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W15a

Prepared July 22, 2016 for August 10, 2016 Hearing

To: Commissioners and Interested Persons

From: Susan Craig, Central Coast District Manager
Kevin Kahn, Central Coast District Supervisor

Subject: City of Carmel-by-the-Sea LCP Amendment Number LCP-3-CML-16-0005-1-
Part A (Carmel Affordable Housing Incentives)

SUMMARY OF STAFF RECOMMENDATION

The City of Carmel-by-the-Sea proposes to amend the Local Coastal Program's (LCP) Implementation Plan (IP) by clarifying and adding to the incentives for the development of affordable housing. Specifically, the amendment modifies IP Section 17.64.190 by: (1) establishing new standards for granting Density Bonuses (as allowed by Government Code Section 65915); (2) clarifying that the IP's "Bonus Density" incentives (a separate City program aimed at encouraging affordable housing construction) apply only to areas zoned multi-family residential (R-4) and when one of the existing standards specified in 17.64.190 is satisfied; and (3) specifying that affordable housing units produced pursuant to the Density Bonus, Bonus Density, or Floor Area Bonus incentives (another City program to encourage affordable housing) be administered by a City-approved affordable housing agency. The amendment also adds definitions to "transitional housing" and "supportive housing", and adds "Group Residential" as an allowable land use in the R-4 zone.

The LCP currently includes a series of policies and standards aimed at encouraging the creation of affordable housing, and offers a suite of incentives to do so. For example, the Land Use Plan (LUP) allows Density Bonuses of up to 35% above the otherwise LCP-specified density maximum in areas with Core Commercial and/or Residential/Commercial land use designations. The existing IP also includes a series of programs aimed at encouraging affordable housing, including "Floor Area Bonuses" for development within commercial and R-4 zoning districts that provide a specified amount of affordable housing (e.g., up to a five percent increase in floor area if 25% of the housing units are affordable to moderate income persons), and "Bonus Density" incentives of up to 44 units per acre (above the otherwise allowed 33 units per acre) specifically in R-4 zoning.

As set forth in the proposed amendment, Bonus Density is applicable only in the R-4 zoning district, and the findings in IP Section 17.64.190 have to be met, including that 20% of the units will be reserved for "lower-income households" (or 10% for "very-low income households" or

50% for “senior citizens”). For Density Bonus, the applicable findings of IP Section 17.64.190 have to be met, including: conformance with State Density Bonus Law and LCP policies (other than density); and restriction to Core Commercial and/or Residential/Commercial land use designations. Finally, affordable housing produced via any of the aforementioned incentives (Density Bonus, Bonus Density, or Floor Area Bonus) must be administered by a City-approved affordable housing agency. In essence, IP Section 17.64.190 serves as an implementing ordinance to ensure, in context of the LCP’s existing framework, that projects receiving incentives/modifications to development standards from the LCP’s numerous affordable housing incentives provide affordable housing in a clear, enforceable manner, while ensuring coastal resources are protected.

Commission staff has worked collaboratively and extensively with City staff to craft an amendment that incentivizes the construction of affordable housing within Carmel-by-the-Sea in a manner that clearly communicates the different incentives available to do so, and in a manner that respects and protects the City’s unique coastal resources. Therefore, staff recommends that the Commission find the proposed amendment consistent with and adequate to carry out the policies of the LUP, and that the Commission approve the amendment as submitted. The motion and resolution are found on page 4 below.

Staff Note: LCP Amendment Action Deadline

This proposed LCP amendment was filed as complete on July 12, 2016. The proposed amendment affects the LCP’s Implementation Plan (IP), and the 60-day action deadline is September 10, 2016. Thus, the Commission has until September 10, 2016 to take a final action on this LCP amendment.

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EXHIBITS

Exhibit 1: Proposed IP Amendment

Exhibit 2: City of Carmel-by-the-Sea Land Use and Zoning Maps

I. MOTIONS AND RESOLUTIONS

Staff recommends that the Commission, after public hearing, approve the proposed LCP amendment as submitted. The Commission needs to make one motion in order to act on this recommendation.

