



Planning Commission Report

Planning Commission Meeting: February 3, 2016

Agenda Item: 9-B

To: Planning Commission
From: Jing Yeo, AICP, City Planning Division Manager
Subject: Text Amendment 15ENT-0315 to Only Apply Specific Limitations #17 and #19 in SMMC Section 9.11.020 to Commercial Uses That Are Not Currently Subject to Any Potential Discretionary Review

Address: Mixed-Use and Commercial Districts
Applicant: Santa Monica Chamber of Commerce

Recommended Action

It is recommended that the Planning Commission recommend to the City Council adoption of the proposed Zoning Ordinance text amendment.

Executive Summary

Santa Monica Municipal Code (SMMC) Section 9.11.020, Specific Limitations #17 and #19 currently require a Conditional Use Permit (CUP) for any individual tenant space in the Neighborhood Commercial (NC) District that is more than 7,500 square feet of floor area and/or exceeds 50 linear feet of ground floor street frontage and for any individual tenant space in the Mixed-Use Boulevard Low (MUBL), Mixed-Use Boulevard (MUB), and General Commercial (GC) Districts that is more than 12,500 square feet of floor area and/or exceeds 75 linear feet of ground floor street frontage. The applicant, Santa Monica Chamber of Commerce, has applied for a text amendment to require Specific Limitations #17 and #19 to only apply to Commercial Uses that are currently not subject to any potential discretionary review. Staff proposes that these limitations also apply to any existing ground floor, street-fronting, non-office use tenant space(s) being converted to individual office use tenant space. Staff recommends that the Planning Commission recommend to the City Council adoption of the proposed Zoning Ordinance text amendment.

Background

During the Planning Commission and City Council review of the Draft Zoning Ordinance, the Commission and Council primarily discussed regulating the size of commercial tenant spaces as a method to regulate “big box” retail stores by providing for discretionary review of these larger tenant spaces. The discussion first focused on the Neighborhood Commercial District and was later expanded to include the Mixed-Use Boulevard Low, Mixed-Use Boulevard, and General Commercial Districts.

The Zoning Ordinance was adopted by the City Council in June 2015 with the following limitations for individual tenant spaces in the NC, MUBL, MUB, and GC Districts in Table 9.11.020:

- (17) No individual tenant space in the NC District shall occupy more than 7,500 square feet of floor area and/or exceed 50 linear feet of ground floor street frontage without the approval of a Conditional Use Permit.
- (19) No individual tenant space in the MUBL, MUB, and GC Districts shall occupy more than 12,500 square feet of floor area and/or exceed 75 linear feet of ground floor street frontage without the approval of a Conditional Use Permit.

These limitations apply to all tenant spaces in new or existing buildings in these mixed-use and commercial zoning districts regardless of the type of use.

On December 16, 2015 the Commission discussed the proposed text amendment. The applicant at that time had requested that Specific Limitations #17 and #19 apply to retail sales uses only but subsequently modified the proposed text amendment to also apply to Commercial Uses that are currently not subject to any potential discretionary review. The Commission expressed concern that applying these Specific Limitations only to retail uses could potentially allow for other larger commercial tenant spaces. Questions were raised by the Commission regarding the applicability of the proposed text amendment to existing and new uses and its applicability to office uses. The Commission continued the item to allow further discussion on the proposed text amendment.

Text Amendments

SMMC Section 9.46.030(C) allows for the initiation of a Zoning Ordinance text amendment by any qualified applicant. On September 25, 2015, a representative of the Santa Monica Chamber of Commerce filed the subject text amendment application. The Santa Monica Chamber of Commerce is representing two property owners whose projects located at 3402 Pico Boulevard and 1530 Santa Monica Boulevard may be impacted by the current CUP requirement.

Discussion

The applicant is requesting a text amendment on behalf of these property owners that would modify the applicability of Specific Limitations #17 and #19 in Table 9.11.020 to apply to all Commercial Uses that are currently not subject to any potential discretionary review.

