



Planning Commission Report

Planning Commission Meeting: March 16, 2016

Agenda Item: 8-A

To: Planning Commission
From: Jing Yeo, AICP, City Planning Division Manager
Subject: Amendments to the Zoning Ordinance Making Minor Clerical Changes, Corrections, and Clarifications

Recommended Actions

Staff recommends that the Planning Commission recommend to the City Council that the Council make minor clerical changes, corrections, and clarifications to the City's 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

On [February 17, 2016](#), the Commission adopted a Resolution of Intention to consider these minor clerical changes, corrections, and clarifications.

Discussion

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 specific minor clerical changes, corrections, and clarifications are detailed in the attached Proposed Redline Modifications (Attachment A). The minor clerical changes, corrections, and clarifications fall into the following general categories:

Spelling, Grammar, and Punctuation

These modifications address minor spelling corrections and typos along with minor grammatical corrections.

Section References

These modifications fix incorrect section references as well as provide additional section references for clarity and informative purposes.

Formatting and Organization

These modifications reformat and reorganize several sections of the Zoning Ordinance to clarify the applicability of standards, correct the grouping of land uses, and eliminate potential confusion between different standards.

Clarification

These modifications provide more specificity, context, and information through the addition or elimination of language to clarify various standards and processes.

Continuity from Prior Zoning Ordinance

These modifications bring continuity with the prior Zoning Ordinance for standards and processes that were inadvertently left out of the Zoning Ordinance update or incorrectly carried over and were not intended to be changed.

Internal Consistency within Existing Ordinance

These modifications correct internal consistencies between processes, standards, and nomenclature within the existing Zoning Ordinance.

Council Direction

The City Council has also directed staff to initiate an amendment pertaining to the required market rate bedroom mix for Tier 2 projects. This modification is included in the proposed changes.

Other Scrivener’s Errors Identified within the Categories Listed Above

Other minor errors might be identified by Staff and the Planning Commission prior to or at the Commission hearing. Staff intends to add such corrections to the redline modifications list at the hearing for Commission review the same evening.

As a separate item on tonight’s agenda, the Planning Commission will begin its preliminary identification/discussion of policy issues that have arisen since the adoption of the Zoning Ordinance with the anticipation that the Commission will consider potential code changes at a later meeting.

The attached resolution (Attachment B) recommends to the City Council that the Council make these minor clerical changes, corrections, and clarifications to the Zoning Ordinance.

Environmental Analysis

The proposed minor clerical changes, corrections, and clarifications to the Zoning Ordinance are categorically exempt from the provisions of California Environmental Quality Act (CEQA) pursuant to 15061(b)(3) of the State Implementation Guidelines (common sense exemption). Based on the evidence in the record, it can be seen with certainty that there is no possibility that the proposed changes may have a significant effect on the environment. The recommended modifications represent minor clerical changes, corrections, and clarifications that 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. Therefore, no further environmental review under CEQA is required.

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.

Text Amendment Findings

- 1. The Ordinance amendments are consistent in principle with the General Plan, in that the amendments do not affect policy decisions made with the City Council's adoption of the Zoning Ordinance and do not substantively alter the standards and regulations within the Zoning Ordinance.
- 2. The Ordinance amendments are 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 amendments maintain the existing policies, standards, and regulations of the Zoning Ordinance that promote and protect the public health, safety, and general welfare.

Attachments

- A. Proposed Redline Modifications
- B. Resolution Recommending to the City Council Minor Clerical Changes, Corrections, and Clarifications to the City's Zoning Ordinance

ATTACHMENT A

Proposed Redline Modifications

ATTACHMENT A

(Proposed Redline Modifications)

**PROPOSED MINOR CLERICAL CHANGES, CORRECTIONS, AND CLARIFICATIONS
AS PRESENTED TO THE PLANNING COMMISSION ON MARCH 16, 2016**

Spelling, Grammar, Punctuation

1. Modify the following language in the Table of Contents (p. xii):
 Chapter 9.49 Reasonable Accommodations.....4.52

2. Modify the following language in SMMC Table 9.11.020 (p. 2.46) as follows:

Use Classification	MUBL (19)	MUB (19)	GC (19)	NC (17)	Additional Regulations
Live-Work	L (14)	L (14)	L (14)	PL (14)	

3. Modify the following language in SMMC Section 9.21.140(B) (p. 3.18):
 1. **Location.** Screening walls shall follow the parcel line of the parcel to be screened, or shall be so arranged within the boundaries of the parcel so as to substantially hide from adjoining properties the building, facility, or activity required to be screened.

Section Reference

4. Modify the following language in SMMC Section 9.01.050 (p. 1.7):
 4. Section 9.154.020 Bed and Breakfast within Designated Landmarks in OF Only

5. Modify the following language in SMMC Table 9.07.030 (p. 2.7):

Standard	General Standard	North of Montana	Sunset Park/North of Wilshire	Expo/Pico	Additional Standards
Parking	See Sections 9.28.070, Location of Parking <u>and</u> <u>9.28.120, Parking Design and Development Standards</u>				<u>Section 9.28.070(A)(1), Above Ground Parking – Residential Districts</u>

6. Modify the following language in SMMC Tables 9.08.030 (p. 2.20), 9.09.030 (p. 2.35), 9.11.030 (p. 2.52), and 9.13.030 (p. 2.66):

Parking	See Sections 9.28.070, Location of Parking <u>and</u> <u>9.28.120, Parking Design and Development Standards</u>	
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7. Modify the following language in SMMC Table 9.07.030 (p. 2.8):

Driveways	On parcels less than 100 ft. in width, no more than one driveway permitted	<u>Section 9.28.120, Parking Design and Development Standards</u>
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8. Modify the following language in SMMC Section 9.07.030(l)(6) (p. 2.13):
- d. Any structure on a parcel that is fifty feet or more in width that does not comply with Section 9.07.030(D).
9. Modify the following language in SMMC Table 9.11.030 (p. 2.49):
21. Permitted if within buildings existing as of the date this Ordinance is effective, subject to the Active Use Requirement in Section 9.11.030(A)(2). 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.
10. Modify the following language in SMMC Table 9.11.030 (p. 2.52):

<i>Standard</i>	<i>MUBL</i>	<i>MUB</i>	<i>GC (Santa Monica Blvd)</i>	<i>GC (Lincoln & Pico Blvd)</i>	<i>NC</i>	<i>NC (Main Street)</i>	<i>NC (Ocean Park Blvd & Montana Ave)</i>	<i>Additional Regulations</i>
Daylight Plane Adjacent to Residential District— Interior Side and Rear Setbacks	See (D)	See (D)	See (D)	See (D)	See (D)	See (D)	See (D)	Section 9.21.0760, Height Exceptions

