

Attachment B: Proposed Amendments to Title 10, Chapter 2 of the Municipal Code.

Amendments to Chapter 2, Zoning and Land Use

Amendments to Article 1, General Provisions

Section 10-2.300, Designation of Zones:

Section 10-2.303, Designation of Zones will be revised (shown as strike through and underlined text) as follows:

Subsection (b) paragraph (2) will be amended to read:

(b) Commercial.

(2) ~~C-2 and CN~~ Commercial Zones: C-2, C-2A, C-2B, and C-2-PD.

Subsection (c) paragraphs (2) and (3) will be amended to read:

(c) Mixed Use.

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

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

Subsection (f) will be amended to read:

(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.

(6) (IF) Industrial Flex Overlay Zone.

Section 10-2.402, Definitions:

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

...

“Affordable Housing Overlay (AHO) Project” shall mean a development project proposed or developed within an affordable housing overlay zone that qualifies to use the optional standards of the AHO zone and 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.

...

"Affordable Housing Overlay (AHO) Site" shall mean a site identified in the Housing Element of the General Plan that would be rezoned with an "Affordable Housing Overlay" and represented in the Land Use Element by the residential overlay (-R) General Plan land use designation. On these sites, qualifying AHO Projects may elect to use the regulations and standards of the AHO zone rather than those of the underlying zone. AHO sites include the following sites identified on the Land Use Plan of the General Plan:

- (1) North Tech
- (2) South of Transit Center
- (3) South Bay Marketplace
- (4) Kingsdale
- (5) 190th Street, and
- (6) FedEx

...

"Employee housing" shall mean qualified employee housing providing accommodation for six or fewer employees, pursuant to the Health and Safety Code Section 17021.5(b).

...

"Family" shall mean an individual or two or more persons, ~~related by blood, marriage, or adoption, or a group of not more than five persons, excluding servants, who need not blood, marriage, or adoption, living together in a living together in a dwelling unit, with common access to and common use of all living, kitchen, and eating areas within a dwelling unit., but not including limited residential care facilities.~~

...

"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.

...

“Household” shall mean a family living together in a single dwelling unit, with a common access to, and common use of, all living and eating areas and all areas and facilities for the preparation and storage of food within the dwelling unit all the people who occupy a housing unit. A household includes all related and unrelated people, who share the dwelling unit. A person living alone in a dwelling unit, or a group of unrelated people sharing a dwelling unit are also counted as a household.

...

“Household, lower income” shall mean a household making up to 80 percent of the area median income (AMI) as defined by the California Department of Housing and Community Development (HCD).

...

“Low barrier navigation center” shall mean 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.

...

“Mixed use, horizontal” shall mean a project that combines different types of uses within multiple single-use buildings that offer complementary functions as a horizontal mixed use (HMU) project. A HMU project may include apartment buildings, businesses and retail stores all located within the same development site and operating as a cohesive district.

...

“Mixed use, vertical” shall mean a project that combines different types of uses within the same building as a vertical mixed use (VMU) project. A VMU project might include a building with commercial uses on the ground floor and residential or office uses on higher floors.

...

“Residential care facility, limited” shall mean 24-hour non-medical care for six or fewer persons in need of personal services, supervision, protection, or assistance essential for sustaining the activities of daily living. This classification includes only those services and facilities licensed by the State of California.

...

“Single room occupancy (SRO) housing” shall mean an efficiency unit that (1) is occupied as a primary residence and (2) is subject to state landlord-tenant law pursuant to chapter 2 (commencing with section 1940) of Title 5 of part 4 of division 3 of the Civil Code. The term also includes a unit in an “SRO Project” as described in Title 4 California Code of Regulations Section 10325(g)(3)(H).

...

“Supportive housing” shall mean housing with no limit on length of stay, that is occupied by the target population, and that is linked to onsite or offsite service that assists the supportive housing resident in

retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community (as defined by Government Code Section 65582).

...

“Target population” shall mean persons with low incomes who have one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health condition, or individuals eligible for service provided pursuant to the Lanterman Developmental Disabilities Services Act (Division 4.5 (commencing with Section 4500) of the Welfare and Institutions Code) and may include, among other populations, adults, emancipated minors, families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, and homeless people.

...

“Transitional housing” shall mean a building or buildings configured as rental housing developments, but operated under program requirements that require the termination of assistance and recirculation of the assisted unit to another eligible program recipient at a predetermined future point in time that shall be no less than six (6) months from the beginning of the assistance (as defined by Section 50675.2 of the Health and Safety Code).

...

Amendments to Article 2, Zoning Districts

Section 10-2.500 Specific Purposes, R-1 and R-1A single-family residential zones

Section 10-2.500 Specific Purposes, R-1 and R-1A single-family residential zones shall be revised (shown as strike through and underlined text) as follows:

Subsection (a) will be amended to read:

- (a) Provide residential areas to be developed exclusively for single-family dwellings, including those units used as transitional housing, supportive housing or employee housing, subject to appropriate site and design standards, consistent with the General Plan and with the standards of public health, safety, and welfare established by the Municipal Code;

Section 10-2.501 Land use regulations: R-1 and R-1A single-family residential zones.

The following uses will be added (shown as underlined text) to the table as noted below:

Classifications	R-1	R-1A	Additional Regulations See Sections:
Residential Uses			
<u>Supportive housing</u>	<u>P</u>	<u>P</u>	<u>10-2.1638</u>
<u>Transitional housing</u>	<u>P</u>	<u>P</u>	
<u>Employee housing</u>	<u>P</u>	<u>P</u>	

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

Section 10-2.510 Specific Purposes, R-2, R-3A, RMD, and RH multiple-family residential zones shall be revised (shown as strike through and underlined text) as follows:

Subsection (a) will be amended to read:

- (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;

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

The following uses and note will be revised and added (shown as strike through and underlined text) to the table as noted below:

Classifications	R-2	R-3	R-3A	RMD	RH-1	RH-2	RH-3	Additional Regulations See Section:
Residential Uses								
<u>2-315 residential units on a lot*</u>	P	P	P	P	P	P	P	10-2.1608
<u>416 or more residential units on a lot*</u>	C	C	C	C	C	C	C	10-2.1608
<u>Supportive housing</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>10-2.1638</u>
<u>Transitional housing</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Employee housing</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	

*Maximum number of units per each Zone is established by the applicable Zone’s development standards.

