



# **ZONING TEXT AMENDMENT NO. 23-002 & MUNICIPAL CODE AMENDMENT**

ZONING UPDATE - CITYWIDE  
May 7, 2024

# REQUEST

- Zoning Text Amendment (ZTA) No. 23-002:
- Amend eight chapters of the HBZSO
- Amend Section 2.5 of the BECSP – Street Regulations
- Address common clarifications and issues that arise through the day-to-day operations
- Address emerging technologies
- Continuous effort to improve customer service
- Ensure requirements are clear to all readers and responsive to the needs of residents and business owners



# CHAPTER 230 SITE STANDARDS

- **Section 230.08.E & 230.08.G Accessory Structures - Patio Covers and Separation**
  - Codified regulations specifically related to patio covers
    - Consistent with other sections of the HBZSO
- **Section 230.12 Home Occupation Permits**
  - Clarifies the permit process for residents
  - Expands on uses that may qualify for a permit
  - Prohibits renting of home for commercial purposes
- **Section 230.68 Building Projections into Yards**
  - Codifies code interpretation for eaves
    - Consistent with other sections of the HBZSO
  - Removes inconsistent language for side yard setbacks



# CHAPTER 230 SITE STANDARDS

- **Section 230.88 Fencing and Yards**

- Removes setback provision for walls/fences in the RMH-A zone (25 ft. wide lots)
- Increased height of fences and walls up to a maximum of eight feet without a CL
  - Requires building permit and engineering
- Clarifies what is considered open lattice wall extension
- Removes property owner notification for lattice extensions



# CHAPTER 231 OFF STREET PARKING AND LOADING PROVISIONS

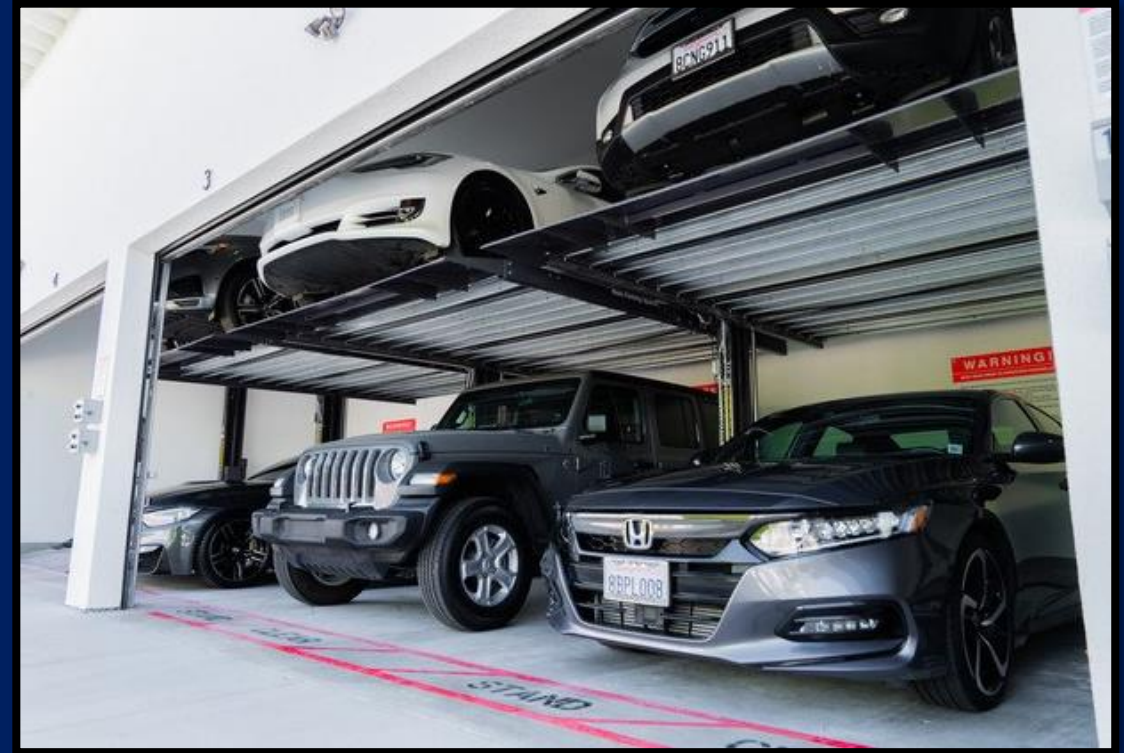
- Section 231.02.G Basic Requirements for Off-Street Parking and Loading
- New section to include provisions for Space Efficient Parking
  - Mechanical Stackers/Lifts
- Residential Uses
  - Only for single-family residences
  - Surplus parking only
- Commercial/Industrial
  - Up to 20% of required parking – CUP to ZA
  - 21%-40% of required parking – CUP to PC
  - Requires attendant