A. Certify the IP Amendment As Submitted

Staff recommends a **NO** vote on the motion below. Failure of the motion will result in certification of the IP amendment as submitted and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

***Motion:** I move that the Commission reject Implementation Plan Amendment Number LCP-3-CML-16-0005-1-Part A as submitted by the City of Carmel-by-the-Sea, and I recommend a **no** vote.*

***Resolution:** The Commission hereby certifies Implementation Plan Amendment Number LCP-3-CML-16-0005-1-Part A as submitted by the City of Carmel-by-the-Sea and adopts the findings set forth below on the grounds that the amendment is consistent with and adequate to carry out the certified Land Use Plan. Certification of the Implementation Plan amendment complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the plan on the environment, or 2) there are no further feasible alternatives or mitigation measures which could substantially lessen any significant adverse impact which the Implementation Plan Amendment may have on the environment.*

II. FINDINGS AND DECLARATIONS

A. DESCRIPTION OF PROPOSED LCP AMENDMENT

The proposed amendment clarifies and adds to the LCP's incentives for the development of affordable housing. Specifically, the amendment modifies IP Section 17.64.190 by: (1) adding new standards for granting "Density Bonuses," including conformance with Government Code Section 65915, conformance to LCP coastal resource policies (other than density), and limited applicability in Core Commercial- and Residential/Commercial-designated areas; (2) clarifying that the "Bonus Density" incentives specified in IP Section 17.12.020(C) only apply to parcels zoned multi-family residential (R-4) and when one of the existing standards specified in 17.64.190 is satisfied; and (3) specifying that affordable housing units produced pursuant to the Density Bonus, Bonus Density, or Floor Area Bonus incentives must be administered by a City-approved affordable housing agency. The amendment also adds definitions for "transitional housing" and "supportive housing;" and adds "Group Residential" as an allowable land use in the R-4 zone.

Please see **Exhibit 1** for the proposed IP amendment text, and **Exhibit 2** for the LCP's land use designation and zoning maps.

B. CONSISTENCY ANALYSIS

Standard of Review

The proposed amendment affects the IP component of the City of Carmel-by-the-Sea LCP. The standard of review for IP amendments is that they must be consistent with and adequate to carry out the policies of the certified LUP. (See 14 CCR § 13551(a) [citing Pub. Res. Code § 30510(a)].)

IP Amendment Consistency Analysis

The Carmel-by-the-Sea LUP includes a series of policies aimed at promoting, encouraging, and incentivizing affordable housing, particularly in the denser downtown core area centered along Ocean Avenue, the City’s primary visitor-serving commercial street. The LUP designates most of this area with “Core Commercial” or “Residential/Commercial” land use designations, which both envision mixed-use development. The designations also provide incentives for the development of affordable housing, either through floor area bonuses of up to 15% or density bonuses of up to 35% above the maximum allowable base density of 33 dwelling units per acre:

This land use plan identifies two primary commercial land use designations – Core Commercial and Residential/Commercial. Each designation is described below.

Core Commercial. *This area is intended to provide for a wide range of retail and service uses in scale with the overall residential character of the community. More intense commercial activities such as retail, restaurant and visitor commercial uses are appropriate in this area. Less intensive development may be appropriate to preserve the unique character and ambiance along Ocean Avenue. Mixed-use developments of commercial and multi-family residential uses at a maximum density of thirty-three (33) units per acre are allowed. This area is also appropriate for public service uses. Assuming an average population of 1.0 to 2.0 persons per unit, this allows a population density of 33 to 66 persons per acre. (LUP)*

*Maximum building intensity in the core commercial area is limited to 95 percent and 135 percent floor area ratio for one and two story buildings, respectively. More open space and less floor area is required on larger sites. Throughout the Core Commercial area, floor area bonuses (up to 15 percent) and **density bonuses (up to 35 percent) are allowed as incentives for affordable or senior housing** and for special design amenities. (emphasis added)*

Commercial/Residential. *This area is intended to provide for a mix of residential dwellings and a limited range of office and service uses in scale with the character of the community. Less intense commercial uses and visitor accommodations are allowed in this area. Mixed-use developments of commercial and multi-family residential uses at a maximum density of thirty-three (33) units per acre are allowed. This area is also appropriate for public service uses. Assuming an average population of 1.0 to 2.0 persons per unit, this allows a population density of 33 to 66 persons per acre.*

Maximum building intensity in the Commercial/Residential area is limited to 70 percent and 80 percent for one and two story buildings, respectively. More open space and less floor area

*is required on larger sites. Throughout the Commercial/Residential area, floor area bonuses (up to 15 percent) and **density bonuses (up to 35 percent) are allowed as incentives for affordable or senior housing and for special design amenities.***¹ (emphasis added)

To implement such policies, the IP lists the standards and findings that must be made in order to allow affordable housing bonuses. For example, IP Section 17.14.140 lists the floor area ratio standards for development within commercial and R-4 zoning districts, and specifies that an additional floor area bonus of up to 15% above the 10,000 square foot floor area maximum (i.e. for a grand total of up to 11,500 square feet of floor area) is potentially allowed when affordable housing is provided:

17.14.140 Floor Area Ratio

...