Section 10-2.513 Development standards: R-2 low density multiple-family residential zone

Section 10-2.513 Development standards: R-2 low density multiple-family residential zone shall be revised (shown as strike through and underlined text) as follows:

Subsection (b) will be amended to read:

- (b) Permitted lot combinations. Two or more lots may be combined only when all of the requirements of subsections (b)(1) and), (b)(2) of this section are satisfied. (~~This subsection is not intended to permit the combination of two or more typical or standard-sized lots or to permit developments of a mass and scale inconsistent with the character of the neighborhood.~~)

~~(1) One of the following conditions exists:~~

~~a. One or more of the lots is less than 5,000 square feet in area, or~~

~~b. One or more of the lots has no legal access from a public street or alley, or~~

~~c. One or more of the lots is subject to other unique circumstances such as unusual lot size, shape or topography, and the combining of the lots will help achieve an improved development more consistent with the character of development in the neighborhood;~~

- (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; and
- (2) The proposed combination is brought in connection with an applications for Administrative Design Review for projects processing 15 units or fewer, ~~or Planning Commission Design Review~~ and a Conditional Use Permit for a development greater than 15 units consistent with the development standards applicable to the zone.

Section 10-2.514 Development standards: R-3 low density multiple-family residential zone

Section 10-2.514 Development standards: R-3 low density multiple-family residential zone shall be revised (shown as strike through and underlined text) as follows:

Subsection (b) will be amended to read:

- (b) Permitted lot combinations. Two or more lots may be combined only when all of the requirements of subsections (b)(1) and (b)(2) of this section are satisfied.

~~(1) One of the following conditions exists:~~

- ~~a. One or more of the lots is less than 5,000 square feet in area, or~~
- ~~b. One or more of the lots has no legal access from a public street or alley, or~~
- ~~c. One or more of the lots is subject to other unique circumstances such as unusual lot size, shape or topography, and the combining of the lots will help achieve an improved development more consistent with the character of development in the neighborhood;~~

- (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; and
- (2) The proposed combination is brought in connection with an applications for Administrative Design Review ~~Administrative Design Review for projects processing 15 units or fewer, or Planning Commission Design Review~~ and a Conditional Use Permit for a development greater than 15 units consistent with the development standards applicable to the zone.

Section 10-2.515 Development standards: R-3a low density multiple-family residential zone

Section 10-2.515 Development standards: R-3a low density multiple-family residential zone shall be revised (shown as strike through and underlined text) as follows:

Subsection (b) will be amended to read:

- (b) Permitted lot combinations. Two or more lots may be combined only when the following are satisfied.
 - ~~(1) The front lot line of the combined lots shall not exceed 100 feet;~~
 - (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; and
 - (2) The proposed combination is brought in connection with an applications for Administrative Design Review for projects processing 15 units or fewer, or Planning Commission Design Review and a Conditional Use Permit for a development greater than 15 units consistent with the development standards applicable to the zone.

Section 10-2.516 Development standards: RMD medium density multiple-family residential zone

Section 10-2.516 Development standards: RMD medium density multiple-family residential zone shall be revised (shown as strike through and underlined text) as follows:

Subsection (b) will be amended to read:

- (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; and
 - (2) The proposed combination is brought in connection with application ~~an applications~~ for Administrative Design Review for projects processing 15 units or fewer, or Planning Commission Design Review and a Conditional Use Permit for a development greater than 15 units consistent with the development standards applicable to the zone.

Section 10-2.517 Development standards: RH-1 high density multiple-family residential zone.

Section 10-2.517 Development standards: RH-1 high density multiple-family residential zone shall be revised (shown as strike through and underlined text) as follows:

Subsection (a) will be amended to read:

- (a) 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 ~~1,556~~ 1,452 square feet of lot area.

Section 10-2.518 Development standards: RH-2 high density multiple-family residential zone.

Section 10-2.518 Section 10-2.519 Development standards: RH-2 high density multiple-family residential zone shall be revised (shown as strike through and underlined text) as follows:

Subsection (a) will be amended to read:

- (a) 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 ~~1,556~~ 1,452 square feet of lot area.

Section 10-2.519 Development standards: RH-3 high density multiple-family residential zone.

Section 10-2.519 Development standards: RH-3 high density multiple-family residential zone shall be revised (shown as strike through and underlined text) as follows:

Subsection (a) will be amended to read:

- (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 ~~1,556~~ 1,452 square feet of lot area.
 - (2) Minimum lot area per dwelling unit. The minimum number of dwelling units permitted on a lot that is listed in Table B-2 in the 2021-2029 Housing Element shall be no less than one unit for each 2,179 square feet of lot area.

Section 10-2.530 Specific Purposes, R-MHP mobile home park zone.

Section 10-2.530 Specific Purposes, R-MHP mobile home park zone shall be revised (shown as strike through and underlined text) as follows:

Subsection (a) will be amended to read:

- (a) Maintain and permit improvements to the existing mobile home park, 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;

Section 10-2.531, Land use regulations: R-MHP mobile home park zone.

The following uses will be added (shown as underlined text) to the table as noted below:

Classifications	R-MHP	Additional Regulations See Section:
Residential Uses		
<u>Supportive housing</u>	<u>P</u>	<u>10-2.1638</u>
<u>Transitional housing</u>	<u>P</u>	
<u>Employee housing</u>	<u>P</u>	

Section 10-2.620, Land use regulations: C-2, C-2A, and C-2B commercial zones, and C-2-PD pedestrian-oriented commercial zone.

The following uses will be added (shown as underlined text) to the table as noted below:

Classifications	C-2	C-2A	C-2B	C-2-PD	Additional Regulations See Section:
Animal sales and services:					
<u>Animal Kennels</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	

Section 10-2.622 Development Standards, C-2 commercial zone.

Section 10-2.622 Development Standards, C-2 commercial zone shall be revised (shown as strike through and underlined text) as follows:

Subsection (a) paragraph (1) will be amended to read:

- (1) The floor area ratio (F.A.R.) of all buildings on a lot within the Artesia and Aviation Corridors Area Plan area as adopted by resolution of the City Council, shall not exceed ~~0-6~~ 1.5 (see definition of floor area ratio in Section 10-2.402).

Section 10-2.625 Development Standards, C-2-PD commercial zone.

Section 10-2.625 Development Standards, C-2-PD pedestrian-oriented commercial zone shall be revised (shown as strike through and underlined text) as follows:

Subsection (a) paragraph (1) will be amended to read:

- (1) The floor area ratio (F.A.R.) of all buildings on a lot within the Artesia and Aviation Corridors Area Plan area as adopted by resolution of the City Council, shall not exceed ~~0-6~~ 1.5 (see definition of floor area ratio in Section 10-2.402).

Section 10-2.640, Land use regulations: C-4, C-4A, and C-4B commercial zones, and C-4-PD pedestrian-oriented commercial zone.

