

RESOLUTION NO. PC 26-XX

**A RESOLUTION OF THE MANHATTAN BEACH PLANNING COMMISSION
RECOMMENDING CITY COUNCIL ADOPTION OF THE PROPOSED OMNIBUS
ZONE TEXT AMENDMENTS TO THE MANHATTAN BEACH MUNICIPAL CODE
AND MANHATTAN BEACH LOCAL COASTAL PROGRAM**

THE MANHATTAN BEACH PLANNING COMMISSION DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. On July 8, 2026, the Planning Commission conducted a duly noticed public hearing to consider proposed zone text amendments to the Manhattan Beach Municipal Code (“MBMC”) and the Manhattan Beach Local Coastal Program (“MBLCP”) to clarify existing regulations, ensure internal consistency, and maintain compliance with State laws, during which the Planning Commission received a presentation by staff and testimony from members of the public. The Planning Commission also received and reviewed written testimony received by the City prior to the public hearing.

SECTION 2. The Planning Commission hereby makes the following findings:

- A. The proposed zone text amendments clarify, refine, and supplement existing regulations, and establish new regulations to the following chapters or sections of the MBMC and MBLCP:
- MBMC Section 10.01.060 (Applicability of land use and development regulations.)
 - MBMC Section 10.04.030/MBLCP Section A.04.030 (Definitions)
 - MBMC Section 10.12.030/MBLCP Section A.12.030 (Property development regulations: RS, RM, and RH districts)
 - MBMC Section 10.52.050/MBLCP Section A.52.050 (Accessory structures)
 - MBMC Chapter 10.68 (Nonconforming uses and structures)
 - MBMC Section 10.84.120 (Minor exceptions)

The proposed zone text amendments would also repeal MBMC Section 10.52.040/MBLCP Section A.52.040 (Religious assembly yard requirements).

- B. The project qualifies for a Categorical Exemption from the California Environmental Quality Act (CEQA) pursuant to Sections 15301 (Existing Facilities), 15303 (New Construction or Conversion of Small Structures), and 15305 (Minor Alterations in Land Use Limitations) of the State CEQA Guidelines as described below:
- CEQA Guidelines Section 15301 (Existing Facilities) applies to the proposed amendments to MBMC Section 10.04.030 and MBLCP Section A.04.030 (Definitions), MBMC Section 10.12.030 and MBLCP Section A.12.030 (Property development regulations: RS, RM, and RH districts), the swimming pools and hot tubs portion of MBMC Section 10.52.050 and MBLCP Section A.52.050 (Accessory Structures), and MBMC Section 10.84.120 (Minor exceptions). These amendments serve to clarify existing definitions and development standards that apply to existing facilities that result in negligible or no expansion of those facilities.
 - CEQA Guidelines Section 15303 (New Construction or Conversion of Small Structures) also applies to the proposed amendments to MBMC Section 10.04.030 and MBLCP Section A.04.030 (Definitions), and MBMC Section 10.12.030 and MBLCP Section A.12.030 (Property development regulations: RS, RM, and RH districts), as well as the entirety of the amendments to MBMC Section 10.52.050 and MBLCP Section A.52.050 (Accessory Structures). These amendments are applicable to the calculation of building ratios, setbacks, height, and small structure placement on parcels when new construction of single-family residences, duplexes, small apartment projects (less than six units), utility extensions, swimming pools, fences, and hedges are proposed.
 - CEQA Guidelines Section 15305 (Minor Alterations in Land Use Limitations) applies to the amendments to MBMC Section 10.52.040 and MBLCP Section A.52.040 (Religious assembly yard requirements), as well as the utility cabinets portion of MBMC Section 10.52.050 and MBLCP Section A.52.050 (Accessory structures). These amendments establish minor changes in development standards for religious assembly uses to be consistent with other similarly situated uses and allow utility cabinets immediately adjacent to the public right-of-way in instances where placement in the public right-of-way is not possible.

Additionally, the proposed amendments to MBMC Section 10.01.060 (Applicability of land use and development regulations), and MBMC Chapter 10.68 (Nonconforming uses and structures)

are covered by the common sense exemption established by CEQA Guidelines Section 15601(b)(3), which exempts projects that can be seen with certainty to have no possible significant effect on the environment. These proposed amendments make changes to text and graphics for consistency purposes only, and have no impact on policy, code interpretation, applicability, or physical changes to the environment.

- C. The proposed zone text amendments have been prepared in accordance with Government Code Section 65853 et seq.

- D. The proposed zone text amendments are consistent with the policies of the General Plan, including the Land Use (LU) Element and Housing (H) Element Policies because they clarify and refine existing development standards without changing allowable development intensity or neighborhood scale. The amendments support the following General Plan policies related to building design, private open space, and the preservation of residential neighborhood character by improving clarity and application of existing regulations.
 - LU Policy 1.2. Require the design of all new construction to utilize notches, balconies, rooflines, open space, setbacks, landscaping, or other architectural details to reduce the bulk of buildings and to add visual interest to the streetscape. The modifications to the definitions, property development regulations, accessory structures, and minor exceptions provide clarity to how the city interprets and enforces setback and landscaping requirements already contained in the zoning code. This will help continue to reduce the bulk of buildings and add visual interest to the streetscape.

 - LU Policy 2.2 Preserve and encourage private open space on residential lots citywide. The modifications to the definitions, property development regulations, and minor exceptions provide clarity to how the city interprets and enforces setback and landscaping requirements already contained in the zoning code. This will help continue the preservation and encouragement of private open space on residential lots citywide.

 - LU Policy 3.1 Continue to encourage quality design in all new construction. The modifications to the definitions, property development regulations, accessory structures, and non-conforming uses and structures provide clarity to how the city interprets and enforces setback, height measurements, and structure requirements already contained in the zoning code. This will help staff continue to encourage quality design in all new construction.

 - H Policy 1.1 Preserve the scale of development in existing residential neighborhoods. The modifications to the definitions, property development regulations, accessory structures, non-conforming uses and structures, and minor exceptions provide clarity to how the city interprets and enforces setback, height measurements, and structure requirements already contained in the zoning code. This will help ensure continued preservation of the scale of development in existing residential neighborhoods.

Additionally, the proposed zone text amendments are consistent with the General Plan in that they uphold, and do not hinder, its policies and implementation measures. The amendments support coastal residential policies related to building scale and bulk control by improving clarity and consistency in the application of existing regulations.

- Policy II.B.1 Maintain building scale in coastal zone residential neighborhoods consistent with Chapter 2 of the Implementation Plan. The modifications to the definitions, property development regulations, accessory structures, non-conforming uses and structures, and minor exceptions provide clarity to how the city interprets and enforces setback, height measurements, and structure requirements already contained in the zoning code. This will help ensure maintenance of building scale in coastal zone residential neighborhoods.

- Policy II.B.2. Maintain residential building bulk control established by development standards in Chapter 2 of the Implementation Plan. The modifications to the definitions, property development regulations, accessory structures, and minor exceptions provide clarity to how the city

interprets and enforces setback and landscaping requirements already contained in the zoning code. This will help continue to maintain and reduce the bulk of residential buildings.

- E. The proposed zone text amendments are consistent with the purposes of Title 10 (Planning and Zoning) in that the provisions are intended to protect and promote the public health, safety, and general welfare.

SECTION 3. The Planning Commission hereby recommends that the City Council adopt the zone text amendments to the MBMC and MBLCP, substantially as set forth in Exhibit "A" and Exhibit "B", respectively, which are incorporated herein by reference.

SECTION 4. The Planning Commission's recommendation is based upon each of the totally independent amendments and separate grounds for each stated herein, each of which stands alone as a sufficient basis for its decision.

SECTION 5. The Secretary of the Planning Commission shall certify to the adoption of this Resolution and shall make this resolution readily available for public inspection.

July 8, 2026

I hereby certify that the following is a full, true, and correct copy of the Resolution as **ADOPTED** by the Planning Commission at its regular meeting on **July 8, 2026**, and that said Resolution was adopted by the following vote:

- AYES:**
- NOES:**
- ABSTAIN:**
- ABSENT:**

Rachel Hackett
Planning Commission Chair

ATTEST:

Adam Finestone, AICP
Secretary to the Planning Commission

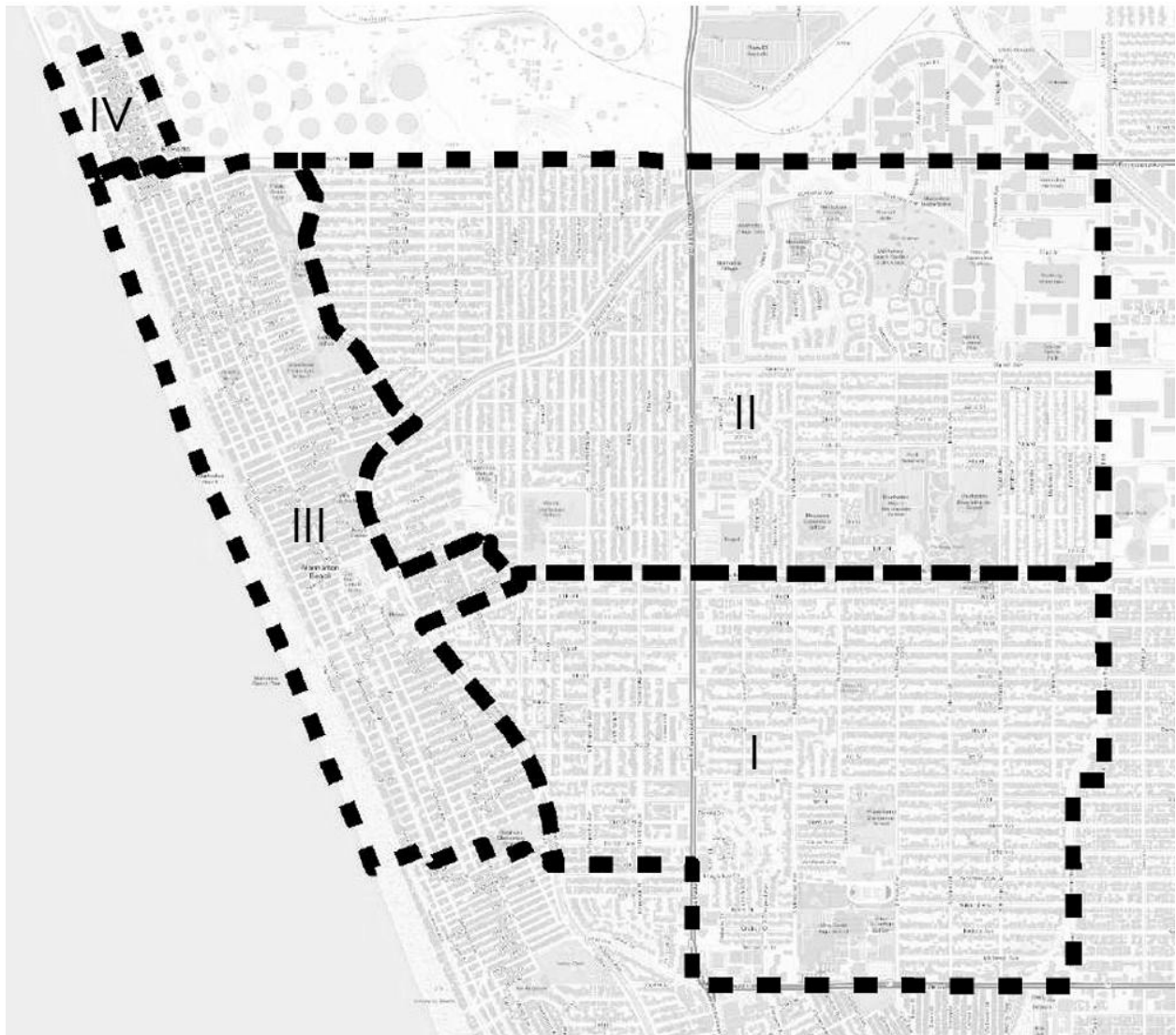
Rayvin Dennis
Recording Secretary

- Exhibit**
Exhibit A: Amended Manhattan Beach Municipal Code
Exhibit B: Amended Manhattan Beach Local Coastal Program

Exhibit A

10.01.060 Applicability of land use and development regulations.

- A. **Zoning Designation System.** Land use and development regulations applicable to specific sites shall be shown on the zoning map by zoning and area district designations consisting of classes of letter designators:
1. **A land use regulations designator**, indicating the principal land uses permitted or conditionally permitted in each zoning district, shall be a component of all zoning designations.
 2. **An Area District boundary designator**, indicating a geographic area of the City (I, II, III, or IV) where specific zoning regulations and development standards apply. For reference, the four Area Districts are illustrated in the figure on the following page.
 3. **Overlay district designators** shall be included in a zoning designation if the provisions of one or more overlay districts are applicable to a site.
- B. **Establishment of Base Zoning Districts.** Base zoning districts into which the city is divided are established as follows:



Base District Designator	Base District Name	Chapter*
RS	Single-Family Residential	12
RM	Medium-Density Residential	12
RH	High-Density Residential	12
RPD	Residential Planned Development	12
RSC	Residential Senior Citizen	12
CL	Local Commercial	12
CC	Community Commercial	16
CG	General Commercial	16
CD	Downtown Commercial	16
CNE	North End Commercial	16
IP	Industrial Park	20
OS	Open Space	24
PS	Public and Semipublic	28
PD	Planned Development	32

*For details see Part II.

C. **Establishment of Overlay Zoning Districts.** Overlay zoning districts, one or more of which may be combined with a base district, are established as follows:

Overlay District Designator	Overlay District Name	Chapter*
IS	Interim Study	36
NC	Neighborhood Conservation	40
D	Design	44
CZ	Coastal Zone	48
ROD	Residential Overlay District	50

*For details see Part III.

D. **References to Classes of Base Districts.** References to R districts refer to all residential districts; references to C districts refer to all commercial districts; and references to an I district shall refer to the IP Industrial Park district.

(Ord. No. 1832, Amended, 01/17/91; Ord. No. 1838, Renumbered, 07/05/91)

10.04.030 Definitions.

***Portions of this section were amended and adopted per Ord No. 26-0009, but not in effect until August 7, 2026.**

Abutting or adjoining: Having district boundaries or lot lines in common.

Acre, Gross: A measure of land area.

Acre, Net: A measure of developable land area, after excluding existing dedicated rights-of-way and flood control and drainage easements.

Alley: A public way having a width of not more than twenty feet (20') permanently reserved primarily for vehicular service access to the rear or side of properties otherwise abutting on a street.

Alter: To make a change in the exterior appearance or the supporting members of a structure, such as bearing walls, columns, beams, or girders, that will prolong the life of the structure.

Alteration: (See Alter).

Alternative-fuel Vehicle Charging Systems: Equipment used to recharge a vehicle that uses alternative energy as fuel, such as compressed natural gas (CNG), electricity or other non-petroleum derived fuels.

Amendment: A change in the wording, context or substance of this title, or a change in the district boundaries on the zoning map.

Animal, Domestic: Small animals of the type generally accepted as pets, including dogs, cats, rabbits, hens, fish and the like, but not including roosters, ducks, geese, pea fowl, goats, sheep, hogs or the like.

Animal, Exotic: Any wild animal not customarily confined or cultivated by man for domestic or commercial purposes but kept as a pet or for display.

Animal, Large: An animal larger than the largest breed of dogs. This term includes horses, cows, and other mammals customarily kept in corrals or stables.

Animal, Small: An animal no larger than the largest breed of dogs. This term includes fish, birds, and mammals customarily kept in kennels.

Area District: One of four areas designated on the zoning map for purposes of defining property development regulations that establish minimum lot areas, minimum yards, and maximum area coverage appropriate for that area.

Area, Lot, Parcel, or Site: The horizontal area within the property lines excluding public-access corridors, flood control and drainage easements, vehicular easements, and areas to be included in future street rights-of-way as established by easement, dedication, or ordinance.

Areas, Specified Anatomical: Human genitals (pubic region), buttocks, or female breasts below a point immediately above the upper line or curve of the areola when less than completely and opaquely covered; or human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Balcony: A cantilevered platform that projects from the wall of a building, typically above the first level, and is surrounded by a rail, balustrade or parapet not exceeding forty-two inches (42") above the platform surface.

Basement: Any floor level, or portions thereof, below the first story in a building. Any building having only one floor level shall be classified as a basement unless such a floor level qualifies as a first story as defined herein. A floor level may be divided between portions qualifying as a basement and portions qualifying as a story. Any portion qualifying as a story shall be considered to have a minimum dimension of twenty feet (20') measured perpendicular from the outside face(s) of the exterior building wall(s), which disqualifies that area as a basement (see graphic illustration).



Blockface: The properties abutting on one side of a street and lying between the two nearest intersecting or intercepting streets, or nearest intersecting or intercepting street and railroad right-of-way, unsubdivided land, watercourse, or city boundary.

Body Art: Term for any activity or combination of activities defined herein as tattooing and/or body piercing. It shall not include activities such as, or similar to, cutting of the skin or subcutaneous tissue, cutting or modification of cartilage or bone, implantation, branding, deep tissue penetration, threading, stapling or any other invasive procedure, which constitutes the practice of medicine requiring license as a physician and a business operated as a medical clinic.

Body Art Studio: A business located on permanent premises or facility used or operated in whole or in part as a tattoo or body piercing studio. This use excludes "body piercing, incidental," as defined in this Section 10.04.030.

Body Piercing: Penetration of the skin to make, generally permanent in nature, a hole, mark, or scar.

Body Piercing, Incidental: The provision of ear-piercing or similar services as an incidental part of a retail sales establishment, with majority of the business consisting of related retail sales.

Building: Any structure having a roof supported by columns or walls for the housing or enclosure of persons, animals, chattels, or property of any kind. Buildings or portions of buildings that are attached by a minimum of 6 feet of common wall or a solid roof area having a minimum eight foot (8') dimension in all horizontal directions shall be considered a single building.

Bulk Storage: A large or primary area devoted to the storage of stock merchandise in enclosed areas inaccessible to the public, incidental to a primary use.

Caretaker's quarters: A dwelling unit on the site of a commercial, industrial, public, or semipublic use, occupied by a guard or caretaker.

Cellar: (See Basement).

Chimney: A hollow shaft containing one or more passageways, vertical or nearly so, for conveying products of combustion to the outside atmosphere.

City: The City of Manhattan Beach.

Cluster, Building: A group of buildings located in close proximity to each other and oriented towards a visible area of focus, which is separated from other groups of buildings on the same site by a large average distance.

Coastal Zone: A geographic zone adjacent to the shoreline, the boundaries of which are determined by the California Coastal Act of 1976, as amended.

Collection Buildings: Buildings with a gross floor area of two hundred twenty-five (225) square feet or less used for the deposit and storage of household articles or recyclables donated to a nonprofit organization.

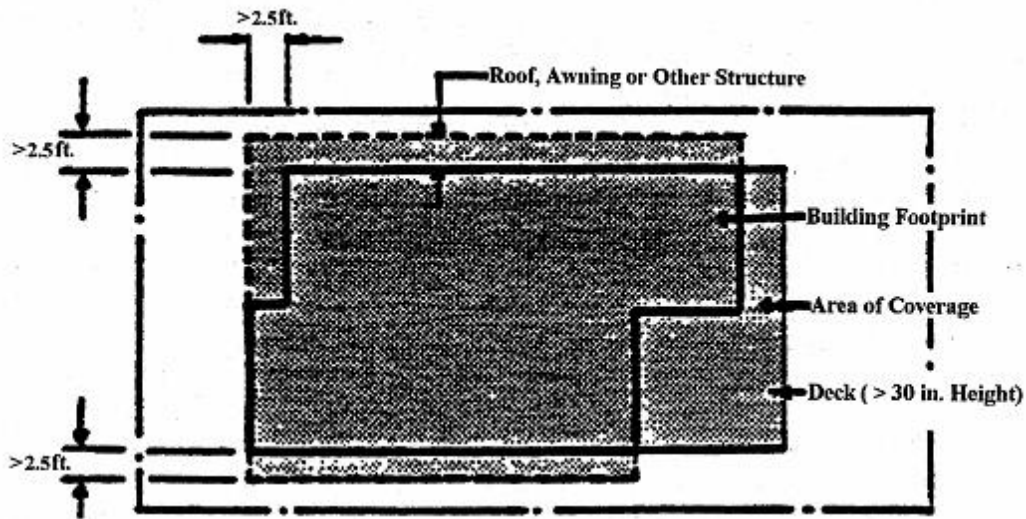
Conditionally Permitted: Permitted subject to approval of a conditional use permit or temporary conditional use permit.

Condominium: An estate in real property consisting of an undivided interest in common in a portion of a parcel of real property together with a separate interior space in a residential, industrial or commercial building on

the real property, such as an apartment, office or store. A condominium may include, in addition, a separate interest in other portions of the real property.

