

(30 foot alternative)

ORDINANCE NO. 19-0004

AN ORDINANCE OF THE CITY OF MANHATTAN BEACH AMENDING TITLE 10 OF THE MANHATTAN BEACH MUNICIPAL CODE TO ESTABLISH A SEPULVEDA BOULEVARD CORRIDOR OVERLAY DISTRICT AND DEVELOPMENT STANDARDS THEREFOR, WITHIN THE GENERAL COMMERCIAL (CG) ZONING DISTRICT LOCATED ALONG SEPULVEDA BOULEVARD, AND MAKING A DETERMINATION OF EXEMPTION UNDER CEQA

THE MANHATTAN BEACH CITY COUNCIL HEREBY ORDAINS AS FOLLOWS:

SECTION 1. On April 25, May 23 and June 13, 2018, the Planning Commission conducted duly noticed public hearings on the proposed Zoning Code Amendment.

SECTION 2. On June 19, July 3, July 17 and October 2, 2018, the City Council held duly noticed public hearings regarding the proposed Zoning Code Amendments.

SECTION 3. The proposed Zoning Code Amendments are consistent with the Manhattan Beach General Plan and implement the following General Plan Goals and Policies:

Land Use Element Goal LU-6: Maintain the viability of the commercial areas of Manhattan Beach.

Land Use Element Policy LU-6.2: Encourage a diverse mix of businesses that support the local tax base, are beneficial to residents, and support the economic needs of the community.

Land Use Element Policy LU-6.3: Recognize the need for a variety of commercial development types and designate areas appropriate for each. Encourage development proposals that meet the intent of these designations.

Land Use Element Policy LU-6.4: Recognize the unique qualities of mixed-use areas and balance the needs of both the commercial and residential uses.

Land Use Element Goal-8: Maintain Sepulveda Boulevard, Rosecrans Avenue, and the commercial areas of Manhattan Village as regional-serving commercial districts.

Land Use Element Policy LU-8.1: Ensure that applicable zoning regulations allow for commercial uses that serve a broad market area, including visitor-serving uses.

SECTION 4. The City Council hereby amends Section 10.44.010 of Manhattan Beach Municipal Code Chapter 10.44 (Design Overlay Districts) to: (1) change the word “Seven” to “Eight” in the second paragraph; and (2) add “D-8—Sepulveda Boulevard Corridor Overlay” to the list of Design Overlay Districts, to read as follows:

“D8—Sepulveda Boulevard Corridor Overlay, where more flexible development standards are needed in order to continue to promote desirable development, uses and economic vitality within the General Commercial (CG) zone. Only land uses listed in note s of Section 10.44.040 are eligible for flexible development standards. All land uses not listed in note s of Section 10.44.040 shall comply with all requirements contained within Chapter 10.16 of this title.”

SECTION 5. The City Council hereby amends Manhattan Beach Municipal Code Section 10.44.040 (Development regulations for design overlay districts) by adding Column D-8 (Sepulveda Boulevard Corridor Overlay) and notes “s” and “t” to read as follows:

10.44.040 - Building permits to conform to overlay district regulations.

Applications for building permits for projects within a D overlay district shall be accepted only if project plans are consistent with the development regulations of this chapter and with all other applicable requirements of this Code. The regulations imposed by this section shall apply to any new structures or improvements, intensification of use, or enlargement of an existing structure.

