

ORDINANCE NO. 23-0006

AN ORDINANCE OF THE CITY OF MANHATTAN BEACH ADDING CHAPTER 10.50 TO THE MANHATTAN BEACH MUNICIPAL CODE TO ESTABLISH A RESIDENTIAL OVERLAY ZONING DISTRICT AND APPLYING THE OVERLAY TO CERTAIN PROPERTIES

THE MANHATTAN BEACH CITY COUNCIL HEREBY RESOLVES AS FOLLOWS:

SECTION 1. The City Council hereby adds Chapter 10.50 (Residential Overlay District) to Title 10 (Planning and Zoning) of the Manhattan Beach Municipal Code to read as follows:

“Chapter 10.50 - Residential Overlay District

Section 10.50.010 – Specific Purpose and Applicability

Section 10.50.020 – Development Standards

Section 10.50.030 – Procedure

Section 10.50.010 – Specific Purpose and Applicability.

The purpose of this Chapter is to implement the requirements of Government Code Sections 65583.2(h) and (i), by establishing an overlay zoning district, designated as “Residential Overlay District” or “ROD” on the zoning map, inclusive of objective development standards that allow by-right multifamily residential development for qualifying projects, consistent with State law.

Section 10.50.020 – Development Standards

Projects on designated lots shall comply with the following development standards:

- A. **Density:** The density shall range between a minimum of 20 DU/AC and a maximum of 60 DU/AC.
 - 1. **Mixed-use Projects:** Maximum Floor Area Factor of 2.0, applicable to entire project.
- B. **Setbacks:** No setbacks are required, unless a property line of the project site abuts a residential property, in which case, development shall comply with the following:
 - 1. A minimum five (5) foot setback is required at any property line separating existing residential development from a project approved pursuant to this Section.
 - 2. Structures shall not intercept a 60° daylight plane inclined inward from a height of 20 feet above existing grade at the shared property line.
- C. **Height:**
 - 1. Development on designated sites along Sepulveda Boulevard, Aviation Boulevard, Manhattan Beach Boulevard and Artesia Boulevard shall not exceed 36 feet in height.
 - 2. Development on designated sites along Rosecrans Avenue, including APN 4138020056, shall not exceed 60 feet in height.
 - 3. For all projects, roof mounted mechanical equipment and elevator shafts are

allowed to exceed the maximum allowed height limit by up to five (5) feet, so long as they are properly screened and located in an area that would not be visible from or adversely impact the surrounding properties.

- D. **Open Space:** A minimum of 50 square feet of private open space per unit is required. To qualify, open space shall have minimum dimension of five (5) feet in any direction. Common open space shall be provided at equal to or greater than eight percent (8%) of buildable floor area.
- E. **Fence/Wall:** A solid masonry or concrete wall is required for project sites that abut or adjoin a ground-floor residential use or residentially zoned property. The minimum height of a fence or wall shall be six (6) feet as measured from the finished grade of the development approved pursuant to this Section, and up to eight (8) feet, unless a greater height is mutually agreed upon for a common property line by the abutting property owners and approved by the Community Development Department.
- F. **Parking:** Required parking spaces for residential units shall be provided in accordance with the State density bonus law (CA Government Code 65915). Commercial parking in mixed-used projects are subject to standard parking requirements in Chapter 10.64 of the MBMC.
- G. **Residential Capacity:** Projects can be developed solely with residential uses. For mixed-use projects, a minimum 50% of the floor area shall be dedicated to residential uses.
- H. **Other:** Project must include a minimum of 20% of the total units for lower-income households. Owner-occupied and rental multifamily uses are allowed.

Section 10.50.030 - Procedure

Pursuant to Government Code Sections 65583.2(h) and (i), any development proposed pursuant to this Section is permitted by-right. Qualifying projects shall be submitted directly to the Building and Safety Division for plan check review.”

SECTION 2. ZONING MAP AMENDMENT. The City Council hereby amends the City of Manhattan Beach Zoning Map to incorporate the Residential Overlay District as reflected on the attached Exhibit.

SECTION 3. CONSISTENCY WITH GENERAL PLAN AND ZONING CODE’S NOTICE AND HEARING REQUIREMENTS. The proposed zoning text amendment and zoning map amendment will be consistent with the General Plan Goals and Policies as they are consistent with the City’s Housing Element of the General Plan and corresponding amendments are also proposed to the General Plan Land Use Element. Specifically, the proposed amendments to the Land Use Element focus on commercial districts and corridors, such as Sepulveda Boulevard and Rosecrans Avenue east of Sepulveda, where the proposed Residential Overlay District will be applicable. The proposed zoning text amendment and zoning map amendment are also consistent with the notice and hearing requirements of the City’s Zoning Code.

SECTION 4. INTERNAL CONSISTENCY. Any provisions of the Municipal Code, or any other resolution or ordinance of the City, to the extent that they are inconsistent with this Ordinance are hereby repealed, and the City Clerk shall make any necessary changes to the Municipal Code for internal consistency.

SECTION 5. SEVERABILITY. If any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such

invalidity will not affect the effectiveness of the remaining provisions or their application and, to this end, the provisions of this Ordinance are severable.

SECTION 6. CERTIFICATION. The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause this Ordinance to be published within 15 days after its passage, in accordance with Section 36933 of the Government Code.

ADOPTED on _____, 2023.

AYES:
NOES:
ABSENT:
ABSTAIN:

Mayor

ATTEST:

LIZA TAMURA
City Clerk

APPROVED AS TO FORM:

QUINN M. BARROW
City Attorney

EXHIBIT A
UPDATED ZONING MAP

