

Zoning Ordinance Update

Amendments to Title 10 of the Municipal Code

Overview	2
<i>General Summary of Changes</i>	<i>2</i>
Description of Housing Programs	5
<i>Program 8: Residential Sites Inventory and Monitoring of No Net Loss (SB 166)</i>	<i>5</i>
Housing Element sites inventory	5
Sites that require rezoning	5
Required zoning provisions	6
<i>Program 9: By-Right Approval (AB 1397)</i>	<i>8</i>
<i>Program 10: Replacement Housing</i>	<i>9</i>
Applicable State Laws	9
Integrating Housing Replacement Requirements into the City's Zoning Ordinance	11
<i>Program 13 - Part 1: Density bonus</i>	<i>11</i>
<i>Program 13 - Part 2: Zoning for a variety of housing types</i>	<i>11</i>
Transitional and Supportive Housing (SB 2, SB 745)	11
Supportive Housing (AB 2162):	12
Employee Housing (The Employee Housing Act)	12
Emergency Shelters (AB 139):	12
Low Barrier Navigation Centers (AB 101):	12
Unlicensed Group Homes:	13
Single Room Occupancy (SRO) Housing:	13
<i>Program 13 - Part 3: Affirmatively furthering fair housing</i>	<i>13</i>
Reasonable Accommodation:	14
Definition of Family	14
<i>Program 13 - Part 4: Remove constraints to the development of housing</i>	<i>14</i>
Parking Requirements:	14
Conditional Use Permits:	14
General Plan Update – Consistency Zoning	16
<i>The General Plan Update</i>	<i>16</i>

Overview

Updates to Title 10 of the Municipal Code including the City’s Subdivision Ordinance, Zoning Ordinance, and Coastal Land Use Plan Implementing Ordinance include modifications for consistency with the proposed General Plan, recently adopted Housing Element, and updates necessary in the context of State Law. Updates to the zoning ordinance are discussed below.

The amendments to Title 10 of the Municipal Code codify the community’s vision as established in the Focused General Plan Update, implements key General Plan concepts, and realizes requirements of the 2021-2029 Housing Element. Table 1, summarizes the proposed amendments to Title 10 generally, while the following sections: Description of Housing Programs and General Plan Update – Consistency Zoning, describe in detail what changes are implemented in Title 10, how they are implemented, and why the changes are required.

Attachment A includes the proposed amendments to the Subdivision Ordinance (Title 10, Chapter 1)

Attachment B includes the proposed amendments to the Zoning Ordinance (Title 10, Chapter 2)

Attachment C includes the proposed amendment to the Coastal Land Use Plan Implementing Ordinance, also referred to as the Zoning Code for the Coastal Zone (Title 10, Chapter 5).

General Summary of Changes

Table 1 General Summary of Zoning Updates

Zone Update	Description and General Location of Map Changes	Requirement for Housing Element
Map Updates	Amendments to the zoning map align zoning designations on all properties with the land use map changes identified in the Focused General Plan Update.	Many of the map updates implement Housing Element Program 8
New Affordable Housing Overlay Zone	<p>The new affordable housing overlay (AHO) zone implements the residential overlay areas identified in the Land Use and Housing Elements including the following sites: North Tech, South of Transit Center, South Bay Marketplace, Kingsdale, 190th Street and FedEx.</p> <p>The AHO establishes a minimum density of 20 du/ac and a maximum of 55 du/ac and requires that the minimum density established by the AHO prevail over any minimum density standards of the underlying zone.</p> <p>The AHO provides options to cluster development to incentivize housing production and allow for the preservation of existing uses.</p> <p>The AHO also allows for 100 percent residential projects as well as mixed use projects with residential and non-residential uses, provided 50 percent or more of the total floor area for the proposed project is for residential uses.</p> <p>The AHO also provides additional incentives for projects that include at least 20 percent of units affordable to lower income households including an administrative design review process that is exempt from discretionary review, and a reduction in the amount of public open space a project must provide.</p>	Required to implement Housing Element Program 8
New Industrial Flex Overlay Zone	The new Industrial Flex Overlay zone provides standards allowing for an integrated mix of light industrial and commercial and/or office uses that contribute to the creation of a mixed-use transit node, serving as a regional draw for commercial uses and a center for new innovative jobs and high-density housing, as described in the Focused General Plan Update.	
Updates to Residential High (RH) zones	<p>Increase the allowable density in all Residential High (RH) zones from 28 du/ac to 30 du/ac.</p> <p>In the RH-3 zone establish a minimum density of 20 du/ac for all sites identified on Table B-2 of the Housing Element.</p>	Required to implement Housing Element Program 8 and 9

Attachment 1 – Zoning Ordinance Update Summary

Zone Update	Description and General Location of Map Changes	Requirement for Housing Element
Updates to Regional Commercial (CR)	<p>The allowable density will decrease from 35 du/ac to 30 du/ac consistent with the MU-TC land use category identified in the Focused General Plan Update.</p> <p>This map change is located on the Galleria Mall project site, and is not anticipated to impact the entitled project or the number of affordable units planned as part of the entitled project.</p>	
Rename Mixed Use 2 zone.	The Proposed General Plan eliminates the existing Mixed Use 2 (MU-2) land use category by combining it with the MU-1 land use category. To reflect this change the MU-2 zoning district will be renamed as MU-1a and the maximum density will be reduced from 35 to 30 du/acre, consistent with the General Plan.	
Eliminate Mixed Use 3b zone	The proposed General Plan eliminates all instances of MU-3b. This category will be removed.	
Updated Mixed Use 3a and 3c	<p>The proposed General Plan redesignates several existing MU-3 areas as MU-1, and reduces the allowable density from 35 to 30 du/ac.</p> <p>These areas will be implemented by MU-3a and MU-3c zones, which will be updated to reflect the change in density.</p> <p>This change was anticipated in the housing element and sites located in the MU-3a zone were identified on Table B-2 in anticipation of this zoning change to reduce the maximum density.</p> <p>A provision will also be added to the MU-3a zone to establish a minimum density of 20 du/ac for all sites identified on Table B-2 of the Housing Element.</p>	Changes to MU-3a Required to implement Housing Element Programs 8 and 9
Updates to C-2 and C-2-PD	<p>Within the Artesia and Aviation Corridors the allowable FAR will be adjusted from .60 FAR to 1.50 FAR.</p> <p>Additional uses, including kenneling, will be conditionally permitted in C-2 and C-2-PD zones, as stated in the Commercial Neighborhood (CN) Land Use Category identified in the General Plan Update.</p>	
Set FAR in I-1 and IC-1 Industrial Zones to 1.0 FAR	The FAR in I-1 and IC-1 zones will be raised to 1.0 FAR	
Public FARs will be revised as required	<p>The FAR for P-PRO will be reduced to 0.20 FAR</p> <p>The FAR for P-RVP will be reduced to 0.75 FAR</p>	
Minimum Density for Housing Element Sites	New requirements for a minimum density of 20 dwelling units per acre for all sites identified in Table B-2 of the Housing Element that are used to satisfy low or very low income requirements as part of the City's Regional Housing Needs Allocation (RHNA) (these are described under the applicable zones above).	Required to implement Housing Element Program 8 and 9
Permitted Uses	<p>Specifically allow employee housing, supportive housing, and transitional housing as a residential use, subject to the same standards as other residential uses, in all districts where residential uses are allowed.</p> <p>Establish Special Use Regulations for supportive housing.</p>	Required to implement Housing Element Program 13
Permitted Uses	<p>Specifically allow low barrier navigation centers as permitted uses in all mixed-use zones and industrial or commercial zones where the Affordable Housing Overlay is applied.</p> <p>Establish Special Use Regulations for low barrier navigation centers</p>	Required to implement Housing Element Program 13
Permitted Uses	<p>Conditionally allow Single Room Occupancy (SRO) housing in all C-4 zones.</p> <p>Establish Special Use Regulation for SROs.</p>	Required to implement Housing Element Program 13
Non-conforming uses	Provisions to allow for existing uses that may become non-conforming and existing non-conforming uses to remain and be rebuilt with the same number of units and square footage in specific instances.	