11. Modify the following language in SMMC Section 9.28.180 (p. 3.96):
- A. **Parking Overlay Area 2.** Non-residential properties located within Parking Overlay Area 2 identified in Figure 9.28.050 may be eligible to provide parking at the Parking Overlay Area 1 rates specified in Table 9.298.060, Parking Regulations by Use and Location. The applicant shall have the burden of proof for a reduction in the total number of required parking spaces, and documentation shall be submitted substantiating the reasons for this requested parking reduction. Reduced parking shall be approved only if:
12. Modify the following language in SMMC Section 9.31.220(B)(2)(b) (p. 3.153):
- iii. Outdoor display and sales areas are exempt from the parking requirements of Chapter 9.328, Parking, Loading, and Circulation but are prohibited in parking lots/areas.
13. Modify the following language in SMMC Section 9.40 (p. 4.19):

Sections:

- 9.40.010 Purpose
 9.40.020 Applicability
 9.40.030 Application
 9.40.040 Procedures
 9.40.050 Required Findings
 9.40.060 ~~Term, Extension, Revocation, and Appeal~~ Conditions
 9.40.070 ~~Term, Extension, Revocation, and Appeal~~

Formatting, Organization

14. Modify the following language on SMMC Section 9.11.030 (p. 2.54-2.55):

- A. **Active ~~Commercial Design~~ Ground Floor Design and Use.** ~~The ground-floor street frontage of buildings on commercial boulevards shall be designed to accommodate commercial uses and activities, subject to the following:~~
- ~~1. **Active Commercial Design.** The ground-floor street frontage of new buildings on commercial boulevards shall be designed to accommodate commercial uses and activities, subject to the following:~~
- ~~1a.~~ A minimum average depth of 40 feet, but in no case less than 25 feet, for a minimum of 60% of the ground-floor frontage.
- ~~2b.~~ Minimum Floor-to-Floor Heights:
- ~~aj.~~ 15 feet in all districts.
- ~~bii.~~ Loft spaces built within this area shall not exceed 30% of the total floor area of the space consistent with the definition of mezzanine.
- ~~3c.~~ A minimum of 70% of the façade facing a commercial street shall be transparent and include windows, doors, and other openings between 2.5 and 8 feet above finished grade. Openings fulfilling this requirement shall have transparent glazing or openings that provide views into work areas, display areas, sales areas, lobbies, or similar active spaces, or into window displaying merchandise or other items other than signs that are at least 3 feet deep. This requirement may be modified by the Architectural Review Board if it can be demonstrated that the fulfillment of this requirement materially interferes with the project's ability to meet the requirements of Municipal Code Chapter 8.36 – The Energy Code.
- ~~4d.~~ A minimum of one pedestrian entrance facing the commercial street.
- ~~52.~~ **Active Use Requirement.** ~~The ground-floor street frontage of buildings on commercial boulevards shall be designed to accommodate commercial uses and activities, subject to the following:~~
- ~~a.~~ ~~A minimum average depth of 40 feet, but no less than 25 feet, for a minimum of 60% of the ground-floor frontage, to the maximum extent feasible.~~
- ~~ab.~~ Within LUCE-designated Activity Centers, and Neighborhood Commercial Districts on Main Street and Montana Avenue, uses within these active ~~commercial-designed use~~ areas shall be limited to the following:
- i. Cultural Facilities;
- ii. Food and Beverage Sales;
- iii. Eating and Drinking Establishments;
- iv. Grooming and Pet Stores;
- v. Banks and Credit Unions;
- vi. Business Services;
- vii. Commercial Entertainment, Recreation, and Instructional Services;
- viii. General Personal Services and Personal Physical Training;
- ix. General Retail Sales; and
- x. Childcare Facilities
- ~~bc.~~ In other commercial districts, the following uses and use categories are prohibited within these active ~~commercial-designed use~~ areas:
- i. Residential; and
- ii. Offices, with the following exceptions:
- (1) Creative Offices or Offices with Walk-In Clientele; and

(2) Offices within a structure that was designed, approved, and continuously used with office at the ground level, facing the street.

63. 100% Affordable Housing Projects are exempt from the provision of subsection (A) except that 100% Affordable Housing Projects in the Neighborhood Commercial District shall be subject to subsection (A)(52).

15. Modify the following language in SMMC Table 9.15.020 (pp. 2.80-2.81):

TABLE 9.15.020: LAND USE REGULATIONS—PUBLIC AND SEMI-PUBLIC DISTRICTS				
<i>Use Classification</i>	<i>CC</i>	<i>PL</i>	<i>OS</i>	<i>Additional Regulations</i>
Residential Uses				
Residential Housing Types	<i>See sub-classifications below.</i>			
<i>Multiple-Unit Dwelling</i>	L (1)	-	-	
<i>Senior Citizen Multiple-Unit Residential</i>	L (1)	-	-	
<i>Single Room Occupancy Housing</i>	L (1)	-	-	
<u><i>Group Residential</i></u>	<u>L(1)</u>	<u>-</u>	<u>-</u>	
<u><i>Congregate Housing</i></u>	<u>L (1)</u>	<u>-</u>	<u>-</u>	<u>Section 9.31.110, Congregate and Transitional Housing</u>
<u><i>Senior Group Residential</i></u>	<u>L (1)</u>	<u>-</u>	<u>-</u>	<u>Section 9.31.310, Senior Group Residential</u>
Emergency Shelters	-	P	-	Section 9.31.130, Emergency Shelters
<i>Group Residential</i>	L(1)	-	-	
<i>Congregate Housing</i>	L(1)	-	-	Section 9.31.110, Congregate and Transitional Housing
<i>Senior Group Residential</i>	L(1)	-	-	Section 9.31.310, Senior Group Residential
<u><i>Family Day Care</i></u>	<u><i>See sub-classifications below.</i></u>			
<u><i>Large</i></u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>Section 9.31.140, Family Day Care, Large</u>
<u><i>Small</i></u>	<u>P</u>	<u>P</u>	<u>P</u>	
Residential Care Facilities	<i>See sub-classifications below.</i>			
<i>Residential Care, General</i>	L (1)	-	-	Section 9.31.270, Residential Care Facilities
<i>Residential Care, Limited</i>	L (1)	-	-	Section 9.31.270, Residential Care Facilities
<i>Residential Care, Senior</i>	L (1)	-	-	Section 9.31.270, Residential Care Facilities
Hospice, General	-	-	-	
Hospice, Limited	-	-	-	
Supportive Housing	L (1)	-	-	

TABLE 9.15.020: LAND USE REGULATIONS—PUBLIC AND SEMI-PUBLIC DISTRICTS				
<i>Use Classification</i>	<i>CC</i>	<i>PL</i>	<i>OS</i>	<i>Additional Regulations</i>
Transitional Housing	L (1)	-	-	
Public and Semi-Public Uses				
Adult Day Care	P	P	P	
Cemetery	-	P	-	
Child Care and Early Education Facilities	P	P	P	Section 9.31.120, Child Care and Early Education Facilities
Colleges and Trade Schools, Public or Private	L (3)	P	-	
Community Assembly	P	P	L (3)	
Community Gardens	-	P	P	
Cultural Facilities	P	P	P	
Family Day Care	<i>See sub-classifications below.</i>			
—Large	P	P	P	Section 9.31.140, Family Day Care, Large
—Small	P	P	P	