Conforming Building: A building that fully meets the requirements of Title 9 (Building Regulations) and also conforms to all property-development regulations and requirements prescribed for the district in which it is located.

Coverage, Lot or Site: The percentage of a site covered by roofs, soffits, or overhangs extending more than two and one-half feet (2.5') from a wall and by decks more than thirty inches (30") in height.



LOT COVERAGE

Daylight Plane: An inclined plane, beginning at a stated height above grade at a side or rear property line, and extending into the site at a stated upward angle to the horizontal, which may limit the height or horizontal extent of structures at any specific point on the site where the daylight plane is more restrictive than the height limit or the minimum yard applicable at such point on the site.

Deck: A platform, either free-standing or attached to a building, but without a roof, that is supported by pillars, posts, or walls (see also: Balcony).

Distribution Line: An electric power line bringing power from a distribution substation to consumers.

District: A portion of the City within which the use of land and structures and the location, height, and bulk of structures are governed by this ordinance. This ordinance establishes "area districts," "base zoning districts" for residential, commercial, industrial, public and open space uses, and "overlay districts," which modify base district regulations.

Dwelling, Multi-family: A building containing two (2) or more dwelling units.

Dwelling, Single-Family: A building containing one (1) dwelling unit.

Dwelling Unit: One (1) or more rooms with a single kitchen, designed for occupancy by one (1) family for living and sleeping purposes.

Environmental Impact Report (EIR): A report complying with the requirements of the California Environmental Quality Act (CEQA) and its implementing guidelines.

Exemption, Categorical: An exception from the requirements of the California Environmental Quality Act (CEQA) for a class of projects, based on a finding by the California Secretary for Resources that the class of projects does not have a significant effect on the environment.

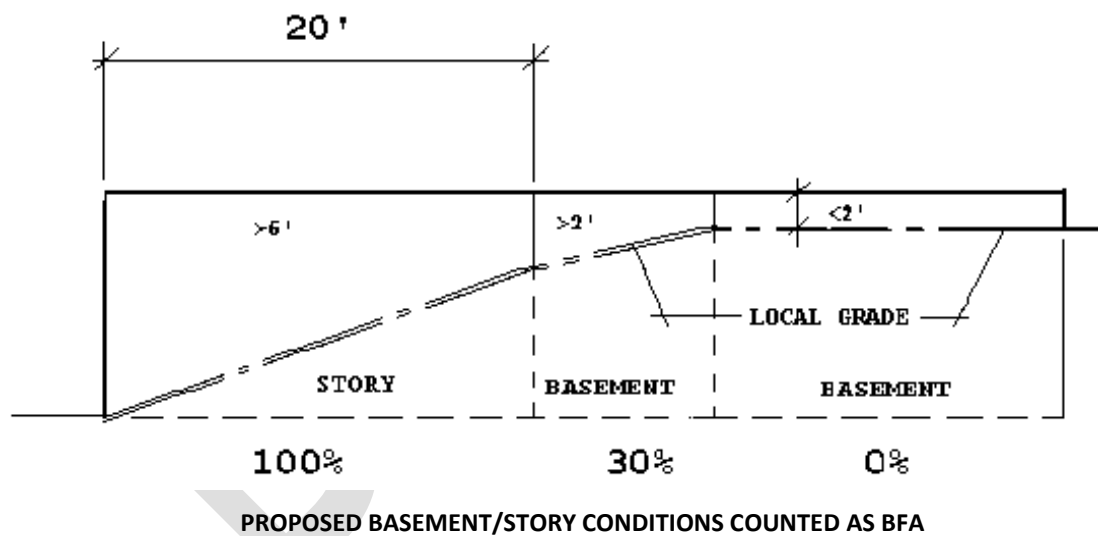
Family: A single individual or two (2) or more persons living together as a single housekeeping unit in a dwelling unit.

Floor Area, Buildable: The total enclosed area of all stories of a building, including stairs, measured to the outside face of the structural members in exterior walls, and thirty percent (30%) of the area of all basements of a building that are not entirely below local grade, but excluding floor area under stairs, the area of stairs on the top most floor, vertical shafts, and those portions of a basement that are entirely below grade (see graphic illustration). The following elements are also excluded from a determination of buildable floor area:

Commercial and Industrial Districts: That area used exclusively for vehicle parking and loading and in service and mechanical rooms, enclosed vertical shafts, or elevators.

Single-family Residential Districts: That area used for vehicle parking and loading, up to four hundred (400) square feet on lots where two (2) enclosed parking spaces are required and provided, and up to six hundred (600) square feet where three (3) enclosed parking spaces are required and provided. Up to two hundred (200) square feet of basement area for purposes of storage and mechanical equipment use. Basement areas located entirely below local grade, and the related wells if they are the minimum size required by the UBC. A condition of "entirely below local grade" exists where the vertical dimension between the local grade elevation and finished floor of the next floor above is no greater than two feet (2').

Multi-family Residential Districts: That area used exclusively for vehicle parking and loading. Up to two hundred (200) square feet of basement area for purposes of storage and mechanical equipment use. Basement areas located entirely below local grade, and the related wells if they are the minimum size required by the UBC. A condition of "entirely below local grade" exists where the vertical dimension between the local grade elevation and finished floor of the next floor above is no greater than two feet (2').



Floor Area Factor (FAF): The factor utilized in determining buildable floor area.

Floor Area, Gross: The total area of all floors of a building measured to the outside face of the structural members in exterior walls, and including halls, stairways, vertical shafts (including elevators and vent shafts), and unenclosed usable areas not surrounded by exterior walls which are under a horizontal projection of a solid roof or floor above. In addition, the following shall be included: basements, garages and covered supports.

Floor Area, Gross Leasable: The total leasable area within a building, excluding spaces shared by multiple tenants such as, but not limited to: lobbies, circulation (including hallways, elevators and stairs), utility and mechanical equipment rooms, and public restrooms.

General Plan: The City of Manhattan Beach General Plan, as amended.

Grade, Existing: The surface of the ground or pavement at a stated location as it exists prior to disturbance in preparation for a project regulated by this title.

Grade, Ground Level Finished (Grade, Finished): The proposed surface of the ground or pavement at a stated location following disturbance of existing grade.

Grade, Local: The ground elevation adjacent to a specified location on the exterior of a building (existing or finished, whichever is lower). It is to be taken as the lowest point on a line between the location specified and the nearest property line if the property line is within five feet (5') of the building, or, if not, between the building and a point five feet (5') outward from the building. For purposes of determining height above or below grade for a specified location on a building not on its perimeter, the local grade shall be considered to be the local grade corresponding to the nearest perimeter location.

Grade, Street: The top of the curb, or the top of the edge of the pavement or traveled way where no curb exists.

GRADE STANDARDS

Greywater Retention/Detention Features: A device or system designed to collect, store, and transport greywater, as defined by the California Plumbing Code, which may include tanks, valves, filters, pumps, or other appurtenances along with piping.

Guest House (or Accessory Living Quarters): Any living area located within a main or an accessory building that does not have direct interior access to the dwelling unit. Such quarters shall have no kitchen facilities, and shall not be rented or otherwise used as a separate dwelling unit. Such guest quarters, or accessory living quarters, shall be permitted only on a lot with one single family residence. Guest House, or accessory living quarters, shall be a maximum of 500 square feet in size, limited to one habitable room, and contain a maximum of three plumbing fixtures. This definition does not include an accessory dwelling unit as defined in Chapter 10.74.

Height: A vertical dimension measured from local grade, unless otherwise specified.

Hedge: A continuous or substantially continuous linear arrangement of shrubs, small trees, or other woody vegetation, planted or maintained to form a screen, buffer, boundary, or ornamental landscape feature. Minor gaps for access or plant replacement do not negate the existence of a hedge. **Home Occupation:** Occupations conducted in a dwelling unit or accessory building in a residential district that are incidental to the principal residential use of a lot or site.

Illumination, Direct: Illumination by means of light that travels directly from its source to the viewer's eye.

Illumination, Indirect: Illumination by means only of light cast upon an opaque surface from a concealed source.

Kitchen: A room or other interior space designed, intended or used for the preparation of food.

Landscaping: An area devoted to or developed and maintained with native or exotic plantings, lawn, ground cover, gardens, trees, shrubs, and other plant materials, decorative outdoor landscape elements, pools, fountains, water features, paved or decorated surfaces of rock, stone, brick, block, or similar material (excluding driveways, parking, loading, or storage areas), and sculptural elements. Plants on rooftops, porches or in boxes attached to buildings are not considered landscaping.

Landscaping, Interior: A landscaped area or areas within the shortest circumferential line defining the perimeter or exterior boundary of the parking or loading area, or similar paved area, excluding driveways or walkways providing access to the facility (as applied to parking and load facilities or to similar paved areas).

Landscaping, Perimeter: A landscaped area adjoining and outside the shortest circumferential line defining the exterior boundary of a parking or loading area, or similar paved area, excluding driveways or walkways providing access to the facility (as applied to parking and loading facilities or to similar paved areas).

Lot: A site or parcel of real property delineated with a number or other separate designation on a plat duly recorded in the office of the County Recorder.

Lot, Corner: A site bounded by two (2) or more adjacent street or alley property lines that have an angle of intersection of not more than one hundred thirty-five degrees (135°).

Lot Depth: The horizontal distance from the midpoint of the front-lot line to the midpoint of the rear-lot line, or to the most distant point on any other lot line where there is no rear-lot line.

Lot, Flag: A lot in the approximate configuration of a flagpole, panhandle, or signpost, with the pole or post functioning primarily as a vehicular access way to the main body of the lot from the street of access wherein the lots or parcels of land are laid out one (1) behind the other, with only one (1) lot or parcel of land (referred to as the front lot) having frontage on a public street, and the flag lot located behind the front lot with access to the public street via other than a driveway or access easement.

Lot, Key: The first lot to the rear of a reverse corner lot, whether or not separated by an alley.

Lot or Property Line, Rear: A lot line, not a front lot line, that is parallel or approximately parallel to the front lot line. Where no lot line is within forty-five degrees (45°) of being parallel to the front lot line, a line ten feet (10') in length within the lot, parallel to and at the maximum possible distance from the front lot line, shall be deemed the rear lot line.

Lot or Property Line, Front: The street or alley property line of an interior lot. The front property line of a corner lot shall be the shorter street or alley property line, provided that where one street or alley property line is at least 75% of the length of the other street or alley property line, the Community Development Director shall determine the location of the front property line. In no case shall the front property line of a street-alley lot be an alley that is approximately parallel to the street. For a flag lot, the front property line shall be the shorter lot line located at the edge of the flag pole, such as driveways or access easements. The front lot line shall begin where the flag pole intersects the flag portion of the lot or exceeds 30 feet in width.

Lot or Property Line, Interior: A lot line not abutting a street.

Lot or Property Line, Side: Any lot line that is not a front lot line or a rear lot line.

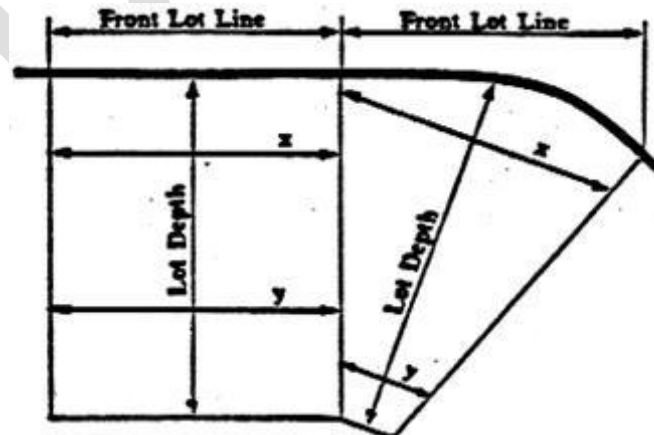
Lot or Property Line, Street: A lot line abutting a street.

Lot, Reverse Corner: A corner lot, the side street line of which is substantially a continuation of the front lot line of the lot upon which the rear of said corner lot abuts.

Lot, Street-Alley: A lot having frontage on a street and an alley.

Lot, Through: A site bounded by parallel, or approximately parallel, street property lines that are not side property lines.

Lot Width: The mean of the horizontal distance between the side lot lines measured at right angles to the lot depth at points twenty feet (20') from the front lot line and twenty feet (20') from the rear lot line, or from the rearmost point of the lot depth in cases where there is no rear lot line.



$$\text{Lot Width} = (x + y)/2$$

LOT DEPTH AND LOT WIDTH

Maintenance and Repair: Reconstruction or renewal of any part of an existing building for the purpose of its preservation.

Manufactured Home: A modular housing unit on a permanent foundation that conforms to the National Manufactured Housing Construction and Standards Act. For purposes of this definition, a mobile home is considered a manufactured home.

Mezzanine: An intermediate floor placed within a room, and meeting the requirements of a mezzanine contained in the Building Regulations (Title 9, Chapter 9.01 of the Municipal Code).

Multi-Family Transient Use: Rental or lease of a multi-family dwelling unit for a period of less than thirty (30) days.

Municipal Code: The Municipal Code of the City of Manhattan Beach, as amended.

Nonconforming Structure: A structure that was lawfully erected but which does not conform with the standards for yard spaces, height of structures, or distances between structures prescribed in the regulations for the district in which the structure is located by reason of adoption or amendment of this title or by reason of annexation of territory to the City.

Nonconforming Use: A use of a structure or land that was lawfully established and maintained, but which does not conform with the use regulations or required conditions for the district in which it is located by reason of adoption or amendment of this title or by reason of annexation of territory to the City.

Off-Street Loading Facilities: A site or portion of a site devoted to the loading or unloading of motor vehicles or trailers, including loading berths, aisles, access drives, and landscaped areas.

Off-Street Parking Facilities: A site or portion of a site devoted to the off-street parking of motor vehicles, including parking spaces, aisles, access drives, and landscaped areas.

Open Space, Private: A usable open space adjoining and directly accessible to a dwelling unit, reserved for the exclusive use of residents of the dwelling unit and their guests.

Open Space, Shared: A usable open space within a residential development reserved for the exclusive use of residents of the development and their guests.

Open Space, Total: The sum of private open space and shared open space.

Open Space, Usable: Outdoor or unenclosed area on the ground, or on a balcony, deck, porch or terrace designed and accessible for outdoor living, recreation, pedestrian access or landscaping, that is not covered by more than 75% buildable floor area, and has a minimum dimension of five feet in all directions, and a minimum area of 48 square feet; minus any parking facilities, driveways, utility or service areas, required egress wells, or any required front or side yards.

Opposite: Walls, windows, signs, districts, or property lines shall be deemed opposite if a line perpendicular to a vertical plane through one element and having its widest horizontal dimension would intersect a similar vertical plane through another element.

Outdoor Living Area: (See Open Space, Usable).

Parking Structure: A non-enclosed or semi-enclosed area containing a ceiling or roof, used primarily for the temporary storage of motor vehicles, constructed either above or below grade, freestanding, or as part of a building.

Permeable Surface: An uncovered finish grade surface such as a driveway, walkway, or patio constructed with pervious materials allowing stormwater to directly infiltrate the underlying soils and contained so neither sediment nor the water discharges off the site.

Permitted: Permitted without a requirement for approval of a use permit or temporary use permit.

Porch: A covered or uncovered platform at an entrance to a dwelling unit.

Pre-existing: In existence prior to the effective date of this title.

Project: Any proposal for new or changed use, or for new construction, alteration, or enlargement of any structure, that is subject to the provisions of this title.

Roof or Deck, Green: A roof or deck/balcony surface that is partially or totally planted with vegetation that is over a waterproof membrane generally for the purpose of water or energy conservation.

Room (Space), Habitable: A space in a structure meeting the requirements of the Building Regulations (Title 9, Chapter 9.01 of the Municipal Code) for sleeping, living, eating or cooking. Bathrooms, toilet compartments, closets, halls, storage or utility space, and similar areas are not considered habitable space.

Setback Line: A line within a lot parallel to, and the required setback distance from, a corresponding lot line, which is the boundary of any specified front, side or rear yard, or a line otherwise established to govern the location of buildings, structures or uses. Where the corner of a lot has been rounded off for purposes of public right-of-way dedication, the setback line shall be parallel to the original unaltered lot line. Where no minimum front, side or rear setbacks or yards are specified, the setback line shall be coterminous with the corresponding lot line.

Sexual Activities, Specified: Human genitals in a state of sexual stimulation or arousal; acts of human masturbation, sexual intercourse, oral copulation, or sodomy; fondling or other erotic touching of human genitals (pubic region), buttocks, or female breasts.

"Single Housekeeping Unit: A traditional family or the functional equivalent of a traditional family, whose members are a non-transient interactive group of one (1) or more persons, where if consisting of more than one (1) person, such persons jointly occupy a single dwelling unit, jointly use common areas, share household activities and responsibilities (e.g., meals, chores, and expenses), and where, if the unit is rented, leased, or subleased all adult members living on the premises jointly agree to occupy and be responsible for the entire premises of the dwelling unit under a single written rental agreement or lease and the makeup of the household occupying the unit is determined by the residents of the unit rather than the landlord or property manager.

Single Ownership: Holding record title, possession under a contract to purchase, or possession under a lease, by a person, firm, corporation, or partnership, individually, jointly, in common, or in any other manner where the property is or will be under unitary or unified control.

Single-Family Transient Use: Rental or lease of a single-family dwelling unit for a period of less than thirty (30) days.

Site: A lot, or group of contiguous lots not divided by an alley, street, other right-of-way, or city limit, that is proposed for development in accord with the provisions of this title, and is in a single ownership or has multiple owners, all of whom join in an application for development.

Solar Energy System: A combination of solar collector(s) and ancillary solar equipment used to generate electricity or heat water primarily for consumption on the property where the system is located.

Specific Plan: A plan for a defined geographic area that is consistent with the General Plan and with the provisions of the California Government Code, Section 65450 et seq. (Specific Plans).

Stormwater Retention/Detention Feature: A device or system of improvements that captures, retains and subsequently releases stormwater runoff from a site at a lesser volume and/or slower rate than it is collected, while holding the runoff in temporary storage for the purposes of infiltration, bioretention, and/or storage with beneficial use such as landscape irrigation.

Story: That portion of a building included between the surface of any floor and the surface of the floor next above it. If there is no floor above it, then the space between such floor and the ceiling next above it shall be considered a story. If the portion of a building included between the finished floor level directly above a basement

or a usable or unused under-floor space is more than four feet (4') above local grade, as defined herein, for more than fifty percent (50%) of the total perimeter or is more than six feet (6') above local grade, as defined herein, at any point (excluding required egress wells that meet the minimum size required by the UBC), such basement or usable or unused under-floor space shall be considered a story. A floor level may be divided between portions qualifying as a story and portions qualifying as a basement. Any portion of a floor level qualifying as a story shall be considered to have a minimum dimension of twenty feet (20') measured perpendicular from the outside face(s) of the exterior building wall(s) which defines that area as a story (see graphic illustration under "Basement" definition).

Story, First: The lowest story in a building which qualifies as a story, as defined herein, except that a floor level in a building having only one floor level shall be classified as a first story, provided such floor level is not more than four feet (4') below local grade, as defined herein, for more than fifty percent (50%) of the total perimeter, or not more than six feet (6') below local grade, as defined herein, at any point (excluding required egress wells that meet the minimum size required by the UBC).

Street: A recorded public way, other than an alley, which provides access to abutting property.

Structure: Anything constructed or erected that requires a location on the ground, including a building or a swimming pool, but not including a driveway, walk, fence or wall (used as a fence or boundary grade retaining wall). A wall forming a below-grade well (e.g., egress, light, ventilation) shall be considered to be a structure.

Swimming Pools and Hot Tubs: Water-filled enclosures having a depth of eighteen inches (18") or more used for swimming or recreation.

Tattoo: An art form in which pigments are inserted under the surface of the skin of a human being by pricking with a needle or otherwise to produce an indelible mark or figure visible through the skin. Tattooing does not include application of permanent make-up that is performed as an incidental service in a beauty shop, day spa, or other retail or service establishment.

Transmission Line: An electric power line bringing power to a receiving or distribution substation.

Use, Accessory: A use that is appropriate, subordinate, and customarily incidental to the main use of the site and which is located on the same site as the main use.

Used: This term includes the following meanings: arranged, designed, constructed, altered, rented, leased, sold, occupied, and intended to be occupied.

Visible: Likely to be noticed by a person of average height walking on a public street or sidewalk.

Walk Street: A street in the beach area for pedestrians where vehicular access is not permitted. The location of walk streets is shown in the Infrastructure Element of the General Plan.

Weighted Average: An average calculated from pro-rated or proportionately distributed data.