The following uses will be added (shown as underlined text) to the table as noted below:

Classifications	C-4	C-4A	C-4B	C-4-PD	Additional Regulations See Section:
Other Uses					
<u>Single room occupancy housing</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>10-2.1640</u>

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

Section 10-2.900 Specific Purposes, MU-1, and MU-3 mixed-use zones and CR regional commercial zone shall be revised (shown as strike through and underlined text) as follows:

Subsection (a) will be amended to read:

- (a) Encourage residential uses, including those units used as transitional housing, supportive housing or employee housing, in conjunction with commercial activities in order to create an active street life, enhance the vitality of businesses, and reduce vehicular traffic;

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

The following uses will be added (shown as underlined text) to the table as noted below:

Classifications	MU-1	MU-3	MU-3A MU-3B MU-3C	CR	Additional Regulations See Section:
Residential Uses					
<u>Supportive housing</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>10-2.1638</u>
<u>Transitional housing</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Employee housing</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
Other Uses					
<u>Low barrier navigation centers</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>10-2.1636</u>

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.

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 shall be revised (shown as strike through and underlined text) as follows:

Subsection (b) will be amended to read:

- (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) 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 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 and a minimum of 50 percent of the gross floor area of a mixed-use project that includes housing 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.

Section 10-2.913 Development standards: MU-1 mixed-use zone.

Section 10-2.913 Development standards: MU-1 mixed-use zone shall be revised (shown as strike through and underlined text) as follows:

Subsection (a) will be amended to read:

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

- ~~(1)~~ Commercial uses. For projects containing only commercial uses, the floor area ratio (F.A.R.) of all buildings on a lot shall not be less than 0.35 or exceed 0.5, ~~except within the Artesia and Aviation Corridors Area Plan area as adopted by resolution of the City Council.~~
- a. ~~The floor area ratio (F.A.R.) of all buildings on a lot within the Artesia and Aviation Corridors Area Plan area as adopted by resolution of the City Council, shall not exceed 1.5 (see definition of floor area ratio in Section 10-2.402).~~
- (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 0.7 shall be developed for residential uses.
- b. Minimum commercial floor area. The commercial component of mixed-use projects shall have a minimum floor area ratio of 0.35.

Subsection (b) will be amended to read:

- (b) Residential density. The maximum number of dwelling units on a lot shall be no more than one unit for each ~~1,245~~ 1,452 square feet of lot area.

Section 10-2.916 Development standards: MU-3A mixed-use zone.

Section 10-2.916 Development standards: MU-3A mixed-use zone shall be revised (shown as strike through and underlined text) as follows:

Subsection (a) will be amended to read:

- (a) Floor area ratio. (See definition of floor area ratio in Section 10-2.402.)
- (1) Commercial uses. For projects containing only commercial uses, the floor area ratio (F.A.R.) of all buildings on a lot shall not be less than 0.35 or exceed ~~1.0~~ 0.5.
- (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 0.7 shall be developed for residential uses.
- b. Minimum commercial floor area. The commercial component of mixed-use projects shall have a minimum floor area ratio of 0.35, ~~of 0.3 multiplied by the lot area within 130 feet of the property line abutting Pacific Coast Highway.~~

Subsection (b) will be amended to read:

- (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 ~~1,245~~ 1,452 square feet of lot area.
- (2) Minimum lot area per dwelling unit. The minimum number of dwelling units permitted on a lot that is listed on Table B-2 in the 2021-2029 Housing Element shall be no less than one unit for each 2,179 square feet of lot area.

Section 10-2.917 Development standards: MU-3B mixed-use zone

Section 10-2.918 Development standards: MU-3B mixed-use zone no longer applies to any properties in the City, and shall be removed.

Section 10-2.918 Development standards: MU-3C mixed-use zone.

Section 10-2.918 Development standards: MU-3C mixed-use zone shall be revised (shown as strike through and underlined text) as follows:

Subsection (c) will be amended to read:

- (c) Floor area ratio. (See definition of floor area ratio in Section 10-2.402.)
 - (1) Commercial uses. For projects containing only commercial uses, the floor area ratio (F.A.R.) of all buildings on a lot shall not be less than 0.35 or exceed ~~1.0~~0.5.
 - (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 0.7 shall be developed for residential uses.
 - b. Minimum commercial floor area. The commercial component of mixed-use projects shall have a minimum floor area ratio of 0.35, ~~of 0.3~~.
 - (3) Residential Density. The maximum number of dwelling units permitted on a lot shall be not more than one dwelling unit for each ~~1,245~~ 1,452 square feet of lot area.

Section 10-2.919 Development standards: CR mixed-use zone.

Section 10-2.919 Development standards: CR mixed-use zone shall be revised (shown as strike through and underlined text) as follows:

Subsection (d) will be amended to read:

- (d) Residential Density. The maximum number of dwelling units on a lot shall be one unit for each ~~1,245~~ 1,452 square feet of lot area.

Section 10-2.1012 Development standards: I-1 industrial zone.

Section 10-2.1012 Development standards: I-1 industrial zone shall be revised (shown as strike through and underlined text) as follows:

Subsection (a) will be amended to read:

- (a) Floor area ratio. The floor area ratio (F.A.R.) of all buildings on a lot shall not exceed ~~0.7~~ 1.0 (see definition of floor area ratio in Section 10-2.402).

Section 10-2.1013 Development standards: I-1A industrial zone.

Section 10-2.1013 Development standards: I-1A industrial zone shall be revised (shown as strike through and underlined text) as follows:

Subsection (a) will be amended to read:

- (a) The floor area ratio (F.A.R.) of all buildings on a lot shall not exceed 1.0 ~~0.7~~, ~~except that the F.A.R. may be increased to a maximum of 1.0 on individual lots subject to the approval of a development agreement containing provisions limiting the cumulative floor area ratio of all parcels in the zone to a maximum of 0.7.~~ (See definition of floor area ratio in Section 10-2.402).

Section 10-2.1014 Development standards: I-1B industrial zone.

Section 10-2.1014 Development standards: I-1B industrial zone shall be revised (shown as strike through and underlined text) as follows:

Subsection (b) will be amended to read:

- (b) Floor area ratio. The floor area ratio (F.A.R.) of all buildings on a lot shall not exceed ~~0.7~~1.0 (see definition of floor area ratio in Section 10-2.402).

Section 10-2.1022 Development standards: IC-1 industrial-commercial zone.

Section 10-2.1022 Development standards: IC-1 industrial zone shall be revised (shown as strike through and underlined text) as follows:

Subsection (c) will be amended to read:

- (c) Floor area ratio. The floor area ratio (F.A.R.) of all buildings on a lot shall not exceed ~~0.7~~1.0 (see definition of floor area ratio in Section 10-2.402).

Section 10-2.1117 Development standards: P-PRO Parks, recreation, and open space zone.

Section 10-2.1117 Development standards: -PRO Parks, recreation, and open space zone shall be revised (shown as strike through and underlined text) as follows:

Subsection (a) will be amended to read:

- (a) Floor area ratio. The floor area ratio (F.A.R.) of all buildings on a lot shall not exceed ~~0.25~~0.20 (see definition of floor area ratio in Section 10-2.402).