16. Modify the following language in SMMC Table 9.21.060 (p. 3.9):

TABLE 9.21.060: ALLOWED PROJECTIONS ABOVE HEIGHT LIMITS		
<i>Structure</i>	<i>Maximum Aggregate Coverage of Building's Roof Area (%); Other Locational Restrictions</i>	<i>Maximum Vertical Projection (ft.) Above the Height Limit*</i>
Projections Allowed in All Zoning Districts:		
Skylights	No limit	1 ft.
Chimneys, vent stacks	5%	5 ft.
Windscoops	5%	5 ft.
Solar energy systems located on a rooftop	See Section 9.21.150	See Section 9.21.150
Antennas		
<i>One standard television receive-only nonparabolic antenna and one vertical whip antenna</i>	10%; May not be located between the building and any street-facing parcel line.	25 ft.
Other Antennas	See Chapter 9.32, Telecommunications Facilities	
<u>Parapets, fire escapes, catwalks, and open guard rails required by law</u>	<u>As required by law</u>	<u>As required by law</u>
Projections Allowed in All Districts Except R1 and OP-1 Districts:		
<u>Parapets, fire escapes, catwalks, and open guard rails required by law</u>	<u>As required by law</u>	<u>As required by law</u>

TABLE 9.21.060: ALLOWED PROJECTIONS ABOVE HEIGHT LIMITS		
<i>Structure</i>	<i>Maximum Aggregate Coverage of Building's Roof Area (%); Other Locational Restrictions</i>	<i>Maximum Vertical Projection (ft.) Above the Height Limit*</i>
Non-occupiable features such as steeples, spires, towers, domes, and cupolas	10%	10 ft.
Rooftop features for outdoor living areas, such as sunshade, open railings, trellises, and landscaping	25%	10 ft
Elevator shafts	15%	18 ft.* above the roofline
Stairwells	25%	14 ft.* above the roofline
Mechanical rooms and enclosures	25%	12 ft.* above the roofline
Ventilating fans, water tanks, cooling towers, or other equipment required to operate and maintain a building, along with screening of such equipment required by Section 9.21.140, Screening	Total area enclosed by all screening may not exceed 30% of roof area	12 ft.

17. Modify the following language in SMMC Section 9.28.070(A) (pp. 3.76-3.78):
(See also #48 for changes to this section related to continuity from prior Zoning Ordinance)

1. ***Residential Districts.***

Parking shall be located in the rear half of the parcel and at least 40 feet from a street-facing property line, except as provided below:

a. **Garage Parking Single-Unit Residential District.** Garages may be located in the front half of the parcel subject to the setback requirements of the Base District and the following:

- i. *Setback from Building Facade.* Garages shall be located at least 5 feet behind the primary wall facing the street, and never less than the required Base District setback.
- ii. *Projection into Front Yard Setback.* In the R1 Single-Unit Residential District, a one-story garage attached to the primary structure with a maximum height of 14 feet, including parapets and railings, a maximum length of 25 feet, and with garage doors perpendicular to the public street, shall be allowed to project up to 6 feet into the required front yard if no alley access exists, but may not extend closer than 20 feet to the front property line.

b. **Residential Multi-Unit Districts.** Parking may be located in the front half of the parcel in Residential Multi-Unit Districts provided that no part of a required front setback shall be used for parking purposes.

iii.c. **Garage Openings and Doors.**

i. **Garage Opening Setback.** Garage openings shall be located the following minimum distances from parcel lines adjoining streets and alleys:

- (1) Front-entry garage: 20 feet.
- (2) Side-entry garage: 5 feet.
- (3) Garage with alley access: 15 feet from centerline of alley.
- (4) Narrow parcels: For garages with rear vehicular access from an alley and located on a parcel 27 feet wide or less, the side setback adjacent to a street or another alley may be reduced to 3 feet.

- (5) A minimum 22-foot turning radius is required from the garage to the opposite side of the street alley, drive aisle, or driveway.
- ~~iv-ii.~~ **Garage Door Width.** If a garage faces the front or street side parcel line, the garage doors shall not be more than 18 feet wide for each 75 feet or fraction thereof of parcel width. A door to a single space shall not be more than 9 feet wide. Not more than one double garage may be entered from the side street side of a corner or a reversed corner parcel.
- ~~b.~~ ~~**Residential Multi-Unit Districts.** Parking may be located in the front half of the parcel in Residential Multi-Unit Districts provided that no part of a required front setback shall be used for parking purposes.~~
- ~~e-d.~~ **Sloped Parcels.** Garages may be located in the required front setback when the elevation of the ground at a point 50 feet from the front parcel line and midway between the side parcel lines differs 12 feet or more from the level of the curb or in all Ocean Park Districts where there is a change in existing grade of 10 feet or more subject to the following:
- i. Height shall not exceed 14 feet if a pitched roof, 11 feet for a flat roof, or one story;
 - ii. No portion of the garage may be closer than 5 feet from the front property line; and
 - iii. The garage may not occupy more than 50 percent of the width of the front setback.
 - iv. In all Ocean Park Districts, a garage that complies with Subsections (i) through (iii) may be set back a distance equal to the average setback of garages on adjacent parcel if the garage width does not exceed 20 feet.
- ~~d-e.~~ **Along the Pacific Coast Highway.** Uncovered parking may be located in the front half of the parcel and within the required front setback on parcel located along the Pacific Coast Highway between the Santa Monica Pier and the north City limits.
- ~~e-f.~~ **Rooftop Parking.** Rooftop parking is prohibited in all Residential Districts.

Clarification

18. Modify the following language in SMMC Section 9.01.050 (p. 1.7):

1.	Section 9.07.020	Bed and Breakfast within Designated Landmarks in R1 Only
2.	Section 9.08.020	Bed and Breakfast within Designated Landmarks in R2, R3, and R4 Only
3.	Section 9.09.020	Bed and Breakfast within Designated Landmarks in OP Only
4.	Section 9.15.020	Bed and Breakfast within Designated Landmarks in OF Only
5.	Section 9.25.030	Demolition Defined
6.	Section 9.25.040	Requirements for Approval of Demolition Permit
7.	Section 9.27.030(C)	Replacing Nonconforming Features or Portions of Buildings
8.	Section 9.27.030(F)(1)	Demolition and Rebuilding
9.	Section 9.27.040(A)	Damaged Structure Restoration Application
10.	Section 9.27.050(B)(5)	Abandonment
101.	Section 9.28.180(B)	Reduction of Required Parking
142.	Chapter 9.33	Historic Resource Disclosure
123.	Section 9.42.040	Required Findings for Variances
134.	Chapter 9.43	Modification and Waivers
145.	Section 9.48.050	Unauthorized Demolition of Historic Resources
156.	Section 9.52.020	Definition of Attic
167.	Section 9.52.020	Definition of City-Designated Contributing Building or Structure
178.	Section 9.52.020	Definition of City-Designated Historic Resource
189.	Section 9.52.020	Definition of City-Designated Landmark