The Planning Commission's discussions of limiting tenant space sizes, particularly during its [January 21, 2015](#) meeting, focused primarily on retail commercial uses and concerns with the proliferation of "big box" and chain stores and the potential loss of neighborhood character and uniqueness. The Planning Commission decided not to exclusively regulate chains. Specific Limitations #17 and #19 requiring CUPs for individual tenant spaces over the size thresholds apply to all tenant spaces in new or existing buildings regardless of use.

A Conditional Use Permit is intended to allow for the discretionary review of potential changes in the character of the use of land or building or for the construction or substantial expansions in the use of land or building which may have an impact upon the general welfare or safety of the public. A CUP is also intended to ensure that a use is compatible with adjacent land uses. The CUP requirement may be cumbersome or unnecessary for certain types of uses such as general office uses that are already prohibited on the ground floor or will be consolidated from existing office tenant spaces on upper stories and would not result in an intensification of the use or require additional parking.

The Zoning Ordinance standards for the Mixed-Use and Commercial Districts currently provides CUP review thresholds for a variety of non-retail sales uses. Concerns with the potential sizes of bank and restaurant tenant spaces and new office and auto dealer square footage are addressed in Table 9.11.020:

- Any individual bank and credit union tenant space exceeding 7,500 square feet of floor area and/or 40 linear feet of ground floor street frontage requires approval of a CUP.
- A restaurant exceeding 5,000 square feet of floor area requires approval of a CUP.
- All new office construction, including new office additions of 50% or more additional square footage to an existing building requires approval of a CUP.
- An addition exceeding 7,500 square feet to existing automobile sales and leasing buildings require approval of a CUP.

The sizes and thresholds for discretionary review of auto dealerships have also been previously discussed and analyzed and are specifically addressed in SMMC Section 9.31.070 by requiring a Development Review Permit for any new auto dealer facility conforming to the Urban Auto Dealership Format standards replacing an existing legally-established auto dealer facility or an expansion exceeding 25,000 square feet within the Tier 1 maximum limits.

Given the existing size regulations for these uses, staff believes the proposed text amendment for the other commercial uses that are currently not subject to any potential discretionary review is consistent with the Planning Commission's primary objective of regulating commercial tenant space size to provide for the discretionary review of large commercial uses and encourage more neighborhood scale retail uses. The references to Specific Limitations #17 and #19 would be removed from the column headings in Table 9.11.020 and added to the other commercial uses that are currently not subject to any potential discretionary review. Staff proposes that these limitations also apply to any existing ground floor, street-fronting, non-office use tenant space(s) being converted to individual office use tenant space to clarify the applicability of these limitations in relation to the existing limitations for office uses detailed in Specific Limitation #21. The text amendment will also eliminate confusion by not subjecting certain uses to multiple differing discretionary review standards.

The proposed text amendment language for Table 9.11.020 is detailed in Attachment A.

Consistency with the General Plan

The proposed text amendment is consistent in principle with the goals, objectives, and policies of the General Plan as it will ensure a mix of local-serving retail uses in the Mixed-Use and Commercial Districts, help support existing and local retail areas, and support the continued viability of existing office uses. The proposed text amendment will also help protect neighborhoods by requiring discretionary review of larger commercial tenant spaces that have the potential to generate more activity and traffic in neighborhoods, encourage design compatibility, and maintain neighborhood character.

Environmental Analysis

The proposed text amendment is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) in that it can be seen with certainty that there is no possibility the proposed text amendment may have a significant effect on the environment since the proposed amendment would affect the processing of development applications and would continue to require discretionary review for larger commercial uses.

Alternative Actions:

In addition to the recommended action, the Planning Commission could consider the following with respect to the project:

- A1. Revise the proposed text amendment and recommend adoption to City Council.
- A2. Recommend that the City Council not adopt the proposed text amendment.

Conclusion

The proposed Zoning Ordinance text amendment will require Specific Limitations #17 and #19 in Section 9.11.020 to only apply to Commercial Uses that are currently not subject to any potential discretionary review. These limitations will also apply to any existing ground floor, street-fronting, non-office use tenant space(s) being converted to individual office use tenant space. This is consistent with the Planning Commission's overall discussion regarding the regulation of commercial tenant space sizes during the Zoning Ordinance Update.