Wind Energy System, Small (SWES): Wind energy system, generally consisting of a wind turbine, tower and ancillary equipment, that is used primarily to generate electricity on the property where the system is located.

Window, Required: An exterior opening in a habitable room meeting the area requirements of the Building Regulations (Title 9, Chapter 19 of the Municipal Code).

Yard: An open space on the same site as a structure, unoccupied and unobstructed by structures from the ground upward except as otherwise provided in this title, including a front yard, side yard, or rear yard.

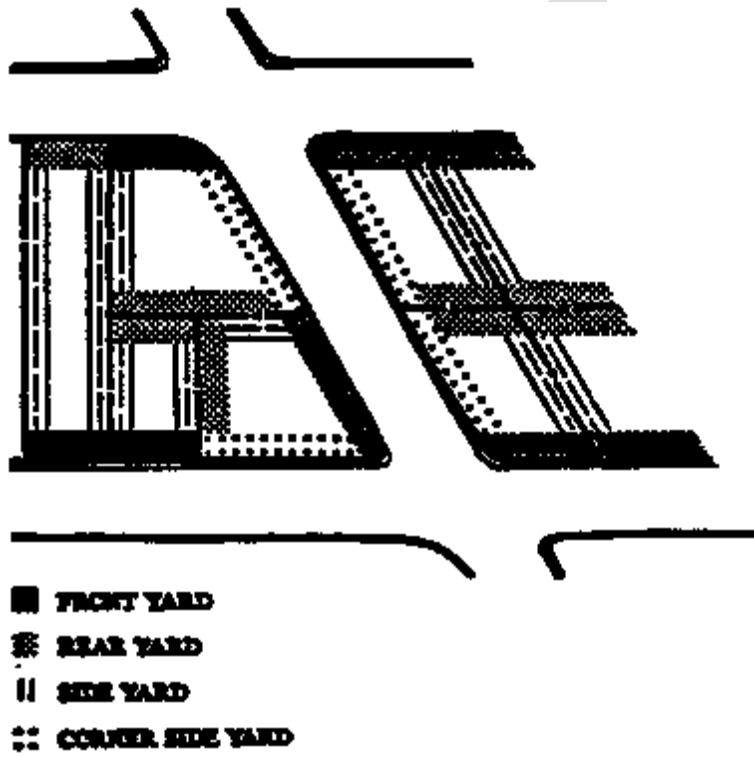
Exception: Siding material extending not more than 0.1 feet beyond the frame and foundation of a structure may occupy a yard.

Yard, Front: A yard extending across the full width of a site, the depth of which is the minimum horizontal distance between the front property line and a setback line parallel thereto on the site. The front yard of a through lot shall adjoin the street property line which adjoins the front yards of the neighboring lots adjoining said street property line, unless no pattern of front yards exists, in which case, the Community Development Director shall determine the location of the front yard. A through lot shall have two (2) front yards if both of its opposing street

property lines adjoin blockfaces, or portions of blockfaces, which conform to existing front yard patterns as determined by the Director.

Yard, Rear: A yard, extending across the full width of a site, the depth of which is the minimum horizontal distance between the rear property line and a setback line parallel thereto on the site, except that on a corner lot the rear yard shall extend only to the side yard abutting the street.

Yard, Side: A yard extending from the setback line of the front yard, or the front property line of the site where no front yard is required, to the setback line of the rear yard, or the rear property line of the site where no rear yard is required, the width of which is the horizontal distance between the side property line and a setback line parallel thereto on the site, except that the side yard on the street side of a corner lot shall extend to the rear lot line.



YARD TYPES

Zoning Ordinance: The Planning and Zoning Ordinance of the City of Manhattan Beach, as amended.

(Ord. No. 1832, Amended, 01/17/91; Ord. No. 1838, Renumbered, 07/05/91, 10-3.304; Ord. No. 1839, Amended, 07/05/91; Ord. No. 1889, Amended, 12/16/93; Ord. No. 1891, Amended, 01/06/94; Ord. No. 1903, Amended, 05/05/94; § 2, Ord. 2032, eff. May 16, 2002; § 2, Ord. 1049, eff. November 18, 2003; § 2, Ord. 1050, eff. January 1, 2004; § 2, Ord. 2111, eff. March 19, 2008; § 4, Ord. 2146, eff. August 4, 2011; § 2, Ord. 2155, eff. February 17, 2012, § 3, Ord. 15-0009, adopted June 16, 2015, and § 8, Ord. 18-0024, eff. Jan. 18, 2019)

10.12.030 Property development regulations: RS, RM, and RH districts.

***Portions of this section were amended and adopted per Ord No. 26-0009, but not in effect until August 7, 2026.**

The following schedule prescribes development regulations for residential zoning districts in each area district, as defined in Section 10.01.060(A)(2) and designated on the zoning map. The columns establish basic requirements for permitted and conditional uses; letters in parentheses in the "Additional Regulations" column refer to "Additional Development Regulations" following the schedule. This section shall not be amended to increase the standards for maximum height of structures or maximum buildable floor area, or to reduce the standards for minimum setbacks, minimum lot dimensions or minimum lot area per dwelling unit, unless the amendment is first submitted to a city-wide election and approved by a majority of the voters.

PROPERTY DEVELOPMENT STANDARDS FOR AREA DISTRICTS I AND II

	Area District I			Area District II			Additional Regulations
	RS	RM	RH	RS	RM	RH	
Lot Dimensions							
Area (sq. ft.)							(A)(B)(C)(K)
Minimum	7,500	7,500	7,500	4,600	4,600	4,600	
Maximum	15,000	15,000	15,000	10,800	10,800	10,800	
Width (ft.)							
Minimum	50	50	50	40	40	40	
Minimum Setbacks							
Front (ft.)	20	20	20	20	20	20	(A)(B)(D)(T)
Side (percentage-ft.)	10%- 3 min.	10%- 3;10	10%- 3;10	10%- 3 min.	10%- 3;10	10%- 3;10	(D)(E)(F)
Corner Side (percentage-ft.)	10%- 3;5	10%- 3;5	10%- 3;5	10%- 3;5	10%- 3;5	10%- 3;5	(D)(E)(T)
Rear (ft.)	12 min	12 min	12 min	12 min	12 min	12 min	(D)(E)(F)(G)
Maximum Height of Structures (ft.)	26	26	30	26	26	30	(H)(P)
Maximum Buildable Floor Area							(I)
Lot Area (Sq. Ft.)							(V)
7,500 or less		1.0	1.2		1.0	1.2	
More than 7,500		2250 +0.7	2250 + 0.9		2250 +0.7	2250 +0.9	
4,800 or less	0.7			0.7			
More than 4,800	240 +0.65			240 +0.65			
Minimum Lot Area per Dwelling Unit (sq. ft.)	7,500	3,750	1,000	4,600	2,300	1,000	(A)(U)

Note: See Section 10.04.030 Definitions, Floor Area, Buildable for parking, loading and basement areas excluded from buildable floor area.

PROPERTY DEVELOPMENT STANDARDS FOR AREA DISTRICTS III AND IV

	Area District III			Area District IV	Additional Regulations
	RS	RM	RH	RH	
Lot Dimensions					
Area (sq. ft.)					(A)(B)(C)(J) (K)
Minimum	2,700	2,700	2,700	2,700	

Maximum	7,000	7,000	7,000	7,000	
Width (ft.)					
Minimum	30	30	30	30	
Minimum Setbacks					
Front (ft.)	5	5	5	5	(A)(B)(D)(G)
Side (percentage-ft.)	10%—3 min.	10%—3;10	10%-3;10	10%—3;10	(D)(E)(F)
Corner Side (ft.)	1	1	1	1	(D)
Rear (ft.)	5 or 10	5	5	5	(D)(E)(F)(G)
Maximum Height of Structures (ft.)	30	30	30	30	(H)(P)
Maximum Buildable Floor Area					
Lot Area (Sq. Ft.)	1.6	1.6	1.7	1.7	(I)(V)
Minimum Lot Area per Dwelling Unit (sq. ft.)	1,700	1,350	850	850	(J)(A)

Note: See Section 10.04.030 Definitions, Floor Area, Buildable for parking, loading and basement areas excluded from buildable floor area.

PROPERTY DEVELOPMENT STANDARDS FOR ALL AREA DISTRICTS

	Additional Regulations
Minimum Usable Open Space	(M)
Required Landscaping Adjoining Streets	(O)
Fences, Walls, and Hedges	(P) and 10.60.150
Building Separation	(R)
Off-Street Parking and Loading	See Chapter 10.64 (Q)
House Moving	(S)
Underground Utilities	See Section 10.60.110
Refuse Storage Area	See Section 10.60.100
Outdoor Facilities	See Section 10.60.080
Screening of Mechanical Equipment	See Section 10.60.090
Sustainable Development (Solar Assisted Water Heating, Green Roofs and Decks, Solar Energy Systems, and Small Wind Energy Systems)	See Section 10.60.140
Performance Standards	See Section 10.60.120
Nonconforming Structures and Uses	See Chapter 10.68
Signs	See Chapter 10.72
Condominium Standards	See Section 10.52.110
Minor Exceptions	See Section 10.84.120
Telecommunications Facilities	See Chapter 13.02 of MBMC
RS, RM and RH DISTRICTS:	Additional Development Regulations
Substandard Lots	See Section 10.60.020 and 11.32.030 and (J)
Building Projections into Setbacks	See Section 10.60.040
Landscaping	See Section 10.60.070
Accessory Structures	See Section 10.52.050
Accessory Dwelling Units	See Chapter 10.74
Exterior Materials	See Section 10.52.020
Home Occupation	See Section 10.52.070
Tree Preservation	See Section 10.52.120

- A. See Section 10.60.020, Development on substandard lots. The dedication, condemnation, or purchase of land for street or alley widening or opening shall not affect the number of dwelling units permitted in residential districts for the site prior to dedication, condemnation, or purchase if the remainder of the site has not less than seventy-five percent (75%) of the land area before dedication, condemnation, or purchase.
- B. See Section 10.60.030, Development on lots divided by district boundaries.
- C. The minimum site area shall be twelve thousand (12,000) square feet for general day care, general residential care, and public or private schools.
- D. **Permitted Projections into Required Yards.** See Section 10.60.040, Building projections into yards.
- E. **Setbacks.**
1. **Side Setbacks.** Ten percent (10%) of lot width but not less than three feet (3'). In the RM and RH Zones side setbacks need not exceed ten feet (10'), and on corner sides setbacks need not exceed five feet (5').
Exceptions—Side Setbacks. Existing lots in the RM and RH Zones currently developed as multifamily and greater than fifty feet (50') in width need not provide side setbacks greater than five feet (5') when developed with three (3) or more dwelling units.
 2. **Reverse Corner Side Setback.** Reverse corner lots in Area Districts I and II shall have the following side yards:
 - a. On the lot side line which adjoins another lot the side yard shall be determined in the same manner as for an interior lot.
 - b. On the street side line, the width of the required side setback shall be the same as for the interior side setback on the lot except that the size and shape of such required side setback nearest the lot rear line shall be increased to include all of that portion, if any, of a triangle formed in the following manner:
 - i. On the common lot line of the reverse corner lot and the key lot, a point shall be established where the rear line of the required front yard on the key lot intersects such common lot line;
 - ii. On the street side line of the reverse corner lot, a point shall be established distant from the common street corner of the key lot and the reverse corner lot equal to the depth of the required front yard on the key lot;
 - iii. The third side of the triangle shall be a straight line connecting points (i) and (ii) of this section. If an alley intervenes between the key lot and the reverse corner lot, the width of the alley shall be included in determining the length of the line on the street side line of the reverse corner lot.
 3. **Rear Setback:**
 - a. In Area Districts I and II, the rear setback (RS) shall be determined as follows: $RS = 0.3 \times (\text{lot depth in feet}) - 20$; provided that the minimum setback is twelve feet (12').
 - b. In Area District III, RS District, non-alley lots abutting residential at the rear with two thousand seven hundred (2,700) square feet or more in lot area, the rear setback shall be ten feet (10').
- F. **Building Wall Height and Required Setbacks.** Except as provided below, the width of a required interior side, corner side or rear yard setback shall be increased by three feet when adjacent to a wall

of any building exceeding 24 feet in height, excluding any portion of a roof. This additional setback shall only apply to the portion of the wall over 24 feet in height.

1. **Exceptions.** If the lot width is less than thirty-five feet (35'), no increase in the side yard is required.

G. **Alley Setback Exceptions.** Area Districts I and II: The width of a required rear yard adjoining an alley shall be measured from the alley centerline, provided the rear yard width is not less than five feet (5') as measured from the rear property line. See Section 10.64.110; Aisle Dimensions.

Area Districts III and IV: The width of a required rear yard adjoining an alley, or a required front yard where the front yard adjoins an alley, may be reduced to two feet (2') at height elevations not less than eight feet (8') above the street grade at the rear, or front, property line. See Section 10.64.110; Aisle Dimensions.

H. **Maximum Height of Structures.** See Section 10.60.050, Measurement of height, and Section 10.60.060, Exceptions to height limits. The maximum number of stories permitted shall be three (3) where the height limit is thirty feet (30') and two (2) where the height limit is twenty-six feet (26'). A floor level may be divided between portions qualifying as a story and portions qualifying as a basement. Any portion of a floor level qualifying as a story shall be considered to have a minimum dimension of twenty feet (20') measured perpendicular from the outside face(s) of the exterior building wall(s) which defines that area as a story (See Graphic Illustration under "Basement" definition—Section 10.04.030).

A deck or balcony may be located directly above a second story where the height limit is twenty-six feet (26') or the third story where the height limit is thirty feet (30'), if the following criteria are met. Such decks shall be located adjacent to an interior living space and shall provide additional setbacks as follows; in all Area Districts the interior side setback shall be three (3) times the minimum side setback; in Area Districts I and II the rear setback shall be two (2) times the minimum rear yard setback and in Area Districts III and IV the rear setback shall be fifteen feet (15'). The surface elevation of any deck or balcony shall be no higher than nine feet (9') below the height limit.

A green roof or deck may be located only where decks and balconies are allowed. Green roofs that are designed in a manner that prohibits usability may be approved administratively by the Director of Community Development if safety, maintenance, slope, and access issues are mitigated [See "Roof, Green or Deck" Sections 10.04.030 and 10.60.140(C)].

Whenever new construction or alterations and additions to existing structures involves grading or scraping, a survey acceptable to the Director of Community Development is required as a condition of issuance of a demolition or building permit (see Section 10.80.010). The Director shall require that survey markers be set.

The Community Development Director shall determine compliance with this subsection by reviewing two (2) vertical cross-sections through the property (front-to back and side-to-side) that show the relationship of each level in a new structure and new levels added to an existing structure to both existing and finished grade on the property and adjacent land within five feet (5') of the property line.

I. **Maximum Buildable Floor Area.** The maximum buildable floor area on a lot shall be determined by multiplying the lot area times the Floor Area Factor (FAF) shown in the table. If the lot area is equal to, or greater than, a certain threshold in certain zoning districts (seven thousand five hundred (7,500) square feet in Area Districts I and II for RM and RH Districts, four thousand eight hundred (4,800) square feet for the RS District in Area Districts I and II), then a base floor area in square feet is noted in the table and the additional floor area is calculated by multiplying the appropriate FAF times the lot area. Certain space is not included in the definition of buildable floor area; see Chapter 10.04.

That area used for vehicle parking and loading, up to four hundred (400) square feet on lots where two (2) enclosed parking spaces are required and provided, and up to six hundred (600) square feet where three (3) enclosed parking spaces are required and provided.

In all residential districts, seventy percent (70%) of floor area in a basement that is not entirely below local grade, and up to two hundred (200) square feet of basement area used for storage and mechanical equipment purposes, is excluded from the determination of buildable floor area. Basement areas located entirely below local grade, and the related egress wells if they are the minimum size required by the UBC and located outside of the front yard setback, are excluded from the determination of buildable floor area.

J. In Area District IV two (2) units are permitted on preexisting, legal half-lots with a minimum site area of one thousand three hundred fifty (1,350) square feet.

K. **Lot Dimensions—Area.** Minimum and maximum lot area numbers represent a range of permitted lot areas applicable to new subdivisions and building sites created by merging, and/or the lot line adjustments for lots or portions of lots. When calculating maximum lot sizes, any lot dimensions with fractions shall be rounded down to the nearest whole number prior to calculating the lot size.

Preexisting unmerged developed lots which exceed the maximum lot area may continue to be used as one (1) lot until such time as new structures, enlargements or alterations are proposed, in accordance with the fifty percent (50%) building valuation criteria in Section 10.68.030(E), Alterations and enlargements of nonconforming uses and structures. At that time when the fifty percent (50%) building valuation criteria is exceeded then the new lot(s), and new development on those lots, shall comply with the current zoning code property development regulations, and any other applicable Manhattan Beach Municipal Code regulations.

Exceptions.

1. Properties zoned RM, RH and CL in Area Districts I and II that are developed with three (3) or more dwelling units, in order to encourage development of multifamily housing in these areas.
2. Properties zoned RM, RH and CL in Area Districts III and IV that are located within five hundred feet (500') of the Local Commercial (CL) or Downtown Commercial (CD) Zones and developed with three (3) or more dwelling units, excluding those located on the Strand, subject to review and approval of a use permit in accordance with Chapter 10.84.
3. Existing Legally Created Merged Lots. Any building site composed of merged lots in excess of the maximum lot area as prescribed in this section, which has been legally created or approved prior to February 19, 2008.
4. Non-alley RH lots in Area District III on Manhattan Beach Boulevard east of Ardmore, since vehicles are not allowed to back out onto the street in this area and lots need to be merged in order to allow adequate on-site turning movements so vehicles can safely exit onto Manhattan Beach Boulevard traveling in a forward direction.
5. Religious assembly and public or private schools uses, used as a single building site, subject to the Director of Community Developments approval of a certificate of compliance, and in accordance with Section 11.04.050, Certificate of compliance. These lots may continue to be used as one (1) building site without requiring a merger of parcels, and the expansion of existing religious assembly and public or private schools is permitted without the recordation of a merger of the parcels, in accordance with Chapter 11.32, Reversion to Acreage and Mergers.
6. The RS-D7 Design Review Overlay-Longfellow Drive, which has larger lots that are established through a Precise Plan and are required by the Overlay district.
7. The RSC—Residential Senior Citizen Zone, which has a minimum lot size of forty thousand (40,000) square feet per the zoning code requirements.
8. The RPD—Residential Planned Development Zone which has a minimum lot size of forty thousand (40,000) square feet per the zoning code requirements.

L. (Reserved)

- M. **Open Space Requirement.** The minimum usable open space (private and shared) in RS, RM and RH Districts shall be provided as follows:
1. For single-family dwellings in Area District III and IV and multifamily dwelling units in all districts, the minimum requirement is fifteen percent (15%) of the buildable floor area per unit, but not less than two hundred twenty (220) square feet. For calculating required open space, basement areas shall be calculated as one hundred percent (100%) buildable floor area, and fifteen percent (15%) open space shall be required for the basement square footage.
 2. The amount of a dwelling unit's required open space located above the second story (where permitted by height regulations) shall not be more than one-half (½) of the total required open space.
 3. Where new buildable floor area is added to an existing dwelling unit located in Area District III or IV, or within an RM or RH zone in Area District I and II, additional usable open space shall be provided equal to fifteen percent (15%) of the added buildable floor area, until the total open space requirement provided in this section is attained.
- N. **Semi-Circular Driveways.** Semi-circular driveways are permitted within front yards on lots with widths of eighty feet (80') or more, subject to the following standards:
- a. No more than fifty percent (50%) of the front setback area shall be paved, and visible landscaping equal to ten percent (10%) of the front setback (in addition to any other required landscaping) shall be installed between the driveway and the front property line.
 - b. The semi-circular driveway does not have to provide access to the garage.
- O. **Required Landscaping Adjoining Streets.** At least twenty percent (20%) of all visible portions of a required front or corner side yard adjoining a street shall be a planting area. For additional site landscaping requirements, see Section 10.60.070, Landscaping, Irrigation and Hydroseeding. Conformance with standards specified in Section 10.60.070 may result in landscaping that exceeds the minimum requirements of this section.
- a. **Exceptions for Area Districts III and IV.** The Community Development Director may grant an exception for a portion of the amount of required landscaping, not to exceed seventy-five percent (75%) of the total, in order to accommodate driveways and walkways.
- P. **Fences, Walls, and Hedges.** The maximum height of a fence, wall, or hedge shall be six feet (6') in required side or rear yards, and forty-two inches (42") in required front yards. In addition, all fences, walls, and hedges shall be subject to the driveway visibility requirements of Section 10.64.150, and the traffic sight obstructions provisions for corner lots in Section 10.60.150.