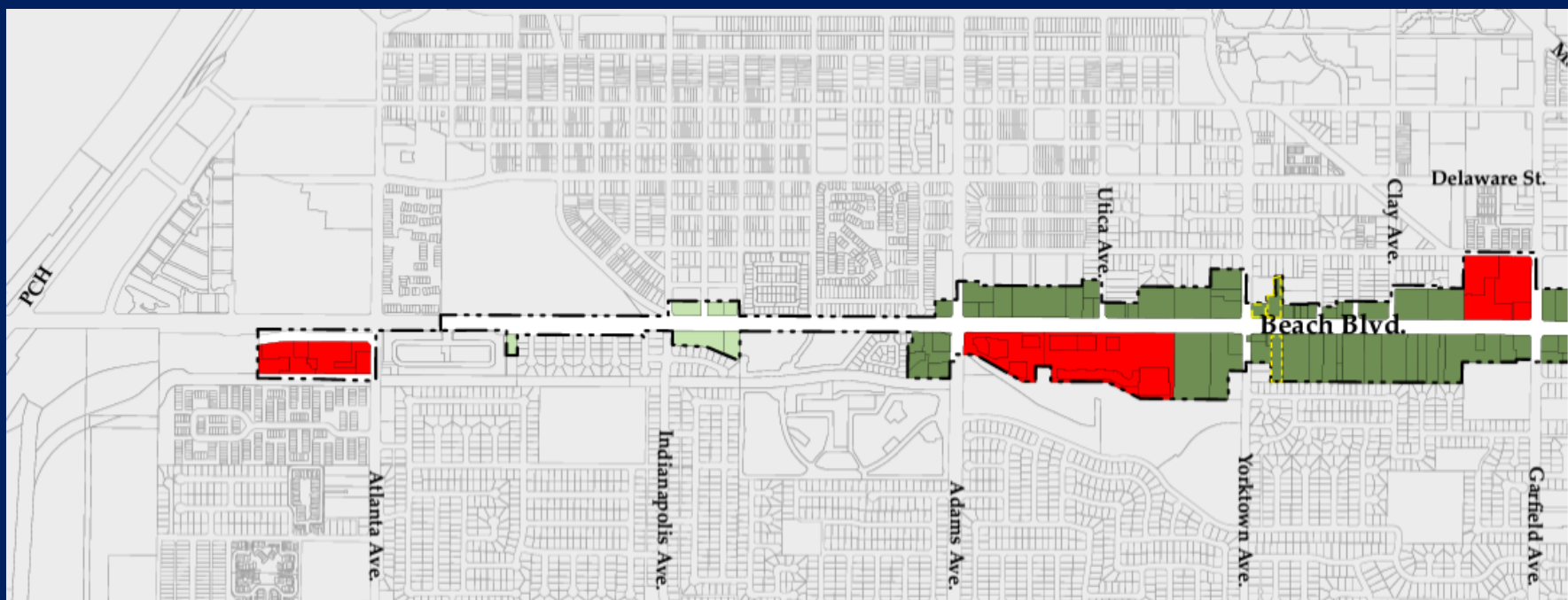