- 1920. Section 9.52.020 Definition of City-Designated Structure of Merit
- 201. Section 9.52.020 Definition of Historic Resource
- 242. Section 9.52.020 Definition of Historic Resources Inventory
- 223. Section 9.52.020 Definition of State Historical Building Code

19. Modify the following language in SMMC Chapter 9.12 (p. 2.58):

A. **Bergamot Districts:** ~~Refer to the Bergamot Area Plan for land use regulations and development standards for these Districts. If provisions in the Bergamot Area Plan and the Zoning Ordinance are in conflict, the provisions in the Bergamot Area Plan shall be applied. Where Zoning Ordinance provisions are not specifically addressed by the Bergamot Area Plan, the Zoning Ordinance shall be applied. Development standards and land use designations, including permissible and prohibited uses, for the Bergamot Area Plan Districts are as prescribed in the Bergamot Area Plan, which is hereby incorporated by reference. Where Zoning Ordinance provisions are not specifically addressed by the Bergamot Area Plan, the Zoning Ordinance shall apply. Where there is a conflict between compliance with the Bergamot Area Plan and the Zoning Ordinance, the Bergamot Area Plan shall control except where the conflicting Zoning Ordinance provision was adopted through voter initiative in which case the initiative shall control.~~

20. Modify the following language in SMMC Section 9.15.030 (p. 2.83):

Table 9.15.030 prescribes the development standards for the Public and Semi Public Districts. Additional regulations are denoted with Section numbers in the right hand column or with individual letters in parentheses. Section numbers refer to other Sections of this Ordinance, while individual letters in parentheses refer to Subsections that directly follow the table. Development standards for the Civic Center (CC) District are as prescribed in the Civic Center Specific Plan, which is hereby incorporated by reference. Where Zoning Ordinance provisions are not specifically addressed by the Civic Center Specific Plan, the Zoning Ordinance shall apply. Where there is a conflict between compliance with the Civic Center Specific Plan and the Zoning Ordinance, the Civic Center Specific Plan shall control except where the conflicting Zoning Ordinance provision was adopted through voter initiative in which case the initiative shall control.

21. Modify the following language in SMMC Section 9.20.060 (p. 2.93):

C. Any use not specifically listed in Section 9.20.030, 9.20.040, and 9.20.050.

22. Modify the following language in SMMC Section 9.20.070 (p. 2.93):

Any building or area within the Beach Overlay District currently in use as a recreational building or recreational area shall not be removed or demolished except to replace said building or area with open space or substantially similar recreational use or uses. A "recreational building" is defined as an incidental park structure such as a restroom and maintenance facility, community room, locker room and shower servicing persons using the beaches or ocean, a playing court, playground, picnic area, or public swimming pool.

23. Modify the following language in SMMC Table 9.21.110 (p. 3.15):

TABLE 9.21.110: ALLOWED PROJECTIONS INTO SETBACKS				
<i>Projections</i>	<i>Front Setback</i>	<i>Street Side Setback</i>	<i>Interior Side Setback</i>	<i>Rear Setback</i>

TABLE 9.21.110: ALLOWED PROJECTIONS INTO SETBACKS				
Projections	Front Setback	Street Side Setback	Interior Side Setback	Rear Setback
Air conditioners, compressors, hot tub motors, pool filters, <u>and other mechanical equipment</u>	Not permitted	Not permitted	Not permitted	No limit (can extend to rear parcel line)

24. Modify the following language in SMMC Section 9.21.150(B)(1)(a) (p. 3.19):
- ii. For the cost of solar energy systems, “significantly increase” shall be defined as increasing the cost of a photovoltaic solar energy system by more than ~~\$2,000,001,000~~ or the cost of a solar water or swimming pool heating system by more than ~~2010~~ percent.
25. Modify the following language in SMMC Section 9.22.040(A) (p. 3.30):
1. As an alternative to Section 9.28.060, density bonus housing developments shall be granted the following maximum parking standards, inclusive of handicapped and guest parking, which shall apply to the entire development, not just the restricted affordable units, when requested by a developer except as provided by paragraphs (2) and (3) of Government Code Section 65915(p), or any successor thereto:
26. Modify the following language in SMMC Section 9.27.050(B) (p. 3.62):
- (4) Except as provided in Subsection (B)(5), no nonconforming use may be resumed, reestablished or, reopened, ~~or replaced by any other nonconforming use~~ once it has been determined to have been abandoned for one year.
27. Modify the following language in SMMC Section 9.28.020(B) (p. 3.66):
4. A change in occupancy is not considered a change in use unless the new occupant is ~~in~~ a different use ~~classification~~ than the former occupant.
28. Modify the following language in SMMC Section 9.28.030 (p. 3.67):
- A. **Existing Parking and Loading to be Maintained.** No existing parking and/or loading serving any use may be reduced in amount or changed in design, location, or maintenance below the requirements for such use at the time it was entitled, unless equivalent substitute facilities are provided.
 - C. **Assignment.** Assignment of parking spaces to individual users or tenants within a mixed use and/or multi-tenant project shall be prohibited except when such spaces are reserved for disabled parking, car or vanpool users, car share vehicles, or residential units.
29. Modify the following language in SMMC Section 9.28.070(A) (p. 3.76):
2. **Residential Districts.**
Parking shall be located in the rear half of the parcel and at least 40 feet from a street-facing property line, except as provided below:
 - a. **Garage Parking.** Garages may be located in the front half of the parcel subject to the setback requirements of the Base District and the following:

- i. *Setback from Building Facade.* Garages ~~doors facing a public street~~ shall be located at least 5 feet behind the primary wall facing the street, and never less than the required Base District setback.
30. Modify the following language in SMMC Section 9.28.080 (D) (p. 3.79):
- 3. A **Passenger Loading** space shall be at least 18 feet long and 10 feet wide. Design should not reduce pedestrian orientation of the site or increase the number of curb-cuts and shall not require pedestrians to cross a driveway, parking aisle, alley, or street in order to reach the building entrance. The spaces must be accessible without a key or access card ~~from the street~~ and located as close as practicable to the building entrance or passenger elevator.
31. Modify the following language in SMMC Section 9.28.080(G) (p. 3.81):
- 2. *Screening.* Loading areas adjacent to residential uses or public streets or alleys shall be screened ~~and enclosed with a solid masonry wall that is at least 6 feet in height and/or a design shall be provided for approval~~ ~~approved~~ by the Director.
32. Modify the following language in SMMC Section 9.28.120(B) (pp. 3.85-3.86):
- 3. **Alley Access.** Access to parking areas shall be from alleys. ~~And new e~~ Curb cuts are prohibited except where a project site meets at least one of the following criteria:
 - ~~a. Corner parcels where access is provided from the side street.~~
 - Ba.** The site has no adjacent side or rear alley having a minimum right-of-way of 15 feet. Corner parcels with no adjacent side or rear alley must take access from the side street.
 - Cb.** The average slope of ~~the a multi-unit residential~~ parcel is at least 5 percent.
 - dc.** The Director determines that a curb cut is appropriate due to traffic, circulation, or safety concerns.
 - Ed.** Commercial properties may have non-residential parking access from side streets.
 - 5. **Gates.** Gates across driveways shall be a minimum of 18 feet from the parcel line in all Residential Multi Unit and Commercial Districts, ~~if access is not from an alley~~. For parking lots or structures with more than 50 parking spaces, gates across driveways shall be a minimum of 36 feet from the parcel line, ~~if access is not from an alley~~. Gates serving commercial uses that are designed to be open at all times during the on-site business' hours are exempt.
 - 7. **Street Access.**
 - a. Parking areas of 4 or more spaces shall be provided with suitable maneuvering room so that all vehicles therein may enter an adjacent street in a forward direction. Vehicles using surface parking located within 25 feet of an alley may enter an adjacent alley by backing out.
33. Modify the following language in SMMC Section 9.28.120I(1) (p. 3.87):
- 2. A single car garage or carport: ~~10~~1.5 feet in width by 18 feet in length.
34. Modify the following language in SMMC Section 9.28.140I(1)(b) (p. 3.92):
- 2. Install the remaining required bike racks in the public right-of-way with a location and design subject to review and approval by the City, provided no feasible alternative exists on private property. A deed restriction shall be recorded requiring the property owner to maintain the off-site bicycle racks for the life of the project.

35. Modify the following language in SMMC Section 9.28.160(A) (p. 3.95):
2. For remodeling and expansion of existing development projects that: ~~would result in an increase of 10% or more than 50 additional parking spaces.~~
 - a. Have 50 or more existing parking spaces prior to the remodel or expansion; and
 - b. The scope of work adds at least five more parking spaces.
36. Modify the following language in SMMC Section 9.31.220(B) (p. 3.152):
2. **Standards.** The following standards apply to Subsections (B)(1)(b-c) of this Section:
 - a. *Design and Location.*
 - ii. In the Oceanfront District, The merchandise in the outdoor display and sales area including but not limited to the display racks, tables, and stands, shall not exceed a height of six feet.
37. Modify the following language in SMMC Section 9.37.110 (p. 4.11):
- A. For projects involving the new construction or alteration of 2 or more dwelling units in ~~all Multi-Unit Residential~~ the R2, R3, R4, OF, RMH, OPD, OP2, OP3, and OP4 Districts in the City for which a development application was deemed complete, only one such construction project shall be allowed, within a 500 foot radius. Except as provided in Subsection (C), this restriction shall apply for 15 months after issuance of a building permit, after which time another project may begin construction in the defined area.
38. Modify the following language in SMMC Section 9.40.050 (p. 4.21):
- D. The project is generally consistent with the Municipal Code, ~~and~~ General Plan, and any applicable Specific Plan;
39. Modify the following language in SMMC Section 9.42.040 (p. 4.26):
- D. The granting of a variance will not be contrary to or in conflict with the general purposes and intent of this Ordinance, nor to the goals, objectives, and policies of the General Plan and any applicable Specific Plan.
40. Modify the following language in SMMC Section 9.43.040 (p. 4.29):
- B. Subject to the requirements of this Chapter, the Director may grant waivers from the following requirements specified in this Ordinance:
 1. Upper-~~s~~Story ~~s~~Stepbacks.
 2. Build-~~t~~o Lines.
 3. Active Commercial Design Standards, including Transparency.
 4. Unit Mix.
41. Modify the following language in SMMC Section 9.45.130 (p. 4.40):
- Specific Plans shall be prepared, adopted, and amended in the same manner as the General Plan, except that a Specific Plan may be adopted by resolution or by ordinance and may be amended as often as deemed necessary by the City Council. No Specific Plan may be adopted or amended unless the proposed plan or amendment is consistent with the General Plan.
42. Modify the following language in SMMC Section 9.46.080(A) (p. 4.43):
1. The Ordinance amendment is consistent in principle with the General Plan and any applicable Specific Plan; and

43. Modify the following language in SMMC Section 9.48.010 (p. 4.50):
- A. No person shall establish, operate, erect, move, alter, enlarge or maintain any use, activity, or improvement in contravention of any provision of Article ~~IX~~9 of the Municipal Code, including any General, Area, or Specific Plans incorporated by this Article 9.

Continuity From Prior Zoning Ordinance

44. Modify the following language in SMMC Section 9.01.040(A) (p. 1.5):
1. ***Applicability to Property.*** This Ordinance shall apply, to the extent permitted by law, to all property within the corporate limits of the City and to property for which applications for annexation and/or subdivisions are submitted to the City, including all uses, structures and land owned by any private person, firm, corporation or organization, or the City or other local, State, or federal agencies. Any governmental agency shall be exempt from the provisions of this Ordinance only to the extent that such property may not be lawfully regulated by the City. City Government uses may be permitted in any district subject to the approval of a conditional use permit.
45. Modify the following language in SMMC Table 9.07.030 (p. 2.7):

<i>Standard</i>	<i>General Standard</i>	<i>North of Montana</i>	<i>Sunset Park/North of Wilshire</i>	<i>Expo/Pico</i>	<i>Additional Standards</i>
Minimum Setbacks (ft.)					Section 9.21.110, Projections into Required Setbacks
<i>Front</i>	Per Official Districting Map or 20 ft. if not specified				
<i>Each Interior Side-Basic Requirement – Structures 18 ft. in height or less</i>	Greater of 10% of parcel width or 3.5 ft. but no more than 15 ft. required.	GS	GS	GS (for all structures up to the maximum height limitation in Expo/Pico)	
<i>Aggregate of Both Interior Sides – Structures over 18 ft. in height</i>	30% of parcel width, but no more than 45 ft. required and at least 10 percent of the parcel width, or a minimum of 3.5 ft., whichever is greater. See (D)	GS	GS	NA	
<i>Rear</i>	25	GS	GS	GS	

<u>Garage Setbacks</u>	<u>See Section 9.28.070(A)(1)(a)</u>	
Parking	See Section 9.28.070, Location of Parking	<u>Required in enclosed garage.</u>

46. Modify the following language in SMMC Section 9.07.030(l)(5) (p. 2.12):

- b. Any structure with garage doors facing the public street within the front one-half of the parcel which are not setback from the building façade a minimum of five feet and/or are ~~not more than~~ sixteen feet in width.

47. Modify the following language in SMMC Section 9.07.030(l)(6) (p. 2.13):

- c. Any structure with garage doors facing the public street which are not set back a minimum of five feet from the front setback line and/or are ~~not more than~~ sixteen feet in width.