Text Amendment Findings

- 1. The Ordinance amendment is consistent in principle with the General Plan, in that the amendment will ensure a mix of local-serving retail uses in the Mixed-Use and Commercial Districts, help support existing and local retail areas, and support the continued viability of existing office uses. The proposed text amendment will also help protect neighborhoods by requiring discretionary review of larger commercial tenant spaces that have the potential to generate more activity and traffic in neighborhoods, encourage design compatibility, and maintain neighborhood character.

2. The Ordinance amendment is consistent with the purpose of this Ordinance to promote the growth of the City in an orderly manner and to promote and protect the public health, safety, and general welfare, in that the amendment will help protect neighborhoods, encourage design compatibility, and maintain neighborhood character by requiring discretionary review of larger commercial tenant spaces.

Prepared by: Tony Kim, Principal Planner

Attachments

- A. Proposed Text Amendment Language
- B. Draft Statement of Official Action

Attachment A

Proposed Text Amendment Language

The following language in Table 9.11.020 is proposed to be modified as follows:

TABLE 9.11.020: LAND USE REGULATIONS—COMMERCIAL AND MIXED-USE CORRIDOR DISTRICTS					
<i>Use Classification</i>	<i>MUBL (19)</i>	<i>MUB (19)</i>	<i>GC (19)</i>	<i>NC (17)</i>	<i>Additional Regulations</i>
Residential Uses					
Residential Housing Types	<i>See sub-classifications below.</i>				
<i>Single Unit Dwelling</i>	P	P	P	P	
<i>Duplex</i>	L	L	L	L	
<i>Multiple-Unit Structure</i>	P	P	P	P	
<i>Senior Citizen Multiple-Unit Residential</i>	P	P	P	P	
<i>Single-Room Occupancy Housing</i>	P	P	P	P	
<i>Group Residential</i>	MUP	MUP	MUP	MUP	
<i>Congregate Housing</i>	P	P	P	P	
<i>Senior Group Residential</i>	P	P	P	P	Section 9.31.310, Senior Group Residential
Elderly and Long-Term Care	P	P	P	–	
Emergency Shelters	L (3)/CUP	L (3)/CUP	L (3)/CUP	L (3)/CUP	Section 9.31.130, Emergency Shelters
Family Day Care	<i>See sub-classifications below.</i>				
<i>Large</i>	P	P	P	P	Section 9.31.140, Family Day Care, Large
<i>Small</i>	P	P	P	P	
Residential Facilities	<i>See sub-classifications below.</i>				
<i>Residential Care, General</i>	P	P	P	P	Section 9.31.270, Residential Care Facilities
<i>Residential Care, Limited</i>	P	P	P	P	Section 9.31.270, Residential Care Facilities
<i>Residential Care, Senior</i>	P	P	P	P	Section 9.31.270, Residential Care Facilities
<i>Hospice, General</i>	P	P	P	P	
<i>Hospice, Limited</i>	P	P	P	P	
Supportive Housing	P	P	P	P	
Transitional Housing	P	P	P	P	
Public and Semi-Public Uses					
Adult Day Care	P	P	P	L (2)/CUP	
Child Care and Early Education Facilities	P	P	P	L (2)/CUP	Section 9.31.120, Child Care and Early Education Facilities
Colleges and Trade Schools, Public or Private	CUP	CUP	P	CUP	

