



Planning Commission Report

Planning Commission Meeting: February 17, 2016

Agenda Item: **8-C**

To: Planning Commission
From: Jing Yeo, AICP, City Planning Division Manager
Subject: Resolution of Intention to Make Minor Clerical Changes, Corrections, and Clarifications to the Zoning Ordinance

Recommended Actions

Staff recommends that the Planning Commission adopt the following Resolution declaring its intent to consider recommending to the City Council minor clerical changes, corrections, and clarifications to the Zoning Ordinance.

Background

On [June 23, 2015](#), the City Council adopted a new Zoning Ordinance that became effective on July 24, 2015. During the initial use of the Zoning Ordinance over the past six months, staff has identified unintentional errors, inconsistencies, or omissions that require minor clerical changes, corrections, or clarifications and that fall into the following general categories:

- Spelling, grammar, and punctuation
- Section references
- Formatting and organization
- Clarification
- Continuity from prior Zoning Ordinance
- Internal consistency within existing Zoning Ordinance
- Council direction
- Other scrivener's errors identified within the categories listed above

The specific minor clerical changes, corrections, and clarifications are detailed in the attached Resolution of Intention (Attachment A).

The proposed minor clerical changes, corrections, and clarifications do not affect policy decisions made with the adoption of the Zoning Ordinance and do not substantively alter the standards and regulations within the Zoning Ordinance. The City Council, however, directed staff to initiate an amendment pertaining to the required market rate bedroom mix for Tier 2 projects which is included in the proposed changes. Consideration of policy changes will be brought forth to the Planning Commission at a future date to be determined.

The attached resolution represents the formal commencement of the process to consider recommending to the City Council these minor clerical changes, corrections, and clarifications. The resolution does not represent any specific recommendations by staff or predict any final decisions by the Planning Commission. Instead this resolution signifies the beginning of the formal process by which the Planning Commission will review the minor clerical changes, corrections, and clarifications before making any formal recommendations to the City Council. Following approval of the Resolution of Intention, formal Planning Commission consideration of these clerical changes, corrections, and clarifications is tentatively scheduled to occur on March 16, 2016.

Attachments

- A. Planning Commission Resolution of Intention

ATTACHMENT A

Planning Commission Resolution of Intention

RESOLUTION NO. 16-001 (PCS)

(Planning Commission Series)

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA MONICA DECLARING ITS INTENTION TO CONSIDER RECOMMENDING TO THE CITY COUNCIL THAT THE COUNCIL MAKE MINOR CLERICAL CHANGES, CORRECTIONS, AND CLARIFICATIONS TO THE CITY'S ZONING ORDINANCE, CHAPTERS 9.01 THROUGH CHAPTER 9.52 OF ARTICLE 9 OF THE SANTA MONICA MUNICIPAL CODE

WHEREAS, the City's new Zoning Ordinance, Chapters 9.01 through 9.52 of Article 9 of the Santa Monica Municipal Code ("Zoning Ordinance"), became effective on July 24, 2015; and

WHEREAS, since that date, staff has become aware of unintentional errors inconsistencies, or omissions that require minor clerical changes, corrections, or clarifications; and

WHEREAS, these proposed changes, corrections, or clarifications generally fall within the following categories: spelling, grammar, and punctuation; section references; formatting and organization; continuity from the prior Zoning Ordinance; and internal consistency with the existing Zoning Ordinance; and

WHEREAS, the City Council also directed that staff initiate a text amendment pertaining to the required market rate bedroom mix for Tier 2 projects; and

WHEREAS, the proposed changes do not alter the policy determinations that the Council made when it adopted the Zoning Ordinance and do not substantively alter the standards and regulations in the Zoning Ordinance; and

WHEREAS, the Planning Commission desires to consider recommending to the City Council that the Council make minor clerical changes, corrections, and clarifications to the City's Zoning Ordinance and hereby declares its intention by adopting this resolution pursuant to Santa Monica Municipal Code Section 9.46.030(B),

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF SANTA MONICA DOES RESOLVE AS FOLLOWS:

SECTION 1. Pursuant to Santa Monica Municipal Code Section 9.46.030(B), the Planning Commission does hereby announce its intention to consider recommending to the City Council that the City Council make minor clerical changes, corrections, and clarifications to the City's Zoning Ordinance, as set forth in Exhibit A, attached to this Resolution;

SECTION 2. The Director of Planning and Community Development shall certify to the adoption of this Resolution, and thenceforth and thereafter the same shall be in full force and effect.

APPROVED AS TO FORM:

MARSHA JONES MOUTRIE
City Attorney

Adopted this _____ day of _____, 2016.

Chair, Planning Commission

I hereby certify that the foregoing Resolution of Intention was duly and regularly introduced and approved at a meeting of the Planning Commission on the _____ day of _____, 2016 by the following vote:

Ayes:

Noes:

Abstain:

Absent:

Attest:

Director of Planning and Community Development

EXHIBIT A

**ZONING ORDINANCE MINOR CLERICAL CHANGES, CORRECTIONS, AND
CLARIFICATIONS**

	SECTION	PAGE	PROPOSED MINOR CLERICAL CHANGE, CORRECTION, OR CLARIFICATION
Spelling, Grammar, Punctuation			
1	Table of Contents	xii	Correct spelling of Reasonable “Accommodation”
2	9.11.020	2.43	Correct “L” to “P” for Duplex in MUBL, MUB, GC, and NC districts
3	9.11.020	2.46	Correct “PL” to “L” for Live-Work in NC district
4	9.21.140(B)(1)	3.18	Add “be” before the final “screened”
Section Reference			
5	9.01.050	1.7	Change reference in #4 from “9.15.020” to “9.14.020”
6	9.07.030	2.7	Add “Section 9.28.070(A)(1), Above Ground Parking – Residential Districts” to Additional Standards column in Parking row
7	9.07.030	2.8	Add “Section 9.28.120, Parking Design and Development Standards” to Additional Standards column in Driveways row
8	9.07.030(I)(6)(d)	2.13	Change “9.07.030” to “9.07.030(D)”
9	9.28.070(A)(1)(a)(iv)	3.77	Add “except as provided in Sections 9.07.030(I)(5) and 9.07.030(I)(6)” to the end of the first sentence
10	9.28.180(A)	3.96	Change “9.29.060” to “9.28.060”
11	9.40	4.19	Change “9.40.060” to “9.40.070” in Sections list Add Section “9.40.060 Conditions” to Sections list
12	Various	Various	In all Development Standards tables, reference both “Sections 9.28.070 Locations of Parking and 9.28.120 Parking Design and Development Standards” in Parking rows
Formatting, Organization			
13	9.15.020	2.81	Move Family Day Care land use rows to Residential Uses section
14	9.21.060	3.9	Move “Parapets, fire escapes, catwalks, and open guard rails required by law” row to the section in the table for Projections Allowed in All Zoning Districts
15	9.28.070(A)(1)	3.76-78	Add a subheading (b) titled “Garage Openings and Doors” Change “iii” to “j” Change “iv” to “ii” Change subsections (b)-(e) to (c)-(f) accordingly
Clarification			
16	9.01.050	1.7	Add reference to Section 9.27.050(B)(5)
17	9.10	2.40	Add language clarifying interplay between the Downtown Community Plan and the Zoning Ordinance
18	9.12	2.58	Add language clarifying interplay between the Bergamot Area Plan and the Zoning Ordinance
19	9.15.030	2.83	Add language clarifying interplay between the Civic Center Specific Plan and the Zoning Ordinance
20	9.20.060(C)	2.93	Add reference to Sections “9.20.040, and 9.20.050”
21	9.20.070	2.93	Add definition of a “recreational building”
22	9.21.110	3.15	Add “and other mechanical equipment” to “Air conditioners, compressors, hot tub motors, pool filters”
23	9.21.150(B)(1)(a)(ii)	3.19	Change “\$2,000” to “\$1,000” and change “20%” to “10%” in accordance with changes to State law
24	9.27.050(B)(4)	3.62	Delete “by any other nonconforming use” after “replaced”
25	9.28.070(A)(1)(a)(i)	3.76	Change “Garages” to “Garage doors facing a public street”
26	9.37.110(A)	4.11	Change “Multi-Unit Residential Districts” to “R2, R3, R4, OF, RMH, OPD,

	SECTION	PAGE	PROPOSED MINOR CLERICAL CHANGE, CORRECTION, OR CLARIFICATION
			OP2, OP3, and OP4 Districts”
27	9.43.040(B)	4.29	Add “4. Unit Mix.”
28	9.48.010(A)	4.50	Add clarifying language regarding scope of enforcement authority
Continuity From Prior Zoning Ordinance			
29	9.01.040(A)(1)	1.5	Add reference allowing City Government uses in any district subject to CUP
30	9.07.030	2.7	Add garage setback rows
31	9.07.030	2.7	Add “Required in enclosed garage” to Additional Standards column
32	9.07.030(l)(5)(b)	2.12	Change “building façade” to “setback line” Change “not sixteen feet in width” to “not more than sixteen feet in width”
33	9.07.030(l)(6)(c)	2.13	Change “not sixteen feet in width” to “not more than sixteen feet in width”
34	9.09.030	2.35	Change OP2 front setback from “10 ft. or less” to “15 ft. or less” Change OP3 front setback from “10, if average of adjacent dwelling(s) is 10 ft. or less” to “5, if average of adjacent dwelling(s) is 5 ft. or less”
35	9.28.060	3.71	Delete “which may be tandem” from Single Unit Dwelling row
36	9.28.060	3.71	Add guest parking requirement for deed restricted affordable units is Duplex, Multiple-Unit Dwelling row
37	9.28.070(A)(1)(c)(4)	3.77	Add “interior” before “garage width”
Internal Consistency Within Existing Zoning Ordinance			
38	9.13.020	2.65	Delete * note in Land Use Regulations table
39	9.14.030	2.75	Change “fourteen feet in height” to “the maximum first story street wall height”
40	9.20.040	2.93	Change “Use Permit” to “Minor Use Permit”
41	9.20.040(A)	2.93	Change “performance standards permits” to “Minor Use Permits”
42	9.23.030(C)	3.37	Change “Open Space Fee Program” to “Parks and Recreation Development Impact Fee Program”
43	9.26	3.49-55	Various changes to make the Landscaping chapter consistent with recent changes to City’s Green Building Ordinance
44	9.28.070(A)(1)(c)	3.77	Add “between the midpoint of the front parcel line and the midpoint of the rear parcel line” after “10 feet or more”
45	9.32.040(B)	3.173-174	Change all “Use Permit” references to “Minor Use Permit”
46	9.28.180(D)(4)	3.98	Add requirement for written decision to be posted on the City’s website
47	9.46.060-070	4.43	Relocate “written request” procedure and clarify noticing requirement
48	Various	Various	Change references of multi-unit “structures” to “dwellings”
Council Direction			
49	9.23.030(A)(2)(a)(iv)	3.36	Change “between 1.2 – 1.5” to “1.2 or greater”
Other			
50	Other scrivener’s errors identified within the categories listed above		