D. Floor Area Bonus.

1. Affordable Housing Bonuses. A floor area bonus may be granted for projects in all commercial districts and the R-4 districts in the following instances:

a. Moderate Income. Up to five percent for projects if at least 25 percent of the units in a housing project are reserved for persons of moderate income as defined in Chapter 17.70 CMC.

b. Low Income. Up to 10 percent for projects if at least 20 percent of the units in a housing project are reserved for persons of low income as defined in Chapter 17.70 CMC.

c. Very Low Income. Up to 15 percent for projects if at least 10 percent of the units in a housing project are reserved for persons of very low income as defined in Chapter 17.70 CMC.

Approval of such projects is subject to findings in CMC 17.64.190, Residential Construction at Densities Between 33 and 44 Units Per Acre. (emphasis added)

Furthermore, for R-4 zoned parcels, IP Section 17.12.020 allows for a 33% increase in density (“Bonus Density”) from an otherwise maximum 33 dwelling units per acre up to 44 units per acre when affordable housing units are provided:

17.12.020 Site Development and Building Standards.

A. Maximum Number of Stories. Buildings shall be no more than two stories.

B. Maximum base density: 33 units/acre. Each apartment unit, single-family dwelling, guesthouse, condominium unit, accessory unit and each commercial shop space shall be counted as a unit in determining the density of projects in the R-4 district.

C. Bonus Density. Additional housing units may be allowed upon approval of a density bonus up to a maximum of 44 units per acre. Required findings for approval of a density bonus are established in CMC 17.64.190. Any density bonus calculation resulting in fractional units shall be rounded up to the nearest whole unit.

...

¹ LUP Land Use and Community Character Element, Page 1-15.

Both 17.12.020 and 17.14.140 specifically condition approval of Bonus Density and Floor Area Bonus incentives, respectively, on compliance with 17.64.190. In turn, as specified in the proposed amendment, for Bonus Density incentives the findings in IP Section 17.64.190 have to be met, including that 20% of the units will be reserved for “lower-income households” (or 10% for “very-low income households” or 50% for “senior citizens”). Furthermore, affordable housing produced through either the Bonus Density or Floor Area Bonus (as well as the Density Bonus) incentives must be administered by a City-approved affordable housing agency.

The proposed amendment also adds required findings and standards in IP Section 17.64.190 to implement the State’s Density Bonus Law (as reflected in the LUP), including: (1) that such bonuses to the base LCP-allowable density (e.g., up to a 35% increase in density if at least 20% of the proposed units are affordable to lower-income households) can only be authorized in areas with Core Commercial and Residential/Commercial land use designations (consistent with LUP limitations on where such density bonuses are allowed); (2) if all other LCP coastal resource protection policies and standards (with the exception of the increase in density) are met; and (3) if any density bonus granted is in accordance with the State Density Bonus Law. In other words, the proposed language offers a vehicle to incentivize affordable housing through the State’s Density Bonus allowances, but also ensures protection of coastal resources under the LCP.

Furthermore, because of the numerous affordable housing incentive tools offered in the LCP, each of which is specific to and applicable only for particular zoning districts and/or defined areas of the coastal zone, the proposed IP amendment adds language clarifying what types of affordable housing incentives apply to particular areas and the required findings needed to be made in order to authorize such incentives. For example, because IP Section 17.64.190 is cross-referenced in other IP affordable housing sections (including the aforementioned Bonus Density and Floor Area Bonus sections), the proposed amendment makes clear what findings or standards are applicable for each specific affordable housing incentive. In sum, the LCP allows a series of programs to incentivize the creation of affordable housing—including “Bonus Density” for R-4 zoning, “Floor Area Bonus” for R-4 and commercial zoning, and “Density Bonus” for Core Commercial and Residential/Commercial land use designations—and the proposed amendment clearly identifies the incentives available for each particular type of land use/zoning designation and the applicable findings and coastal resource protection requirements that must be made in order for each particular incentive to be granted. Finally, the amendment’s addition of Group Residential as an allowed land use within the multi-family residential zoning district, and definitions of transitional and supportive housing as types of group residences, simply clarifies the types of residential uses already allowed in areas zoned for residential purposes, and thus does not raise any coastal resource concerns.