TABLE 9.11.020: LAND USE REGULATIONS—COMMERCIAL AND MIXED-USE CORRIDOR DISTRICTS

<i>Use Classification</i>	<i>MUBL (19)</i>	<i>MUB (19)</i>	<i>GC (19)</i>	<i>NC (17)</i>	<i>Additional Regulations</i>
Community Assembly	L (18)/CUP	L (18)/CUP	L (18)/CUP	L (18)/CUP	
Community Gardens	P	P	P	P	
Cultural Facilities	P	P	P	L (2)/CUP	
Hospitals and Clinics	–	P	CUP	–	
Park and Recreation Facilities, Public	P	P	P	P	
Public Safety Facilities	P	P	P	CUP	
Schools, Public or Private	P	CUP	CUP	P	
Social Service Centers	P	P	P	P	Section 9.31.350, Social Service Centers
Commercial Uses					
Animal Care, Sales, and Services	<i>See sub-classifications below.</i>				
<i>Grooming and Pet Stores</i>	P L (19)/CUP	P L (19)/CUP	P L (19)/CUP	L (2)/CUP	No more than 10 dogs or cats may be kept overnight
<i>Pet Day Care Services</i>	MUP	MUP	MUP	MUP	
<i>Veterinary Services</i>	MUP	MUP	MUP	MUP	
Automobile/Vehicle Sales and Service	<i>See sub-classifications below.</i>				
<i>Alternative Fuels and Recharging Facilities</i>	CUP	CUP	CUP	CUP	
<i>Automobile Rental</i>	CUP	MUP	MUP	–	Section 9.31.050, Automobile Rental
<i>Automobile Storage Use</i>	L (4)/CUP	–	–	–	
<i>New Automobile/Vehicle Sales and Leasing</i>	–	–	CUP (6)	–	Section 9.31.070, Automobile/Vehicle Sales, Leasing, and Storage
<i>Additions 7,500 square feet or less to Automobile/Vehicle Sales and Leasing buildings existing as of 07/06/2010</i>	L (5)/MUP	L (5)/MUP	L (5)/MUP	–	Section 9.31.070, Automobile/Vehicle Sales, Leasing, and Storage
<i>Additions larger than 7,500 square feet to Automobile/Vehicle Sales and Leasing buildings existing as of 07/06/2010</i>	CUP (5)	CUP (5)	CUP (5)	–	Section 9.31.070, Automobile/Vehicle Sales, Leasing, and Storage
<i>Automobile/Vehicle Repair, Major</i>	–	–	CUP	–	Section 9.31.060, Automobile/Vehicle Repair, Major and Minor
<i>Automobile/Vehicle Service and Repair, Minor</i>	CUP	–	CUP	–	Section 9.31.060, Automobile/Vehicle Repair, Major and Minor

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<i>Use Classification</i>	<i>MUBL (19)</i>	<i>MUB (19)</i>	<i>GC (19)</i>	<i>NC (17)</i>	<i>Additional Regulations</i>
<i>Automobile/Vehicle Washing</i>	–	–	CUP	–	Section 9.31.080, Automobile/Vehicle Washing
<i>Service Station</i>	CUP	CUP	MUP	–	Section 9.31.320, Service Stations
<i>Towing and Impound</i>	–	–	CUP	–	
Banks and Financial Institutions	<i>See sub-classifications below.</i>				
<i>Banks and Credit Unions</i>	L (2)/CUP	L (2)/CUP	L (2)/CUP	L (2)/CUP	
<i>Check Cashing Businesses</i>	–	–	–	–	
Business Services	P L (19)/ CUP	P L (19)/ CUP	P L (19)/ CUP	L (2)/CUP	
Commercial Entertainment and Recreation	<i>See sub-classifications below.</i>				
<i>Cinemas</i>	L (7)	–	–	L (7)	
<i>Theaters</i>	L (8)/CUP	L (8)/CUP	L (8)/CUP	L (8)/CUP	
<i>Convention and Conference Centers</i>	–	CUP	CUP	–	
<i>Large-Scale Facility</i>	CUP	CUP	CUP	-	
<i>Small-Scale Facility</i>	L (9)/CUP	L (9)/CUP	L (9)/CUP	CUP (16)	Section 9.31.340, Small-Scale Facility, Game Arcades
Eating and Drinking Establishments	<i>See sub-classifications below.</i>				
<i>Bars/Nightclubs/Lounges</i>	CUP	CUP	CUP	-	Section 9.31.040, Alcoholic Beverage Sales
<i>Restaurants, Full-Service, Limited Service & Take-out, (2,500 square feet and smaller, including Outdoor Dining and Seating)</i>	P	P	P	L (10)(11)	Section 9.31.040, Alcoholic Beverage Sales Section 9.31.280, Restaurants, Limited Service and Take-Out Only Section 9.31.290, Restaurants With Entertainment Section 9.31.200, Outdoor Dining and Seating
<i>Restaurants, Full-Service, Limited Service & Take-out, (2,501 – 5,000 square feet, including Outdoor Dining and Seating)</i>	MUP	MUP	MUP	MUP (10)(11)	Section 9.31.040, Alcoholic Beverage Sales Section 9.31.280, Restaurants, Limited Service and Take-Out Only Section 9.31.290, Restaurants With Entertainment Section 9.31.200, Outdoor Dining and Seating