Division 14 (AHO) Affordable Housing Overlay Zone

Division 14 (AHO) Affordable Housing Overlay Zone shall be added (shown as underlined text) to Article 2, Zoning Districts:

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:

- (b) 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
- (c) Promote the public good by incentivizing the development of housing affordable to lower income households.
- (d) Satisfy the City's RHNA obligation consistent with the City's Housing Element and State law.
- (e) Set the minimum density for any residential or mixed-use project that includes residential uses within the AHO Zone.
- (f) 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.
- (g) 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	190 th Street	FedEx	
Residential Uses							
<u>Multi-family residential</u>	P	P	P	P	P	P	<u>10-2.1440(a)/ 10-2.1608</u>
<u>Family day care homes</u>	P	P	P	P	P	P	
<u>Family day care home, small</u>	P	P	P	P	P	P	
<u>Family day care home, large</u>	P	P	P	P	P	P	
<u>Residential care facilities, limited</u>	P	P	P	P	P	P	
<u>Senior housing</u>	P	P	P	P	P	P	<u>10-2.1624</u>
<u>Supportive housing</u>	P	P	P	P	P	P	<u>10-2.1638</u>
<u>Transitional housing</u>	P	P	P	P	P	P	
<u>Employee housing</u>	P	P	P	P	P	P	
Commercial Uses							
<u>Home Occupations</u>	P	P	P	P	P	P	<u>10-2.1440(a)</u>
Other Uses							
<u>Parking lots</u>	C	C	C	C	C	C	<u>10-2.1440(a)</u>
<u>Parking structures</u>	C	C	C	C	C	C	<u>10-2.1440(a)</u>
<u>Public Open Space</u>	P	P	P	P	P	P	<u>10-2.1440(a)</u>
<u>Low Barrier Navigation Centers</u>	P	P	P	P (C-4 only)	P	P	<u>10-2.1636</u>

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
190 th Street	7.9	792	434
South Bay Marketplace	17.2	792	946
FedEx	1.8	792	99
Notes:			
<ul style="list-style-type: none"> 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

Division 14 (AHO) Affordable Housing Overlay Zone shall be added (shown as underlined text) to Article 2, Zoning Districts:

Section 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 non-residential 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 zones directly abut commercial and industrial zones, by permitting greater design flexibility across the existing boundaries of the zones;

Section 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.



Section 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 §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.

Regional Commercial (CR)

- (2) Residential uses shall not be permitted in the underlying (CR) Regional Commercial zones, 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).
- (3) Industrial uses that support smaller, technology and incubator spaces, are permitted.

Industrial (I-2)

- (4) "Manufacturing and fabrication" uses with a conditional use permit.
- (5) "Construction-related uses" are prohibited.
- (6) "Wholesaling/distribution/storage" are prohibited.
- (7) "Motor vehicle-related uses" are prohibited
- (8) "Recycling facilities" are prohibited.
- (9) "Truck terminals" are prohibited.
- (10) "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.
- (11) "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.
- (12) Industrial uses that support smaller, technology and incubator spaces, are permitted.

Industrial (IC-1)

- (13) "Manufacturing and fabrication" uses with a conditional use permit.
- (14) "Construction-related uses" are prohibited.
- (15) "Wholesaling/distribution/storage" are prohibited.
- (16) "Motor vehicle-related uses" are prohibited.
- (17) "Recycling facilities" are prohibited.
- (18) "Truck terminals" are prohibited.
- (19) "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.
- (20) "Vehicle sales and services" uses are prohibited.
- (21) Industrial uses that support smaller, technology and incubator spaces, are permitted.

Section 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 4, Special Use Regulations

Section 10-2.1608 Condominiums

Section 10-2.1608, Condominiums shall be revised (shown as strike through and underlined text) to allow projects with up to 15 units be permitted administratively:

Subsection (c) will be amended to read:

- (c) Conditional use permits and design review required.
 - (1) No condominium containing ~~four sixteen~~ or more units shall be established unless a Conditional Use Permit is obtained pursuant to Section 10-2.2506 of this chapter.
 - (2) Condominiums containing ~~four sixteen~~ or more units shall be subject to Planning Commission Design Review pursuant to Section 10-2.2502.
 - (3) Condominiums containing two to ~~three fifteen~~ units shall be subject to Administrative Design Review pursuant to Section 10-2.2500.

Section 10-2.1636 Low Barrier Navigation Centers.

Section 10-2.1636 Low Barrier Navigation Centers shall be added (shown as underlined text) to Article 4, Special Use Regulations:

Section 10-2.1636 Low Barrier Navigation Centers.

- (a) Purpose and Intent. The purpose of this Section is 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, specifically Article 12 of Chapter 3 of Division 1 of Planning and Zoning Law commencing with California Government Code Section 65660.
- (a) Applicability. The provisions of this section shall apply to all low-barrier navigation center projects. Low-barrier navigation centers are allowed by-right (not subject to a discretionary permit or approval) in areas zoned for mixed-use and nonresidential zones permitting multifamily uses, including areas with the affordable housing overlay zone. Low barrier navigation centers must meet the following requirements:
 - (1) Connected Services. It offers services to connect people to permanent housing through a services plan that identifies services staffing.
 - (2) Coordinated Entry System. It is linked to a coordinated entry system, so that staff in the interim facility or staff who co-locate in the facility may conduct assessments and provide services to connect people to permanent housing. “Coordinated entry system” means a centralized or coordinated assessment system developed pursuant to Section 576.400(d) or Section 578.7(a)(8), as applicable, of Title 24 of the Code of Federal Regulations, as those sections read on January 1, 2020, and any related requirements, designed to coordinate program participant intake, assessment, and referrals.
 - (3) Code Compliant. It complies with Chapter 6.5 (commencing with Section 8255) of Division 8 of the Welfare and Institutions Code.
 - (4) Homeless Management Information System. It has a system for entering information regarding client stays, client demographics, client income, and exit destination through the local Homeless Management Information System, as defined by Section 578.3 of Title 24 of the Code of Federal Regulations.

Section 10-2.1638 Supportive Housing.

Section 10-2.1638 Supportive Housing shall be added (shown as underlined text) to Article 4, Special Use Regulations:

Section 10-2.1638 Supportive Housing.