For the purposes of this section, fence/wall/hedge height shall be measured from the lower adjacent finished grade (which may include a neighboring private or public property's grade) to the top of the fence/wall/hedge, including any attachments. If more than one (1) fence/wall/hedge is located within a required yard on the subject property, any portion of a fence/wall/hedge that projects above a forty-five degree (45°) daylight plane inclined towards the subject property from the top of the lowest adjacent fence/wall/hedge, shall be counted toward the height measurement of the lowest fence/wall/hedge.

Exceptions:

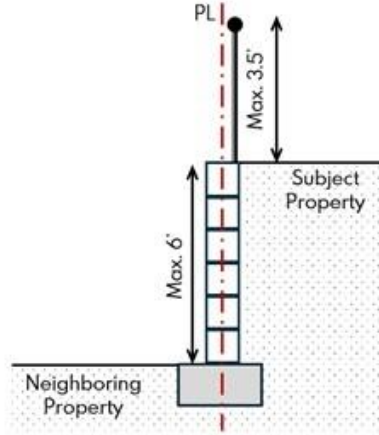
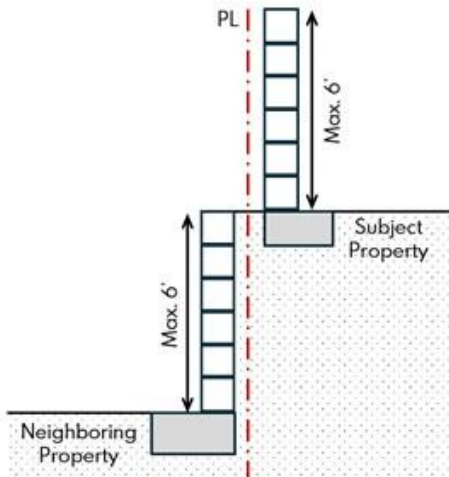
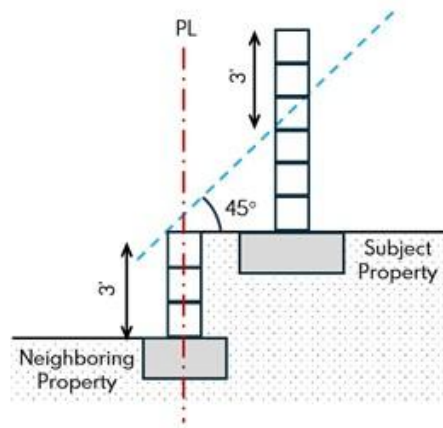
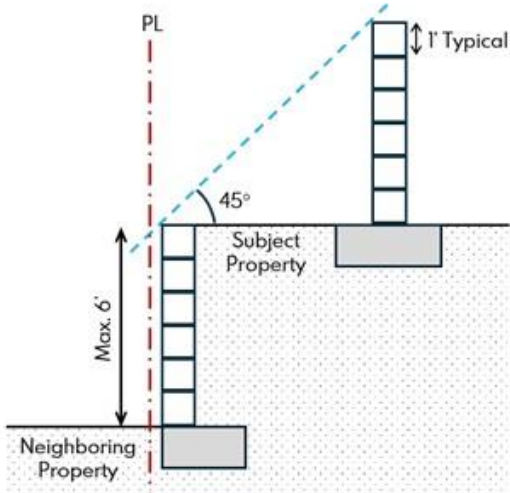
1. A fence, wall or hedge having additional non-retaining height shall be permitted wherever a six foot (6') fence is allowed, provided such additional height over six feet (6') meets one (1) of the following criteria.
 - a. The additional portion is required for safety purposes pursuant to the California Building Code; is constructed of primarily transparent material (Plexiglas, plastic, etc.) or vertical

railings that are continuously at least seventy-five percent (75%) open; and, the total combined fence/wall height does not exceed eleven feet (11').

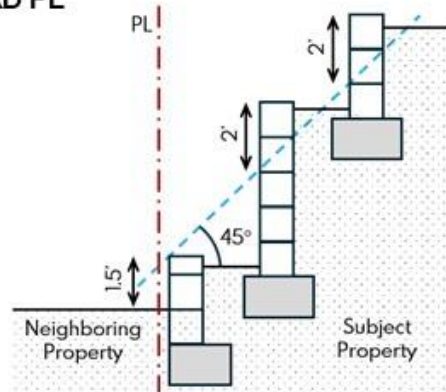
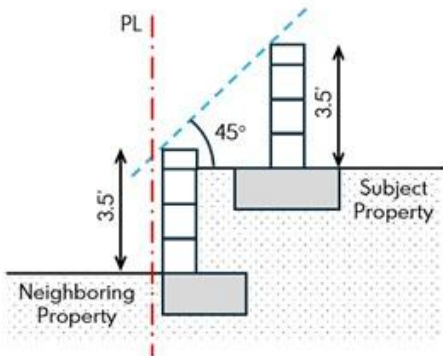
- b. The additional portion is sloped inward (open or solid) at an angle of not less than thirty degrees (30°) and no more than forty-five degrees (45°) from vertical, and provided, further, that such additional portion shall not make the total height of the fence more than eight feet (8') and shall not extend closer than three feet (3') to any part of any building.
 - c. The additional portion is approved in writing by each owner of property (the City in cases of public right-of-way) abutting the property line along which the fence is located, and provided, further, that such additional portion shall not make the total height of the fence more than eight feet (8'), or the combined height of adjacent neighboring retaining walls and fences more than twelve feet (12').
2. Architectural screen walls not to exceed six feet (6') six inches (6") in height may be erected in the required front yard in Area Districts I and II provided that such walls are placed not less than fourteen feet (14') back from the front lot line and not less than the required setback from the side property line, nor extend for more than one-half (½) the lot width.

DRAFT

SIDE/REAR YARD PL



FRONT YARD PL



Note: (Front) Guardrail or handrail is not allowed in addition to the 42" height limit

PERMITTED FENCE/WALL/HEDGE HEIGHTS

- Q. **Parking/Garage Location, Street-Alley Lots.** When a street-alley lot in Area Districts I and II adjoins an improved alley, all vehicle access to parking shall be provided from the alley.

Non-Alley Lots: In Area District I and II, the aggregate total of garage door width within the front half of a lot shall be limited to eighteen feet (18') for lots fifty-five feet (55') or less in width. Lots wider than fifty-five feet (55') may have a maximum aggregate garage door width of twenty-seven feet (27') within the front half of a lot if at least one (1) garage door is recessed a minimum of five feet (5') beyond another garage door.

- R. **Building Separation.** The minimum distance between buildings (building separation yard) containing one (1) or more dwelling units on a site shall be ten 10 feet (10'). For permitted projections within said building separation yards, see Section 10.60.040, Building projections into yards.

Exception: A detached accessory dwelling unit shall have a minimum separation from other buildings on the lot as specified by Section 10.74.040.B.2.c.

- S. **House Moving.** For the purpose of this chapter, permits required for moving buildings and structures within City limits must comply with Title 9, Chapter 9.08, Building Moving.

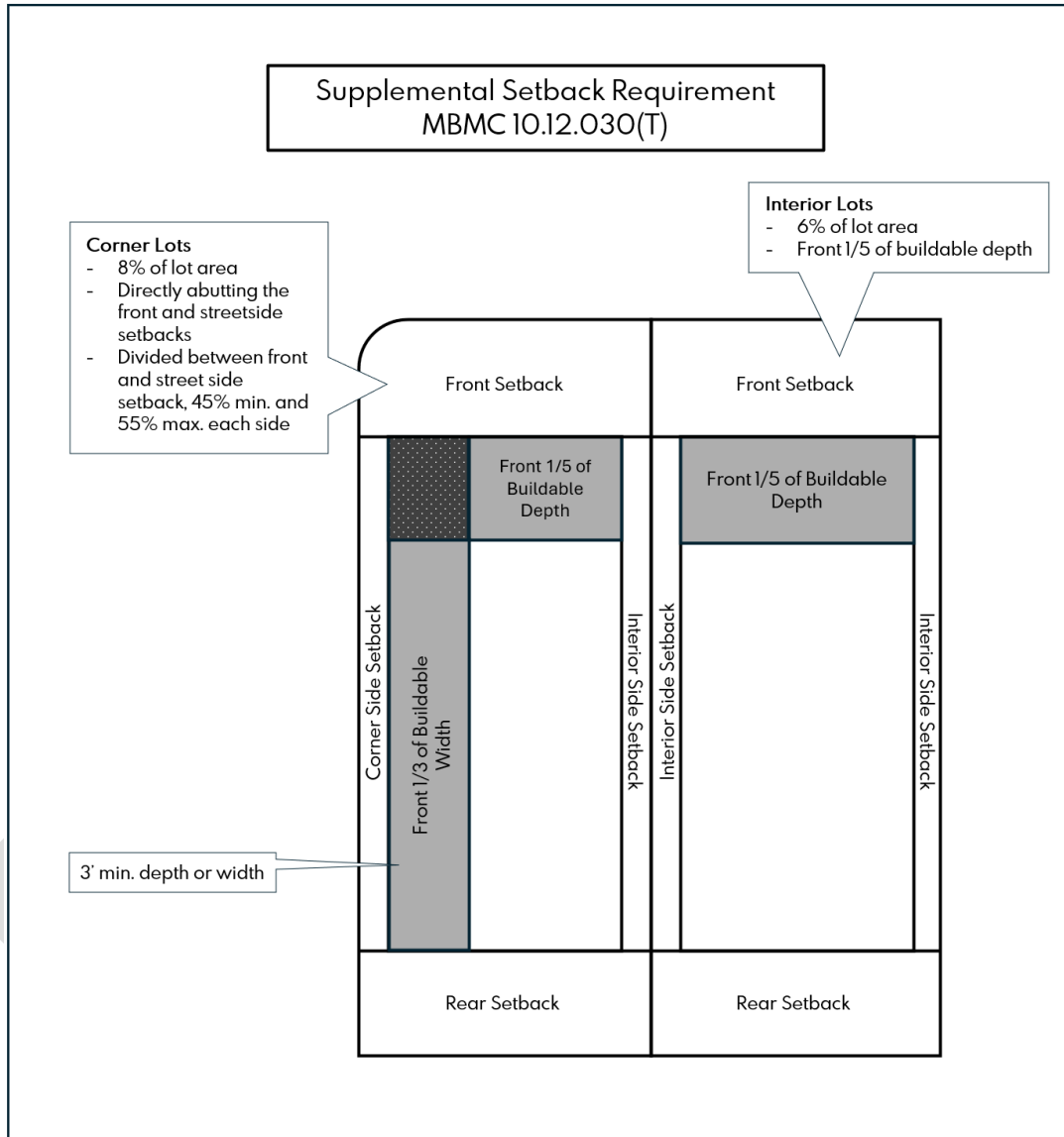
- T. **Supplemental Setback Requirement—RS Properties, Area Districts I and II.** In addition to the minimum front and street side yard setbacks shown on the chart, an additional front and street side yard setback area (supplemental area) shall be provided as follows:

1. On interior lots, the supplemental setback area shall directly abut the front yard setback, be equal to 6% of the lot area, and be located entirely within the front one-fifth (20%) of the lot's buildable depth.
2. On corner lots, the supplemental setback shall be equal to 8% of the lot area, and be divided between the supplemental areas directly abutting the front and the street side yard setbacks. A minimum of forty-five percent (45%) and a maximum of fifty-five percent (55%) of the total required area shall directly abut both the required front and streetside yard setbacks. Adjacent to the front yard, the portion of the supplemental setback shall be located entirely within the front one-fifth (20%) of the lot's buildable depth. Adjacent to the corner streetside yard the portion of the required area shall be located entirely within the first one-third (33%) of the lot's buildable width. Adjacent to the street side yard, the supplemental setback shall provide minimum dimensions of three feet (depth and width) and shall be distributed to provide building wall articulation.
3. The ground level construction in this area shall be limited to fourteen feet (14') in height for areas with less than 3:12 roof pitch and seventeen feet (17') in height for areas with 3:12 or greater roof pitch, as measured from local grade. Areas not having a minimum 3:12 roof pitch located behind minimum 3:12 roof pitch areas shall be set back a minimum of three feet (3') beyond the front building line of the pitched roof area .
4. Building projections above said area shall be considered as projections within a front yard.

Exceptions:

1. Interior non-alley lots fifty-five feet (55') or less in width with all parking spaces located within the rear half of the lot shall not be required to provide the additional front setback area.
2. This requirement may be reduced for a small, wide, shallow, multiple front yard and/or unusually shaped lots or other unique conditions subject to approval of a minor exception.

3. Corner lots, which provide driveway access along the interior side property line from a front property line curb cut with all parking spaces located within the rear half of the lot, shall not be required to provide the additional front setback area.
4. This requirement may be modified for the remodel/addition of existing homes if the additional setback area is provided elsewhere on the lot subject to approval of a minor exception.



**SUPPLEMENTAL SETBACK REQUIREMENT
MBMC 10.12.030T**

- U. Multi-family residential developments meeting the minimum requirements for a density bonus pursuant to Chapter 10.94 shall be granted a lot consolidation bonus incentive when two (2) or more parcels are consolidated into a single building site according to the following formula:

Combined Parcel Size

Base Density Increase

General	Site Inventory Parcels*	
Less than 0.50 acres		No increase
	0.30 acres to 0.49 acres	5% increase
0.50 acres to 0.99 acres		5% increase
1.00 acre or more		10% increase

*Applicable to sites identified in Appendix E - Site Analysis and Inventory: Tables 8, 9, 10, and 15 of the certified 6th Cycle Housing Element.

This lot consolidation bonus incentive shall be calculated prior to determining any density bonus pursuant to Chapter 10.94.

- V. Multi-family residential developments meeting the minimum requirements for a density bonus pursuant to Chapter 10.94 shall be exempt from these maximum lot size limitations.

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10.52.040 Repealed.

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10.52.050 Accessory structures.

***Portions of this section were amended and adopted per Ord No. 26-0009, but not in effect until August 7, 2026.**

- A. **Timing.** Accessory structures shall not be established or constructed prior to the start of construction of a principal structure on a site, except that construction trailers may be placed on a site at the time site clearance and grading begins and may remain on the site only for the duration of construction.
- B. **Location.** Except as provided in this chapter, accessory structures shall not occupy a required front, side, or building separation yard. Mechanical equipment and storage buildings shall be prohibited beyond the front building line of the principal structure on a site. No accessory uses shall be permitted off-site.

Exceptions.

- 1. Ornamental accessory structures may be located in the front yard of a site if they do not exceed 42 inches in height.
- 2. One flagpole may be located in the front yard of a site if it does not exceed 15 feet in height.
- 3. One decorative lamp post may be located in the front yard of a site if it does not exceed eight feet in height.
- 4. Architectural screen walls may be located in the front yard of a site pursuant to Section 10.12.030(P).
- 5. One basketball hoop/post may be located in the front yard of a site if it does not exceed 13 feet in height.
- 6. Stormwater runoff and greywater retention/detention features may be located in required side, rear, or building separation yards as follows:
 - a. Retention/detention features installed entirely below local grade.
 - b. Above grade retention/detention features may project a maximum of 12 inches into required side, rear, or building separation yards provided a five-foot clearance from the property line is maintained.
 - c. Other retention/detention feature locations may be approved at the discretion of the Community Development Director.
- 7. **Exception.** Stormwater and greywater retention/detention equipment may be located within five feet of a property line provided it complies with the locational criteria of Section 10.52.040(D), stated above, and is located within a structure having a solid roof, solid walls, and, with no openings within five feet of said property lines. Utility cabinets may be placed within a front yard setback per the utility provider's specifications, when all of the following conditions:
 - a. The utility cabinet cannot be placed underground based on the utility provider's specifications;
 - b. The utility cabinet cannot be placed in the public right-of-way, as determined by the City Engineer;
 - c. The utility cabinet is placed as close to the front property line as possible based on the utility provider's specifications.
 - d. The utility cabinet is designed and painted or otherwise finished to be visually compatible with the surrounding built and natural environment, as determined by the Community Development Director;
 - e. The utility cabinet is placed within a public utility easement for the benefit of the utility provider;
 - f. The utility cabinet complies with the visibility requirements of Section 10.64.150.

- C. **Maximum Height.** The maximum height of an accessory structure shall be twelve feet (12'), subject to the provisions of this subsection. Additional height shall be permitted, as provided in Section 10.60.060; Exceptions to height limits. For the purpose of this Section, height shall be determined by a weighted averaging of the local grades taken around the perimeter of the accessory structure.

Exceptions.

1. The maximum height of any portion of an accessory structure which has a minimum three (3) in twelve (12) roof slope, and has a single roof ridge-line located at approximately the center of the structure, may be fifteen feet (15').
2. The maximum height of any portion of an accessory structure containing a Guest House or accessory living quarters, as defined in this title, constructed directly above a garage, may be twenty-two feet (22'), when that portion is not located within a required yard, or when it takes vehicle access from a rear alley and is located at least three feet (3') from all property lines.

- D. **Relation to Property Lines.** An accessory structure, any portion of which is located within a required rear yard, shall be located on a rear or interior side property line, or shall be not less than three feet (3') from said property line(s) (See Section 10.64.110(C); Aisle Dimensions, for exceptions applicable to detached alley-accessed garages). Building projections within the required setback area as prescribed in this section are permitted in accordance with Section 10.60.040; Building projections into required yards or open space.

Exceptions.

1. Where a fence, wall, or retaining wall is located on an interior side or rear property line, the setback for an accessory structure to the property line may be between zero and three feet (3'), providing there is zero clearance between said fence, wall or retaining wall and accessory structure.
2. RS properties located in Area Districts I and II: All accessory structures that require a building permit must comply with front and side yard setbacks, and any portion of an accessory structure located in the rear yard setback shall be at least three feet (3') from side and rear property lines.
 - a. Street-alley lot. Detached accessory structures other than garages may be located on a rear property line, or shall be not less than three feet (3') from said property line. See Section 10.64.110(C); Aisle Dimensions, for standards applicable to detached alley-accessed garages.
 - b. Accessory structures may be located on a side and/or rear yard property line if said property line immediately abuts a commercial district.
 - c. An accessory structure that is nonconforming only because of its setback from the side and/or rear property lines may be enlarged or altered regardless of the estimated construction cost to determine the fifty percent (50%) valuation per Section 10.68.030(E), provided that no exterior portion of the accessory structure that occupies a required setback is altered unless the alteration eliminates the non-conformity.

- E. **RS District.** In an RS district, the total gross floor area of accessory structures more than four feet in height that are not attached to a dwelling shall not exceed 900 square feet or 12% of lot area, whichever is more.

F. Reserved.

G. **Swimming Pools and Hot Tubs.**

1. A swimming pool or hot tub may occupy a required rear yard or side yard but shall be a minimum of five feet as measured from the water line of the swimming pool or hot tub to the side and rear property lines. Related equipment may occupy a required rear yard or side yard, but shall not be within five feet of the side and rear property lines unless placed entirely within a subterranean vault with a minimum three-foot setback from said side and rear property lines.

Exception: A swimming pool or hot tub and related equipment may be located within five feet of a property line provided it complies with the locational criteria of subsection D, stated above, and is located within a structure having a solid roof, solid walls, and, with no openings within five feet of said property lines.

- H. **Decks.** No accessory structure deck or green roof/deck more than thirty inches in height shall be located in a required yard.
- I. **In RPD District.** The location of accessory structures shall comply with the requirements of the RPD permit.
- J. **Separation.** The distance between buildings used for human habitation and between buildings used for human habitation and accessory buildings on the same lot shall not be less than ten feet (10').
- K. Accessory Dwelling Units constructed in compliance with Chapter 10.74 are not subject to the provisions of this Section 10.52.050.

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10.68.020 Continuation and maintenance.

- A. A use, lawfully occupying a structure or a site on the effective date of the ordinance codified in this title, or of amendments thereto, that does not conform with the use regulations or the site area per dwelling unit regulations for the district in which the use is located shall be deemed to be a nonconforming use and may be continued, except as otherwise provided in this chapter.
- B. A structure, lawfully occupying a site on the effective date of the ordinance codified in this title, or of amendments thereto, that does not conform with the standards for front yards, side yards, rear yards, supplemental setback(s), height, or floor area of structures, driveways, or open space for the district in which the structure is located shall be deemed to be a nonconforming structure and may be used and maintained, except as otherwise provided in this chapter.
- C. A use that does not conform with the parking, loading, planting area, private open space, or screening regulations of the zoning district and area district in which it is located shall not be deemed a nonconforming use solely because of these nonconformities.
- D. Routine maintenance and repairs may be performed on a structure, the use of which is nonconforming; and on a nonconforming structure. Exterior nonconforming elements including, but not limited to: stairways, decks, balconies, green roofs or decks, chimneys, fences, and retaining walls may be replaced in their entirety, if, upon finding in a report prepared by a State of California licensed civil engineer, that, due to a deteriorated condition, such structures are unsafe, and routine repair is infeasible.