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<i>Use Classification</i>	<i>MUBL (19)</i>	<i>MUB (19)</i>	<i>GC (19)</i>	<i>NC (17)</i>	<i>Additional Regulations</i>
<i>Restaurants, Full-Service, Limited Service & Take-out, (greater than 5,000 square feet, including Outdoor Dining and Seating)</i>	CUP	CUP	CUP	CUP (10)(11)	Section 9.31.040, Alcoholic Beverage Sales Section 9.31.280, Restaurants, Limited Service and Take-Out Only Section 9.31.290, Restaurants With Entertainment Section 9.31.200, Outdoor Dining and Seating
Equipment Rental	–	P <u>L (19)/ CUP</u>	P <u>L (19)/ CUP</u>	–	
Food and Beverage Sales	<i>See sub-classifications below.</i>				
<i>Convenience Market</i>	CUP	CUP	CUP	CUP	Section 9.31.040, Alcoholic Beverage Sales
<i>Farmers Markets</i>	CUP	CUP	CUP	CUP	
<i>General Market</i>	L (12)/ CUP	L (12)/ CUP	L (12)/ CUP	L (12)/ CUP	Section 9.31.040, Alcoholic Beverage Sales
<i>Liquor Stores</i>	CUP	CUP	CUP	CUP	Section 9.31.040, Alcoholic Beverage Sales
Funeral Parlors and Mortuaries	–	CUP	CUP	–	
Instructional Services	P <u>L (19)/ CUP</u>	P <u>L (19)/ CUP</u>	P <u>L (19)/ CUP</u>	P <u>L (17)/ CUP</u>	
Live-Work	L (14)	L (14)	L (14)	PL (14)	Section 9.31.170, Live-Work
Lodging	<i>See sub-classifications below.</i>				
<i>Bed and Breakfast</i>	MUP	MUP	MUP	MUP	Section 9.31.090, Bed and Breakfasts
<i>Hotels and Motels</i>	CUP	CUP	CUP	–	
Maintenance and Repair Services	P <u>L (19)/ CUP</u>	P <u>L (19)/ CUP</u>	P <u>L (19)/ CUP</u>	L (2)/CUP	
Nurseries and Garden Centers	P <u>L (19)/ CUP</u>	P <u>L (19)/ CUP</u>	P <u>L (19)/ CUP</u>	P <u>L (17)/ CUP</u>	Section 9.31.220, Outdoor Retail Display and Sales
Offices	<i>See sub-classifications below.</i>				
<i>Business and Professional</i>	L (21)/ CUP	L (21)/ CUP	L (21)/ CUP	L (21)/ CUP	
<i>Creative</i>	L (21)/ CUP	L (21)/ CUP	L (21)/ CUP	L (21)/ CUP	
<i>Medical and Dental</i>	L (21)/ CUP	L (21)/ CUP	L (21)/ CUP	L (21)/ CUP	