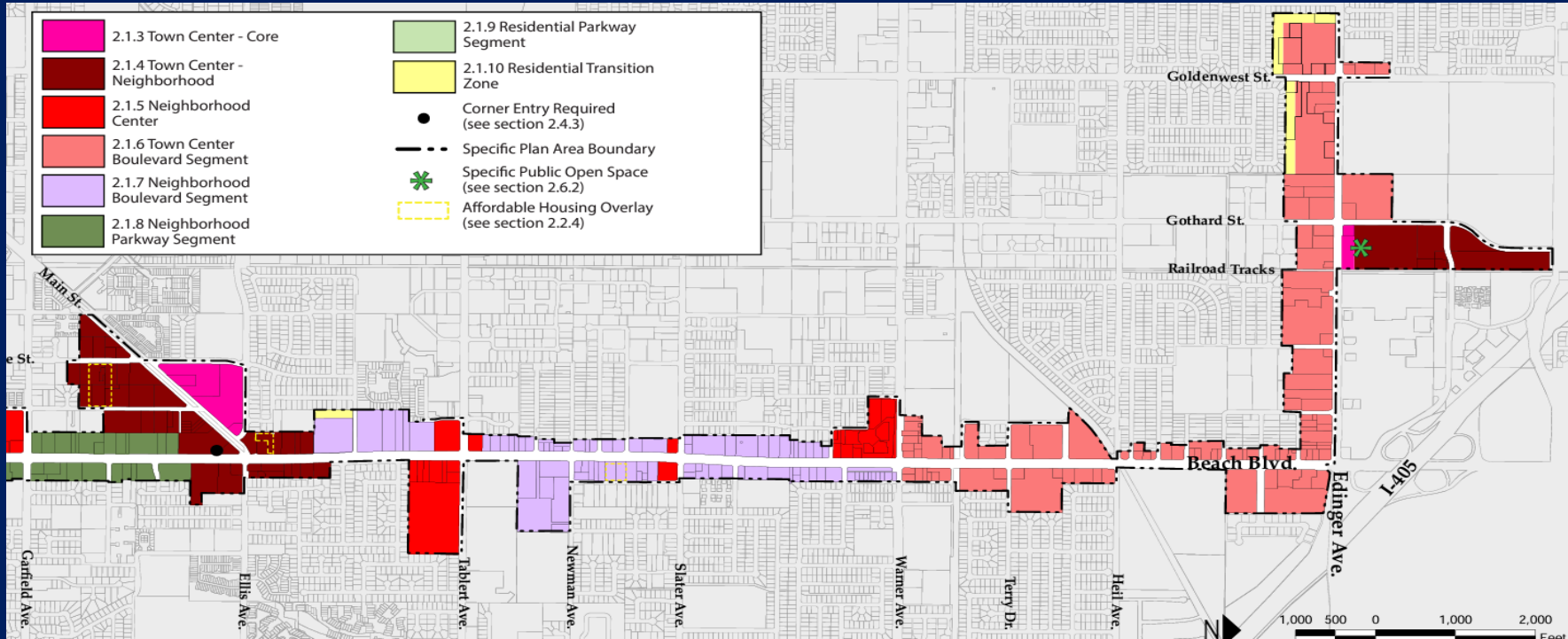