In conclusion, the proposed IP amendment enhances and clarifies the LCP’s existing framework for incentivizing and providing affordable housing in the City of Carmel-by-the-Sea in a manner that respects and protects the City’s unique coastal resources. For these reasons, the proposed IP amendment is consistent with and adequately carries out the certified LUP.

C. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

The Coastal Commission’s review and development process for LCPs and LCP amendments has been certified by the Secretary of Resources as being the functional equivalent of the

environmental review required by CEQA. Local governments are not required to undertake environmental analysis of proposed LCP amendments, although the Commission can and does use any environmental information that the local government has developed. CEQA requires that alternatives to the proposed action be reviewed and considered for their potential impact on the environment and that the least damaging feasible alternative be chosen as the alternative to undertake.

For the proposed LCP amendment, the City of Carmel-by-the-Sea adopted an addendum to the previous Negative Declaration for the City's 2007-2014 Housing Element, and in doing so found that the amendment would not have significant adverse environmental impacts. This report has discussed the relevant coastal resource issues with the proposal. All public comments received to date have been addressed in the findings above. All above findings are incorporated herein in their entirety by reference.

As such, there are no additional feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse environmental effects which approval of the amendment would have on the environment within the meaning of CEQA. Thus, the proposed amendment will not result in any significant environmental effects for which feasible mitigation measures have not been employed consistent with CEQA Section 21080.5(d)(2)(A).

CITY OF CARMEL-BY-THE-SEA

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA AMENDING TITLE 17 OF THE MUNICIPAL CODE RELATED TO DENSITY BONUS, TRANSITIONAL AND SUPPORTIVE HOUSING, RESIDENTIAL CARE FACILITIES, AND GROUP RESIDENTIAL IN ACCORDANCE WITH STATE LAW AND THE HOUSING ELEMENT OF THE GENERAL PLAN

WHEREAS, the 2015-2023 Housing Element of the General Plan includes programs to ensure consistency between the Zoning Code and state laws related to affordable housing and housing for persons with special needs; and

WHEREAS, on November 18, 2015 the Planning Commission conducted a public hearing and adopted a Resolution recommending adoption of Code amendments as set forth in Exhibit A; and

WHEREAS, in accordance with the California Environmental Quality Act (CEQA) an Addendum to the previous Negative Declaration for the 2007-2014 Housing Element was prepared to evaluate potential environmental impacts of the proposed Code amendments; and

WHEREAS, on December 1, 2015 and January 5, 2016, the City Council conducted a public hearing at which time all interested persons were provided an opportunity to offer comments on the proposed Code amendments; and

WHEREAS, the City Council has considered the entire administrative record related to the proposed Code amendments, including the staff report, the CEQA Addendum, the Planning Commission's recommendations, and all written and oral testimony offered at and prior to the public hearing.

WHEREAS, this ordinance shall become effective thirty (30) days after final passage and adoption, or upon certification by the California Coastal Commission, whichever occurs last; and

WHEREAS, the City certifies that the amendments are intended to be carried out in a manner fully in conformance with the Coastal Act; and

WHEREAS, this ordinance is an amendment to sections 17.64.190, 17.64.220, 17.68.040, 17.14.030 and 17.08.040 of the City's Zoning Ordinance/Local Coastal Implementation Plan and requires certification by the California Coastal Commission.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA DOES ORDAIN AS FOLLOWS:

SECTION 1. Recitals. The City Council hereby finds that the foregoing recitals are true and correct.

SECTION 2. CEQA Findings. The City Council finds that the Addendum to the Negative Declaration prepared for the 2007-2014 Housing Element satisfies the requirements of CEQA for the proposed Code amendments. There is no substantial evidence in the record that these amendments

would have a significant effect on the environment. The Addendum reflects the independent judgment of the City Council.