- (a) Purpose and Intent. The purpose of this section is to ensure that housing development projects that meet the definition of supportive housing as defined in California Government Code Section 65650 et seq. are reviewed and processed ministerially pursuant to California Government Code Section 65583(c)(3).
- (b) Applicability. The provisions of this chapter shall apply to all supportive housing projects meeting the requirements of California Government Code Section 65650 et seq.
- (c) Projects allowed by-right. Supportive housing shall be a use by right, subject to administrative design review, in zones where multifamily and mixed uses are permitted, including nonresidential zones permitting multifamily uses, if the proposed development satisfies all of the following requirements:
 - (1) The development is within a mixed-use zone, AHO zone, or multi-family residential zone.
 - (2) Units within the development are subject to a recorded affordability restriction for 55 years.
 - (3) One hundred percent of the units, excluding the manager unit(s), within the development are dedicated to lower income households and are receiving public funding to ensure affordability of the housing to lower income Californians.
 - (4) At least 25 percent of the units in the development or 12 units, whichever is greater, are restricted to residents in supportive housing who meet criteria of the target population. If the development consists of fewer than 12 units, then 100 percent of the units, excluding manager unit(s), in the development shall be restricted to residents in supportive housing.
 - (5) Non-residential floor area shall be used for on-site supportive services in the following amounts:
 - A. For a development with 20 or fewer total units, at least 90 square feet shall be provided for onsite supportive services.
 - B. For a development with more than 20 units, at least 3 percent of the total nonresidential floor area shall be provided for onsite supportive services that are limited to tenant use, including, but not limited to, community rooms, case management offices, computer rooms, and community kitchens.
 - (6) The developer replaces any dwelling units on the site of the supportive housing development in the manner provided in State Density Bonus Law (California Government Code Section 65915(c)(3)(C)).
 - (7) Units within the development, excluding manager unit(s), include at least one bathroom and a kitchen or other cooking facilities, including, at minimum, a stovetop, a sink, and a refrigerator.
- (d) Development and Operational Standards. Supportive housing projects shall comply with all the following standards
 - (1) The project shall comply with applicable Objective Residential Standards, and development standards or policies also required of multifamily developments in the same zone. Supportive housing projects in nonresidential zones where housing is permitted by State law, shall comply with the development standards applicable to the multifamily zone consistent with the density for the project.

- (2) The applicant shall submit a plan for providing supportive services, to include all the following items:
 - a. Documentation that supportive services will be provided on-site.
 - b. The name of the proposed entities that will provide supportive services.
 - c. The proposed funding sources for the services provided.
 - d. Proposed staffing levels.
- (3) No minimum parking requirements shall be required for the units occupied by supportive housing residents for projects located within one-half mile of a public transit stop.

Section 10-2.1640 Single Room Occupancy (SRO) Housing.

Section 10-2.1640 1640 Single Room Occupancy (SRO) Housing shall be added (shown as underlined text) to Article 4, Special Use Regulations:

Section 10-2.1640 Single Room Occupancy Housing.

- (a) Purpose and Intent. The purpose of this section is to regulate the development and operation of single room occupancy (SRO) housing. Single room occupancy (SRO) units provide housing opportunities for lower-income individuals, persons with disabilities, seniors, and formerly homeless individuals.
- (b) Applicability. The provisions of this chapter shall apply to all SRO housing projects.
- (c) Permit required. An SRO housing facility may be approved via a conditional use permit in the following zoning districts:
 - (1) C-4 commercial zones
 - (2) C-4A commercial zones
 - (3) C-4B commercial zones
 - (4) C-4-PD pedestrian-oriented commercial zones
- (d) Relationship to underlying zone. In zoning districts which allow SRO housing with the issuance of a conditional use permit, the regulations contained herein shall be considered additional to those of the underlying zoning district. The provisions of this chapter shall prevail in the event of a conflict with the underlying zoning district regulations.
- (e) Development and Operational Standards. SRO housing projects shall comply with all of the following standards:
 - (1) SRO Units. The following standards apply to single room occupancy units.
 - a. Unit Size. The minimum size of a unit shall be two hundred (200) square feet, the maximum size of a unit shall be five hundred (500) square feet.
 - b. Bathroom Facilities. An SRO unit is not required to, but may contain, partial or full bathroom facilities. A partial bathroom facility shall have at least a toilet and sink; a full facility shall have a toilet, sink, and bathtub, shower, or bathtub/shower combination. If a full bathroom facility is not provided, common bathroom facilities shall be provided in accordance with California Building Code for congregate residences with at least one full bathroom per every three units on a floor.
 - c. Kitchen. An SRO unit may contain partial or full kitchen facilities. A full kitchen includes a sink, a refrigerator, and a stove, range top, or oven. A partial kitchen is

missing at least one of these appliances. If a full kitchen is not provided, common kitchen facilities shall be provided with at least one full kitchen per floor.

- d. Closet. Each SRO shall have a separate closet with at least four (4) square feet of closet space with an unobstructed height of at least five feet for use by the occupant.
- e. Access. Exterior doors and windows accessible from outside the SRO unit must have working locks for privacy. The occupant must be able to access the unit without going through any other unit. Each unit must have immediate access to two or more means of exit from the building appropriately marked and leading to safe and open space at ground level.
- f. Code Compliance. All SRO units shall comply with all requirements of the California Building Code.

(2) SRO Facilities. The following standards apply to single room occupancy buildings.

- a. Density. A single room occupancy facility is not required to meet density standards of the general plan.
- b. Common Area. Four square feet of interior common space per unit shall be provided, with at least two hundred (200) square feet in area of interior common space, excluding janitorial storage, laundry facilities, and common hallways. All common areas shall comply with all applicable ADA accessibility and adaptability requirements.
- c. Bathroom Facilities. If private bathing facilities are not provided for each unit, shared shower or bathtub facilities shall be provided in accordance with the most recent edition of the California Building Code for congregate residences with at least one full bathroom (including toilets, sinks, and bathing facilities) per every three units on a floor. The shared shower or bathtub facility shall be accessible from a common area or hallway. Each shared shower or bathtub facility shall be provided with an interior lockable door.
- d. Laundry Facilities. Laundry facilities shall be provided in a separate room at the ratio of one washer and dryer for every ten (10) units.
- e. Cleaning Supply Room. A cleaning supply room or utility closet with a wash tub with hot and cold running water shall be provided on each floor of the SRO facility.
- f. Management Plan. A management plan shall be submitted with the development application for an SRO facility and shall be approved by the community development director or his/her assigned. The management plan must address management and operation of the facility, rental procedures, safety and security of the residents and building maintenance.
- g. Facility Management. An SRO facility with ten (10) or more units shall have an on-site manager. An SRO facility with less than ten (10) units shall provide a management office on-site.
- h. Parking. Parking shall be provided for an SRO facility at a rate of one parking space per unit plus an additional space for the on-site manager.
- i. Accessibility. All SRO facilities shall comply with all applicable ADA accessibility and adaptability requirements.
- j. Existing Structures. An existing structure may be converted to an SRO facility, consistent with the provisions of this section.