(Ord. No. 1832, Amended, 01/17/91; Ord. No. 1838, Renumbered, 01/05/91; § 2, Ord. 1951, eff. July 4, 1996, Amended, § 11, Ord. 2146, eff. August 4, 2011)

10.68.030 Alterations and enlargements of nonconforming uses and structures.

- A. No structure, the use of which is nonconforming, shall be moved, altered, or enlarged unless required by law, or unless the moving, alteration, or enlargement will result in the elimination of the nonconformity.

Exceptions.

- 1. Minor enlargement of a structure, the use of which is nonconforming with respect to a use permit approval, is permitted, provided said enlargement, accomplished cumulatively in one (1) or more projects, does not exceed ten percent (10%) of the total pre-existing buildable square feet occupied by said use that is legally established as of the effective date of the ordinance codified in this title.
- 2. During the period that the dwelling unit replacement requirement of State Government Code Section 66300(d) is in effect, existing dwelling units occupying a site that do not conform with the current site area per dwelling unit regulations for the district in which the use is located may be altered by remodeling if the proposed work does not enlarge the structure.

- B. No structure partially occupied by a nonconforming use shall be moved, altered, or enlarged in such a way as to permit the enlargement of the space occupied by the nonconforming use.

Exceptions.

- 1. Minor enlargement of a structure, the use of which is nonconforming with respect to a use permit approval, is permitted, provided said enlargement, accomplished cumulatively in one (1) or more projects, does not exceed ten percent (10%) of the total pre-existing buildable square feet occupied by said use that is legally established as of the effective date of the ordinance codified in this title.
- 2. During the period that the dwelling unit replacement requirement of State Government Code Section 66300(d) is in effect, existing dwelling units occupying a site that do not conform with site area per dwelling unit regulations for the district in which the use is located may be altered by remodeling if the proposed work does not enlarge the structure.

- C. No nonconforming use shall be enlarged or extended in such a way as to occupy any part of the structure or site, or another structure or site which it did not occupy on January 1, 1991, or on the effective date of any amendment to this Chapter 10.68 that caused the use to become nonconforming, or in such a way as to displace any conforming use occupying a structure or site, except as permitted in this section.
- D. No nonconforming structure shall be structurally altered or reconstructed so as to increase the discrepancy between existing conditions and the standards for front yards, side yards, rear yards, supplemental setback(s), height of structures, maximum allowable floor area, distances between structures, driveways, or open space prescribed in the regulations for the zoning district and area district in which the structure is located, except as provided for in Chapter 10.84, Minor Exception. No nonconforming structure shall be moved or enlarged unless the new location or enlargement shall conform to the standards for front yards, side yards, rear yards, supplemental setback(s), height of structures, maximum allowable floor area, distances between structures, driveways, or open space prescribed in the regulations for the zoning and area district in which the structure is located, except as provided for in Chapter 10.84, Minor Exception.
- E. If any structure on a site does not conform to the standards for front, side or rear yards, supplemental setback(s), height of structures, distance between structures, driveways, or open space prescribed for the zoning district and area district where the structure is located, then no structure shall be enlarged or altered if the total estimated construction cost of the proposed enlargement or alteration, plus the total estimated construction costs of all other enlargements or alterations for which building permits were issued within the preceding 60 month period (12 months in an IP district), exceeds 50% of the total estimated cost of reconstructing the entire nonconforming structure unless the proposed enlargement or alteration would render the structure conforming. Any enlargements or alterations shall conform to requirements in effect at the time of issuance of the building permit. For the purposes of this section, estimated construction and reconstruction costs shall be determined by the Community Development Director in the same manner as the Community Development Director determines final valuation for the purposes of building permit fees.

Exceptions.

1. Where a structure is nonconforming only by reason of one substandard front or interior yard, provided that all nonconforming interior yards are not less than three feet, the structure may be enlarged or altered, as defined in this title without regard to the estimated construction cost, provided that no portion of the structure which occupies a required yard is altered, unless the alteration results in the elimination of the non-conformity.
2. Where a structure is nonconforming only by reason of a substandard street side yard or rear yard adjacent to a public street or alley, the structure may be enlarged or altered, as defined in this title, without regard to the estimated construction cost, provided that no portion of the structure which occupies a required yard is altered, unless the alteration results in the elimination of the non-conformity.
3. Where a pre-existing, legally constructed building is nonconforming by reason of the method of measuring height prescribed by Section 10.60.050, an alteration or enlargement that conforms to all other regulations of this title shall be permitted without regard to the estimated construction cost.
4. The provisions of this section shall not apply to projects for which an application for exemption under Ordinance No. 1787 (nonconforming exemptions) has been made, processed through the Planning Commission, and approved by the City Council.
5. A chimney projection shall not be considered a nonconforming substandard yard, and therefore shall be allowed in addition to the one non-conforming yard in subsection (E)(1) or (E)(2) of this section. See Section 10.60.040(G), Building projections into required yards or required open space—Chimneys, for standards.
6. Where a minor exception has been approved in accordance with Chapter 10.84 of this Code.

- F. Nonconforming structures that would be enlarged or altered in any manner that serves to increase the degree of nonconformity shall not be permitted unless a variance or minor exception is obtained, as appropriate.
- G. The nonconforming use of a structure or site may be changed to another nonconforming use if after a duly noticed public hearing, the Planning Commission makes the findings required by Section 10.84.060(A) and issues a use permit.
- H. No use which fails to meet the performance standards of Section 10.60.120 shall be enlarged or extended, or shall have equipment that results in failure to meet required conditions replaced unless the enlargement, extension, or replacement will result in elimination of nonconformity with required conditions.
- I. **Lots Without Vehicular Access.** Residential buildings on lots with no vehicular access to public streets constitute nonconforming uses and may not be altered or enlarged except in accordance with the provisions of this section. Such buildings may be altered as follows:
 1. Interior improvement repairs consistent with all applicable building regulations.
 2. Additions of exterior architectural features such as a fireplace, chimney, balcony, green roof or deck, or bay window, subject to Section 10.60.040, Building projections in yards and required open space.
 3. Modification of a roof from flat to pitched or from pitched to flat, provided that the existing or proposed roof does not exceed a four (4) in twelve (12) pitch.
 4. Exterior modifications may include a minor increase in square footage (said increase calculated cumulatively), not to exceed ten percent (10%) of the original gross floor area.
 5. If there is a fire or casualty loss, the building may be replaced to the buildable square footage and height existing just before the fire or casualty loss and consistent with the requirements of the current building code.
 6. No alteration shall increase building height, except for a roof change referred to in subsection (D)(3) of this section.
 7. Should any exterior building elements or interior floor area be found to be in an extensively deteriorated condition, as documented in a report prepared by a licensed civil engineer, the Director of Community Development may allow said walls or areas to be entirely removed and replaced as long as the improvement is conforming with respect to required yards and otherwise meets the provisions of this section.

(Ord. No. 1832, Amended, 01/17/91; Ord. No. 1838, Renumbered, 07/05/91; Ord. No. 1891, Amended, 01/06/94; § 2, Ord. 1951, eff. July 4, 1996; § 4, Ord. 1992, eff. February 18, 1999; § 2, Ord. 2068, eff. February 4, 2005; § 18, Ord. 2111, eff. March 19, 2008, and § 11, Ord. 2146, eff. August 4, 2011; Ord. No. 21-0001, § 8, eff. Feb. 19, 2021)

10.68.040 Abandonment of nonconforming use.

A nonconforming use that is discontinued or changed to a conforming use for a continuous period of 180 days or more shall not be reestablished, and the use of the structure or site thereafter shall be in conformity with the regulations for the district in which it is located, provided that this section shall not apply to nonconforming dwelling units except nonconforming accessory dwelling units, which are permitted. Abandonment or discontinuance shall include cessation of a use regardless of intent to resume the use.

- A. **Exception.** The time necessary to complete review of a building application submitted within the 180 day period, and subsequent related construction activities shall not be counted towards the 180 days. However, time following the lapse of a building permit application or building permit shall be counted towards the 180 days.

(Ord. No. 1832, Amended, 01/17/91; Ord. No. 1838, Renumbered, 07/05/91; § 2, Ord. 1951, eff. July 4, 1996)

10.68.050 Restoration of a damaged structure.

- A. Whenever a structure that does not comply with the standards for front yards, side yards, rear yards, supplemental setback, height of structures, maximum floor area, distances between structures, driveways, or usable open space prescribed in the regulations for the district in which the structure is located, or the use of which does not conform with the regulations for the district in which it is located, is destroyed by fire or other calamity, or by the public enemy to the extent of 50% or less, the structure may be restored and the nonconforming use may be resumed, provided that a complete application for the necessary building permits for restoration is received by the Community Development Department within 12 months of the destruction occurrence, and the project is diligently pursued to completion.
- B. Whenever a structure that does not comply with the standards for front yards, side yards, rear yards, supplemental setback, height of structures, maximum floor area, distances between structures, driveways, or usable open space prescribed in the regulations for the district in which it is located, or the use of which does not conform with the regulations for the district in which it is located, is destroyed by fire or other calamity, or by the public enemy to an extent greater than 50%, the structure shall not be restored except in full conformity with the regulations for the district in which it is located, and the nonconforming use shall not be resumed.

Exceptions. Residential structures in R districts including nonconforming uses, and conforming residential uses in the CD, CL or CNE districts that do not conform to standards for setbacks, height of structures, distance between structures, maximum buildable floor area, open space, or lot area per unit, may be rebuilt with the same floor area, upon issuance of building permits and/or use permits, if applicable, whatever the extent of the damage, provided there is no increase in any nonconformity.

- C. The extent of damage or partial destruction shall be based upon the ratio of the estimated cost of restoring the structure to its condition prior to such damage or partial destruction to the estimated cost of duplicating the entire structure as it existed prior thereto. Estimates for this purpose shall be made by or shall be reviewed and approved by the Community Development Director.
- D. Calculation of the extent of damage for restoration of a structurally damaged structure shall be consistent with the provisions of Section 10.68.030(E).

(Ord. No. 1832, Amended, 01/17/91; Ord. No. 1838, Renumbered, 07/05/91; Ord. No. 1891, Amended, 01/06/94; § 2, Ord. 1951, eff. July 4, 1996)

10.84.120 Minor exceptions.

***Portions of this section were amended and adopted per Ord No. 26-0009, but not in effect until August 7, 2026.**

The Community Development Director may grant minor exceptions from certain regulations contained in the ordinance codified in this chapter for projects as follows:

Valuation No Limitation. Projects that involve new structures or remodels without limits of project valuation [i.e., may exceed fifty percent (50%) valuation provisions of Section 10.68.030(E)], as provided below. Notice may be required for exceptions to Sections 10.68.030(D) and (E), see subsection A and B of this section for noticing requirements.

Applicable Section	Exception Allowed
10.12.030	Attachment of existing structures on a site in Area District III or IV which result in the larger existing structure becoming nonconforming to residential development regulations.
10.12.030	Site enlargements (e.g., mergers, lot line adjustments), not exceeding the maximum lot area, which result in existing structures becoming nonconforming to residential development regulations.
10.12.030(M)	Reduction in the 15% open space requirement for dwelling units that are largely 1-story in 2-story zones and for dwelling units that are largely 2-story in 3-story zones.
10.12.030(P)	Construction of retaining walls beyond the permitted height where existing topography includes extreme slopes.
10.12.030(T), 10.12.030(M), and 10.12.030(E)	Reduction in percentage of supplemental setback required in the RS Zone—Area Districts I and II, 15% open space requirement, side yard setbacks, and/or rear yard setback. This may be applied to small, wide, shallow, multiple front yard, and/or other unusually shaped lots or other unique conditions.
10.12.030(T)	Reduction in percentage of supplemental setback required in the RS Zone—Area Districts I and II for remodel/additions to existing dwelling units if the supplemental setback area is provided elsewhere on the lot.
10.12—10.68	Non-compliant construction due to Community Development staff review or inspection errors.
10.68.030(D) and (E), 10.12.030 and 10.12.030(R)	Construction of a first, second or third story residential addition that would project into required setbacks or required building separation yard, matching the existing legal non-conforming setback(s).
10.68.030(D) and (E)	Alterations, remodeling and additions (enlargements) to existing smaller legal non-conforming structures.
10.68.030(E)	Alterations and remodeling to existing legal non-conforming structures.

- A. **Minor Exception Application Without Notice.** All applications for minor exceptions may be approved administratively by the Director of Community Development without notice, except as provided in subsection B of this section. Additionally, a minor exception from Section 10.68.030(D) and (E) must meet the following criteria:
1. **Alterations, remodeling, additions (enlargements) to existing smaller legal non-conforming structures.** The total proposed Buildable Floor Area, as defined in Section 10.04.030 which excludes certain garage and basement areas from BFA, does not exceed sixty-six percent (66%) of the maximum allowed (Area Districts III and IV) and seventy-five percent (75%) of the maximum allowed (Area Districts I and II) or three thousand (3,000) square feet, whichever is less.

2. **Alterations and remodeling to existing legal non-conforming structures.** No limit to the total existing Buildable Floor Area, as defined in Section 10.04.030 which excludes certain garage and basement areas from BFA, but no further additions (enlargements) permitted.
- B. Minor Exception Application with Notice.**
1. Applications for minor exceptions from Section 10.68.030(D) and (E) which do not meet the criteria in subsection (A)(1) of this section, may be approved administratively by the Director of Community Development, with notice. A minor exception from Section 10.68.030(D) and (E) must meet the following criteria, and notice as provided in subsection D of this section, must be provided:
 - a. **Alterations, remodeling, additions (enlargements) to existing smaller legal non-conforming structures.** The total proposed Buildable Floor Area as defined in Section 10.04.030 which excludes certain garage and basement areas from BFA, does not exceed sixty-six percent (66%) of the maximum allowed (Area Districts III and IV) and seventy-five percent (75%) of the maximum allowed (Area Districts I and II) and the Buildable Floor Area exceeds three thousand (3,000) square feet but does not exceed four thousand (4,000) square feet.
- C. Submittal Requirements—All Minor Exceptions Applications.** Applications for all minor exceptions shall be initiated by submitting the following materials to the Community Development Department.
1. A completed application form, signed by the property owner or authorized agent, accompanied by the required fees, plans and mapping documentation in the form prescribed by the Community Development Director.
 2. Written statements to support the required findings and criteria of this Code section.
 3. A vicinity map showing the location and street address of the development site.
- D. Submittal Requirements—Minor Exception Applications with Notice.** Applications for minor exceptions with notice shall be initiated by submitting the following materials to the Community Development Department:
1. A completed application form, signed by the property owner or authorized agent, accompanied by the required fees, plans and mapping documentation in the form prescribed by the Community Development Director.
 2. Written statements to support the required findings and criteria of this Code section.
 3. A vicinity map showing the location and street address of the development site;
 4. A map showing the location and street address of the property that is the subject of the application and of all lots of record within three hundred feet (300') of the boundaries of the property; and
 5. A list, drawn from the last equalized property tax assessment roll or the records of the County Assessor, Tax Collector, or the City's contractor for such records showing the names and addresses of the owner of record of each lot within three hundred feet (300') of the boundaries of the property. This list shall be keyed to the map required by subsection (D)(4) of this section and shall be accompanied by mailing labels.
- E. Notice to Property Owners—Minor Exception with Notice.** After receipt of a completed Minor Exception application, the Community Development Director shall provide notice to surrounding property owners as provided in subsection D of this section. Said notice shall include: a project description, information regarding where and when project plans can be viewed, a request for comments regarding said exception, and a commenting deadline date. No public hearing shall be required.

F. **Director's Review and Action—All Minor Exceptions.**

1. **Notice of Decision.** After the commenting deadline date, if any, and within thirty (30) days of receipt of a completed application, the Director shall approve, conditionally approve, or deny the required exception. The Director of Community Development shall send the applicant a letter stating the reasons for the decision under the authority for granting the exception, as provided by the applicable sections of this chapter. The letter also shall state that the Director's decision is appealable under the provisions of subsection K of this section. Notice of the decision also shall be mailed to all those individuals who received the initial notice to property owners described in subsection E of this section.
2. **Findings.** In making a determination, the Director shall be required to make the following findings:
 - a. The proposed project will be compatible with properties in the surrounding area, including, but not limited to, scale, mass, orientation, size and location of setbacks, and height.
 - b. There will be no significant detrimental impact to surrounding neighbors, including, but not limited to, impacts to privacy, pedestrian and vehicular accessibility, light, and air.
 - c. There are practical difficulty which warrants deviation from Code standards, including, but not limited to, lot configuration, size, shape, or topography, and/or relationship of existing building(s) to the lot.
 - d. That existing non-conformities will be brought closer to or in conformance with Zoning Code and Building Safety requirements where deemed to be reasonable and feasible.
 - e. That the proposed project is consistent with the City's General Plan, the purposes of this title and the zoning district where the project is located, the Local Coastal Program, if applicable, and with any other current applicable policy guidelines.

G. **Additional Criteria—Sections 10.68.030(D) and (E).** When making a determination to approve an exception to Sections 10.68.030(D) and (E), the Director shall also require the following criteria to be met, in addition to the findings in subsection (F)(2), as stated above:

1. New construction must conform to all current Code requirements except as permitted by this Chapter.
2. Structural alterations or modifications, as regulated by Chapter 10.68, to existing non-conforming portions of structures shall only be allowed as follows:
 - a. To comply with Building Safety access, egress, fire protection and other safety requirements (i.e., stairs, windows) as determined to be significant by the Building Official.
 - b. For architectural compatibility (i.e., roof pitch and design, eave design, architectural features design) as determined to be necessary by the Director of Community Development.
 - c. Minor alterations to integrate a new 2nd or 3rd floor into an existing 1st and/or 2nd floor, as determined to be necessary by the Director of Community Development.
 - d. Architectural upgrades, including those associated with construction of new square footage, as determined to be necessary by the Director of Community Development.
 - e. Other minor alterations or modifications as determined to be necessary by the Director of Community Development.
3. A minimum of ten percent (10%) of the existing structure, located above the ground-level floor surface, based on project valuation as defined in Section 10.68.030, shall be maintained.

4. Parking spaces may remain non-conforming with respect to the number of spaces, except as provided below, as well as the size, consistent with the provisions in Section 10.64.090 Exceptions, which allows a one foot (1') reduction in dimensions. Other minor parking non-conformities, including but not limited to, garage door width, turning radius, driveway width, and driveway visibility, may remain as determined by the Director of Community Development to be impractical to bring into conformance with Code requirements.
 5. All existing parking, required in accordance with Chapter 10.64, or by the provisions of this Section, shall be retained and shall not be reduced in number or size.
 6. Projects under two thousand (2,000) square feet in area per dwelling unit shall provide a minimum one (1) car fully enclosed garage per dwelling unit.
 7. Projects two thousand (2,000) square feet in area and up to two thousand eight hundred (2,800) square feet per dwelling unit shall provide a minimum two (2) car off-street parking with one (1) fully enclosed garage and one (1) unenclosed parking space per dwelling unit, which may be located in a required yard subject to Director of Community Development approval.
 8. Projects two thousand eight hundred (2,800) square feet in area and up to three thousand six hundred (3,600) square feet per dwelling unit shall provide a minimum two (2) car fully enclosed garage per dwelling unit.
 9. Projects three thousand six hundred (3,600) square feet in area per dwelling unit and over shall provide a minimum three (3) car fully enclosed garage per dwelling unit.
 10. All development on the site which is existing legal non-conforming development for zoning regulations may remain, however non-conformities shall be brought closer to or in conformance with current zoning requirements to the extent that it is reasonable and feasible.
 11. The existing legal non-conforming portions of the structure that remain shall provide a minimum of fifty percent (50%) of the required minimum setbacks, unless there is an unusual lot configuration and relationship of the existing structure to the lot lines for minor portions of the building, then less than fifty percent (50%) of the minimum required setback may be retained.
 12. All development on the site which is existing legal non-conforming for Building Safety regulations shall be brought into conformance with current regulations to the extent feasible, as determined by the Building Official.
 13. After completion of the project(s) that is subject to the Minor Exception approval(s), no further addition(s) shall be permitted unless the entire structure is brought into conformance with the current Code requirements. This shall not preclude the submittal of multiple Minor Exceptions that meet the Code established criteria.
- H. **Additional Criteria—Section 10.12.030(T). Interior Lots.** When making a determination to approve an exception to Section 10.12.030(T) for a reduction in percentage of supplemental setback for alterations, remodeling and additions (enlargements) to existing homes if the supplemental setback area is provided elsewhere, the Director shall also require compliance with the following criteria, in addition to the criteria stated in subsection (F)(2) of this section:
1. At least half of the required supplemental setback shall be provided within the front one-fifth (20%) of the lot's buildable depth and shall meet the criteria established in Section 10.12.030(T).
 2. The percentage of area that is provided outside of the supplemental setback area, as established in Section 10.12.030(T), shall be required to be two times the area required if it was provided in the supplemental setback area.
 3. The area provided outside of the supplemental setback area shall be located adjacent to a required setback (i.e., not an interior courtyard).