D DESIGN OVERLAY DISTRICT: DEVELOPMENT REGULATIONS	
D1—Rosecrans west of Laurel Avenue	D5—North End Commercial
D2—11th and Aviation Boulevard	D6—Oak Avenue Overlay
D3—Gaslamp Neighborhood	D7—Longfellow Drive Area Overlay
D4—Traffic Noise Impact Areas	D8—Sepulveda Boulevard Corridor Overlay

Subdistricts	D-1	D-2	D-3	D-4	D-5	D-6	D-7	D-8
Minimum Site Area	-	-	-	-	-	(o)		-
Minimum Lot Area							(q)	-
Maximum Building Height (ft.)	-	26	26 (c)	-	30 (g)	26		(s)
Setbacks	-	-	-	-	-	-	-	-

Minimum Lot Area per Dwelling Unit (sq. ft.)	-	1,800	-	-	-	-	-	-
Maximum Fence Height (ft.)	6 ^(a)	-	-	8 ^(b)	-	-	-	-
Public Hearing and Environmental Review	-	-	(d)	-	-	-	-	-
Landscaped Buffer Adjacent to Street (Required width in ft.)	-	-	-	-	(k)	5 ^(m)	-	-
Minimum Front Setback, Upper Story (ft.)	-	-	(e)	-	(h)	-	-	-
Minimum Side Setback (ft.)	-	-	-	-	-	5	-	-
Required Roof Design	-	-	(f)	-	-	(f)	-	(s)
Required Building Design	-	-	-	-	-	(n)	-	-
Vehicular Access	-	-	-	-	(i)	(m)	-	-
Reduced Parking	-	-	-	-	(j)	-	-	-
Use Permit Required	-	-	-	-	-	-	-	(t)
Body Art Studios	-	-	-	-	-	(r)	-	-
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D DESIGN OVERLAY DISTRICT: DEVELOPMENT REGULATIONS ADDITIONAL REQUIREMENTS								
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- s. The maximum building height for any building shall be 30 feet without the need of a minimum roof pitch of at least four vertical feet for each 12 lineal feet of roof area or structure parking at or below the ground level. Roof mounted mechanical equipment and elevator shafts are allowed to exceed the maximum allowed height limit by five 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. A study may be required by the Community Development Director showing that adjacent properties will not be negatively impacted.
- t. Projects involving a change of use (single use or multi-tenant project) shall not be required to obtain a use permit as long as the proposed use(s) is permitted by right as prescribed in Section 10.16.020 and the change of use(s) does not constitute an intensification of the use or parking requirement, regardless of the buildable floor area. No net addition of buildable floor area shall be allowed in conjunction with this provision.

SECTION 6. The City Council hereby amends the City of Manhattan Beach Zoning Map to incorporate the D8- Sepulveda Boulevard Corridor Overlay as reflected on the attached Exhibit.

SECTION 7. CALIFORNIA ENVIRONMENTAL QUALITY ACT EXEMPTION.
The City Council determines that this ordinance is exempt from environmental review under the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., “CEQA”) and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, et seq., the “CEQA Guidelines”). It can be seen with certainty that there is no possibility that the adoption of this Ordinance, and the amendments to the commercial development standards or the zoning map established hereby, may have a significant effect on the environment. Future discretionary development projects shall be subject to CEQA and shall be subject to environmental review. The adoption of this Ordinance is therefore not a “project” within the meaning of CEQA and is exempt pursuant to CEQA Guidelines Section 15061(b)(3).

SECTION 8. 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 9. SEVERABILITY. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of any competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the Ordinance would be subsequently declared invalid or unconstitutional.

SECTION 10. SAVINGS CLAUSE. Neither the adoption of this Ordinance nor the repeal or amendment by this Ordinance of any ordinance or part or portion of any ordinance previously in effect in the City, or within the territory comprising the City, shall constitute a waiver of any license, fee or penalty or the penal provisions applicable to any violation of such ordinance

SECTION 11. 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.

SECTION 12. EFFECTIVE DATE. This Ordinance shall go into effect and be in full force and effect at 12:01 a.m. on the 31st day after its passage.

ADOPTED on _____, 2019

AYES:
NOES:
ABSENT:
ABSTAIN

STEVEN A. NAPOLITANO
Mayor

ATTEST:

LIZA TAMURA
City Clerk

APPROVED AS TO FORM:

QUINN M. BARROW
City Attorney