Attachment 1 – Zoning Ordinance Update Summary

Zone Update	Description and General Location of Map Changes	Requirement for Housing Element
Adjustments to Parking Requirements	<p>Parking standards for multi-family residential development will be changed from 2 spaces for each unit to 1 space for each studio/0-bedroom unit, 1.5 spaces for each 1-bedroom unit, and 2 spaces for each unit with 2 or more bedrooms.</p> <p>Parking requirements for Emergency Shelters will be established based on staffing levels only by changing the standard from one space for each 250 square feet of gross floor area, to one parking space per employee on site at the same time.</p> <p>Parking will not be required for permanent supportive housing within ½ mile of a major public transit stop.</p>	Required to implement Housing Element Program 13
Administrative permitting of more types of housing and by-right approval for qualifying projects.	<p>Increase the maximum size of multiple-family housing projects that are permitted administratively in multi-family zones from 5 units to 15 units.</p> <p>All projects identified as a reused site in Table B-1, or listed on Table B-2 of the Housing Element that provide capacity for units affordable to lower income households (including both low and very low categories) and provide at least 20 percent of units affordable to lower income households shall be permitted by right, exempt from discretionary review, subject to administrative design review and shall be approved if found compliant with objective standards.</p>	Required to implement Housing Element Programs 9 and 13
Definitions	<p>Updates to definitions and new definitions for several terms. The following terms have been added or updated to comply with State Laws: Employee housing; Family; Household; Household, lower income; Low barrier navigation center; Residential care facility, limited; Single room occupancy (SRO) housing; Supportive housing; Target population; Transitional housing.</p> <p>The following terms have been added or updated to clarify the intent of other changes in the Zoning Ordinance: Affordable housing overlay (AHO) project; Affordable housing overlay (AHO) site; Floor area, gross; Mixed-use, horizontal; Mixed-use, vertical.</p>	Required to implement Housing Element Program 13
Density Bonus Update	Updates to the density bonus ordinance to align with State Law.	Required to implement Housing Element Program 13
New Article to Address Replacement Housing	New requirements to provide replacement housing units consistent with State Laws.	Required to implement Housing Element Program 10
Reasonable accommodation requirements	New regulations to implement reasonable accommodation requirements consistent with the 2021-2029 Housing Element.	Required to implement Housing Element Program 13

Description of Housing Programs

Program 8: Residential Sites Inventory and Monitoring of No Net Loss (SB 166)

Program 8 of the Housing Element requires the City to update its General Plan and Zoning Ordinance to accommodate the Regional Housing Needs Assessment (RHNA) allocation.

Housing Element sites inventory

The City was assigned a RHNA of 2,490 units (936 very low income, 508 low income, 490 moderate income, and 556 above moderate income units) for the sixth cycle Housing Element. The Housing Element notes that as of January 2022, the City had already entitled 471 units that could be counted toward RHNA requirements for the sixth cycle and anticipated permitting 240 ADUs over eight years, leaving a remaining RHNA of 1,779 units (845 very low income, 405 low income, 476 moderate income, and 53 above moderate income units) that the City was required to accommodate in its general plan and zoning ordinance.

In the Certified Housing Element, the City identified capacity for these sites in the Site Inventory. Each parcel along with the potential capacity by income category is listed as part of the sites inventory in Appendix B of the Housing Element. Table B-1 in Appendix B identified 1,361 units (86 lower income, 611 moderate income, and 664 above moderate income) in areas where the current land use designations would remain, however this did not satisfy the RHNA requirements, particularly for lower income households (including very low income and low income categories).

To meet the RHNA demands, additional capacity for 1,646 units (1,327 lower income, 72 moderate income, and 247 above moderate income units) was identified in Table B-2 of the Housing Element in areas where the General Plan and/or Zoning Designation would be revised to allow for high density housing. Program 8 requires the City implement the amendments to the General Plan land use and Zoning designations identified in Table B-2.

Sites that require rezoning

Table B-2 in “Appendix B: Detailed Residential Sites Inventory” of the Housing Element identifies each parcel that requires the amendments to the General Plan land use designations and/or rezoning. The table includes zoning for eight “strategies,” described on page B-1 of the Housing Element including: Residential recycling, MU-1, Kingsdale – Residential Overlay, North Tech – Residential Overlay, 190th Street – Residential Overlay, South of Transit Center – Residential Overlay, South Bay Marketplace – Residential Overlay, and FedEx – Residential Overlay.

The rezoning for these parcels can be broken down into three groups:

- 1) Residential Recycling: Redesignating parcels from R-1 and R-3 to a RH General Plan land use designation and RH-3 zoning in the Kingsdale neighborhood immediately adjacent to the South Bay Marketplace along Kingsdale Avenue. Table B-2 notes that the sites will be rezoned to “RH,” but the City uses “RH-1,” “RH-2,” and “RH-3” to implement the RH general plan designation, so the RH-3 designation will be applied with a maximum density of 30 du/ac for all development with the RH-3 designation, and a minimum density of 20 du/ac for all sites identified in Table B-2.
- 2) MU-1: Revising the maximum density in the implementing zone (MU-3a) to match the maximum density of 30 du/ac identified in the housing element and the proposed General Plan Update. The MU-3a zone, as modified, is consistent with the provisions described in the Housing Element and it will be applied to implement the MU-1 general plan designation on these sites. The MU-3a zone will allow a maximum density of 30 du/ac on all properties within the zone, as described in Section 2.2.4, A, 3 (page 85) of the Housing Element, and a minimum density of 20 du/ac on all properties identified in Table B-2.