TABLE 9.11.020: LAND USE REGULATIONS—COMMERCIAL AND MIXED-USE CORRIDOR DISTRICTS

<i>Use Classification</i>	<i>MUBL (19)</i>	<i>MUB (19)</i>	<i>GC (19)</i>	<i>NC (17)</i>	<i>Additional Regulations</i>
<i>Walk-In Clientele</i>	L (21)/ CUP	L (21)/ CUP	L (21)/ CUP	L (21)/ CUP	
Outdoor Newsstands	MUP	MUP	MUP	MUP	Section 9.31.210, Outdoor Newsstands
Parking, Public or Private	CUP	CUP	CUP	CUP	
Personal Services	<i>See sub-classifications below.</i>				
<i>General Personal Services</i>	P <u>L (19)/ CUP</u>	P <u>L (19)/ CUP</u>	P <u>L (19)/ CUP</u>	L (2)/CUP	Section 9.31.230, Personal Service
<i>Personal Services, Physical Training</i>	L (19)(20)	L (19)(20)	L (19)(20)	L (2)(20)/ CUP	
<i>Tattoo or Body Modification Parlor</i>	MUP	MUP	MUP	MUP	Section 9.31.230, Personal Service
Retail Sales	<i>See sub-classifications below.</i>				
<i>Building Materials Sales and Services</i>	–	–	CUP	–	Section 9.31.220, Outdoor Retail Display and Sales
<i>General Retail Sales, Small-scale</i>	P <u>L (19)/ CUP</u>	P <u>L (19)/ CUP</u>	P <u>L (19)/ CUP</u>	L (2)/CUP	Section 9.31.220, Outdoor Retail Display and Sales
<i>General Retail Sales, Medium-scale</i>	CUP	CUP	P <u>L (19)/ CUP</u>	–	Section 9.31.220, Outdoor Retail Display and Sales
<i>General Retail Sales, Large-scale</i>	–	–	CUP	–	Section 9.31.220, Outdoor Retail Display and Sales
<i>Medical Marijuana Dispensaries</i>	CUP (15)	CUP (15)	CUP (15)	–	Section 9.31.185, Medical Marijuana Dispensaries
<i>Pawn Shops</i>	–	–	–	–	
<i>Swap Meets</i>	–	–	CUP	–	Section 9.31.360, Swap Meets
Industrial Uses					
Artist's Studio	P	P	P	P	
Commercial Kitchens	–	–	CUP	–	
Media Production	<i>See sub-classifications below.</i>				
<i>Support Facilities</i>	L (21)/ CUP	L (21)/ CUP	L (21)/ CUP	L (21)/ CUP	
Transportation, Communication, and Utilities Uses					
Bus/Rail Passenger Stations	P	P	P	P	
City Bikeshare Facility	P	P	P	P	
Communication Facilities	<i>See sub-classifications below.</i>				
<i>Antennas and Transmission Towers</i>	–	–	CUP	–	

TABLE 9.11.020: LAND USE REGULATIONS—COMMERCIAL AND MIXED-USE CORRIDOR DISTRICTS

<i>Use Classification</i>	<i>MUBL (49)</i>	<i>MUB (49)</i>	<i>GC (49)</i>	<i>NC (47)</i>	<i>Additional Regulations</i>
<i>Equipment within Buildings</i>	–	–	P	–	
Light Fleet-Based Services	–	–	CUP	–	
Utilities, Major	–	L (13)	L (13)	–	
Utilities, Minor	P	P	P	P	

Specific Limitations:

- (1) Reserved
- (2) Limited to facilities with no more than 7,500 square feet of floor area and/or 40 linear feet of ground floor street frontage; greater area and/or width requires approval of a Conditional Use Permit.
- (3) Limited to shelters containing less than 55 beds; Conditional Use Permit required for emergency shelters with 55 or more beds.
- (4) Limited to automobile storage use associated with existing automobile dealerships selling new vehicles; otherwise, requires Conditional Use Permit.
- (5) Auto dealerships existing as of July 6, 2010 are considered permitted uses. Expansions to existing dealerships conforming to the Urban Auto Dealership Format standards in Section 9.31.070, Automobile/Vehicle Sales, Leasing, and Storage are permitted. Expansions to existing dealerships that do not conform to the Urban Auto Dealership Format standards shall require a MUP or CUP.
- (6) New auto dealerships may be allowed, subject to approval of a Conditional Use Permit, only on sites with frontage on Santa Monica Boulevard between Lincoln Boulevard and 20th Street on Lincoln Boulevard between Interstate 10 and Santa Monica Boulevard. In other locations, new automobile dealerships are not permitted.
- (7) Limited to existing cinema buildings. New cinemas are not permitted.
- (8) Limited to theaters with 75 or fewer seats. Theaters with more than 75 seats require Conditional Use Permit.
- (9) Limited to exercise facilities (e.g. yoga, pilates, martial arts, and dance studios) and arts instruction facilities. Other Small-Scale Commercial Recreation uses require approval of a Conditional Use Permit.
- (10) Limited to restaurants with 50 or fewer seats.
- (11) Limited to 2 restaurants greater than 2,500 square feet per block along Main Street. A block is defined as both sides of Main Street and the adjacent sides of adjoining side streets. Portions of Main Street to be designated a “block” for the purpose of this Section are as follows:
 - Block 1: South City Limits to Marine Street.
 - Block 2: Marine Street to Pier Avenue.
 - Block 3: Pier Avenue to Ashland Avenue.
 - Block 4: Ashland Avenue to Hill.
 - Block 5: Hill to Ocean Park Boulevard.
 - Block 6: Ocean Park Boulevard to Hollister Avenue (total of four restaurants and bars permitted in this block).
 - Block 7: Hollister Avenue to Strand.
 - Block 8: Strand to Pacific.
 - Block 9: Pacific to Bicknell.
 - Block 10: Bicknell to Bay.
 - Block 11: Bay to Pico Boulevard