4. The area provided outside of the supplemental setback area shall meet all of the criteria established in Section 10.12.030(T)(2) through (4).
 5. The proposed project is consistent with the purpose stated in Section 10.12.010(H).
- I. **Additional Criteria Section 10.12.030(T)—Corner Lots.** When making a determination to approve an exception to Section 10.12.030(T) on corner lots for alterations, remodeling and additions (enlargements) to existing homes if the supplemental setback area is provided on the streetside frontage, the Director shall also require compliance with the following criteria, in addition to the criteria stated in subsection (F)(2) of this section:
1. At least half of the required supplemental setback shall be provided within the front one-fifth (20%) of the lot's buildable depth and shall meet the criteria established in Section 10.12.030(T).
 2. A minimum of 3% of the supplemental setback shall be provided in a location that is largely directly abutting the streetside setback, and the balance of the required 8% shall be located adjacent to another required setback (i.e., not an interior courtyard).
 3. The area abutting the streetside setback shall meet all of the criteria established in Section 10.12.030(T)(2) through (4).
 4. The proposed project is consistent with the purpose stated in Section 10.12.010(H).
- J. **Conditions of Approval.** In approving a minor exception permit, the Director may impose reasonable conditions necessary to:
1. Achieve the general purposes of this chapter and the specific purpose of the zoning district in which the minor exception will be located, or to be consistent with the General Plan;
 2. Protect the public health, safety, and general welfare; or
 3. Ensure operation and maintenance of the minor exception in a manner compatible with existing uses on adjoining properties in the surrounding area.
- K. **Effective Date—Appeals.** Unless appealed in accordance with Chapter 10.100 of the Manhattan Beach Municipal Code, a minor exception decision shall become effective after expiration of the time limits for appeal set forth in Section 10.100.030 Manhattan Beach Municipal Code.

(Ord. No. 1832, Amended, 01/17/91; Ord. No. 1838, Renumbered, 07/05/91; Ord. No. 1861, Amended, 12/03/92; Ord. No. 1891, Amended, 01/06/94; § 2, Ord. 1951, eff. July 4, 1996; § 5, Ord. 1992, eff. February 18, 1999; § 2, Ord. 2032, eff. May 16, 2002; § 2, Ord. 2050, eff. January 1, 2004; § 3 (part), Ord. 2068, eff. February 4, 2005; § 20, Ord. 2111, eff. March 19, 2008, § 4, Ord. 15-0026, eff. December 3, 2015, § 19, Ord. 16-0029, eff. Dec. 20, 2016, and § 10, Ord. 18-0024, eff. Jan. 18, 2019)

EXHIBIT B

A.04.030. Definitions.

***Portions of this section were amended and adopted per Ord No. 26-0009, but not in effect until August 7, 2026.**

Abutting or adjoining: Having district boundaries or lot lines in common.

Acre, Gross: A measure of land area.

Acre, Net: A measure of developable land area, after excluding existing dedicated rights-of-way and flood control and drainage easements.

Alley: A public way having a width of not more than 20 feet permanently reserved primarily for vehicular service access to the rear or side of properties otherwise abutting on a street.

Alter: To make a change in the exterior appearance or the supporting members of a structure, such as bearing walls, columns, beams, or girders, that will prolong the life of the structure.

Alteration: (See Alter).

Alternative-fuel Vehicle Charging Systems: Equipment used to recharge a vehicle that uses alternative energy as fuel, such as compressed natural gas (CNG), electricity or other non-petroleum derived fuels.

Amendment: A change in the wording, context or substance of this title, or a change in the district boundaries on the zoning map.

Animal, Domestic: Small animals of the type generally accepted as pets, including dogs, cats, rabbits, hens, fish and the like, but not including roosters, ducks, geese, pea fowl, goats, sheep, hogs or the like.

Animal, Exotic: Any wild animal not customarily confined or cultivated by man for domestic or commercial purposes but kept as a pet or for display.

Animal, Large: An animal larger than the largest breed of dogs. This term includes horses, cows, and other mammals customarily kept in corrals or stables.

Animal, Small: An animal no larger than the largest breed of dogs. This term includes fish, birds, and mammals customarily kept in kennels.

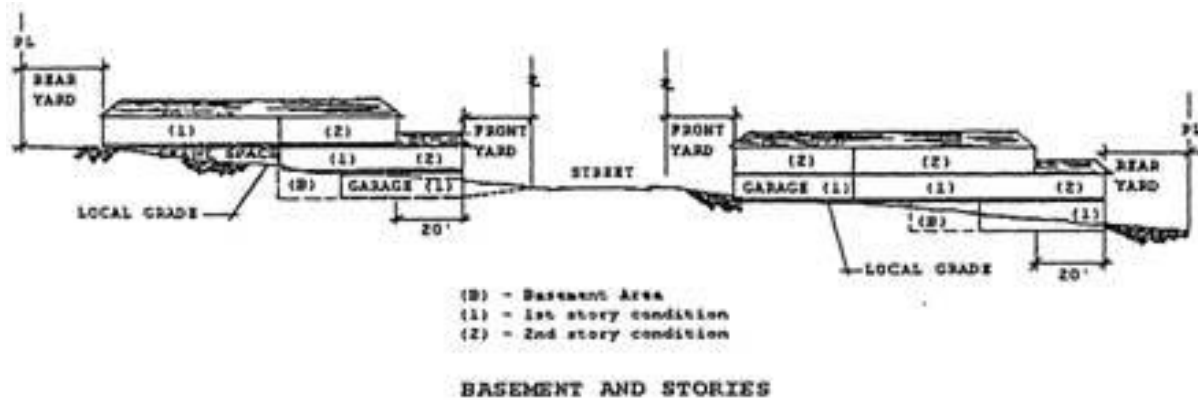
Area District: One of two areas designated on the zoning map for purposes of defining property development regulations that establish minimum lot areas, minimum yards, and maximum area coverage appropriate for that area.

Area, Lot, Parcel, or Site: The horizontal area within the property lines excluding public-access corridors, flood control and drainage easements, vehicular easements, and areas to be included in future street rights-of-way as established by easement, dedication, or ordinance.

Areas, Specified Anatomical: Human genitals (pubic region), buttocks, or female breasts below a point immediately above the upper line or curve of the areola when less than completely and opaquely covered; or human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Balcony: A cantilevered platform that projects from the wall of a building, typically above the first level, and is surrounded by a rail, balustrade or parapet not exceeding forty-two inches (42") above the platform surface.

Basement: Any floor level, or portions thereof, below the first story in a building. Any building having only one floor level shall be classified as a basement unless such a floor level qualifies as a first story as defined herein. A floor level may be divided between portions qualifying as a basement and portions qualifying as a story. Any portion qualifying as a story shall be considered to have a minimum dimension of twenty feet (20') measured perpendicular from the outside face(s) of the exterior building wall(s), which disqualifies that area as a basement (See Graphic Illustration).



Blockface: The properties abutting on one side of a street and lying between the two nearest intersecting or intercepting streets, or nearest intersecting or intercepting street and railroad right-of-way, unsubdivided land, watercourse, or city boundary.

Boarding House: A building with not more than five guest rooms where lodging and meals are provided for not more than 10 persons, but shall not include rest homes or convalescent homes. Guest rooms numbering six or over shall be considered a hotel.

Building: Any structure having a roof supported by columns or walls for the housing or enclosure of persons, animals, chattels, or property of any kind. Buildings or portions of buildings that are attached by a minimum of 6 feet of common wall or a solid roof area having a minimum eight foot (8') dimension in all horizontal directions shall be considered a single building.

Bulk Storage: A large, or primary area devoted to the storage of stock merchandise in enclosed areas inaccessible to the public, incidental to a primary use.

Caretaker's quarters: A dwelling unit on the site of a commercial, industrial, public, or semipublic use, occupied by a guard or caretaker.

Cellar: (See Basement).

Chimney: A hollow shaft containing one or more passageways, vertical or nearly so, for conveying products of combustion to the outside atmosphere.

City: The City of Manhattan Beach.

Cluster, Building: A group of buildings located in close proximity to each other and oriented towards a visible area of focus, which is separated from other groups of buildings on the same site by a large average distance.

Coastal Zone: A geographic zone adjacent to the shoreline, the boundaries of which are determined by the

California Coastal Act of 1976, as amended.

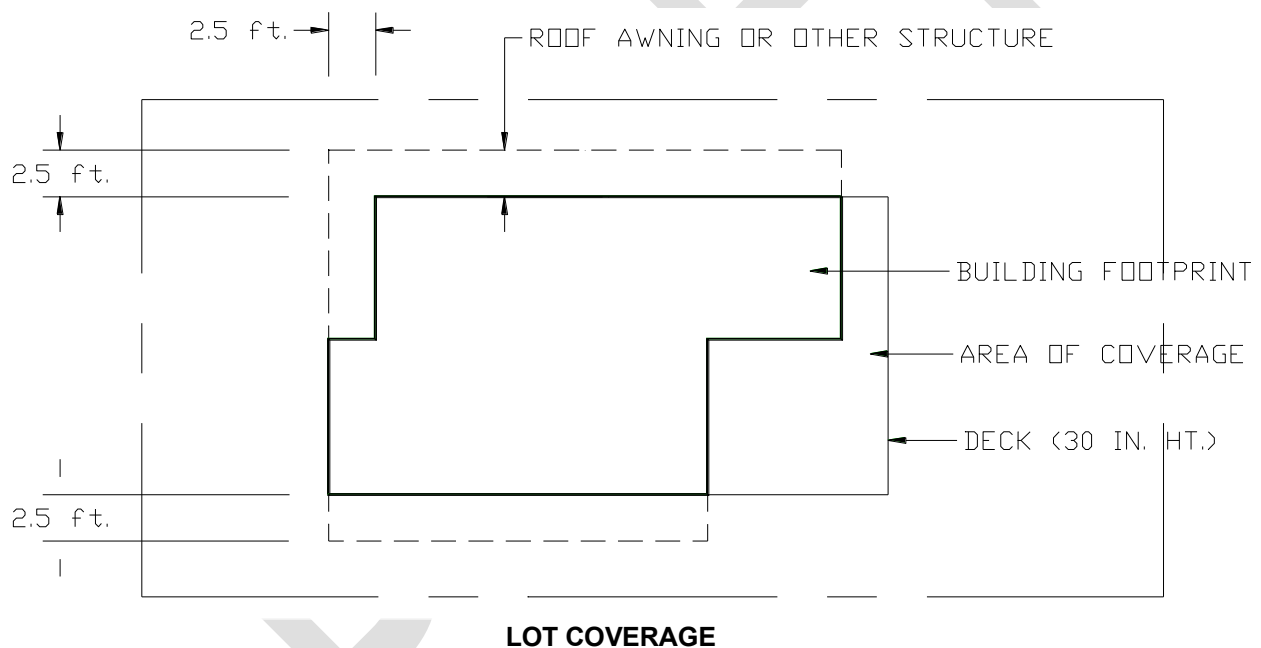
Collection Buildings: Buildings with a gross floor area of 225 square feet or less used for the deposit and storage of household articles or recyclables donated to a nonprofit organization.

Conditionally Permitted: Permitted subject to approval of a conditional use permit or temporary conditional use permit.

Condominium: An estate in real property consisting of an undivided interest in common in a portion of a parcel of real property together with a separate interior space in a residential, industrial or commercial building on the real property, such as an apartment, office or store. A condominium may include, in addition, a separate interest in other portions of the real property.

Conforming Building: A building that fully meets the requirements of Title 9 (Building Regulations) and also conforms to all property-development regulations and requirements prescribed for the district in which it is located.

Coverage, Lot or Site: The percentage of a site covered by roofs, soffits, or overhangs extending more than 2.5 feet from a wall and by decks more than 30 inches in height.



Daylight Plane: An inclined plane, beginning at a stated height above grade at a side or rear property line, and extending into the site at a stated upward angle to the horizontal, which may limit the height or horizontal extent of structures at any specific point on the site where the daylight plane is more restrictive than the height limit or the minimum yard applicable at such point on the site.

Deck: A platform, either free-standing or attached to a building, but without a roof, that is supported by pillars, posts, or walls (see also: Balcony).

Distribution Line: An electric power line bringing power from a distribution substation to consumers.

District: A portion of the city within which the use of land and structures and the location, height, and bulk of structures are governed by this ordinance. This ordinance establishes "area districts," "base zoning

districts" for residential, commercial, industrial, public and open space uses, and "overlay districts," which modify base district regulations.

Dwelling, Multi-family: A building containing two or more dwelling units.

Dwelling, Single-Family: A building containing one dwelling unit.

Dwelling Unit: One or more rooms with a single kitchen, designed for occupancy by one family for living and sleeping purposes.

Environmental Impact Report (EIR): A report complying with the requirements of the California Environmental Quality Act (CEQA) and its implementing guidelines.

Exemption, Categorical: An exception from the requirements of the California Environmental Quality Act (CEQA) for a class of projects, based on a finding by the California Secretary for Resources that the class of projects does not have a significant effect on the environment.

Family: A single individual or two or more persons living together as a single housekeeping unit in a dwelling unit, provided that this shall not exclude the renting of rooms in a dwelling unit as permitted by district regulations.

Floor Area, Buildable: The total enclosed area of all floors of a building, including stairs, measured to the outside face of the structural members in exterior walls, and thirty percent (30%) of the area of all basements of a building that are not entirely below local grade, but excluding floor area under stairs, the area of stairs on the top most floor, vertical shafts, and those portions of a basement that are entirely below local grade (See Graphic Illustrations). The following elements are also excluded from a determination of buildable floor area:

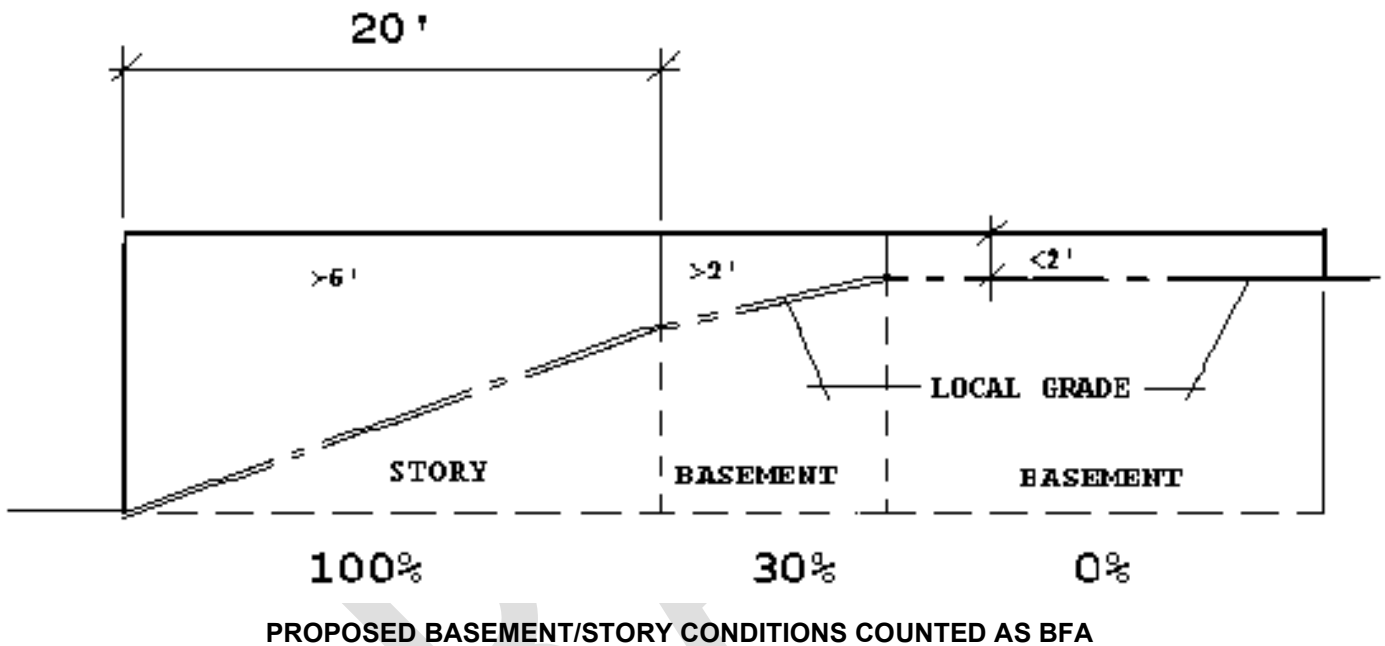
Commercial and Industrial Districts: That area used exclusively for vehicle parking and loading and in service and mechanical rooms, enclosed vertical shafts, or elevators.

Single-family Residential Districts:

Area Districts I and II: That area used for vehicle parking and loading, up to 400 square feet on lots with less than 4,800 square feet and up to 600 square feet on lots with 4,800 square feet or more. Up to 200 square feet of basement area for purposes of storage and mechanical equipment use. Basement areas located entirely below local grade, and the related wells if they are the minimum size required by the UBC. A condition of "entirely below local grade" exists where the vertical dimension between the local grade elevation and finished floor of the next floor above is no greater than two feet.

Area Districts III and IV: That area used for vehicle parking and loading, up to 400 square feet on lots with less than 2,700 square feet and up to 600 square feet on lots with 2,700 square feet or more. Up to 200 square feet of basement area for purposes of storage and mechanical equipment use. Basement areas located entirely below local grade, and the related wells if they are the minimum size required by the UBC. A condition of "entirely below local grade" exists where the vertical dimension between the local grade elevation and finished floor of the next floor above is no greater than two feet.

Multi-family Residential Districts: That area used exclusively for vehicle parking and loading. Up to 200 square feet of basement area for purposes of storage and mechanical equipment use. Basement areas located entirely below local grade, and the related wells if they are the minimum size required by the UBC. A condition of "entirely below local grade" exists where the vertical dimension between the local grade elevation and finished floor of the next floor above is no greater than two feet.



Floor Area Factor (FAF): The factor utilized in determining buildable floor area.

General Plan: The City of Manhattan Beach General Plan, as amended.

Grade, Existing: The surface of the ground or pavement at a stated location as it exists prior to disturbance in preparation for a project regulated by this title.

Grade, Ground Level Finished (grade, Finished): The proposed surface of the ground or pavement at a started location following disturbance of existing grade.

Grade, Local: The ground elevation adjacent to a specified location on the exterior of a building (existing or finished, whichever is lower). It is to be taken as the lowest point on a line between the location specified and the nearest property line if the property line is within 5 feet of the building, or, if not, between the building and a point 5 feet outward from the building. For purposes of determining height above or below grade for a specified location on a building not on its perimeter, the local grade shall be considered to be the local grade corresponding to the nearest perimeter location.

Grade, Street: The top of the curb, or the top of the edge of the pavement or traveled way where no curb exists.

Granny Housing Unit: A dwelling unit (attached or detached), intended for the sole occupancy of one adult or two adult persons who are 62 years of age or over with floor area less than 30% of the

existing floor area for an attached unit or 1,200 square feet for a detached unit.

Greywater Retention/Detention Features: A device or system designed to collect, store, and transport greywater, as defined by the California Plumbing Code, which may include tanks, valves, filters, pumps, or other appurtenances along with piping.

Guest House (or Accessory Living Quarters): Any living area located within a main or an accessory building that does not have direct interior access to the dwelling unit. Such quarters shall have no kitchen facilities and shall not be rented or otherwise used as a separate dwelling unit. Such guest quarters, or accessory living quarters, shall be permitted only on a lot with one single-family residence. A guest house, or accessory living quarters, shall be a maximum of 500 square feet in size, limited to one habitable room, and contain a maximum of three plumbing fixtures. This definition does not include an accessory dwelling unit as defined in Chapter A.74.

Height: A vertical dimension measured from local grade, unless otherwise specified.

Hedge: A continuous or substantially continuous linear arrangement of shrubs, small trees, or other woody vegetation, planted or maintained to form a screen, buffer, boundary, or ornamental landscape feature. Minor gaps for access or plant replacement do not negate the existence of a hedge.

Home Occupation: Occupations conducted in a dwelling unit or accessory building in a residential district that are incidental to the principal residential use of a lot or site.

Illumination, Direct: Illumination by means of light that travels directly from its source to the viewer's eye.