- 3) Six Residential Overlay Areas: Establish a new “Affordable Housing Overlay (AHO)” zone to implement the residential overlay as described in the Housing Element and included as a land use district in Land Use Element of the proposed General Plan Update. The new AHO zone establishes development standards and regulations to implement the provisions identified in the Housing Element.

State Housing Law requires the following for all sites identified in Table B-2 as having capacity for the City’s lower income RHNA: 1) the minimum density for all sites listed in Table B-2 must be 20 du/ac if housing is developed, 2) all sites listed in Table B-2 shall allow for 100 percent residential projects, and 3) any mixed-use project developed on a site identified in Table B-2 as having capacity for the lower income RHNA must have at least 50 percent of the square footage dedicated to residential uses.

To meet these requirements, 1) a minimum density for sites listed in Table B-2 has been added to the RH-3 and MU-3a zones, and the new AHO zone requires a minimum density of 20 du/ac, 2) the RH-3 designation already allows for 100 percent residential uses, the provisions for MU-3a were updated to allow for 100 percent residential projects on properties identified in Table B-2, and the new AHO zone allows for 100 percent residential uses, 3) the provisions for MU-3a were updated to require that any mixed-use project on a property listed in Table B-2 that includes residential uses be at least 50 percent residential; the new AHO zone also requires that any project meeting the requirements of the AHO zone be developed with a least 50 percent residential uses.

These changes will be updated on the City’s zoning map.

The required changes to the Zoning Ordinance, as described below, are included in Attachments A-C as noted.

Required zoning provisions

Program 8 also requires that the zoning code be updated to require several specific provisions. Table 2 below lists the provisions that must be addressed in the residential overlay area, where the AHO zone will be implemented. Table 3 below includes provisions that must be addressed for all sites in the sites inventory.

Table 2 Housing Element Program 8 requirements for “Residential Overlay” (AHO) areas.

Housing Element Requirements for AHO zone	Description of how the requirement is addressed in the AHO zone
Standards that allow for tear down and redevelopment of existing structures.	AHO standards allow for this on all AHO sites. No special provisions are required to allow for this buildout scenario.
Standards that allow for existing structures to be reconfigured and expanded with residential uses	Section 10-2.1440(b) of AHO regulations include provisions for mixed use projects that would allow this on the AHO Sites where this is a viable option, including: North Tech, Kingsdale, South Bay Marketplace, and FedEx Sites.
Standards that allow for surface parking to be developed while existing uses remain. Standards that allow density to be clustered on portions of the site Policies that promote shared access to existing structures to allow existing uses to remain while the parking areas are being redeveloped.	To allow for the development of parking areas while existing uses remain, the AHO includes standards that allow applicants to cluster the total units allowed within the AHO site on individual lots or an assemblage of contiguous lots under common ownership, provided the cumulative density of all parcels within the particular AHO site is limited to a maximum of 55 du/ac. Units up to the cluster maximum 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. When a project is submitted for review and consideration, the application must identify the number of units that have been entitled on the AHO site and the number of projects that are being proposed on the site pursuant to the AHO, separating base units from units permitted with a density bonus, if any. The applicant must demonstrate that the total existing base units combined with the base units of the proposed project do not exceed the cumulative density allowed within the AHO site. The AHO zone includes a table in Section 10-2.1444(b) that identifies the total acreage of each AHO site and the maximum density allowed.
Facilitate subdividing, if necessary, of the parking areas as developable parcels	The City’s subdivision ordinance already allows for the subdivision of properties, so no changes to the municipal code are proposed. The City is devising internal policies to facilitate subdivisions for AHO sites.

Table 3 Housing Element Program 9 requirements for sites identified on Tables B-1 and B-2 of the Housing Element (see notes to clarify when each provision applies)

Housing Element Requirements	Description of how the requirement is addressed
<p>Permit multi-family housing by right for any housing project with 20 percent or more of units affordable to lower income households</p> <p>NOTE: Required on sites that accommodate a portion of the lower income RHNA and are subject to rezoning per Table B-2 of the Housing Element or any site listed on Table B-1 of the Housing Element that was used in a prior housing element and is not vacant.</p>	<p>AHO zone (Residential Overlay areas). Sections 10-2.402 and 10-2.1432(a) define two tiers of projects that may develop using the provisions of the AHO zone. Tier 2 projects include any housing project providing at least 20 percent of units at levels affordable to lower income households. Section 10-2.1436(b) identifies the incentives for Tier 2 projects, which allows an AHO project to be approved by-right, processed through the administrative design review procedures included in Section 10-2.2500, and approved if all objective standards are met, consistent with the City's Objective Residential Standards and State Law. Amendments to Section 10-2.2500(9) also include Tier 2 AHO projects as candidates for administrative review.</p> <p>All other sites. A new provision will be added to Sections 10- 2.2500 and 10-5.2500, stating that all housing development projects located on properties identified in appendix B of the Certified Housing Element meeting the requirements of either (a) or (b) as noted below are allowed by-right, subject to administrative design review, and shall be approved if all objective standards are met.</p> <p>(a) <u>Housing Element - Reused Sites.</u> The proposed project site is i) listed on Table B-1 in the Certified Housing Element, ii) identified as a site used in a prior housing element, iii) not listed as vacant, iv) satisfies any portion of the City's lower income RHNA requirement; and v) the proposed project dedicates at least 20 percent of units for lower income households.</p> <p>(b) <u>Housing Element - Rezoned Sites.</u> The proposed project site is i) listed on Table B-2 in the Certified Housing Element, ii) satisfies any portion of the City's low- or very low-income RHNA requirement; and iii) the proposed project dedicates at least 20 percent of units for low or very low-income households.</p>
<p>Establish a minimum density of 20 units per acre</p> <p>NOTE: Required on sites that accommodate a portion of the lower income RHNA and are subject to rezoning per Table B-2 of the Housing Element.</p>	<p>The minimum density is established for all three groups of sites identified on Table B-2 of the Housing Element as follows:</p> <p>RH-3 zone (Residential Recycling sites). The residential recycling sites identified on Table B-2 of the housing element were not used to fulfill any portion of the City's lower income RHNA, so these sites are not required to establish a minimum density. To encourage higher-density redevelopment, however, a minimum density, applicable to those parcels identified in Table B-2 of the housing element has been added as Section 10-2.519(a).</p> <p>MU-3a zone (MU-1 sites). A minimum density, applicable to residential and mixed-use projects with residential uses proposed on parcels identified in Table B-2 of the housing element has been added as Section 10-2.916(b).</p> <p>AHO zone (Residential Overlay areas). Section 10-2.1444(a)(1) identifies the minimum density for the zone, applicable to residential and mixed-use projects with residential uses proposed on AHO sites. Section 10-2.1432(b)(1) and Section 10-2.1434(a)(1) requires that where the underlying zone allows for residential uses, the minimum density identified in the AHO zone is to prevail over that of the underlying zone, if any.</p>
<p>Accommodate a minimum of 16 units per site</p> <p>NOTE: Required on all sites that accommodate a portion of the lower income RHNA as listed in Tables B-1 and B-2 of the Housing Element.</p>	<p>190th Street Residential Overlay Area. The Housing Element included 6 parcels in the 190th Street Residential Overlay area, collectively accommodating 67 units of the very low income RHNA, where lot consolidation would be necessary to allow 16 units on the site. To address this issue, the Housing Element included program 11 to provide incentives to facilitate lot consolidation in the 190th Street Residential Overlay area. To address this, Policy LU-1.6 was added to the Land Use Element of the General Plan, and it shall be incentivized through the City's fee schedule.</p> <p>AHO zone. Section 10-2.1444(d) sets the minimum lot size for projects developed using AHO standards to 12,672 square feet, which accommodates 16 units at 55 du/ac, the maximum density identified for the AHO zone in the housing element.</p>