48. Modify the following language in SMMC Table 9.09.030 (p. 2.35):

<i>Standard</i>	<i>OP1</i>	<i>OPD</i>	<i>OP2</i>	<i>OP3</i>	<i>OP4</i>	<i>Additional Regulations</i>
Minimum Setbacks (ft.)						
<i>Front</i>	15 [10, if average of adjacent dwelling(s) is 10 ft. or less]	30 measured from the centerline of the walkway	20 [15, if average of adjacent dwelling (s) is 10 15 ft. or less]	20 [10 15, if average of adjacent dwelling (s) is 10 15 ft. or less]	15 [10, if average of adjacent dwelling(s) is 10 ft. or less]	Except for OPD, a one-story covered or uncovered porch open on three sides may encroach six feet into the required front setback if the roof does not exceed a height of 14 feet and the porch width does not exceed 40% of the building width at the front of the building.

49. Modify the following language in SMMC Table 9.11.020 (p. 2.43):

<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>Duplex</i>	LP	LP	LP	LP	

50. Modify the following language in SMMC Table 9.28.060 (p. 3.71):

TABLE 9.28.060: PARKING REGULATIONS BY USE AND LOCATION		
<i>Land Use Classification</i>	<i>Citywide (Excluding Parking Overlay Area 1, Downtown Specific Plan Area, and Bergamot Area Plan Area)</i>	<i>Parking Overlay Area 1</i>
Residential Uses		
<i>Single Unit Dwelling</i>	2 spaces per dwelling unit	2 spaces per <u>dwelling unit</u> , <u>which may be tandem</u>

51. Modify the following language in SMMC Section 9.28.070(A) (p. 3.77):

1. ***Residential Districts.***

Parking shall be located in the rear half of the parcel and at least 40 feet from a street-facing property line, except as provided below:

- a. ~~Garage Parking~~ **Single-Unit Residential District. Required parking shall be located within an enclosed garage.** Garages may be located in the front half of the parcel subject to the setback requirements of the Base District and the following:
- i. ~~Setback from Building Façade~~ **and Front Setback Line.**
 - (1) ~~North of Montana.~~ **Garages doors facing a public street** shall be located at least 5 feet behind the primary wall facing the street, and never less than the required Base District setback.
 - (2) ~~North of Wilshire/Sunset Park.~~ **Garage doors facing a public street shall be located at least 5 feet behind the front setback line.**
 - ii. ~~Projection into Front Yard Setback.~~ In the R1 Single-Unit Residential District, a one-story garage attached to the primary structure with a maximum height of 14 feet, including parapets and railings, a maximum length of 25 feet, and with garage doors perpendicular to the public street, shall be allowed to project up to 6 feet into the required front yard if no alley access exists, but may not extend closer than 20 feet to the front property line.
- ~~iii-c.~~ **Garage Openings and Doors.**
- i. ~~Garage Opening Setback.~~ Garage openings shall be located the following minimum distances from parcel lines adjoining streets and alleys:
 - (1) Front-entry garage: 20 feet.
 - (2) Side-entry garage: 5 feet.
 - (3) Garage with alley access: 15 feet from centerline of alley.
 - (4) Narrow parcels: For garages with rear vehicular access from an alley and located on a parcel 27 feet wide or less, the side setback adjacent to a street or another alley may be reduced to 3 feet.
 - (5) A minimum 22-foot turning radius is required from the garage to the opposite side of the street alley, drive aisle, or driveway.
 - ~~iv-ii.~~ **Garage Door Width. Except as provided in (1) and (2) below,** if a garage faces the front or street side parcel line, the garage doors shall not be more than 18 feet wide for each 75 feet or fraction thereof of parcel width. A door to a single space shall not be more than 9 feet wide. Not more than one double garage may be entered from the side street side of a corner or a reversed corner parcel.

- (1) North of Montana. Garage doors facing the public street may not exceed sixteen feet in width unless located in the rear thirty-five feet of the parcel except as provided in Section 9.07.030(I)(5).
- (2) North of Wilshire/Sunset Park. Garage doors facing the public street may not exceed sixteen feet in width unless located in the rear thirty-five feet of the parcel except as provided in Section 9.07.030(I)(6).

52. Modify the following language in SMMC Section 9.28.070(A)(1)(c) (p. 3.77):

- iv. In all Ocean Park Districts, a garage that complies with Subsections (i) through (iii) may be set back a distance equal to the average setback of garages on adjacent parcel if the interior garage width does not exceed 20 feet.

53. Modify the following language in SMMC Section 9.28.070(A)(1)(c) (p. 3.77):

- iv. In all Ocean Park Districts, a garage that complies with Subsections (i) through (iii) may be set back a distance equal to the average setback of garages on adjacent parcel if the interior garage width does not exceed 20 feet.

54. Modify the following language in SMMC Section 9.28.080(F) (p. 3.80):

- F. **Location of Loading Spaces.** ~~All loading facilities shall be provided off-street and within the subject property.~~ Loading areas shall be located as follows:
 - 1. All loading facilities shall be provided off-street and within the subject property. The Director may authorize up to one required on-street passenger loading space along a frontage curb for certain designated times for schools and Child Care and Early Education Facilities.
 - ~~2.~~ Loading spaces shall be located adjacent to building door openings.
 - ~~23.~~ Loading spaces shall be situated to minimize interference with automobile, pedestrian, and bicycle paths of travel.
 - ~~34.~~ Loading spaces shall be situated to avoid adverse impacts upon neighboring properties, including noise pollution.
 - ~~45.~~ Loading spaces shall be accessible from an alley, or if no alley is adjacent to the site, a minor roadway.
 - ~~56.~~ Loading spaces shall be located in the required rear setback provided that it is not located in any required landscaped area and provided that no portion of a street or alley is counted as part of the required loading area.

55. Modify the following language in SMMC Section 9.28.120(B) (pp. 3.85-3.86):

- 1. **Driveways.** The number of driveways shall not be more than necessary to allow access in and out of a parcel and/or building. Subject to Section 9.28.120(B)(3), in a Single-Unit Residential District, no more than one driveway to a public street is allowed on parcels less than 100 feet in width. Driveways shall not be wider than needed for safe entry and exit. Driveways must lead to parking spaces that comply with the design standards in this Section.

56. Modify the following language in SMMC Section 9.28.120 (p. 3.90):

- P. **Compact Parking.** Compact parking must be evenly distributed in parking areas or levels; it may not be located within 25 feet of a ramp, driveway or ground floor pedestrian entrance. A maximum of 40% of parking spaces may be compact. Compact parking is not permitted for Single-Unit Dwellings, Second Dwelling Units, and Duplexes.