Illumination, Indirect: Illumination by means only of light cast upon an opaque surface from a concealed source.

Kitchen: A room primarily designed, intended or used for the preparation of food.

Landscaping: An area devoted to or developed and maintained with native or exotic plantings, lawn, ground cover, gardens, trees, shrubs, and other plant materials, decorative outdoor landscape elements, pools, fountains, water features, paved or decorated surfaces of rock, stone, brick, block, or similar material (excluding driveways, parking, loading, or storage areas), and sculptural elements. Plants on rooftops, porches or in boxes attached to buildings are not considered landscaping.

Landscaping, Interior: A landscaped area or areas within the shortest circumferential line defining the perimeter or exterior boundary of the parking or loading area, or similar paved area, excluding driveways or walkways providing access to the facility (as applied to parking and load facilities or to similar paved areas).

Landscaping, Perimeter: A landscaped area adjoining and outside the shortest circumferential line defining the exterior boundary of a parking or loading area, or similar paved area, excluding driveways or walkways providing access to the facility (as applied to parking and loading facilities or to similar paved areas).

Lot: A site or parcel of real property delineated with a number or other separate designation on a plat duly recorded in the office of the County Recorder.

Lot, Corner: A site bounded by two or more adjacent street or alley property lines that have an angle of intersection of not more than one hundred thirty-five degrees (135°).

Lot Depth: The horizontal distance from the midpoint of the front-lot line to the midpoint of the rear-lot line, or to the most distant point on any other lot line where there is no rear-lot line.

Lot, Flag: A lot in the approximate configuration of a flagpole, panhandle, or signpost, with the pole or post functioning primarily as a vehicular access way to the main body of the lot from the street of access wherein the lots or parcels of land are laid out one (1) behind the other, with only one (1) lot or parcel of land (referred to as the front lot) having frontage on a public street, and the flag lot located behind the front lot with access to the public street via other than a driveway or access easement.

Lot, Key: The first lot to the rear of a reverse corner lot, whether or not separated by an alley.

Lot or Property Line, Rear: A lot line, not a front lot line, that is parallel or approximately parallel to the front lot line. Where no lot line is within forty-five degrees (45°) of being parallel to the front lot line, a line ten feet (10') in length within the lot, parallel to and at the maximum possible distance from the front lot line, shall be deemed the rear lot line.

Lot or Property Line, Front: The street or alley property line of an interior lot. The front property line of a corner lot shall be the shorter street or alley property line, provided that where one street or alley property line is at least 75% of the length of the other street or alley property line, the Community Development Director shall determine the location of the front property line. In no case shall the front property line of a street-alley lot be an alley that is approximately parallel to the street. For a flag lot, the front property line shall be the shorter lot line located at the edge of the flag pole, such as driveways or access easements. The front lot line shall begin where the flag pole intersects the flag portion of the lot or exceeds 30 feet in width.

Lot or Property Line, Interior: A lot line not abutting a street.

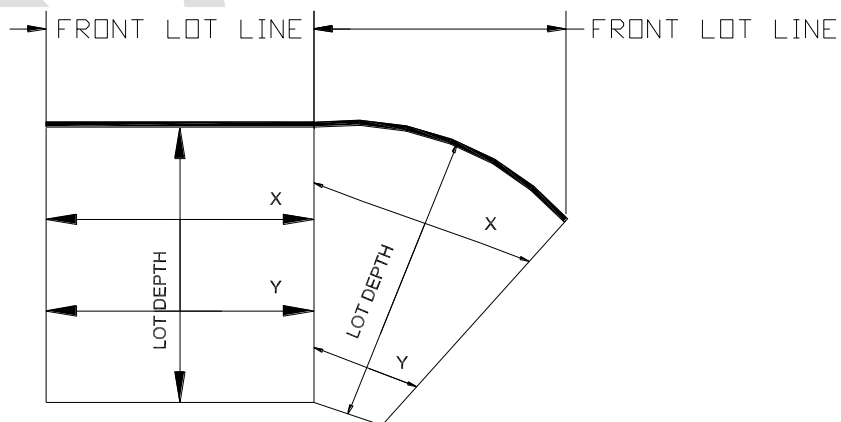
Lot or Property Line, Side: Any lot line that is not a front lot line or a rear lot line.

Lot or Property Line, Street: A lot line abutting a street.

Lot, Street-Alley: A lot having frontage on a street and an alley.

Lot, Through: A site bounded by a parallel, or approximately parallel, street property lines that are not side property lines.

Lot Width: The mean of the horizontal distance between the side lot lines measured at right angles to the lot depth at points 20 feet from the front lot line and 20 feet from the rear lot line, or from the rearmost point of the lot depth in cases where there is no rear lot line.



$$\text{LOT WIDTH} = (X + Y)/2$$

LOT DEPTH AND LOT WIDTH

Maintenance and Repair: Reconstruction or renewal of any part of an existing building for the purpose of its preservation. Activities that result in the demolition or replacement of more than 50% of the materials of an existing structure shall be regarded as new construction, not maintenance and repair. All maintenance and repair activities require a Coastal Development Permit in accordance with Section A.96.040, unless specifically exempted under the terms of Section A.96.050.

Manufactured Home: A modular housing unit on a permanent foundation that conforms to the National Manufactured Housing Construction and Standards Act. For purposes of this definition, a mobile home is considered a manufactured home.

Mezzanine: An intermediate floor placed within a room, and meeting the requirements of a mezzanine contained in the Building Regulations (Title 9, Chapter 9.01 of the Municipal Code).

Municipal Code: The Municipal Code of the City of Manhattan Beach, as amended.

Nonconforming Structure: A structure that was lawfully erected but which does not conform with the standards for yard spaces, height of structures, or distances between structures prescribed in the regulations for the district in which the structure is located by reason of adoption or amendment of this title or by reason of annexation of territory to the City.

Nonconforming Use: A use of a structure or land that was lawfully established and maintained, but which does not conform with the use regulations or required conditions for the district in which it is located by reason of adoption or amendment of this title or by reason of annexation of territory to the City.

Off-Street Loading Facilities: A site or portion of a site devoted to the loading or unloading of motor vehicles or trailers, including loading berths, aisles, access drives, and landscaped areas.

Off-Street Parking Facilities: A site or portion of a site devoted to the off-street parking of motor vehicles, including parking spaces, aisles, access drives, and landscaped areas.

Open Space, Private: A usable open space adjoining and directly accessible to a dwelling unit, reserved for the exclusive use of residents of the dwelling unit and their guests.

Open Space, Shared: A usable open space within a residential development reserved for the exclusive use of residents of the development and their guests.

Open Space, Total: The sum of private open space and shared open space.

Open Space, Usable: Outdoor or unenclosed area on the ground, or on a balcony, deck, porch or terrace designed and accessible for outdoor living, recreation, pedestrian access or landscaping, that is not covered by more than 75% buildable floor area, and has a minimum dimension of five feet (5') in any direction, and a minimum area of forty-eight (48) square feet; minus any parking facilities, driveways, utility or service areas, required egress wells, or any required front or side yards.

Opposite: Walls, windows, signs, districts, or property lines shall be deemed opposite if a line perpendicular to a vertical plane through one element and having its widest horizontal dimension would intersect a similar vertical plane through another element.

Outdoor Living Area: (See Open Space, Usable).

Parking Structure: A non-enclosed or semi-enclosed area containing a ceiling or roof, used primarily for the

temporary storage of motor vehicles, constructed either above or below grade, freestanding, or as part of a nonresidential building.

Permeable Surface: An uncovered finish grade surface such as a driveway, walkway, or patio constructed with pervious materials allowing stormwater to directly infiltrate the underlying soils and contained so neither sediment nor the water discharges off the site.

Permitted: Permitted without a requirement for approval of a use permit or temporary use permit.

Porch: A covered or uncovered platform at an entrance to a dwelling unit.

Pre-existing: In existence prior to the effective date of this title.

Project: Any proposal for new or changed use, or for new construction, alteration, or enlargement of any structure, that is subject to the provisions of this title.

Roof or Deck, Green: A roof or deck/balcony surface that is partially or totally planted with vegetation that is over a waterproof membrane generally for the purpose of water or energy conservation.

Room (Space), Habitable: A space in a structure meeting the requirements of the Building Regulations (Title 9, Chapter 9.01 of the Municipal Code) for sleeping, living, eating or cooking. Bathrooms, toilet compartments, closets, halls, storage or utility space, and similar areas, are not considered habitable space.

Setback Line: A line within a lot parallel to, and the required setback distance from, a corresponding lot line, which is the boundary of any specified front, side or rear yard, or a line otherwise established to govern the location of buildings, structures or uses. Where the corner of a lot has been rounded off for purposes of public right-of-way dedication, the setback line shall be parallel to the original unaltered lot line. Where no minimum front, side or rear setbacks or yards are specified, the setback line shall be coterminous with the corresponding lot line.

Sexual Activities, Specified: Human genitals in a state of sexual stimulation or arousal; acts of human masturbation, sexual intercourse, oral copulation, or sodomy; fondling or other erotic touching of human genitals (pubic region), buttocks, or female breasts.

Single Ownership: Holding record title, possession under a contract to purchase, or possession under a lease, by a person, firm, corporation, or partnership, individually, jointly, in common, or in any other manner where the property is or will be under unitary or unified control.

Site: A lot, or group of contiguous lots not divided by an alley, street, other right-of-way, or city limit, that is proposed for development in accord with the provisions of this title, and is in a single ownership or has multiple owners, all of whom join in an application for development.

Solar Energy System: A combination of solar collector(s) and ancillary solar equipment used to generate electricity or heat water primarily for consumption on the property where the system is located.

Specific Plan: A plan for a defined geographic area that is consistent with the General Plan and with the provisions of the California Government Code, Section 65450 et seq. (Specific Plans).

Stormwater Retention/Detention Feature: A device or system of improvements that captures, retains and subsequently releases stormwater runoff from a site at a lesser volume and/or slower rate than it is collected, while holding the runoff in temporary storage for the purposes of infiltration, bioretention, and/or

storage with beneficial use such as landscape irrigation.

Story: That portion of a building included between the surface of any floor and the surface of the floor next above it. If there is no floor above it, then the space between such floor and the ceiling next above it shall be considered a story. If the portion of a building included between the finished floor level directly above a basement or a usable or unused under-floor space is more than four feet (4') above local grade, as defined herein, for more than fifty percent (50%) of the total perimeter or is more than six feet (6') above local grade, as defined herein, at any point, (excluding required egress wells that meet the minimum size required by the UBC), such basement or usable or unused under-floor space shall be considered a story. A floor level may be divided between portions qualifying as a story and portions qualifying as a basement. Any portion of a floor level qualifying as a story shall be considered to have a minimum dimension of twenty feet (20') measured perpendicular from the outside face(s) of the exterior building wall(s) which defines that area as a story (see graphic illustration under "Basement" definition).

Story, First: The lowest story in a building which qualifies as a story, as defined herein, except that a floor level in a building having only one floor level shall be classified as a first story, provided such floor level is not more than 4 feet below local grade, as defined herein, for more than 50 percent of the total perimeter, or not more than 6 feet below local grade, as defined herein, at any point (excluding required egress wells that meet the minimum size required by the UBC).

Street: A recorded public way, other than an alley, which provides access to abutting property.

Structure: Anything constructed or erected that requires a location on the ground, including a building or a swimming pool, but not including a driveway, walk, fence or wall (used as a fence or boundary grade retaining wall). A wall forming a below-grade well (e.g., egress, light, ventilation) shall be considered to be a structure.

Swimming Pools and Hot Tubs: Water-filled enclosures having a depth of 18 inches or more used for swimming or recreation.

Transmission Line: An electric power line bringing power to a receiving or distribution substation.

Use, Accessory: A use that is appropriate, subordinate, and customarily incidental to the main use of the site and which is located on the same site as the main use.

Used: This term includes the following meanings: arranged, designed, constructed, altered, rented, leased, sold, occupied, and intended to be occupied.

Visible: Likely to be noticed by a person of average height walking on a public street or sidewalk.

Walk Street: A street in the Coastal Zone and/or beach area for pedestrians where vehicular access is not permitted. The location of walk streets is shown in the Infrastructure Element of the General Plan and/or the Access Maps of the Certified Local Coastal Program.

Wind Energy System, Small (SWES): Wind energy system, generally consisting of a wind turbine, tower and ancillary equipment, that is used primarily to generate electricity on the property where the system is located.

Window, Required: An exterior opening in a habitable room meeting the area requirements of the Building Regulations (Title 9, Chapter 19 of the Municipal Code).

Yard: An open space on the same site as a structure, unoccupied and unobstructed by structures from the

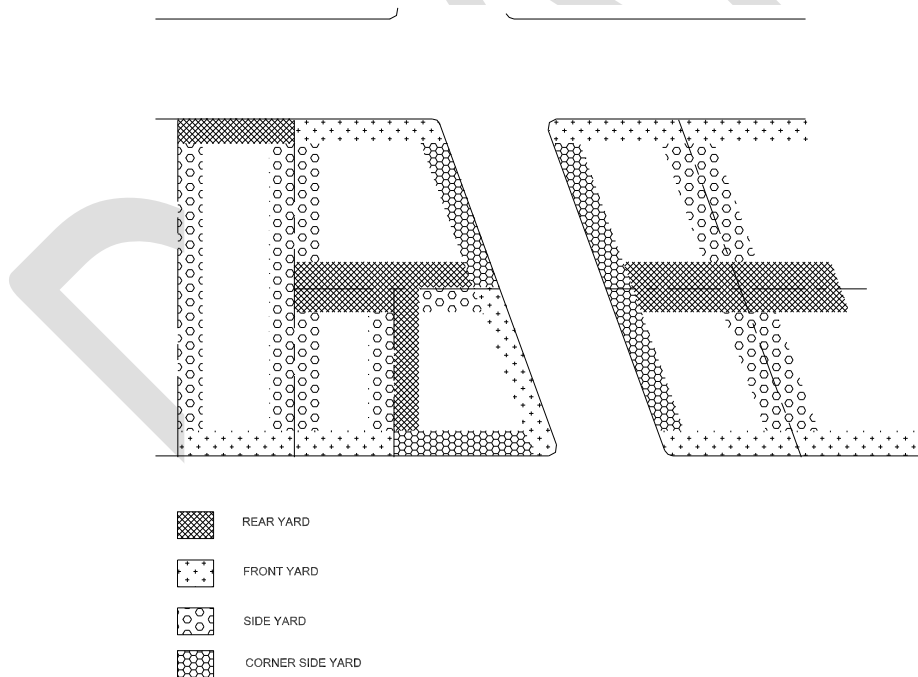
ground upward except as otherwise provided in this title, including a front yard, side yard, or rear yard.

Exception: Siding material extending not more than 0.1 feet beyond the frame and foundation of a structure may occupy a yard.

Yard, Front: A yard extending across the full width of a site, the depth of which is the minimum horizontal distance between the front property line and a setback line parallel thereto on the site. The front yard of a through lot shall adjoin the street property line which adjoins the front yards of the neighboring lots adjoining said street property line, unless no pattern of front yards exists, in which case, the Community Development Director shall determine the location of the front yard. A through lot shall have two (2) front yards if both of its opposing street property lines adjoin blockfaces, or portions of blockfaces, which conform to existing front yard patterns as determined by the Director.

Yard, Rear: A yard, extending across the full width of a site, the depth of which is the minimum horizontal distance between the rear property line and a line parallel thereto on the site, except that on a corner lot the rear yard shall extend only to the side yard abutting the street.

Yard, Side: A yard extending from the setback line of the front yard, or the front property line of the site where no front yard is required, to the setback line of the rear yard, or the rear property line of the site where no rear yard is required, the width of which is the horizontal distance between the side property line and a setback line parallel thereto on the site, except that the side yard on the street side of a corner lot shall extend to the rear lot line.



YARD TYPES

Zoning Ordinance: The Zoning Ordinance of the City of Manhattan Beach Coastal Zone, as amended.

A.12.030. Property development regulations: RM and RH districts.

***Portions of this section were amended and adopted per Ord No. 26-0009 but not in effect until August 7, 2026.**

The following schedule prescribes development regulations for residential zoning districts in each Area District, as defined in Section A.01.060(A)(2) and designated on the zoning map. The columns establish basic requirements for permitted and conditional uses; letters in parentheses in the “Additional Regulations” column refer to “Additional Development Regulations” following the schedule. This section shall not be amended to increase the Standards for Maximum Height of Structures or Maximum Buildable Floor Area, or to reduce the Standards for Minimum Setbacks, Minimum Lot Dimensions or Minimum Lot Area Per Dwelling

Unit, unless the amendment is first submitted to a city-wide election and approved by a majority of the voters.

PROPERTY DEVELOPMENT STANDARDS FOR AREA DISTRICTS III AND IV

	Area District III		Area District IV	Additional Regulations
	RM	RH	RH	
Lot Dimensions				
Area (sq. ft.)				(A)(B)(C)(J)(K)
Minimum	2,700	2,700	2,700	
Maximum	7,000	7,000	7,000	
Width (ft.)				
Minimum	30	30	30	
Minimum Setbacks				
Front (ft.)	5	5	5	(A)(B)(D)(G)
Side (percentage-ft.)	10%—3;10	10%-3;10	10%—3;10	(D)(E)(F)
Corner Side (ft.)	1	1	1	(D)
Rear (ft.)	5	5	5	(D)(E)(F)(G)
Maximum Height of Structures (ft.)	30	30	30	(H)(P)
Maximum Buildable Floor Area				
Lot Area (Sq. Ft.)	1.6	1.7	1.7	(I)(U)(V)

Minimum Lot Area per Dwelling Unit (sq. ft.)	1,350	850	850	(A)(J)(T)
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Note: See Section A.04.030 Definitions, Floor Area, Buildable for parking, loading and basement areas excluded from Buildable Floor Area.

PROPERTY DEVELOPMENT STANDARDS FOR ALL AREA DISTRICTS

	Additional Regulations
Minimum Usable Open Space	(M)
Required Landscaping Adjoining Streets	(O)
Fences, Walls, and Hedges	(P) and A.60.150
Building Separation	(R)
Off-Street Parking and Loading	See Chapter A.64 (Q)
House Moving	(S)
Underground Utilities	See Section A.60.110
Refuse Storage Area	See Section A.60.100
Outdoor Facilities	See Section A.60.080
Screening of Mechanical Equipment	See Section A.60.090
Sustainable Development (Solar Assisted Water Heating, Green Roofs and Decks, Solar Energy Systems, and Small Wind Energy Systems)	See Section A.60.140
Performance Standards	See Section A.60.120
Nonconforming Structures and Uses	See Chapter A.68
Signs	See Chapter A.72
Condominium Standards	See Section A.52.110
Minor Exceptions	See Section A.84.120
Telecommunications Facilities	See Chapter 13.02 of MBMC

RS, RM and RH DISTRICTS:	Additional Development Regulations
Substandard Lots	See Section A.60.020 and 11.32.030 and (J)
Building Projections into Setbacks	See Section A.60.040
Landscaping	See Section A.60.070
Accessory Structures	See Section A.52.050
Exterior Materials	See Section A.52.020
Home Occupation	See Section A.52.070
Tree Preservation	See Section A.52.120

- A. See Section A.60.020, Development on substandard lots. The dedication, condemnation, or purchase of land for street or alley widening or opening shall not affect the number of dwelling units permitted in residential *districts* for the site prior to dedication, condemnation, or purchase if the remainder of the site has not less than seventy-five percent (75%) of the land *area* before dedication, condemnation, or purchase.
- B. See Section A.60.030, Development on lots divided by district boundaries.
- C. The minimum site area shall be twelve thousand (12,000) square feet for general day care, general residential care, and public or private schools.
- D. **Permitted Projections into Required Yards.** See Section A.60.040, Building projections into yards.
- E. **Setbacks.**
1. **Side Setbacks.** Ten percent (10%) of lot width but not less than three feet (3'). In the RM and RH Zones side setbacks need not exceed ten feet (10'), and on corner sides setbacks need not exceed five feet (5').
Exceptions—Side Setbacks. Existing lots in the RM and RH Zones currently developed as multifamily and greater than fifty feet (50') in width need not provide side setbacks greater than five feet (5') when developed with three (3) or more dwelling units.
 2. **Reverse Corner Side Setback.** Reverse corner lots in Area Districts I and II shall have the following side yards:
 - a. On the lot side line which adjoins another lot the side yard shall be determined in the same manner as for an interior lot.
 - b. On the street side line, the width of the required side setback shall be the same as for the interior side setback on the lot except that the size and shape of such required side setback nearest the lot rear line shall be

increased to include all of that portion, if any, of a triangle formed in the following manner:

- I. On the common lot line of the reverse corner lot and the key lot, a point shall be established where the rear line of the required front yard on the key lot intersects such common lot line;
- II. On the street side line of the reverse corner lot, a point shall be established distant from the common street corner of the key lot and the reverse corner lot equal to the depth of the required front yard on the key lot;
- III. The third side of the triangle shall be a straight line connecting points (i) and (ii) of this section. If an alley intervenes between the key lot and the reverse corner lot, the width of the alley shall be included in determining the length of the line on the street side line of the reverse corner lot.