	<p>All other sites. All other sites that accommodate a portion of the low or very low income RHNA identified on Tables B-1 and B-2 of the Housing Element allow for 16 units at the maximum density identified.</p>
<p>Allow 100 percent residential uses within mixed-use areas and AHO sites and require mixed-use projects that include residential uses to have the residential portions of the project occupy a minimum of 50 percent of the total floor area.</p> <p>NOTE: The 50 percent residential requirement shall be required for all mixed-use projects that include a mix of residential and non-residential uses on a property listed in Table B-2 of the Housing Element as accommodating any portion of the City's Low or Very Low income RHNA.</p>	<p>Parcels identified on Table B-2 of the Housing Element that accommodate any portion of the low or very low income RHNA and are grouped under a "Residential Overlay" or "MU-1" strategy are subject to this provision.</p> <p>AHO zone (Residential Overlay sites). The "Residential Overlay" sites are implemented by the AHO zone. Section 10-2.1440(a) allows for 100 percent residential projects on all AHO sites. Section 10-2.1440(b)(2) requires that any mixed-use project combining residential and nonresidential uses dedicate at least 50 percent of the total floor area to residential uses. One hundred percent non-residential projects are allowed if consistent with the requirements of the base zone.</p> <p>MU-1, MU-2, and Residential Overlay sites with a mixed-use underlying zone. To address the Mixed-Use strategy ("MU-1 ") as well as the FedEx site which establishes a "Residential Overlay" over a mixed-use zone, the following provision will be added as Section 10-2.911(b)(3):</p> <p>Housing Element Sites that accommodate units affordable to lower income households. For projects located on parcels identified in Table B-2 of the Housing Element, and used to accommodate any portion of the City's low, or very low regional housing needs allocation (RHNA), 100 percent residential uses shall be permitted, and any mixed use project that includes residential uses shall require a minimum of 50 percent of the gross floor area, existing and proposed, be occupied by a residential use. Floor area shall be calculated as outlined in Section 10-2.1440(b)(2).</p> <p>For one hundred percent residential projects in mixed use zones:</p> <ul style="list-style-type: none"> • Density standards shall regulate, FAR standards shall not apply. • Where different standards are noted for commercial and mixed-use projects, the mixed-use standards shall apply. <p>This provision would continue to allow one hundred percent non-residential projects that are consistent with all provisions of the applicable zone.</p>

To address these requirements, the affordable housing overlay (AHO) zone has been added to Article 2 of the Zoning Ordinance as Division 14, and other changes have been added throughout the code as noted in the tables above.

Program 9: By-Right Approval (AB 1397)

Program 9 of the Housing Element requires the City to amend its Zoning Ordinance pursuant to AB 1397 (2017) to require by-right approval of housing developments that include 20 percent of the units as housing affordable to lower income households, on sites being used to meet the 6th cycle lower income RHNA that meet the following conditions:

- Reusing of nonvacant sites previously identified in the 5th cycle Housing Element
- Rezoning of sites where the rezoning occurs past the October 15, 2021, statutory deadline.

State Housing Law also requires that any vacant sites previously identified in the 4th and 5th cycle Housing Element meet this requirement as well, but the City's sites inventory did not include any vacant sites.

Implementing Program 9 requires amendments to the Zoning Ordinance, Title 10 of the City's municipal code, to provide ministerial procedures for sites rezoned after October 15, 2021, at densities which satisfy low-income RHNA requirements and sites identified as accommodating the low-income RHNA in the previous housing element, where the project proposes 20 percent of units for lower income households.

To address these requirements, the Administrative Design Review procedures contained in Article 12, Procedures, of the Zoning Ordinance will be revised to allow by-right approval of projects that are 1) proposed on eligible sites

identified in the Housing Element, and 2) meet the affordability criteria. Additionally, the Planning Commission Design Review procedures have been updated to exclude these projects from Planning Commission Design Review.

Updates to Sections 10-2.2500 and 10-2.2502 in Chapter 2 (Attachment B) and 10-5.2500 and 10-5.2505 in Chapter 5 (Attachment C) address the requirements for by-right approval under AB 1397.

Program 10: Replacement Housing

Program 10 of the Housing Element requires the City to amend its Zoning Ordinance pursuant to AB 1397 (2017) to require the replacement of units affordable to the same or lower income level as a condition of any development on a nonvacant site consistent with those requirements set forth in State Density Bonus Law. In addition to AB 1397, which is cited in the Housing Element, the Housing Crisis Act (adopted in 2019, and amended in 2021 and 2023) expands the conditions when replacement housing is required. A discussion of what is required by State Law is included below.

The City's Zoning Ordinance will be revised to address replacement housing requirements, consistent with State Law, through the addition of Article 13, Replacement Housing. The proposed language for the new Article is included after the discussion of applicable State Laws.

Article 13 will require proposed development projects located on properties where housing is suspected to have been "affordable" ("Existing and Protected Units") in the five years prior to the date of the application being deemed complete to submit either an owner-signed declaration as applicable or receive a Replacement Unit Determination (RUD) letter from the Redondo Beach Housing Department.