Amendments to Article 5, Parking Regulations

Section 10-2.1704 Residential parking standards

Section 10-2.1704 Residential parking standards will be revised (shown as strike through and underlined text) as follows:

Subsection (a) paragraph (2) will be amended to read:

- (2) Multiple-family dwellings. Multiple-family dwellings on the same lot shall provide parking spaces for each dwelling unit based on the size of each unit as follows: 1 parking space for each studio/0-bedroom unit, 1.5 parking space for each 1-bedroom unit, and 2 parking spaces for each unit with two or more bedrooms. ~~a minimum of two parking spaces for each dwelling unit, of which at~~ At least one space per dwelling unit shall be within an enclosed private or common parking garage.

Section 10-2.1706 Commercial, industrial, and other nonresidential parking standards

Section 10-2.1706 Commercial, industrial, and other nonresidential parking standards will be revised (shown as strike through and underlined text) as follows:

Use	Spaces Required
Emergency shelters:	One space for each 250 square feet of gross floor area. <u>One parking space per employee on site at the same time.</u>
SRO facility:	<u>One parking space per unit plus an additional space for the on-site manager.</u>

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) Nonconforming commercial uses in areas designated as residential in the general plan, with on-site structures totaling no more than 10,000 square feet, 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 uses in areas designated as residential in the general plan with on-site structures totaling no more than 10,000 square feet, 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 9, Density Bonuses

Existing language in Article 9 (Sections 10-2.2100 – 10-2.2112), Density Bonuses will be repealed and replaced (replacement language is shown as underlined text) with the following:

Section 10-2.2100 Purpose

The purpose of this Section is to encourage the development of affordable housing in accordance with State law. State Density Bonus Law, codified in Government Code Section 65915, et seq., provides that a local government shall grant affordable housing benefits as defined in paragraph 2102 of this section, if requested by the applicant and consistent with the applicable requirements of this section, to a developer of a qualified housing development. This “Article” establishes the procedural process to implement State Density Bonus Law.

Section 10-2.2101 State law incorporated.

The provisions of this Chapter are intended to comply with State Density Bonus Law. In the event that any provision of this Chapter conflicts with Government Code Section 65915 or any related State law(s), the State law(s) shall apply.

Section 10-2.2102 Definitions.

The definition of terms shall be as provided in Government Code Section 65915, et seq. In addition, the following definitions shall control over any conflicting definitions in other Sections of the Redondo Beach Municipal Code. State law definitions, as they may be amended from time to time, control over the definitions in this section.

- (a) “Affordable Housing Benefits” means one or more the of the following, as defined in Government Code Section 65915:
 - a. A density bonus;
 - b. An incentive or concession;
 - c. A development standard waiver or modification; and
 - d. A parking standard modification.

- (b) “Applicant” means the applicant or permittee of a Qualified Housing Development and its assignees or successors in interest.
- (c) “Director” means the City’s Community Development Director or designee.
- (d) “Qualified Housing Development” means a housing development that meets the threshold eligibility for Affordable Housing Benefits, as identified in Government Code Section 65915.

Section 10-2.2103 Target Rents and Mortgage Payments.

Target rents and Mortgage payments shall be as provided in Government Code Section 65915.

Section 10-2.2104 Affordability Requirements and Construction of Affordable Units.

- (a) The affordability requirements shall be as provided in Government Code Section 65915.
- (b) The affordable units that qualify the project as a Qualified Housing Development must be constructed concurrently with or prior to the construction of any market rate units.

Section 10-2.2104 Application Required.

An applicant seeking any Affordable Housing Benefits under this Article must comply with all of the following:

- (a) The applicant shall file an application for a Density Bonus Permit on a form approved by the Director concurrently with the applications for any other land use permits or approvals that may be required for the project.
- (b) The applicant shall enter into an agreement with the City pursuant to Section 10-2.2108, to maintain and enforce the affordable housing component of the housing development.
- (c) Contents of Application. The application for a Density Bonus Permit shall include the following information:
 - (1) A description of the project, including the gross acreage of the parcel(s), the total number of proposed dwelling units, the number of affordable units and level of affordability for each affordable unit proposed to be included in the project, and the location, design, and phasing of all units;
 - (2) A breakdown of the current and proposed general plan and zoning designations, and the maximum allowable residential density (as defined in State law);
 - (3) In applications involving the donation of land and/or childcare facilities, the location of such land and/or facilities and a detailed description of compliance with the conditions and definitions in State law;
 - (4) A calculation of the density bonus allowed pursuant to State law, including the percentage of density bonus, percentage of income-restricted units, and number of density bonus units being proposed over and above the maximum allowable residential density;
 - (5) A description of the incentives or concessions requested (if any), including a detailed explanation as to how the request will enable the applicant to provide housing at the target rents or mortgage payments;
 - (6) A description of the waivers or reductions of development standards requested (if any), including identification of each specific development standard from which the applicant seeks to deviate and a detailed explanation as to how the application of the development standard would physically preclude the development of a development meeting the eligibility criteria at the densities or with the concessions or incentives permitted by State law;

- (7) The proposed method of ensuring the continued affordability of all income-restricted units, for the applicable time period(s) in State law;
 - (8) Other relevant information as required by State law; and
 - (9) Other information identified on the City's application form that may be required to ensure compliance with State law.
- (d) An application for a Density Bonus permit will not be processed until it complies with all of the provisions of this Section as determined by the Director and shall be processed concurrently with other required entitlements for the project. Prior to the submittal of an application for a Qualified Housing Development, an applicant may submit to the Director a preliminary proposal for Affordable Housing Benefits.
- (e) Approval of a Density Bonus permit shall be at the same level as the planning entitlement action for the project with the highest requirement.

Section 10-2.2105 Review of Requested Affordable Housing Benefits

- (a) The City shall grant a density bonus to a Qualified Housing Development in the amount specified by Government Code Section 65915.
- (b) If requested, the City shall grant a parking ratio reduction to a Qualified Housing Development in accordance with the requirements of Government Code Section 65915.
- (c) The City shall grant the specific concession(s) or incentive(s) requested by the Applicant, unless it makes any of the relevant written findings stated in Government Code Section 65915(d). Senior citizen housing developments that qualify for a density bonus shall not receive any incentives or concessions, unless Government Code Section 65915 is amended, to specifically require that local agencies grant incentives or concessions for senior citizen housing developments.
- (d) The City shall grant a requested waiver or reduction of a development standard, unless it finds that:
 - (1) The application of the development standard does not have the effect of physically precluding the construction of a housing development at the density allowed by the density bonus and with the incentives or concessions granted to the applicant;
 - (2) The waiver or reduction of the development standard would have a specific, adverse impact, as defined in paragraph (2) of subdivision (d) of Section 65589.5, upon health, safety, or the physical environment, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact;
 - (3) The waiver or reduction of the development standard would have an adverse impact on any real property that is listed in the California Register of Historical Resources; or
 - (4) The waiver or reduction of the development standard would be contrary to state or federal law.
- (e) The granting of any Affordable Housing Benefit shall not be interpreted, in and of itself, to require a general plan amendment, zoning change, or other discretionary approval;
- (f) This Section does not limit or require the provision of direct financial incentives for the housing development, including the provision of publicly owned land, by the City or the waiver of fees or dedication requirement, except as otherwise provided by State law.

