related uses" are prohibited.

(5) "Recycling facilities" are prohibited.

(6) "Truck terminals" are prohibited.

(7) "Other industrial uses" are prohibited with the exception of the following:

- a. Beverage manufacturing with ancillary retail sales and/or tasting facilities for the public (i.e. craft brewing) with a conditional use permit.
- b. Communications facilities with a conditional use permit.
- c. Warehouse retail with a conditional use permit.

(8) "Commercial uses" are prohibited with the exception of the following:

- a. Ancillary commercial uses per Section 10-2.1011.
- b. Hotels and motels with a Conditional Use Permit.

(9) Industrial uses that support smaller, technology and incubator spaces, are permitted.

(f) Industrial (IC-1).

(1) "Manufacturing and fabrication" uses with a conditional use permit.

(2) "Construction-related uses" are prohibited.

(3) "Wholesaling/distribution/storage" are prohibited.

(4) "Motor vehicle-related uses" are prohibited.

(5) "Recycling facilities" are prohibited.

(6) "Truck terminals" are prohibited.

(7) "Other industrial uses" are prohibited with the exception of the following:

- a. Beverage manufacturing with ancillary retail sales and/or tasting facilities for the public (i.e. craft brewing) with a conditional use permit.
- b. Communications facilities with a conditional use permit.
- c. Warehouse retail and warehouse retail, specialty with a conditional use permit.

(8) "Vehicle sales and services" uses are prohibited.

(9) Industrial uses that support smaller, technology and incubator spaces, are permitted.

§ 10-2.1456 Development standards: (IF) overlay zone.

Development standards shall be those of the underlying base zone, except as follows:

- (a) Development standards contained in the Zoning Ordinance, other than for floor area ratio, may be varied as desirable or essential to accomplish the objectives of this section, pursuant to Planning Commission Design Review (Section 10-2.2502), further provided that such standards are consistent with all applicable requirements of the General Plan.

Amendments to Article 8, Nonconforming Uses and Structures

Section 10-2.2002 Nonconforming uses

Section 10-2.2002 Nonconforming uses will be revised (shown as strike through and underlined text) as follows:

Subsection (e) will be amended to read:

- (e) Re-establishment of uses in structures partially destroyed. A nonconforming use in a structure destroyed due to an involuntary event to the extent of 50% or more of its square footage at the time of its partial destruction may not be re-established and any new structure shall conform to all the requirements of City laws upon reconstruction, except as follows:

- (1) Commercial/industrial uses in areas designated as residential or mixed use with housing required in the general plan which are totally or partially destroyed may be re-established to the original use.

Section 10-2.2004 Nonconforming structures

Section 10-2.2004 Nonconforming structures will be revised (shown as strike through and underlined text) as follows:

Subsection (c) will be amended to read:

- (c) Reconstruction of nonconforming structures partially destroyed. A nonconforming structure destroyed to the extent of 50% or more of its square footage at the time of its partial destruction shall conform to all the requirements of City laws upon reconstruction, except as follows:
 - (1) Multiple-family dwellings, community apartment projects, condominium projects, or stock cooperatives which are totally or partially destroyed may be reconstructed to the original number of units and size of units. Such reconstruction shall be in accordance with the development standards of the zone in which the project is located, unless these economically or physically preclude the ability to attain the pre-existing density and size of units, wherein the standards may be waived as necessary to attain such density and size of units. Any such reconstruction shall include at least the original number of parking spaces.
 - (2) Single-family dwellings which have been partially or totally destroyed due to involuntary events may be reconstructed to their pre-existing setbacks and size of unit, provided there is no increase in the degree of nonconformity.
 - (3) In the event of any reconstruction on any property upon which existed apartment units which have been totally or partially destroyed, and the reconstruction constitutes a community apartment project, condominium project, or stock cooperative, such projects shall comply with the development standards of the zone in which the structure is located.
 - (4) Nonconforming commercial/industrial structures in areas designated as residential or mixed use with housing required in the general plan which are totally or partially destroyed may be reconstructed to the original size. Such reconstruction shall be in accordance with the development standards of the zone in which the project is located, unless these economically or physically preclude the ability to attain the pre-existing square footage, wherein the standards may be waived as necessary to attain a similar size. Any such reconstruction shall include at least the original number of parking spaces.

Amendments to Article 12, Procedures

Section 10-2.2500 Administrative Design Review.

Section 10-2.2500 Administrative Design Review shall be revised (shown as strike through and underlined text) as follows:

Subsection (a) will be amended to read:

- (a) Purpose. The purpose of Administrative Design Review is to enable the Community Development Director or his/her assigned to review minor development projects that otherwise meet the zoning regulations, in terms of the appropriateness of the design. The Community Development Director or his/her assigned shall review:
- (1) All new single-family residences;
 - (2) All additions to existing single-family residences where the combined addition is greater than 500 square feet of gross floor area to the dwelling and/or any accessory building;
 - (3) All additions to existing single-family residences that entail expansion of floor area above the first story;
 - (4) All additions of less than 1,000 gross square feet to multiple-family residential developments containing four or more units;
 - (5) All floor area additions to residential developments containing two to three units;
 - (6) All new residential developments containing two to 15 units on any lot, subject to a notice of pending decision pursuant to subsection (e) of this section. Any two to 15 unit development involving more than two adjacent lots shall be subject to Planning Commission Design Review pursuant to Section 10-2.2502;
 - (7) The addition of an accessory dwelling unit or the addition of two units on a lot that already contains an existing single-family residence (see definition of accessory dwelling unit in Section 10-2.402);
 - (8) The addition of a third (3rd) unit on a lot that already contains two units;
 - ~~(9) All Affordable Housing Projects Housing Element Tier 2 AFO projects, which shall be allowed by right and approved if all objective standards are met, consistent with State law.~~
 - (10) All housing development projects in which at least 20 % of the units are dedicated for lower income households and are located on properties identified in Appendix B of the 2021-2029 Housing Element and the project site is listed as satisfying any portion of the City's low- or very low-income RHNA requirement.
 - (11) All other development not subject to Planning Commission Design Review pursuant to Section 10-2.2502.

Section 10-2.2502 Planning Commission Design Review.

Section 10-2.2502 Planning Commission Design Review shall be revised (shown as strike through and underlined text) as follows:

Subsection (a)(7) will be added as follows:

- (7) Industrial Flex (IF) overlay zone. Any new development in the Industrial Flex (IF) zone. This excludes ~~qualifying AHO Affordable Housing Projects - Housing Element as defined in Division 14~~ that meet the requirements of Section 10-2.2500 (a).