Applicable State Laws

"Local planning: housing element: inventory of land for residential development" (AB 1397)

The replacement housing requirements included in AB 1397 (2017) are codified in California Government Code Section 65583.2(g)(3). This portion of State Law requires that a development project ("Project") must replace all protected units that were identified on the site ("Property") at any point in the previous five years as a condition of development on a nonvacant property identified in the Housing Element inventory of adequate sites.

Under AB 1397, "Protected Units" include any housing units:

- Subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of low or very low-income, or
- Subject to any other form of rent or price control through a public entity's valid exercise of its police power, or
- Occupied by low or very low-income households.

Under AB 1397, "previous five years" is based on the date the application for development was submitted, including either a complete building permit application or planning entitlement application (whichever is first).

Properties required to comply with the replacement requirements pursuant to AB 1397 are identified in Appendix B of the Certified Housing Element, listed in either Table B-1 or B-2, and not identified as vacant.

As a condition of approval, replacement housing must be provided at rates affordable to the same or lower income level as the units being replaced and is subject to the same requirements stated in Density Bonus Law (Section 65915(c)(3)), which apply to developers seeking an affordable housing benefit after vacating or demolishing affordable or rent controlled units.

"Housing Crisis Act of 2019" (SB 330, SB 8, and AB 1218)

In addition to the housing replacement requirements enacted by AB 1397, the Housing Crisis Act of 2019 (HCA), as amended by SB 8 in 2021 and AB 1218 in 2023 (California Government Code Section 66300.5 et seq.), expanded the

conditions when replacement housing is required in two distinct circumstances and the definition of protected units as described below.

1. Housing Development Projects that Require Demolition of Existing Units

Government Code Section 66300.6(a) requires any housing development project, as defined in paragraph (3) of subdivision (b) of Section 65905.5 of the California Government Code as those consisting of the following uses: A) residential units only, B) Mixed-use developments consisting of residential and nonresidential uses with at least two-thirds of the square footage designated for residential use, or C) Transitional housing or supportive housing, to create at least as many residential dwelling units as will be demolished if the project requires the demolition of one or more residential dwelling units. Projects that are required to provide replacement units must do so as follows:

- The project must include at least as many residential dwelling units as the greatest number of residential dwelling units that existed on the project site within the five years prior to date of application.

2. Any Development Projects that Require Demolition of Protected Units

Government Code Section 66300.6(b) requires that any development project on a property where protected units were identified in the five years preceding the date of application replace all existing protected units and protected units demolished on or after January 1, 2020, unless the development project is for industrial use and the project meets specific criteria. Projects that are required to provide replacement units must do so as follows:

- The applicant must ensure any required replacement housing is developed prior to or concurrently with the development project. The required replacement housing may be located on a site other than the project site but shall be located within the same jurisdiction. The applicant may contract with another entity to develop the required replacement housing.

Protections for existing renters of protected units

Government Code Section 66300.6(b) requires applicants proposing projects that require demolition of protected units to allow occupant(s) to remain in their units until 6 months prior to construction, provide relocation benefits, and offer right of first refusal for a comparable unit at an affordable rate in the replacement housing project.

Definition of Protected Units

Government Code Section 66300.5 defines “Protected Units” as:

- Residential dwelling units that are or were subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of lower or very low income within the past five years.
- Residential dwelling units that are or were subject to any form of rent or price control through a public entity’s valid exercise of its police power within the past five years.
- Residential dwelling units that are or were rented by lower or very low income households within the past five years.
- Residential dwelling units that were withdrawn from rent or lease in accordance with Chapter 12.75 (commencing with Section 7060) of Division 7 of Title 1 within the past 10 years.

Duration of provisions

Government Code Section 66301 establishes a sunset provision for Government Code Sections 66300-66301. The law will remain in effect until January 1, 2034, but the provisions of the chapter shall only apply to those housing development projects that submit a preliminary application before January 1, 2030.

Integrating Housing Replacement Requirements into the City’s Zoning Ordinance

The provisions of the Housing Crisis Act of 2019 codified in Government Code Sections 66300.5-66300.6 encompass or surpass most of the requirements established by AB 1397 and codified in Government Code Section 65583.2(g)(3), with the following exceptions:

- AB 1397 requires projects on properties identified in the City’s Certified Housing inventory (Tables B-1 and B-2 of the Certified Housing Element) that require demolition of existing protected units provide replacement housing at the same income level as those being demolished.
- AB 1397 does not include a sunset date.

Article 13 is proposed as a new Article under Title 10, Chapter 2, of the City’s Municipal Code. Article 13 will address the provision for replacement housing by requiring compliance with both sections of the Government Code discussed above. The Article will also incorporate a sunset date of January 1, 2034, at which point it would need to be revised to address only the requirements of AB 1397.

A new Article 13, in Chapters 2 and 5, will address the requirements for Replacement Housing. The proposed language for Article 13 is included under Attachments B (Chapter 2) and C (Chapter 5).

Program 13 - Part 1: Density bonus

Program 13 notes that the State density bonus law has been amended numerous times in recent years, so the City’s ordinance is not currently in compliance with State law. Because State Density Bonus Law is frequently updated by the legislature, the City proposes replacing the existing Density Bonus regulations in Chapter 2, Article 9 of the Zoning Ordinance with new language that details the administrative procedure for processing Density Bonus applications but defers to State law for specific information.

The existing regulations in Article 9, in Chapters 2 and 5, will be replaced in full with the proposed language for Article 9 included under Attachments B (Chapter 2) and C (Chapter 5).

Program 13 - Part 2: Zoning for a variety of housing types

Program 13 of the Housing Element requires the City to update its Zoning Ordinance to support housing production and bring the Ordinance into compliance with State law. This section describes updates that will align the Zoning Ordinance with State laws that allow for a variety of housing types including: transitional housing, supportive housing, employee housing, emergency shelters, low barrier navigation centers, unlicensed group homes (unlicensed residential care facilities), and single room occupancy (SRO) housing, as described below.

Transitional and Supportive Housing (SB 2, SB 745)

Pursuant to SB 2 and SB 745, transitional and supportive housing constitutes a residential use and therefore local governments cannot treat them differently from other types of residential uses. To reflect this, the City will amend the Zoning Ordinance to define transitional and supportive housing pursuant to California Government Code Sections 65582(f),(g), and (h) and permit transitional and supportive housing in all zones where residential uses are permitted, subject to the same development standards and permitting processes as the same type of housing in the same zone.

To address these requirements, the definitions for “Transitional housing,” “Supportive housing,” and “Target population” will be added to section 10-2.402; the specific purpose of all zones that allow for residential uses will be amended to clarify that transitional and supportive housing are considered a residential use, and the land use regulations for all zones that allow for residential uses will be amended to list that transitional housing and supportive housing as residential uses permitted by right.