Internal Consistency Within Existing Zoning Ordinance

57. Modify the following language in SMMC Table 9.13.020 (p. 2.65):

Use Classification	IC	OC*	HMU	Additional Regulations
<p>* In those portions of the OC Districts adjacent to the business park, substantial new development shall only be approved after completion of a specific plan.</p> <p>Specific Limitations:</p> <p>(1) Limited to 100%affordable housing projects. For Senior Citizen Multiple-Unit Residential projects in the Office Campus district that are not 100% affordable approval of a Conditional Use Permit is required.</p> <p>(2) Homeless shelters with less than 55 beds are permitted by right. Homeless shelters with 55 beds or more may be permitted with application for and approval of a Conditional Use Permit.</p> <p>(3) Permitted if existing. New uses require approval of a Conditional Use Permit.</p> <p>(4) Limited to accessory automobile rental facilities located within Automobile/Vehicle Repair use.</p> <p>(5) Permitted if located 100 ft. or more from any residential use or district. Conditional Use Permit required if located within 100 ft. of a residential use or district.</p> <p>(6) Conditionally permitted as businesses that provide goods and services to employees on the premises. No more than 25 percent of the total square footage of a development may be devoted to such businesses.</p> <p>(7) Limited to theaters with 99 seats or less and 10,000 sq. ft. or less. Larger theaters require a Conditional Use Permit.</p> <p>(8) Exercise facilities (e.g., yoga, pilates, martial arts, and dance studios) permitted by right. Other Small-Scale Commercial Recreation uses require a Conditional Use Permit.</p> <p>(9) Permitted if existing or accessory to a primary permitted use on the same site and not exceeding 25 percent of the gross floor area of the primary permitted use.</p> <p>(10) Permitted if existing. New uses are not permitted.</p> <p>(11) Limited to retail sales of goods manufactured on the premises provided that the floor space devoted to such use does not exceed 20 percent of the gross floor area of the primary permitted use or 2,000 sq. ft., whichever is less.</p> <p>(12) Such uses must be conducted within an enclosed building or an open enclosure screened from public view. In order to approve a Conditional Use Permit, the review authority must make a finding that proposed uses are compatible with office and advanced technological uses.</p> <p>(13) Limited to outdoor storage of fleet vehicles if such vehicles are directly related to the primary operation on the site.</p> <p>(14) If the commercial use requires a MUP or CUP, an application shall be required in accordance with Chapter 9.41. Even if 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.</p>				

58. Modify the following language in SMMC Table 9.14.030 (p. 2.75):

TABLE 9.14.030: DEVELOPMENT STANDARDS--OCEANFRONT DISTRICT		
<i>Standard</i>	<i>OF</i>	<i>Additional Regulations</i>
Minimum Upper-Story Stepbacks (ft.)—Required Above Maximum First Story Street Wall Height		
<i>Street-Facing Facades</i>	At least thirty percent of the building elevation above fourteen feet in height <u>the maximum first story street wall height</u> shall provide an additional five-foot average setback from the minimum required front yard setback.	

59. Modify the following language in SMMC Section 9.20 (p. 2.92):

Sections:

9.20.010	Purpose
9.20.020	Exclusions
9.20.030	Permitted Uses
9.20.040	Uses Subject to <u>Minor</u> Use Permit
9.20.050	Conditionally Permitted Uses
9.20.060	Prohibited Uses
9.20.070	Recreational Use

60. Modify the following language in SMMC Section 9.20.040 (p. 2.93):

9.20.040 Uses Subject to Minor Use Permit

Subject to the provisions of Section 9.20.060, the following uses may be permitted in the Beach Overlay District subject to the approval of a use permit:

- A. All uses listed as subject to ~~performance standards~~minor use permits in the District in which the parcel is located.

61. Modify the following language in SMMC Section 9.21.180 (pp. 3.21-3.22):

- D. **Detached Garages and Non-Required Parking in R1 Districts.** The Director may approve a detached garage ~~and non-required parking located on a parcel~~ in a R1 District with alley access even if ~~this the garage parking~~ would cause an existing obstruction to be located in the hazardous visual obstruction area if the ~~garage parking~~ will be designed to maintain adequate sight view and/or provide other design elements, such as the use of mirrors, and will not constitute a hazard to persons lawfully using an adjacent sidewalk, alley, street, or other right-of-way.

62. Modify the following language in SMMC Section 9.23.030 (p. 3.37):

- C. **Open Space.** All Tier 2 Projects shall either pay an additional Open Space Fee (OSF) 14 percent above the base fee required by Chapter 9.67, ~~Open Space Fee Program~~Parks and Recreation Development Impact Fee Program, for that portion of the floor area above the maximum Tier 1 floor area allowed by this Ordinance, or provide publicly accessible open space that complies with the following requirements.

63. Modify the following language in SMMC Section 9.26.020 (p. 3.49):

The standards of this Chapter apply to the entire parcel for all new developments ~~and cumulative expansions of more than 25% of improved square footage existing at the time of adoption of the Ordinance codified in this Chapter~~. Existing parking lots with more than 10 parking spaces shall comply when the parking lot is reconstructed, except for repaving and restriping. All applications must also comply with the provisions of Santa Monica Municipal Code Section 8.108.010, Landscape and Water Conservation Standards.

64. Modify the following language in SMMC Section 9.26.030 (p. 3.50):

A landscape and irrigation plan shall be submitted with the permit application for all projects for which landscaping is required ~~except individual single unit dwellings installing no landscaping, other than mulch, and no irrigation system~~.

65. Modify the following language in SMMC Section 9.26.070 (p. 3.53):

All landscaping shall comply with the requirements of Chapter 8.108 of the Municipal Code, ~~Green Building, Landscape Design, Resource Conservation and Construction and Demolition Waste Management Standards.~~

66. Modify the following language in SMMC Table 9.28.060 (p. 3.72):

TABLE 9.28.060: PARKING REGULATIONS BY USE AND LOCATION		
Hospitals and Clinics	1 space per 250 sq. ft.	1 space per 250 sq. ft.

67. Modify the following language in SMMC Section 9.28.070(A)(1) (p. 3.77):

- c. **Sloped Parcels.** Garages may be located in the required front setback when the elevation of the ground at a point 50 feet from the front parcel line and midway between the side parcel lines differs 12 feet or more from the level of the curb or in all Ocean Park Districts where there is a change in existing grade of 10 feet or more between the midpoint of the front parcel line and the midpoint of the rear parcel line subject to the following:

68. Modify the following language in SMMC Section 9.28.080 (p. 3.81):

- i. **Exceptions for ~~New~~ Buildings under 10,000 Square Feet.** Notwithstanding the requirements of this Chapter, a waiver or reduction in the number and/or dimensions of loading areas and spaces may be permitted by the Director for projects that will result in a total of less than 10,000 square feet on the property if it is determined that the only feasible location for a loading zone within the project boundaries will detract from the project's pedestrian orientation and thereby not meet the City's intent to create active, lively streetscapes.

69. Modify the following language in SMMC Section 9.28.140(D) (pp. 3.90-3.91):

3. Bicycle parking facilities within auto parking areas shall provide a minimum of ~~48~~24" of separation between the parking space and a parked bicycle to prevent damage by automobiles or other moving vehicles with the exception of bicycle racks provided above ground at the head of the parking space. If provided at the head of the parking space, the space must be assigned to the same user of the bicycle rack. Barriers may be in the form of curbs, wheel stops, poles, or other similar features if they do not interfere with the adjacent parking stall or pathway.
9. Bicycle parking facilities and bicycle parking racks, shall be designed and located to meet the following criteria:
- b. ~~24 to 30~~ inches of minimum clearance shall be provided between bicycle parking spaces ~~and adjacent walls~~, poles, landscaping, street furniture, drive aisles, and pedestrian ways ~~and at least 5 feet from vehicle parking spaces.~~
- c. Bike racks must be located a minimum of ~~Located~~ 30 inches from a perpendicular wall, as measured from the edge of the facility closest to the wall and in the direction bicycles are to be parked.