# CHAPTER 231 OFF STREET PARKING AND LOADING PROVISIONS

- Section 231.02.G Basic Requirements for Off-Street Parking and Loading cont.
- Mechanical Parking Design
  - Fully screened and enclosed
  - No more than one vehicle may be stacked over another vehicle
  - Subject to review by the Design Review Board
- Operations
  - May not queue into the public right-of-way
  - Covenant for operation and attendant
  - Back up generator with manual



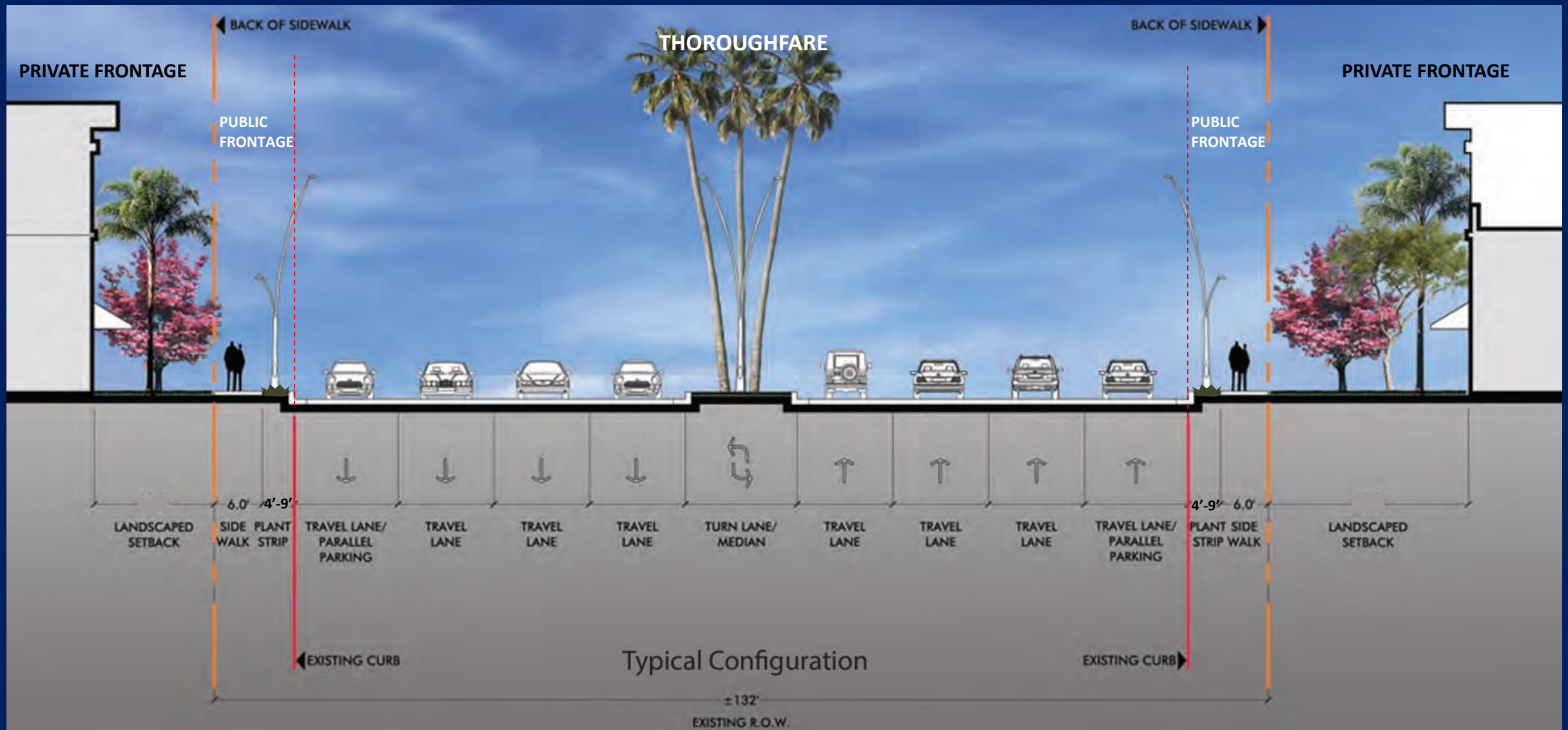


# BECSP - SECTION 2.5: STREET IMPROVEMENTS

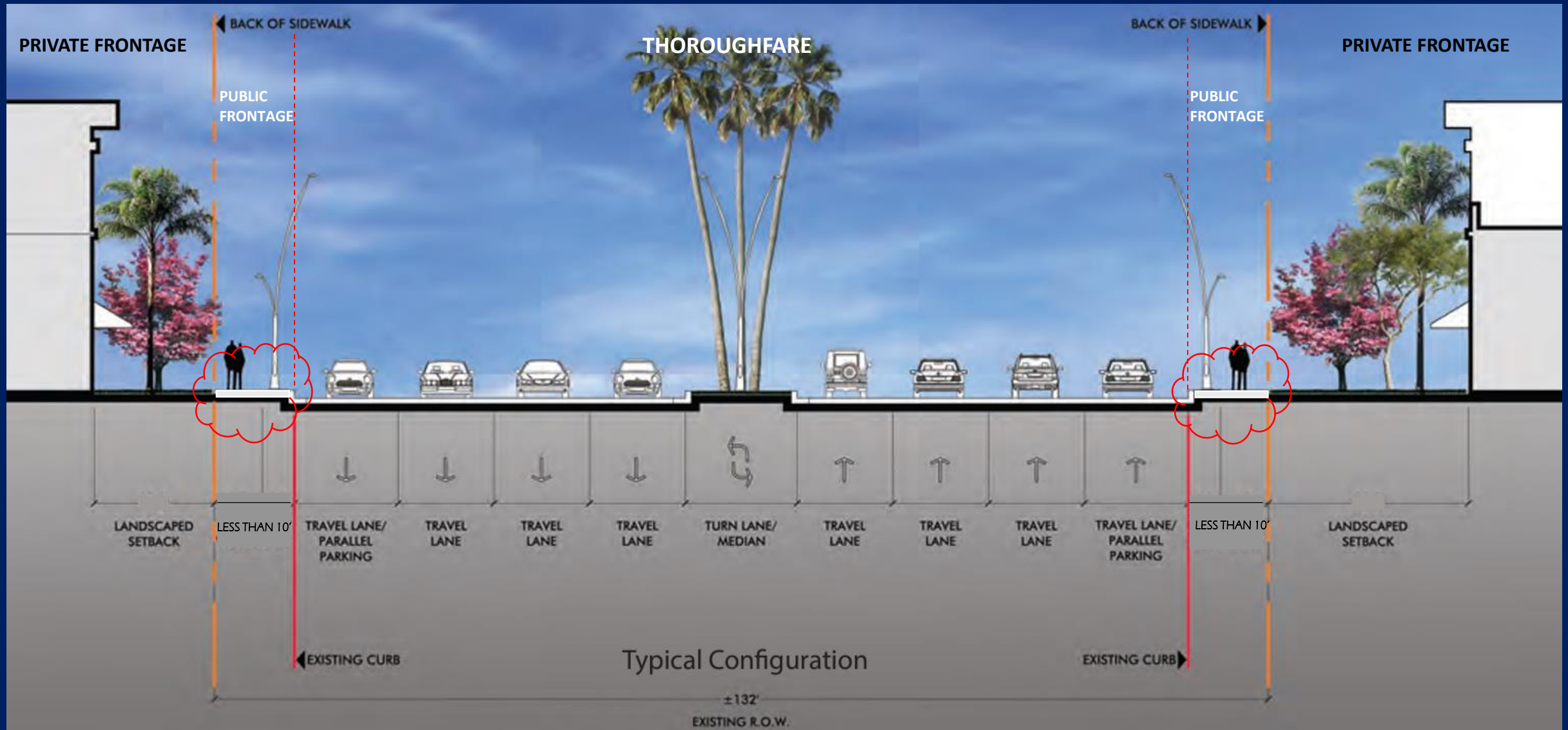
- Street Improvements required in major approved developments
  - New sidewalk, curbs, landscaping, dedications
  - Beach Blvd. owned by Caltrans
  - Many existing sidewalk widths do not comply with BECSP
  - Need for the property owner to offer to dedicate a portion of their property to Caltrans
- Added language to expand requirements to allow for alternative design for narrower rights-of-way







- Currently: BECSP requires 6 ft. wide sidewalks and a range of 4 ft. -9 ft. wide plant strip
- Existing ROW ranges between 7 ft. – 15 ft. wide



- Proposed: No landscape requirement for ROW less than 10 ft. wide



# BECSP - SECTION 2.5: STREET IMPROVEMENTS

- Eliminated street improvement waiver language
  - Added process for alternative improvements
- Added language to clarify timing of certain street improvements
  - Eliminated in-lieu fee language
  - Improvements occur during development
- Expanded allowable tree species in right-of-way