Updates to Sections in Chapter 2 (Attachment B): 10-2.402, 10-2.500, 10-2.501, 10-2.510, 10-2.511, 10-2.530, 10-2.531, 10-2.900, and 10-2.910 and Chapter 5 (Attachment C): 10-5.402, 10-5.500, 10-5.501, 10-5.510, 10-5.511, 10-5.900, and 10-5.910, address the requirements for transitional and supportive housing under SB 2 and SB 745.

Supportive Housing (AB 2162):

The Supportive Housing Streamlining Act (AB 2162) requires supportive housing to be a use by right in zones where multifamily and mixed uses are permitted, including nonresidential zones permitting multifamily uses. The legislation requires a local government to approve, within statutory timelines, a supportive housing development that complies with specified criteria.

To address these requirements, a new section, 10-2.1638, Supportive Housing, will be added to Article 4, Special Use Regulations to ensure supportive housing projects meet the definition of supportive housing and are processed as required by State law.

Updates to Section 10-2.1638 in Chapter 2, (Attachment B) and Section 10-5.1638 in Chapter 5, (Attachment C) address the requirements for supportive housing under AB 2162.

Employee Housing (The Employee Housing Act)

Pursuant to California Health & Safety Code Section 17021.5, any employee housing providing accommodation for six or fewer employees shall be deemed a single-family structure with a residential land use designation. No conditional use permit, zoning variance, or other zoning clearance shall be required of employee housing that serves six or fewer employees that is not required of a family dwelling of the same type in the same zone. Use of a family dwelling for purposes of employee housing serving six or fewer persons shall not constitute a change of occupancy for purposes of Part 1.5 (commencing with Section 17910) or local building codes.

To address these requirements, the definition for “Employee housing,” defining the use as serving six or fewer employees in accordance with State law, will be added to section 10-2.402; the specific purpose of all zones that allow for residential uses will be amended to clarify that employee housing is considered a residential use, and the land use regulations for all zones that allow for residential uses will be amended to list employee housing as a residential use permitted by right.

Updates to Sections in Chapter 2 (Attachment B): 10-2.402, 10-2.500, 10-2.501, 10-2.510, 10-2.511, 10-2.530, 10-2.531, 10-2.900, and 10-2.910 and Chapter 5 (Attachment C): 10-5.402, 10-5.500, 10-5.501, 10-5.510, 10-5.511, 10-5.900, and 10-5.910, address the requirement to treat employee housing for six or fewer employees as a residential use under the Employee Housing Act.

Emergency Shelters (AB 139):

The Emergency and Transitional Housing Act of 2019 (AB 139) requires that the City set parking standards for an emergency shelter based on the anticipated staffing levels rather than anticipated demand for parking.

To address this requirement, the parking requirements for Emergency Shelters will be changed from requiring one space for each 250 square feet of gross floor area, to requiring one parking space per employee on site at the same time.

Updates to Section 10-2.1706 in Chapter 2 (Attachment B) and Section 10-5.1706 in Chapter 5 (Attachment C) address the parking requirements for emergency shelters under AB 139.

Low Barrier Navigation Centers (AB 101):

AB 101 requires a Low Barrier Navigation Center (LBNC) be a use by right in areas zoned for mixed use, and the affordable housing overlays where the underlying zone is mixed use or non-residential, if the proposed project meets specified requirements, including:

- Access to permanent housing.

- Use of a coordinated entry system (i.e. Homeless Management Information System).
- Use of Housing First according to Welfare and Institutions Code section 8255. (Gov. Code, Section 65662.)

A LBNC is defined as a Housing First, low barrier, temporary, service-enriched shelter focused on helping homeless individuals and families to quickly obtain permanent housing. Low barrier includes best practices to reduce barriers to entry, such as allowing partners, pets, storage of personal items, and privacy. (Gov. Code, Section 65660.).

To address these requirements, the definition for “Low Barrier Navigation Center,” will be added to section 10-2.402, and a new section, 10-2.1636, Low Barrier Navigation Centers, will be added to Article 4, Special Use Regulations to establish development standards for low barrier navigation centers and to ensure this use is constructed and operated in a manner that is consistent with the requirements and allowances of State law.

Updates to Sections 10-2.402, 10-2.910, 10-1438, and 10-2.1636 in Chapter 2 (Attachment B) and Section 10-5.402, 10-5.910 and 10-5.1636 in Chapter 5 (Attachment C) address the provisions for LBNCs under AB 101.

Unlicensed Group Homes:

State law requires that unlicensed community care facilities with six or fewer residents must be allowed by-right in residential zones and treated like a single-family residence if located in a single-family residential zone.

Program 13 of the Housing Element acknowledges that the City has provisions to address licensed group homes with six or fewer residents, referred to as “Residential care facilities, limited” in the City’s Zoning Ordinance, but it requires that the Zoning Ordinance be updated to include provisions for unlicensed group homes because not all residential care facilities and group homes require a license. Residents of unlicensed residential care facilities are considered disabled but not in need of on-site medical care, so the facilities typically do not prescribe or administer medical treatment but may offer personal services such as laundry, meals or other assistance with daily living.

To address these requirements, the existing definition of “Residential care facilities, limited” will be expanded to include all residential care facilities with six or fewer residents regardless of licensure status by removing the following text from the definition, “This classification includes only those services and facilities licensed by the State of California.”

Updates to Section 10-2.402 1636 in Chapter 2 (Attachment B) and Section 10-5.402 in Chapter 5 (Attachment C) address provisions for Unlicensed Group Homes.

Single Room Occupancy (SRO) Housing:

Program 13 of the Housing Element specifically requires that the Zoning Ordinance be amended to allow Single Room Occupancy (SRO) housing to be conditionally permitted in the C-4 zone outside of the Coastal Zone.

To address these requirements, the definition of “Single room occupancy (SRO) housing” will be added, and the land use regulations for C-4, C-4A, and C-4B commercial zones, and C-4-PD pedestrian-oriented commercial zone will be updated to allow SRO’s as a conditionally permitted “Other Use” in all C-4 zones. A new section will also be added to Article 4, Special Use Regulations to regulate the development and operation of single room occupancy (SRO) housing within City limits.

Updates to Sections in Chapter 2 (Attachment B): 10-2.402, 10-2.640, and 10-2.1740 and Chapter 5 (Attachment C): 10-5.402, 10-5.640, and 10-5.1740 address provisions for SROs.