Section 10-2.2106 Appeals

- (a) If the decision to approve or deny an application for an Affordable Housing Benefit is made by the Director or Planning Commission, any person may appeal the decision. The appeal shall be in writing, state the grounds for appeal, and shall be filed with the City Clerk including the applicable

fee, within 15 calendar days of the date of the mailing of the Director's decision or Commission hearing date. The decision of the City Council shall be final.

- (b) If the decision to approve or deny an application for an Affordable Housing Benefit is made by the Director or his/her assigned, then an appeal may be filed with the Planning Commission. If the decision is made by Planning Commission, then an appeal may be filed to the City Council.
- (c) Notwithstanding the provisions of Section 10-2.2108, if the determination of the underlying application for the Qualified Housing Development is also appealed along with the decision of the Affordable Housing Benefit, then the entire project shall be controlled by the appeal procedures applicable to the underlying application.

Section 10-2.2108, Affordable Housing Agreement and Equity Sharing Agreement

A building permit for a Qualified Housing Development shall only be issued if and when the Applicant, or its designee, enters into an affordable housing agreement and, if applicable, an equity sharing agreement, with the City or its designee pursuant to, in compliance with, and to implement this Section and State law. The agreements shall be in the form approved by the City which shall contain terms and conditions mandated by, or necessary to implement, State law and this Article. The Director may designate a qualified administrator or entity to administer the provisions of this section on behalf of the City. The affordable housing agreement shall be recorded prior to, or concurrently with, final map recordation or, where the Qualified Housing Development does not include a map, prior to issuance of a building permit for any structure on the site. The Director is hereby authorized to enter into the agreements authorized by this section on behalf of the City upon approval of the agreements by City Attorney for legal form and sufficiency.

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 ~~three~~ fifteen units on any lot, subject to a notice of pending decision pursuant to subsection (e) of this section. Any two to ~~three~~ fifteen 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 Tier 2 AHO 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 percent of the units are dedicated for lower income households and are located on properties identified in appendix B of the 2021-2029 Housing Element meeting the requirements of either (a) or (b) below, which shall be allowed by-right and approved if all objective standards are met, consistent with State law.
 - a. Housing Element - Reused Sites. The proposed project site is i) listed on Table B-1 in the 2021-2029 Housing Element, ii) identified as a site used in a prior housing element, iii) not listed as vacant, and iv) satisfies any portion of the City's lower income RHNA requirement.
 - b. Housing Element - Rezoned Sites. The proposed project site is i) listed on Table B-2 in the 2021-2029 Housing Element and identified in Table B-2 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.

Subsection (b), paragraph (7) will be amended to read:

- (7) The project shall comply with the Objective Residential Standards adopted by resolution of the City Council. If there is a conflict between "Criteria" (1) through (6) with the Objective Residential Standards, the Objective Residential Standards shall prevail.

Subsection (e) will be amended to read:

- (e) Notice of pending decision. Notice of a pending decision by the Planning Community Development Director or his/her assigned shall be given as follows for all non-residential development under subsection (a)(9) and for new multiple-family developments. For purposes of this section, new multiple-family developments shall mean development of two or three dwelling units on a vacant lot or in conjunction with demolition of 50% or more of the total floor area of existing development on the lot. New development shall not include an "accessory dwelling unit" as defined in Section 10-2.402.
 - (1) By mailing a written notice thereof, not less than 10 working days prior to the date of pending approval to the applicant, to the owner of the subject property and to the owners of properties within 300 feet of the exterior boundary of the subject property or properties; such notices shall be sent by first class mail, with postage prepaid, using the addresses from the last adopted tax roll, if available;
 - (2) By posting such notice in at least one prominent place on or about each parcel which is the subject of the proposed action, or upon utility poles or sticks along or about the street line of such parcel; and
 - (3) The content of the notice of pending decision for an Administrative Design Review shall contain the following information:
 - a. The date of filing of the application and the name of the applicant,
 - b. The file number assigned to the application,
 - c. A description of the proposed development and its location,

- d. The date at which the application is expected to be approved, and
- e. A statement that revisions to the proposed project will be considered by the Planning Community Development Director or his/her assigned upon the written request of any person provided that such written request is received by the Planning Community Development Director or his/her assigned within 10 working days from the date of sending the notice.

Subsection (f) will be amended to read:

- (f) Decision on application. The Planning Community Development Director or his/her assigned shall review the application and shall approve, approve with conditions, or deny the application. Projects meeting the requirements of Section 10-2.2500 (a)(9) or (10) shall be approved if found in compliance with the applicable objective standards per Criteria (7).
 - (1) If the decision of the Planning Community Development Director or his/her assigned is to approve the application, an approval stamp shall be affixed to the plans.
 - (2) If the approval requires conditions, the conditions will be made part of the approved plans.
 - (3) If the project requires a notice of pending decision pursuant to subsection (e) of this section, no decision will be made until completion of the deadline for written requests for revisions. If no written request for revisions is received, the Planning Community Development Director or his/her assigned shall make a decision pursuant to this subsection. If a written request for revisions has been received prior to the deadline, notice of the decision shall be mailed by first class mail within seven days of the decision to the applicant and the person that provided the written request for revisions to the proposed project.
 - (4) If the decision of the Planning Community Development Director or his/her assigned is to deny the application, the decision shall be in writing and shall recite the failure to meet the criteria upon which the decision is based. Where the decision is to deny the application, notice of the decision shall be mailed to the applicant by first class mail within seven days of the decision.

Subsection (i) will be amended as follows – there are no changes to paragraphs (1) through (3):

- (i) Notice of public hearing before the Planning Commission. Notice of public hearing before the Planning Commission to consider an appeal of the decision of the Planning Community Development Director or his/her assigned shall be given as follows:

Subsection (m) will be amended as follows:

- (m) Expiration. An approval subject to Administrative Design Review shall become null and void unless vested within 36 months after the date of the approval. Such time limits may be extended by the Planning Community Development Director or his/her assigned upon the written request of the applicant and the presentation of proof of an unusual hardship not of the applicant's own making. If an established time limit for development expires, and no extension has been granted, the approval, and all rights and privileges established therein, shall be considered null and void.

Subsection (n) will be amended as follows – there are no changes to paragraphs (1) through (7):

- (n) Revocation. After notice to the applicant and subject to appeal to the Planning Commission, the Planning Community Development Director or his/her assigned may revoke or modify any Administrative Design Review approval issued on one or more of the following grounds:

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)(1)(b) will be amended to read:

- b. Any new multi-family residential development containing ~~four sixteen~~ or more units on any lot and/or any new multi-family residential development ~~on a project site involving more than two residential lots that do not meet the requirements of Section 10-2.2500(a).~~

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 projects as defined in Division 14 that meet the requirements of Section 10-2.2500 (a).