# MUNICIPAL CODE AMENDMENT

- July 2021: City approved Middle Income Housing Program
  - Created 649 middle-income housing units at Elan and Breakwater.
  - Acquired through Joint Powers Authority with tax exempt bonds
  - Requires City to forgo property tax revenue for up to 30 years
- September 2023: City Council considered a potential charter amendment to require a vote of the people if the City were to approve another middle-income housing program that requires the City to forgo property tax revenue
  - Final direction was to bring forward as an ordinance for Council consideration rather than a Charter amendment
- Proposed ordinance requires
  - Affirmative vote of a majority of the City Council
  - Affirmative vote of the electors voting on a proposition in a general or special election





# RECOMMENDATION

- The Planning Commission and Staff recommend approval of Zoning Text Amendment No. 23-002 based on the following:
  - Consistent with General Plan goals and policies.
  - Cleans up the HBZSO and BECSP to improve clarity, address deficiencies, and maintain currency;
  - Codifies existing policies and code interpretations and allows select entitlement requests to be permitted by right; and
  - Results in better customer service by providing clear requirements as well as prompt and cost-effective review process.
- The City Council is also requested to consider approval of Ordinance No. 4322 to add Chapter 3.60 to the HBMC related to Joint Exercise of Power of Agreements for Middle Income Housing developments.



# Questions?