70. Modify the following language in SMMC Section 9.28.180(D)(4) (p. 3.98):

- c. The Director shall prepare a written decision which shall contain the findings of fact upon which such decision is based and all required conditions, if approved. Within two business days from the date when the determination has been made concerning the application and posted on the City's website, ~~the~~ decision shall be mailed to the

applicant and to property owners and residents of property within a radius of 750 feet for which the shared parking is requested. Copies of the decision shall also be provided to the Planning Commission.

71. Modify the following language in SMMC Section 9.31.120 (p. 3.138):

- D. **Passenger Loading.** A passenger loading plan shall be required in accordance with Section 9.28.080(C) subject to the approval of the Director. All loading facilities shall be provided off-street and within the subject property. The Director may authorize up to one required on-street passenger loading space along a frontage curb for certain designated times for Child Care and Early Education Facilities.

72. Modify the following language in SMMC Section 9.32.040 (pp. 3.173-3.174):

- B. Unless a finding is made that a proposed antenna poses an actual threat to the public health or safety, the Director, or the Planning Commission on appeal, shall have the authority to grant a Minor Use Permit to modify the regulations and design standards of Subsection (A) paragraphs (1), (2), (3), (4), or (5) of this Section, if topographical conditions, nearby tall structures or other factors unreasonably obstruct or otherwise unreasonably interfere with effective transmission or reception of the type desired and the cause of such obstruction or interference was not created by the applicant. An application for a Minor Use Permit may be reviewed upon payment of a nominal fee, the amount of which may be established from time to time by the City Council by ordinance or resolution. As a condition of approval of a Minor Use Permit to modify the design standard of Subsection (A) paragraph (2) of this Section, an antenna structure shall be required to be retractable to 35 feet. In cases where topographical conditions surrounding the antenna structure or the presence of nearby tall structures physically impede retracting an antenna to 35 feet, the Director, or the Planning Commission on appeal, may allow an antenna structure to be retracted to a height greater than 35 feet.

73. Modify the following language in SMMC Section 9.46.060 (p. 4.43):

- B. **Recommendation to Council.** Following the public hearing, the Planning Commission shall make a recommendation on the proposed zoning amendment to the City Council. Such recommendation shall include the reasons for the recommendation, and the findings related to the criteria for zoning amendments in Section 9.46.080, and shall be transmitted to the City Council. If the matter under consideration is a proposal to reclassify a property from one zone to another and the Planning Commission has recommended against the adoption of such amendment, the City Council is not required to take any further action unless an interested party files a written request for a hearing with the City Clerk within 14 days after the Planning Commission action.

74. Modify the following language in SMMC Section 9.46.070 (p. 4.43):

- A. After receiving the report from the Planning Commission or a written request from an interested party, the City Council shall hold a duly-noticed public hearing. At least 10 days before the date of the public hearing, the Planning Division shall provide notice consistent with Chapter 9.37, Common Procedures. The notice shall include a summary of the Planning Commission recommendation. ~~If the matter under consideration is a proposal to reclassify a property from one zone to another and the Planning Commission has recommended against the adoption of such amendment, the City Council is not required to take any further action unless an interested party files a written request for a hearing with the City Clerk within 14 days after the Planning Commission action.~~

75. Modify the following language throughout the Zoning Ordinance (various pages):

~~Residential~~-Multi-Unit Residential Districts

Eg. SMMC Table 9.02.010.A (p. 1.9):

TABLE 9.02.010.A: BASE ZONING DISTRICTS	
<i>Short Name/Map Symbol</i>	<i>Full Name</i>
Single-Unit Residential District	
R1	Single-Unit Residential
Residential-Multi-Unit <u>Residential</u> Districts	
R2	Low Density Residential
R3	Medium Density Residential
R4	High Density Residential
RMH	Residential Mobile Home Park

Eg. SMMC Section 9.31.150 (p. 3.140):

The purpose of this Section is to establish standards for small grocery stores (General Markets) that serve neighborhood residents and are located in ~~Residential~~-Multi-Unit Residential Districts. The standards of this Section are intended to ensure that such stores are compatible with the scale and character of the surrounding neighborhood, and consistent with the goals, objectives, and policies of the General Plan. The following standards apply to General Markets where they are permitted or conditionally permitted in Residential Districts.

76. Modify the following language throughout the Zoning Ordinance (various pages):

Multi-Unit ~~Dwelling Structure~~

Eg. SMMC Table 9.15.020 (p. 2.80)

TABLE 9.15.020: LAND USE REGULATIONS—PUBLIC AND SEMI-PUBLIC DISTRICTS				
<i>Use Classification</i>	<i>CC</i>	<i>PL</i>	<i>OS</i>	<i>Additional Regulations</i>
Residential Uses				
Residential Housing Types	<i>See sub-classifications below.</i>			
<i>Multiple-Unit Dwelling Structure</i>	L (1)	-	-	

Eg. SMMC Section 9.25.040 (p.3.47):

B. For multi-unit ~~dwelling~~—structures or structures within a Neighborhood Conservation Overlay District, the final permit to commence construction for a replacement project has been issued, or the building or structure is exempt from this requirement pursuant to Section 9.25.020. A property maintenance plan has been approved in writing by the Director.

Council Direction

77. Modify the following language in SMMC Section 9.23.030(A)(2)(a) (p. 3.36):

- iv. The average number of bedrooms for all of the market rate units combined shall be ~~between~~ 1.2 ~~—1.5~~ or greater; and

ATTACHMENT B

Resolution Recommending to the City Council Minor Clerical Changes, Corrections, and Clarifications to the City's Zoning Ordinance

RESOLUTION NO. 16-002 (PCS)

(Planning Commission Series)

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA MONICA 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, on February 17, 2016, the Planning Commission adopted Resolution Number 16-001 (PCS) announcing its intent to consider recommending to the City Council that the Council make minor clerical changes, corrections, and clarifications to the City's Zoning Ordinance; and

WHEREAS, these proposed amendments are consistent in principle with the General Plan and with the purpose of the Zoning Ordinance to promote the growth of the City in an orderly manner and to promote and protect the public health, safety, and general welfare; and

WHEREAS, pursuant to Santa Monica Municipal Code Section 9.46.060, the Planning Commission now desires to recommend to the City Council that the Council make minor clerical changes, corrections, and clarifications to the City's Zoning Ordinance as detailed in this resolution,

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

SECTION 1. Pursuant to Santa Monica Municipal Code Section 9.46.060, the Planning Commission does hereby recommend 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

[Attachment A to the 3/16/16 Planning Commission Staff Report]