New Section 10-2.2522 Reasonable Accommodation.

Section 10-2.2522 Reasonable Accommodation shall be added (shown as underlined text) to Article 12, Procedures:

Section 10-2.2522 Reasonable Accommodation.

- (a) Purpose and Intent. It is the purpose of this chapter, in compliance with the fair housing laws, to provide a procedure to evaluate requests for reasonable accommodation related to specific applications of the zoning law in order to ensure that no person is discriminated against because of race, color, religion, sex, sexual orientation, familial status, marital status, disability, national origin, source of income, or ancestry, as required by federal and/or State law, by being denied an equal opportunity to use and enjoy their dwelling and to authorize the application of exceptions to the city's zoning law and land development standards, if warranted.
- (b) Application
 - (1) Any person, business, or organization may submit an application for reasonable accommodation to the city's residential development standards by submitting an application to the city's Community Development Director, or his or her designee, on a form provided by the city.
 - (2) The following information shall be provided in the application:
 - a. The applicant's name, mailing address and daytime phone number(s) (and/or representatives) if so applicable;
 - b. Notarized written consent of the owner of the subject property if the applicant is not the owner;
 - c. The address of the property for which the request is being made;
 - d. The specific zoning code, law, regulation, procedure or policy of the city from which relief is sought;
 - e. An explanation of why the specified zoning code, law, regulation, procedure or policy is preventing, or will prevent, the applicant's use and enjoyment of the subject property;
 - f. The nature of the accommodation requested;
 - g. A site plan or illustrative drawing showing the proposed accommodation; and
 - h. The basis for the claim that the fair housing laws consider the applicant as protected (applicant should submit a letter from a medical doctor, handicap license, or other similar supportive evidence).
- (c) Filing and Appeal Fees

- (1) A filing fee or an appeal fee, as applicable and in the amounts established by city council resolution, shall be paid at the time of the filing of an application or at the time of filing an appeal pursuant to this chapter.
- (2) If an applicant requires assistance in completing the application, the city shall provide reasonable assistance to ensure that the application process is accessible to the applicant.
- (d) Determination of application
 - (1) The request for reasonable accommodation shall be considered by the Community Development Director, who may deny, approve or conditionally approve the request.
- (e) Findings
 - (1) The following findings shall be made, and the Community Development Director shall approve an application upon a showing of all of the following:
 - a. The person who will use the subject property is protected under the fair housing laws;
 - b. The requested exception to the zoning code, law, regulation, procedure or policy is necessary to make specific housing available to persons occupying the subject property;
 - c. The requested accommodation will not impose an undue financial or administrative burden on the city; and
 - d. The requested accommodation will not require a fundamental alteration of the city's zoning or building laws, policies and/or procedures.
- (f) Notice of decision
 - (1) Within thirty (30) days after acceptance of a complete application for reasonable accommodation the Community Development Director, shall provide the applicant with written notification of the decision regarding the request, including any reasonable conditions.
- (g) Appeal
 - (1) Appeal of decision of the Community Development Director. Within ten (10) days of the date of any decision made pursuant to this section, any person aggrieved or affected by a decision of the Community Development Director in granting or denying a request for reasonable accommodation may appeal the decision to the Planning Commission.
 - (2) Appeal of decision of the Planning Commission. Within ten (10) days of the date of any decision made pursuant to this section, any person aggrieved or affected by a decision of the Planning Commission in granting or denying a request for reasonable accommodation may appeal the decision to the City Council and no further.

NEW Article 13, Housing Replacement Obligations and Occupant Protections Required for New Development Projects

A new Article 13 shall be added to Chapter 2 (shown as underlined text) to address for replacement housing required by State law:

Article 13, Housing Replacement Obligations and Occupant Protections Required for New Development Projects

Section 10-2.2600 Purpose

The purpose of this Section is to require housing replacement consistent with State Housing Law including Government Code Sections 66300.5-66300.6 and 65583.2(g)(3). This “Article” implements the provisions of those statutes.

Section 10-2.2601 State law consistency

The provisions of this Article are intended to comply with Government Code Sections 66300.5 et. seq and 65583 et. seq and related State laws. In the event that any provision of this Article conflicts with Sections 66300.5-66300.6 and 65583.2(g)(3) or any related State laws, the State law(s) shall apply.

Section 10-2.2602 Definitions

The definition of terms shall be as provided in Government Code Section 66300.5. In addition, the following definitions shall control over any conflicting definitions in other sections of the Redondo Beach Municipal Code. State law definitions, as they may be amended from time to time, control over the definitions in this section.

- (a) **Complete application.** refers to a complete application pursuant to Section 65943 of the California Government Code.
- (b) **Housing development project.** shall have the same meaning as defined in paragraph (3) of subdivision (b) of Section 65905.5 of the California Government Code.
- (c) **Protected units.** has the same meaning as set forth in California Government Code Section 66300.5.

Section 10-2.2603 Applicability

- (a) Unless otherwise required by Government Code Section 66300 et seq. or another provision of State law, this article shall apply only to housing development projects that submit a preliminary application prior to January 1, 2030, or a complete application prior to January 1, 2034. This article shall not apply to a housing development project that submitted a complete application to the City before January 1, 2020.
- (b) For any development project that does not fall within paragraph (a), and unless otherwise required by Government Code Section 66300 et seq. or another provision of State law, this article shall apply if the applicant submits a complete application for planning entitlements and/or a building permit (if no planning entitlements are required), along with any associated submittal fee, on or after January 1, 2024 but before January 1, 2030

Section 10-2.2604 Replacement Obligations and Occupant Protections Required for New Development Projects

- (a) The City shall not approve any land use entitlement or issue a building permit for a housing development project that will require the demolition of one or more residential dwelling units unless the project will create at least as many residential dwelling units as will be demolished.
- (b) The City shall not approve any land use entitlement or issue a building permit for a development project that will require the demolition of occupied or vacant protected units, or where protected units were demolished after January 1, 2020, unless the housing development project meets all of the requirements of California Government Code Sections 66300.6 and 65583.2(g)(3).
- (c) Housing development projects must replace the units on site. Replacement units for non-residential projects may be located on a site other than the project site but shall be located within the same

jurisdiction and the applicant may contract with another entity to develop the required replacement housing.

Section 10-2.2606 Sunset Provision

- (a) This article shall remain in effect only until January 1, 2034, and as of that date is repealed.
- (b) A development project that submits a preliminary application pursuant to Section 65941.1 of the California Government Code before January 1, 2030, remains subject to this article after January 1, 2030.