North of Ocean Park Boulevard restaurants shall be subject to the following requirements:

 - Only one restaurant on the east side of each block shall be permitted
 - No more than two hundred seats per each block shall be permitted, except that no more than four hundred seats shall be permitted in Block 6

On-sale alcohol outlets may not exceed twelve in number north of Ocean Park Boulevard. Of the twelve total on-sale outlets, no more than five shall have on-sale general licenses.

Bars may not exceed four in number south of Ocean Park Boulevard, nor two in number north of Ocean Park Boulevard. Existing uses and existing number of seats shall count toward the total number of bars and restaurants and seating requirements permitted within the district.
- (12) General Markets greater than 15,000 square feet require a Conditional Use Permit. In the Neighborhood Commercial district, establishments shall not exceed 25,000 square ft. of floor area.
- (13) Limited to electric distribution substations.
- (14) If the commercial use requires a MUP or CUP, an application shall be required in accordance with Chapter 9.41. Even if

TABLE 9.11.020: LAND USE REGULATIONS—COMMERCIAL AND MIXED-USE CORRIDOR DISTRICTS

<i>Use Classification</i>	<i>MUBL (19)</i>	<i>MUB (19)</i>	<i>GC (19)</i>	<i>NC (17)</i>	<i>Additional Regulations</i>
					the commercial use would otherwise be permitted, no such use shall be approved where, given the design or proposed design of the Live-Work unit, there would be the potential for adverse health impacts from the proposed use on the people residing in the unit. An example of a potential health impact is the potential for food contamination from uses that generate airborne particulates in a unit with an unenclosed kitchen.
(15)					Medical Marijuana Dispensaries are limited to the following locations: <ul style="list-style-type: none"> • MUB District along Wilshire Boulevard between Lincoln Boulevard and Centinela Avenue; • GC District along Santa Monica Boulevard between Lincoln Boulevard and 20th Street; and • MUBL District along Santa Monica Boulevard between 23rd Street and Centinela Avenue.
(16)					Limited to facilities of no more than 3,000 square feet of floor area.
(17)					No individual tenant space in the NC District shall occupy more than 7,500 square feet of floor area and/or exceed 50 linear feet of ground floor street frontage without the approval of a Conditional Use Permit.
(18)					Any community assembly facility abutting a residential district shall require a Conditional Use Permit.
(19)					No individual tenant space in the MUBL, MUB, and GC Districts shall occupy more than 12,500 square feet of floor area and/or exceed 75 linear feet of ground floor street frontage without the approval of a Conditional Use Permit.
(20)					Youth-serving Personal Services, Physical Training requires review and approval of a passenger loading and drop-off plan by the Director.
(21)					Permitted if within buildings existing as of the date this Ordinance is effective. <ul style="list-style-type: none"> • All new construction, including new additions of 50% or more additional square footage to an existing building at any one time, or incrementally, after the effective date of this Ordinance, requires approval of a Conditional Use Permit. • <u>No ground floor, street-fronting, non-office use tenant space shall be changed to an individual office use or Media Production, Support Facility use occupying more than 7,500 square feet of floor area and/or exceeding 50 linear feet of street frontage in the NC District without the approval of a Conditional Use Permit.</u> • <u>No ground floor, street-fronting, non-office use tenant space shall be changed to an individual office use or Media Production, Support Facility use occupying more than 12,500 square feet of floor area and/or exceeding 75 linear feet of street frontage in the MUBL, MUB, and GC Districts without the approval of a Conditional Use Permit.</u>

* The underlined text represents language that has been added.