Program 13 - Part 3: Affirmatively furthering fair housing

Program 13 of the Housing Element requires the City to update its Zoning Ordinance to support housing production and bring the Ordinance into compliance with State law. This section describes updates that will align the Zoning Ordinance with State laws that bring the Ordinance into compliance with State and Federal Fair Housing Laws

including establishing reasonable accommodation procedures, and updating the definition of a family, as described below.

Reasonable Accommodation:

Program 13 of the Housing Element specifically requires that the Zoning Ordinance be amended to provide a formal process for providing reasonable accommodation to persons with disabilities. The Housing Element program requires the process be available to any person, a business, or organization making a written request for reasonable accommodation in the application of land use or zoning provisions in order to facilitate the development of housing for persons with disabilities, and it further requires that the request be reviewed and determined by the Community Development Director or his designee.

To address these requirements, a new section will be added to *Article 12, Procedures* to provide a formal process to provide reasonable accommodation for persons with disabilities.

Updates to Section 10-2.2522 (Attachment B) and Section 10-5.2522 (Attachment C) address provisions for providing Reasonable Accommodations.

Definition of Family

State and Federal Fair Housing Laws, first enacted under the Fair Housing Amendments Act of 1988, require that the definition of a “Family” emphasize the functioning of the members as a cohesive household. Specifically, the definition cannot distinguish between related and unrelated persons, and it cannot impose a numerical limitation on the number of persons that may constitute a family.

To address these requirements, the existing definition of “Family” will be revised to comply with fair housing laws.

Updates to Section 10-2.402 (Attachment B) and Section 10-5.204 (Attachment C) include the revised definition of Family.

Program 13 - Part 4: Remove constraints to the development of housing

Program 13 of the Housing Element requires the City to update its Zoning Ordinance to support housing production and bring the Ordinance into compliance with State law. This section describes updates that remove barriers to housing production including establishing parking standards based on unit size/type and allowing for larger multi-family projects to be processed through an administrative design review process, without requiring a conditional use permit (CUP), as described below.

Parking Requirements:

Program 13 of the Housing Element notes that the City’s Zoning Ordinance requires two parking spaces per unit regardless of unit size, and notes that the requirement could discourage the development of small units, and requires that the City amend the parking standards to reduce the burden on multi-family residential development, including adjusting the number and type of parking spaces required.

To address these requirements, parking standards for multi-family residential development will be adjusted to require 1 space for each studio/0-bedroom unit, 1.5 spaces for each 1-bedroom unit, and 2 spaces for each unit with 2 or more bedrooms.

Updates to Section 10-2.1704 (Attachment B) and Section 10-5.1704 (Attachment C) include the revised parking standards for multi-family development.

Conditional Use Permits:

Program 13 of the Housing Element notes that the City’s Zoning Ordinance requires the approval of a Conditional Use Permit (CUP) for multi-family development with four or more units. The Housing Element notes that the CUP

requirement potentially adds time and uncertainty to multi-family development, and requires that the Zoning Ordinance be revised to raise the threshold of administrative review for multi-family development from 4 units to 15 units (consistent with an option being considered as a threshold for triggering the inclusionary housing ordinance). For projects above 15 units, utilize a development review process that focuses on site plan and the application of residential objective standards by the Planning Commission.

To address these requirements, the land use regulations for multi-family zoning designations has been revised to reflect a raised threshold for requiring a CUP from 4 units to 15 units, the administrative design review section has been updated to allow projects with up to 15 units on a lot to be processed administratively, and the planning commission design review section has been updated to reflect the revised threshold for PC review requirements. Additionally, Section 10-1.504 and Section 10-1.1010 of the City's Subdivision Ordinance will also require amendments.-

Updates to Sections 10-1.504 and 10-1.1010 of Chapter 1 (Attachment A), Sections 10-2.511, 10-2.513, 10-2.514, 10-2.515, 10-2.516, 10-2.2500, 10-2.2502 of Chapter 2 (Attachment B), and Sections 10-5.511, 10-5.513, 10-5.515, 10-5.516, 10-5.2500, 10-5.2502 of Chapter 5 (Attachment C), include the revisions to allow for larger projects to be processed administratively and without a CUP.

General Plan Update – Consistency Zoning

The General Plan Update

In addition to the required zoning changes to implement the Housing Element, the proposed General Plan Update includes several changes to the General Plan Land Use Map as well as changes to General Plan Land Use Districts. These General Plan policy and Land Use Map changes are implemented through the Zoning Map and Zoning Ordinance, so each must be updated to maintain consistency with the City’s proposed General Plan.

These changes will be updated on the City’s zoning map as shown in Exhibits 3 and 6, Areas of Change Map: Proposed Zoning for North and South Redondo Beach respectively.

The required changes to the Zoning Ordinance are described in Table 4. The actual proposed changes are included in Attachments A-C as noted.

Table 3 General Plan Land Use Changes and Recommended Update to Zoning Ordinance

General Plan (GP) Land Use Change	Description of change and/or Corresponding Update to Zoning Ordinance
Residential GP Land Use Changes	
Residential High (RH) - Maximum density raised from 28 du/ac to 30 du/ac.	Amendments to Sections 10-2.517(a), 10-2.518 (a), and 10-2.519(a), Development Standards for RH-1, RH-2, and RH-3 zones raise the maximum density allowed from 28 to 30 du/ac. <i>Amendments to Sections 10-2.517, 10-2.518, and 10-2.519 in Chapter 2 (Attachment B) and 10-5.517, 10-5.518, and 10-5.519 in Chapter 5 (Attachment C) address this change.</i>
Commercial GP Land Use Changes	
Commercial Neighborhood (CN): A new General Plan Land Use Category	The new Land Use Category allows for commercial districts with uses that complement adjacent residential neighborhoods. Allowed uses include retail, restaurants, personal services, office, hotel*, kenneling*, and similar uses. The intent of this designation is to provide goods and services that meet the needs of residents and businesses. Buildings in the CN district should front the street with rear, alley loaded parking where feasible. Where CN designations contain existing residential uses, they shall be allowed to remain and shall be considered conforming; however, no new residential units are permitted. The Land Use Category sets a maximum intensity of 0.50 FAR (except for the Artesia Boulevard and Aviation Boulevard Special Policy Areas, where the Maximum FAR is 1.50) This district was originally created to replace C-2 General Plan Land Use Districts, by describing a more general mix of uses in the General Plan, while encouraging pedestrian-oriented development where feasible, and deferring to the Zoning Map, other area-specific plans, and the Zoning Ordinance to further refine the details of where and how land use would be implemented throughout the City. The CN land use designation is proposed to be consistent with all the C-2 commercial zoning districts.
CN: Implementing Zones	Consistent with this intent, the CN land use district will be implemented by C-2, C-2A, C-2B, and C-2-PD zones, but several changes to these zones are necessary to implement the CN district, as outlined below.
CN: Land use regulations	The CN General Plan category was updated to conditionally allow for kenneling and hotel uses at a City Council hearing. Hotel uses are already conditionally permitted in the C-2, C-2A, C-2B, and C-2-PD zones, but animal kennels will be added as conditionally permitted use in all four C-2 zones. <i>Amendments to Section 10-2.620 in Chapter 2 (Attachment B) and 10-5.620 in Chapter 5 (Attachment C) address this change.</i>
CN: Maximum intensity	Development standards within the C-2, C-2A, C-2B, and C-2-PD zones already allow for a maximum of 0.50 FAR, consistent with the CN designation.

