In May 2019, City Council initiated Code amendments and directed staff to:

1. Reduce third floor massing;

2. Reduce height and bulk of single-unit dwellings and duplexes in Multiple Unit Residential (RM) Zoning Districts; and

3. Incentivize the preservation of beach cottages.
<table>
<thead>
<tr>
<th>PRE-2010 ZONING CODE</th>
<th>CURRENT ZONING CODE</th>
<th>PROBLEM</th>
</tr>
</thead>
<tbody>
<tr>
<td>24’ flat roof or rails 29’ sloped (midpoint @ 24’)</td>
<td>24’ flat roof or rails 29’ sloped (min 3:12 pitch)</td>
<td>Only applicable to enclosed floor area</td>
</tr>
<tr>
<td></td>
<td>Bulk controls:</td>
<td>Covered decks and attics excluded</td>
</tr>
<tr>
<td></td>
<td>• 3rd floor step backs</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Maximum 3rd floor area</td>
<td></td>
</tr>
<tr>
<td>Floor Area Definition:</td>
<td></td>
<td>Floor Area Exempt:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Unfinished attics excluded</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Silent on required openings</td>
</tr>
</tbody>
</table>

**Certain Areas Exempt:**
- Balboa Island
- RM Zones
- 25’ wide R-2 lots
Problems

No 3<sup>rd</sup> Floor Relief

Not Always Applicable

Bulky 3<sup>rd</sup> Floor Decks

Easy to enclose
• Eliminate unintended consequences from 2010 ZC Update

• Provide more consistency in application of residential design standards
Not Intent of Code Amendment

- Comprehensive overhaul of design standards
- Not changing allowed heights
- Not prohibiting covered roof decks
- Not changing allowed floor area potential
What Has Happened

08/19/19
- 1st Community Meeting
  - Support for changes except from RM Owners

09/10/19
- City Council Study Session
  - Mixed comments; regulate covered deck openings
  - SB 330 – Housing Crisis Act concerns

02/11/20
- Cottage Preservation Ordinance Adopted

various
- Consultation with community members and designers
  - Code refinements

03/09/20
- 2nd Community Meeting
  - Mixed support; competing interests
  - Front and rear step-backs to R2 lots (25’ wide or less)
A. Revisions to 3rd Floor Standards
B. Clarification of Gross Floor Area
C. Applicability to Balboa Island, RM, and R-2 (25’ wide) Zones
Current Code

Third Floor Limits

- 15-ft stepbacks
- Floor area limit (15-20% of buildable area)
- No limits on non-floor area
- No limits on covers

Range of Covered Area

Overhead View

- 1st Floor (up to 100% of buildable)
- 2nd Floor (up to 100% of buildable)
- 3rd Floor (up to 20%)
- Possible 3rd Floor Location

Side View

- FSB 15’ 15’ RSB
- PL

Current Code

Third Floor Limits

- 15-ft stepbacks
- Floor area limit (15-20% of buildable area)
- No limits on non-floor area
- No limits on covers
Problem - Overpowering 3rd floor massing

Current Code

Covered decks not subject to 3rd floor limits
Proposed Change

Third Floor Limits

- 15-ft stepbacks
- Floor area limit
- Covered 3rd floor deck areas subject to stepbacks
- 50% max coverage

Overhead View

Side View
Comparison

3rd Floor Limits

CURRENT CODE
• Only applies to enclosed floor area
• Floor area limited to 15-20%

PROPOSED CODE
Will apply to floor area and covered deck area with a 50% maximum coverage allowance
Proposed Change

Covered decks subject to 3rd floor limits

Desired Outcome - Restrained 3rd floor massing
<table>
<thead>
<tr>
<th>3rd Floor Side Stepbacks</th>
<th>CURRENT CODE</th>
<th>PROPOSED CODE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>-Only applies to enclosed floor area</td>
<td>-Will apply to enclosed floor area and covered decks</td>
</tr>
<tr>
<td></td>
<td>-Only applies to lots wider than 30’</td>
<td>-Will apply to lots 30’ wide or greater</td>
</tr>
</tbody>
</table>