Attachment B

Draft Statement of Official Action

DRAFT STATEMENT OF OFFICIAL ACTION



City of Santa Monica
City Planning Division

PLANNING COMMISSION STATEMENT OF OFFICIAL ACTION

PROJECT INFORMATION

CASE NUMBER:	Text Amendment 15ENT-0315
LOCATION:	Mixed-Use and Commercial Districts
APPLICANT:	Santa Monica Chamber of Commerce
CASE PLANNER:	Tony Kim, Principal Planner
REQUEST:	<p>Text Amendment 15ENT-0315 to the City's Zoning Ordinance to modify Table 9.11.020. Specific Limitations #17 and #19 currently require a Conditional Use Permit (CUP) for any individual tenant space in the Neighborhood Commercial (NC) District that is more than 7,500 square feet of floor area and/or exceeds 50 linear feet of ground floor street frontage and for any individual tenant space in the Mixed-Use Boulevard Low (MUBL), Mixed-Use Boulevard (MUB), and General Commercial (GC) Districts that is more than 12,500 square feet of floor area and/or exceeds 75 linear feet of ground floor street frontage. The proposed text amendment will only apply Specific Limitations #17 and #19 to Commercial Uses that are not currently subject to any potential discretionary review. These limitations will also apply to any existing ground floor, street-fronting, non-office use tenant space(s) being converted to individual office use tenant space.</p>
CEQA STATUS:	<p>The proposed text amendment is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) in that it can be seen with certainty that there is no possibility the proposed text amendment may have a significant effect</p>

<p>on the environment since the proposed amendment would affect the processing of development applications and would continue to require discretionary review for larger retail sales uses.</p>

PLANNING COMMISSION ACTION

February 3, 2016	Determination Date
X	Recommended based on the following findings below.
	Denied.
	Other:

EFFECTIVE DATES OF ACTIONS IF NOT APPEALED:	NA
EXPIRATION DATE OF ANY PERMITS GRANTED:	NA
LENGTH OF ANY POSSIBLE EXTENSION OF EXPIRATION DATES*:	NA

Each and all of the findings and determinations are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the Project. All summaries of information contained herein or in the findings are based on the substantial evidence in the record. The absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact.

FINDINGS:

TEXT AMENDMENT FINDINGS

1. The Ordinance amendment is consistent in principle with the General Plan, in that the amendment will ensure a mix of local-serving retail uses in the Mixed-Use and Commercial Districts, help support existing and local retail areas, and support the continued viability of existing office uses. The proposed text amendment will also help protect neighborhoods by requiring discretionary review of larger commercial tenant spaces that have the potential to generate more activity and traffic in neighborhoods, encourage design compatibility, and maintain neighborhood character.

2. The Ordinance amendment is consistent with the purpose of this Ordinance to promote the growth of the City in an orderly manner and to promote and protect the public health, safety, and general welfare, in that the amendment will help protect neighborhoods, encourage design compatibility, and maintain neighborhood character by requiring discretionary review of larger commercial tenant spaces.

VOTE:

Ayes:
Nays:
Abstain:
Absent:

NOTICE

If this is a final decision not subject to further appeal under the City of Santa Monica Comprehensive Land Use and Zoning Ordinance, the time within which judicial review of this decision must be sought is governed by Code of Civil Procedure Section 1094.6, which provision has been adopted by the City pursuant to Municipal Code Section 1.16.010.

I hereby certify that this Statement of Official Action accurately reflects the final determination of the Planning Commission of the City of Santa Monica.

Richard McKinnon, Chairperson

Date