3. **Rear Setback:**

a. In Area District III, RS District, non-alley lots abutting residential at the rear with two thousand seven hundred (2,700) square feet or more in lot area, the rear setback shall be ten feet (10').

F. **Building Wall Height and Required Setbacks.** Except as provided below, the width of a required interior side, corner side or rear yard setback shall be increased by three feet when adjacent to a wall of any building exceeding 24 feet in height, excluding any portion of a roof. This additional setback shall only apply to the portion of the wall over 24 feet in height.

1. **Exceptions.** If the lot width is less than thirty-five feet (35'), no increase in the side yard is required.

G. **Rear Alley Setback Exceptions:** Area Districts III and IV: The width of a required rear yard adjoining an alley, or a required front yard where the front yard adjoins an alley, may be reduced to two feet (2') at height elevations not less than eight feet (8') above the street grade at the rear, or front, property line. See Section A.64.110; Aisle Dimensions.

H. **Maximum Height of Structures.** See Section A.60.050, Measurement of height, and Section A.60.060, Exceptions to height limits. The maximum number of stories permitted shall be three (3) where the height limit is thirty feet (30') and two (2) where the height limit is twenty-six feet (26'). A floor level may be divided between portions qualifying as a story and portions qualifying as a basement. Any portion of a floor level qualifying as a story shall be considered to have a minimum dimension of twenty feet (20') measured perpendicular from the outside face(s) of the exterior building wall(s) which defines that area as a story (See Graphic Illustration under "Basement" definition—Section A.04.030).

A deck or balcony may be located directly above a second story where the height limit is twenty-six feet (26') or the third story where the height limit is thirty feet (30'), if the following criteria are met. Such decks shall be located adjacent to an interior living space and shall provide additional setbacks as follows; in all Area Districts the interior side setback shall be three (3) times the minimum side setback: in Area Districts III and IV the rear setback shall be fifteen feet (15'). The surface elevation of any deck or balcony shall be no higher than nine feet (9') below the height limit.

A green roof or deck may be located only where decks and balconies are allowed. Green roofs that are designed in a manner that prohibits usability may be approved administratively by the Director of Community Development if safety, maintenance, slope, and access issues are mitigated [See "Roof, Green or Deck" Sections A.04.030 and A.60.140(C)].

Whenever new construction or alterations and additions to existing structures involves grading or scraping, a survey acceptable to the Director of Community Development is required as a condition of issuance of a demolition or building permit (see Section A.80.010). The Director shall require that survey markers be set.

The Community Development Director shall determine compliance with this subsection by reviewing two (2) vertical cross-sections through the property (front-to back and side-to-side) that show the relationship of each level in a new structure and new levels added to an existing structure to both existing and finished grade on the property and adjacent land within five feet (5') of the property line.

- I. **Maximum Buildable Floor Area.** The maximum buildable floor area on a lot shall be determined by multiplying the lot area times the Floor Area Factor (FAF) shown in the table. If the lot area is equal to, or greater than, a certain threshold in certain zoning districts (seven thousand five hundred (7,500) square feet in Area Districts I and II for RM and RH Districts, four thousand eight hundred (4,800) square feet for the RS District in Area Districts I and II), then a base floor area in square feet is noted in the table and the additional floor area is calculated by multiplying the appropriate FAF times the lot area. Certain space is not included in the definition of buildable floor area; see Section A.04.

That area used for vehicle parking and loading, up to four hundred (400) square feet on lots where two (2) enclosed parking spaces are required and provided, and up to six hundred (600) square feet where three (3) enclosed parking spaces are required and provided.

In all residential districts, seventy percent (70%) of floor area in a basement that is not entirely below local grade, and up to two hundred (200) square feet of basement area used for storage and mechanical equipment purposes, is excluded from the determination of buildable floor area. Basement areas located entirely below local grade, and the related egress wells if they are the minimum size required by the UBC and located outside of the front yard setback, are excluded from the determination of buildable floor area.

- J. In Area District IV two (2) units are permitted on preexisting, legal half-lots with a minimum site area of one thousand three hundred fifty (1,350) square feet.

- K. **Lot Dimensions—Area.** Minimum and maximum lot area numbers represent a range of permitted lot areas applicable to new subdivisions and building sites created by merging, and/or the lot line adjustments for lots or portions of lots. When calculating maximum lot sizes, any lot dimensions with fractions shall be rounded down to the nearest whole number prior to calculating the lot size.

Preexisting unmerged developed lots which exceed the maximum lot area may continue to be used as one (1) lot until such time as new structures, enlargements or alterations are proposed, in accordance with the fifty percent (50%) building valuation criteria in Section A.68.030(E), Alterations and enlargements of nonconforming uses and structures. At that time when the fifty percent (50%) building valuation criteria is exceeded then the new lot(s), and new development on those lots, shall comply with the current zoning code property development regulations, and any other applicable Manhattan Beach Municipal Code regulations.

Exceptions.

1. Properties zoned RM, RH and CL in Area Districts III and IV that are located within five hundred feet (500') of the Local Commercial (CL) or Downtown Commercial (CD) Zones and developed with three (3) or more dwelling units, excluding those located on the Strand, subject to review and approval of a use permit in accordance with Chapter 10.84.
 2. Existing Legally Created Merged Lots. Any building site composed of merged lots in excess of the maximum lot area as prescribed in this section, which has been legally created or approved prior to February 19, 2008.
 3. Religious assembly and public or private schools uses, used as a single building site, subject to the Director of Community Developments approval of a certificate of compliance, and in accordance with Section 11.04.050, Certificate of compliance. These lots may continue to be used as one (1) building site without requiring a merger of parcels, and the expansion of existing religious assembly and public or private schools is permitted without the recordation of a merger of the parcels, in accordance with Chapter 11.32, Reversion to Acreage and Mergers.
- L. (Reserved)
- M. **Open Space Requirement.** The minimum usable open space (private and shared) in RM and RH Districts shall be provided as follows:
1. For single-family dwellings in Area District III and IV and multifamily dwelling units in all districts, the minimum requirement is fifteen percent (15%) of the buildable floor area per unit, but not less than two hundred twenty (220) square feet. For calculating required open space, basement areas shall be calculated as one hundred percent (100%) buildable floor area, and fifteen percent (15%) open space shall be required for the basement square footage.
 2. The amount of a dwelling unit's required open space located above the second story (where permitted by height regulations) shall not be more than one-half ($\frac{1}{2}$) of the total required open space.
 3. Where new buildable floor area is added to an existing dwelling unit located in Area District III or IV, additional usable open space shall be provided equal to fifteen percent (15%) of the added buildable floor area, until the total open space requirement provided in this section is attained.
- N. **Semi-Circular Driveways.** Semi-circular driveways are permitted within front yards on lots with widths of eighty (80') feet or more, subject to the following standards:
- a. No more than fifty percent (50%) of the front setback area shall be paved, and visible landscaping equal to ten percent (10%) of the front setback (in addition to any other required landscaping) shall be installed between the driveway and the front property line.
 - b. The semi-circular driveway does not have to provide access to the garage.
- O. **Required Landscaping Adjoining Streets.** At least twenty percent (20%) of all visible portions of a required front or corner side yard adjoining a street shall be a planting area. For additional site landscaping requirements, see Section 10.60.070, Landscaping, Irrigation and Hydroseeding. Conformance with standards specified in Section 10.60.070 may result in landscaping that exceeds the minimum requirements of this section.

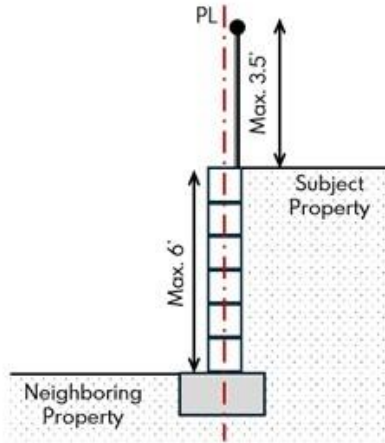
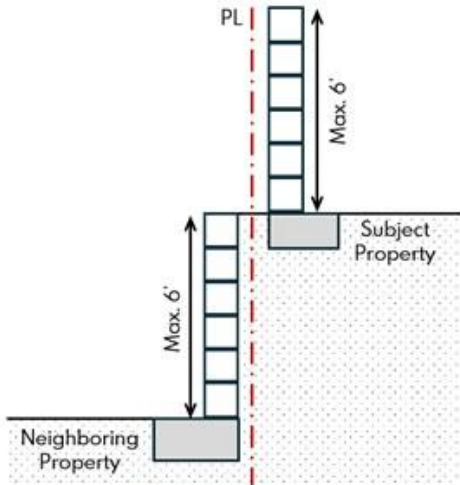
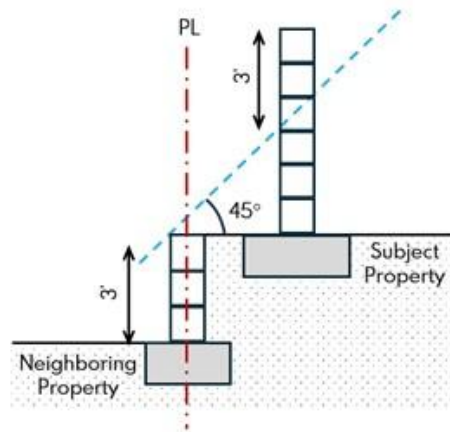
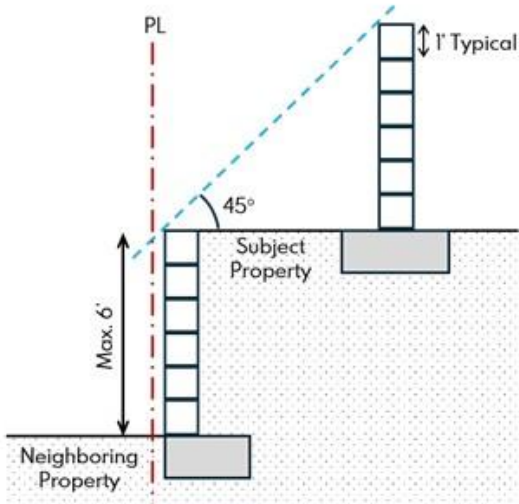
- a. **Exceptions for Area Districts III and IV.** The Community Development Director may grant an exception for a portion of the amount of required landscaping, not to exceed seventy-five percent (75%) of the total, in order to accommodate driveways and walkways.
- P. **Fences, Walls, and Hedges.** The maximum height of a fence, wall, or hedge shall be six feet (6') in required side or rear yards, and forty-two inches (42") in required front yards. In addition, all fences, walls and hedges shall be subject to the driveway visibility requirements of Section A.64.150, and the traffic sight obstructions provisions for corner lots in Section A.60.150.

For the purposes of this section, fence/wall/hedge height shall be measured from the lower adjacent finished grade (which may include a neighboring private or public property's grade) to the top of the fence/wall/hedge, including any attachments. If more than one (1) fence/wall/hedge is located within a required yard on the subject property, any portion of a fence/wall/hedge that projects above a forty-five degree (45°) daylight plane inclined towards the subject property from the top of the lowest adjacent fence/wall/hedge, shall be counted toward the height measurement of the lowest fence/wall/hedge.

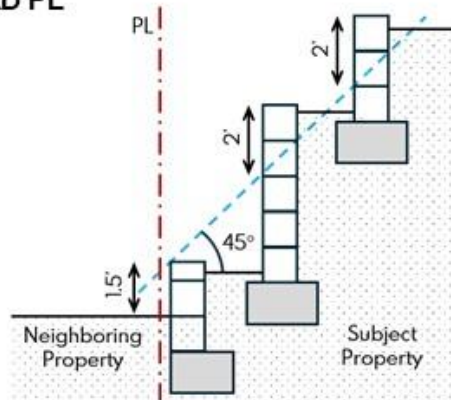
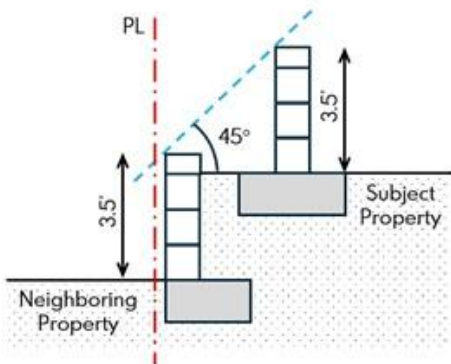
Exceptions:

1. A fence, wall or hedge having additional non-retaining height shall be permitted wherever a six foot (6') fence is allowed, provided such additional height over six feet (6') meets one (1) of the following criteria.
 - a. The additional portion is required, for safety purposes pursuant to the California Building Code,; is constructed of primarily transparent material (Plexiglas, plastic, etc.) or vertical railings that are continuously at least seventy-five percent (75%) open; and, the total combined fence/wall height does not exceed eleven feet (11').
 - b. The additional portion is sloped inward (open or solid) at an angle of not less than thirty degrees (30°) and no more than forty-five degrees (45°) from vertical, and provided, further, that such additional portion shall not make the total height of the fence more than eight feet (8') and shall not extend closer than three feet (3') to any part of any building.
 - c. The additional portion is approved in writing by each owner of property (the City in cases of public right-of-way) abutting the property line along which the fence is located, and provided, further, that such additional portion shall not make the total height of the fence more than eight feet (8'), or the combined height of adjacent neighboring retaining walls and fences more than twelve feet (12'). If a coastal development permit is required for a fence by Sections A.96.040 and A.96.050 of the City's certified Local Coastal Program, the additional height of the fence may be approved only if the additional height does not impede public views of the ocean, the beach, and to and along the shoreline.
2. Architectural screen walls not to exceed six feet (6') six inches (6") in height may be erected in the required front yard in Area Districts I and II provided that such walls are placed not less than fourteen feet (14') back from the front lot line and not less than the required setback from the side property line, nor extend for more than one-half (½) the lot width.

SIDE/REAR YARD PL



FRONT YARD PL



Note: (Front) Guardrail or handrail is not allowed in addition to the 42" height limit

PERMITTED FENCE/WALL/HEDGE HEIGHTS

- Q. (Reserved)
- R. **Building Separation.** The minimum distance between buildings (building separation yard) containing one (1) or more dwelling units on a site shall be ten feet (10'). For permitted projections within said building separation yards, see Section A.60.040, Building projections into yards.

Exception: A detached accessory dwelling unit shall have a minimum separation from other buildings on the lot as specified by Section A.74.050.B.2.c.
- S. **House Moving.** For the purpose of this chapter, permits required for moving buildings and structures within City limits must comply with Title 9, Chapter 9.08, Building Moving.

ADDITIONAL FRONT SETBACK REQUIREMENT
MBMC A.12.030T

- T. Multi-family residential developments meeting the minimum requirements for a density bonus pursuant to Chapter A.94 shall be granted a lot consolidation bonus incentive when two or more parcels are consolidated into a single building site according to the following formula:

Combined Parcel Size		Base Density Increase
General	Site Inventory Parcels*	
Less than 0.50 acres		No increase
	0.30 acres to 0.49 acres	5% increase
0.50 acres to 0.99 acres		5% increase
1.00 acre or more		10% increase

*Applicable to sites identified in Appendix E- Site Analysis and Inventory: Tables 8, 9, 10, and 15 of the certified 6th Cycle Housing Element.

This lot consolidation bonus incentive shall be calculated prior to determining any density bonus pursuant to Chapter A.94.

- U. Multi-family residential developments meeting the minimum requirements for a density bonus pursuant to Chapter A.94 shall be exempt from these maximum lot size limitations.

A.52.040. Repealed.

DRAFT

A.52.050. Accessory structures.

***Portions of this section were amended and adopted per Ord No. 26-0009, but not in effect until August 7, 2026.**

- A. Timing. Accessory structures shall not be established or constructed prior to the start of construction of a principal structure on a site, except that construction trailers may be placed on a site at the time site clearance and grading begins and may remain on the site only for the duration of construction.
- B. Location. Except as provided in this chapter, accessory structures shall not occupy a required front, side, or building separation yard. Mechanical equipment and storage buildings shall be prohibited beyond the front building line of the principal structure on a site. No accessory uses shall be permitted off-site.

Exceptions.

1. Ornamental accessory structures may be located in the front yard of a site if they do not exceed 42 inches in height.
2. One flagpole may be located in the front yard of a site if it does not exceed 15 feet in height.
3. One decorative lamp post may be located in the front yard of a site if it does not exceed eight feet in height.
4. Architectural screen walls may be located in the front yard of a site pursuant to Section A.12.030(P).
5. One basketball hoop/post may be located in the front yard of a site if it does not exceed thirteen feet in height.
6. Stormwater runoff and greywater retention/detention features may be located in required side, rear, or building separation yards as follows:
 - a. Retention/detention features installed entirely below local grade.
 - b. Above grade retention/detention features may project a maximum of 12 inches into required side, rear, or building separation yards provided a five-foot clearance from the property line is maintained.
 - c. Other retention/detention feature locations may be approved at the discretion of the Community Development Director.

Exception. Stormwater and greywater retention/detention equipment may be located within five feet of a property line provided it complies with the locational criteria of Section A.52.040(D), stated above, and is located within a structure having a solid roof, solid walls, and, with no openings within five feet of said property lines.

7. Utility cabinets may be placed within a front yard setback per the utility provider's specifications, when all of the following conditions:

- a. The utility cabinet cannot be placed underground based on the utility provider's specifications;
- b. The utility cabinet cannot be placed in the public right-of-way, as determined by the City Engineer;
- c. The utility cabinet is placed as close to the front property line as possible based on the utility provider's specifications.
- d. The utility cabinet is designed and painted or otherwise finished to be visually compatible with the surrounding built and natural environment, as determined by the Community Development Director;
- e. The utility cabinet is placed within a public utility easement for the benefit of the utility provider;
- f. The utility cabinet complies with the visibility requirements of Section A.64.150.

C. Maximum Height. The maximum height of an accessory structure shall be 12 feet, subject to the provisions of this subsection. Additional height shall be permitted, as provided in Section 10.60.060; Exceptions to height limits. For the purposes of Section, height shall be determined by a weighted averaging of the local grades taken around the perimeter of the accessory structure.

Exceptions.

1. The maximum height of any portion of an accessory structure which has a minimum 3 in 12 roof slope, and has a single roof ridge-line located at approximately the center of the structure, may be 15 feet.
2. The maximum height of any portion of an accessory structure containing a guest house or accessory living quarters, as defined in this Title, constructed directly above a garage, may be 22 feet, when said portion is not located within a required yard, or when it takes vehicle access from an alley and is located at least 3 feet from all property lines.

D. Relation to Property Lines. An accessory structure, any portion of which is located within a required rear yard, shall be located on a rear or interior side property line, or shall be not less than 3 feet from said property line(s) (see Section A.64.110; Aisle Dimensions, for exceptions applicable to detached alley-accessed garages. Building projections within the required setback area as prescribed in this Section are permitted in accordance with Section A.60.040; Building projections into required yards or open space.

Exception: Where a fence, wall, or retaining wall is located on an interior side or rear property line, the setback for an accessory structure to the property line may be between zero and three feet, providing there is zero clearance between said fence, wall or retaining wall and accessory structure.

E. RS District. In an RS district, the total gross floor area of accessory structures more than 4

feet in height that are not attached to a dwelling shall not exceed 900 square feet or 12% of lot area, whichever is more.

F. Reserved.

G. Swimming Pools and Hot Tubs.

1. A swimming pool or hot tub may occupy a required rear yard or side yard but shall be a minimum of 5 feet as measured from the water line of the swimming pool or hot tub to the side and rear property lines. Related equipment may occupy a required rear yard or side yard, but shall not be within five feet of the side and rear property lines unless placed entirely within a subterranean vault with a minimum three-foot setback from said side and rear property lines.

Exception: A swimming pool or hot tub and related equipment may be located within 5 feet of a property line provided it complies with the locational criteria of subsection D, stated above, and is located within a structure having a solid roof, solid walls, and, with no openings within 5 feet of said property lines.

H. Decks. No accessory structure deck or green roof/deck more than thirty inches (30") in height shall be located in a required yard.

J. Separation. The distance between buildings used for human habitation and between buildings used for human habitation and accessory buildings on the same lot shall not be less than 10 feet.

K. Accessory Dwelling Units constructed in compliance with Chapter A.74 are not subject to the provisions of this Section A.52.050.