- Majority of lots 30’
- Results in 3 levels of non-articulated walls

- Results in more designs with 3rd floor articulation

![Diagram of 3rd Floor Side Stepbacks](image1)

![Diagram of Proposed Code](image2)
Problem– Minimal articulation of 3rd floor massing

Current Code

3rd Floor Side Stepbacks
Proposed Change

3rd Floor Side Stepbacks

Desired Outcome - Increased articulation of 3rd floor massing
A. Revisions to 3rd Floor Standards

B. Clarification of Gross Floor Area

C. Applicability to Balboa Island, RM, and R-2 (25’ wide) Zones
<table>
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<tr>
<th>Comparison</th>
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<th>CURRENT CODE</th>
<th>PROBLEM</th>
</tr>
</thead>
</table>
| **Openings Required for Covered Decks** | Two Sides Open | Silent, but implemented:  
• One side completely open  
• Two sides substantially open | Bulky Designs  
Easy to Enclose  
Moves required openings from front and rear of structure to sides where less visible |
Current Code

Problem - Larger appearance and bulk; unpermitted enclosures

Openings Required for Covered Decks

- Limited openings
- Bulky designs
- Easy to enclose
## Openings Required for Covered Decks

### Proposed Change

**Desired Outcome - Reduced bulk; increased transparency**

**Two sides open, except:**
- Minimal structural supports
- Open guardrails (40%) or glass
- Ground level

[Images of buildings with various open guardrails and glassguardrails highlighted.]

- **Required open space moved to front**
- **Open Guardrails**
- **Glass Guardrails**
- **Open above**
**Current Code**

**Attics**

**Gross Floor Area**

- Attics over 6 feet in height do not count as floor area is unfinished.
- Only floor area is subject to 3rd floor step backs.
Proposed Change

Attics

Gross Floor Area

Any interior finished portion of a structure that is accessible and that measures more than six feet from finished floor to ceiling.
A. Revisions to 3rd Floor Standards
B. Clarification of Gross Floor Area
C. Applicability to Balboa Island, RM, and R-2 (25’ wide) Zones
3rd Floor and Open Space Limits

**CURRENT CODE** – Not applicable to:
- Balboa Island (R-BI) Zone
- Multiple Residential (RM) Zone
- Two-Unit Residential (R-2) Zone lots that are 25 feet wide or less

No 3rd Floor Limits

No 3rd Floor Stepbacks
Proposed third floor and open volume standards will also apply to:

- Balboa Island
- 1 or 2 unit structures in Multiple-Unit Residential (RM) Zone
  - No changes in height
  - Not applicable to 3+ units

*Front* and *Rear* step-backs will apply to 25-foot wide or less R-2 lots

- Exempt from 3rd floor area, side step backs, and open volume
Stimulate homebuilding to address housing shortage

- Expedites housing development applications
- Increased tenant protections and no net loss housing
- Suspends downzoning
- Suspends changes in development standards that result in less intense use
Development standard can’t:

- **Reduce density** – number of potential units
- **Reduce intensity of development** - height, floor area, setbacks, lot coverage, or anything that lessens the dwelling unit potential of development.

Amendment Compliance:

- No changes in achievable height, setbacks, floor area, density
- Incentivizes more density in RM zone by exempting 3+ units
- 3rd floor step-backs are not setbacks (design standard)
- Open Volume encourages modulation, does not impact floor area potential
Recommendations

- **Public hearings**
  - Planning Commission – recommendations to City Council
  - City Council

- **Recommendations for projects under review:**
  - Discretionary applications deemed complete (e.g., CDPs) and projects submitted for plan check prior to effective date of ordinance allowed to be reviewed under existing regulations.