Attachment 1 – Zoning Ordinance Update Summary

	<p>In the Artesia and Aviation Special Policy Areas, however, the maximum FAR allowed in the C-2 and C-2-PD zones within the Artesia and Aviation Corridors Area Plan (which implements the special policy areas) must be raised from 0.60 FAR to 1.5 FAR.</p> <p><i>Amendments to Sections 10-2.622(a)(1) and Section 10-2.625(a)(1) in Chapter 2 (Attachment B) address this change.</i></p>
Mixed-Use GP Land Use Changes	
<p>Mixed-Use Transit Center (MU-TC): Rename and revise the Regional Commercial (CR) category</p> <p>MU-TC: Maximum density</p>	<p>The Mixed-Use Transit Center General Plan Land Use category is intended to replace the existing Regional Commercial General Plan Land Use category, while reducing the maximum density of units from 35 du/ac to 30 du/ac.</p> <p>The implementing zone will remain CR, with the following revisions:</p> <p>Development standards within the CR zone will be revised from 35 du/ac to 30 du/ac, consistent with the MU-TC designation.</p> <p><i>Amendments to Sections 10-2.919(b) in Chapter 2 (Attachment B) and 10-5.919 in Chapter 5 (Attachment C) address this change.</i></p>
MU-1: Consolidate General Plan Mixed Use Categories	<p>The MU-1 Mixed Use Designation was intended to consolidate all corridor-based General Plan Mixed-Use designations, except for those at the intersection of PCH and Torrance Blvd. This consolidated category included a lower maximum density for residential uses (changing from 35 to 30 du/ac), a lower commercial-only FAR in areas being converted from MU-3 to this consolidated category and establishing a minimum FAR of 0.35 for both commercial only and mixed-use projects.</p> <p>The Implementing zones will remain MU-1, MU-1a (previously MU-2, and only located in the zoning code for the coastal zone), MU-3A, and MU-3C.</p> <p>Density and FAR in each implementing zone will be amended to match the general plan designation.</p> <p>The MU-3B zone is no longer applied to any parcels in the City, so it will be removed.</p> <p><i>Amendments to Sections 10-2.913, 10-2.916, 10-2.917 and 10-2.918 in Chapter 2 (Attachment B) and 10-5.900, 10-5.910, 10-5.914, 10-5.917, and 10-5.918 in Chapter 5 (Attachment C) address this change.</i></p>
MU-2: Renamed General Plan Mixed Use Category	<p>This category was previously titled MU-3. No other changes are proposed in the GP.</p> <p>This GP land use will be implemented by the MU-3 zone.</p> <p><i>No changes to the MU-3 zone are recommended.</i></p>
Industrial GP Land Use Changes	
I-1: increased maximum intensity	<p>This GP land use is implemented by the I-1, I-1A, and I-1B zones.</p> <p>The development standards for each zone increase the maximum intensity from 0.7 FAR to 1.0 FAR, consistent with the proposed General Plan.</p> <p><i>Amendments to Sections 10-2.1012, 10-2.1013, and 10-2.1014 in Chapter 2 (Attachment B) address this change.</i></p>
I-3: increased maximum intensity	<p>This GP land use is implemented by the IC-1 zone.</p> <p>The development standards for this zone increase the maximum intensity from 0.7 FAR to 1.0 FAR, consistent with the proposed General Plan.</p> <p><i>Amendments to Section 10-2.1022 in Chapter 2 (Attachment B) address this change.</i></p>
IF: New Zoning Overlay designation	<p>The Industrial Flex Overlay Zone implements the Industrial Flex General Plan land use.</p> <p><i>Division 15 under Article 2 is added to Chapter 2 (Attachment B) to address provisions for this new zone.</i></p>
Public/Institutional GP Land Use Changes	

Attachment 1 – Zoning Ordinance Update Summary

Divided Land Use Category into Public Institutional (PI), Open Space (OS), and Utilities (U)	<p>This change was implemented at the General Plan level to delineate between the different types of public uses more clearly on the Land Use map.</p> <p>These categories are implemented by P-PRO, P-SF, P-CF, P-CIV, P-RVP, and P-ROW.</p> <p>The General Plan introduces maximum intensities to comply with State General Plan law. The zoning for all but two zones, however, defers maximum FAR to planning commission design review. The max FAR for the P-CIV designation is 1.25, which is consistent with the General Plan for the sites where the zone is applied (City Hall and the City Annex). All other PI designated properties are proposed to have a maximum FAR of .75 in the General Plan, but the zoning provisions remain unchanged. The Max FAR for the P-PRO designation will be reduced from 0.25 FAR to 0.20 FAR, consistent with the proposed General Plan.</p> <p><i>Amendments to Section 10-2.1117 in Chapter 2 (Attachment B) and Sections 10-5.1113 and 10-5.1117 in Chapter 5 (Attachment C) address this change.</i></p>
Nonconforming uses	
Existing commercial uses within residential land use districts shall be considered legally conforming	<p>Provisions to allow these properties to be reconstructed with the same use and the same size of building as currently exist have been added, and future updates to the Zoning Ordinance will address a process to make these uses legally conforming.</p> <p><i>Amendments to Section 10-2.2002 and 10-2.2004, in Chapter 2 (Attachment B) and Sections 10-5.2002 and 10-5.2004 in Chapter 5 (Attachment C) address this change.</i></p>
Creation of non-conforming residential uses	<p>The proposed changes to the General Plan Land Use Map and Zoning Map will assign a commercial land use designation over several existing residentially zoned and developed properties. Including two R-3 sites that will change to C-4, and several RH sites fronting PCH that will change to CN.</p> <p>The City's zoning ordinance specially includes provisions for existing non-conforming uses. It allows for those uses to remain as built in perpetuity, and allows structures to be rebuilt in the following cases:</p> <ul style="list-style-type: none"> • 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. • 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. <p><i>No changes to the provisions for non-conforming residential uses are proposed as part of the zoning ordinance at this time.</i></p>