SECTION 3. Section 17.64.190 of the Municipal Code is amended as follows:

17.64.190 Residential Construction at Densities Between 33 and 44 Units Per Acre.

~~The following special findings are required for approval of residential construction at densities between 33 and 44 units per square acre:~~

~~To encourage the creation of affordable housing, certain projects may be granted either Bonus Density (Subsection A) or a Density Bonus (Subsection B). Affordable Housing Bonuses allowed pursuant to Section 17.14.140(D) shall only be required to meet Subsection C, below.~~

~~A. Bonus Density. Within the R-4 zoning district, additional housing units may be allowed up to a maximum of 44 units per acre (see Section 17.12.020(C) when one of the following three standards are met; that one of the following three standards will be met:~~

1. That at least 20 percent of all units on the site will be used as housing for “lower-income households” as defined by the Association of Monterey Bay Area Governments (AMBAG); or
2. That at least 10 percent of all units on the site will be used as housing for “very low-income households” as defined by AMBAG; or
3. That at least 50 percent of all dwellings units on the site will be used as housing for “senior citizens” as established in California Housing Statutes.

~~B. That the affordable housing units will be administered by a City-approved public or quasi-public agency involved in affordable housing programs, or will be verified by the City based on documentation supplied annually by the property owner.~~

~~B. Density Bonus. The following special findings are required for approval of a density bonus within areas with Core Commercial and/or Residential/Commercial land use designations, as allowed by Government Code Sections 65915 et seq.:~~

1. ~~In order to facilitate the provision of affordable housing, the City shall grant a density bonus and other incentives and concessions for residential developments in conformance with state Density Bonus Law (Government Code Sections 65915 et seq.) as it may be amended from time to time.~~
2. ~~Affordable housing projects produced in accordance with this Section shall be in conformity with the Local Coastal Program (including with regard to preservation of community character, tree and urban forest protections, preservation of public views, provision of public recreational access, and open space protections), with the exception of the density provisions.~~
3. ~~Affordable housing projects produced in accordance with this Section shall be located in areas with Core Commercial and/or Residential/Commercial land use designations.~~

~~C. Affordable housing units produced pursuant to Subsections A, B, or Section 17.14.140(D) shall be administered by a City-approved public or quasi-public agency involved in affordable housing programs, or will be verified by the City based on documentation supplied annually by the property owner, in conformance with state Density Bonus Law.~~

SECTION 4. Section 17.64.220 of the Municipal Code is amended as follows:

17.64.220 Affordable Housing – Residential Construction at Densities Between 4544 and 88 Units Per Acre.

The following special findings are required for approval of exceptions to zoning standards for projects consisting entirely of affordable housing:

- A. That the project consists entirely of affordable housing units for low- and/or very low-income households, as defined in Chapter 17.70 CMC.
- B. That the project, and any zoning exceptions requested, will not be detrimental to adjacent properties or injurious to public health, safety or welfare.
- C. That the project is consistent with the applicability of provisions found in CMC 17.14.090 and the basic review standard found in CMC 17.14.100 and that new construction represents an improvement over existing conditions.
- D. That the project will preserve the community character and will be compatible with the streetscape, mass, bulk and height of the surrounding neighborhood context.
- E. That the affordable housing units will be administered by a City-approved public or quasi-public agency involved in affordable housing programs, or will be verified by the City based on documentation supplied annually by the property owner.
- F. That the project will not diminish the village character by excessively blocking important public or private views and disturbing natural topography, mature trees, or native growth.

SECTION 5. Section 17.68.040 of the Municipal Code is amended as follows:

~~Transitional Housing Facilities. Facilities providing sleeping accommodations, meals, showers, and laundry facilities to assist persons obtaining skills necessary for independent living in permanent housing. The term of occupancy is generally not less than two weeks nor more than two years. Specialized programs and services related to the needs of the residents may also be provided. (Ord. 2010-02 (Exh. A), 2010; Ord. 2004-02 § 1, 2004; Ord. 2004-01 § 1, 2004).~~

Transitional housing. Buildings configured as rental housing developments, but operated under program requirements that require the termination of assistance and recirculating of the assisted unit to another eligible program recipient at a predetermined future point in time that shall be no less than six months from the beginning of the assistance. Transitional housing is a residential use of property subject only to those restrictions that apply to other residential dwellings of the same type in the same zone.

Supportive housing. Housing with no limit on length of stay, that is occupied by the target population, and that is linked to an onsite or offsite service that assists the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. Target population means persons with low incomes who have one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health condition, or individuals eligible for services provided pursuant to the Lanterman Developmental Disabilities Services Act (Division 4.5 (commencing with Section 4500) of the Welfare and Institutions Code) and may include, among other populations, adults, emancipated minors, families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, and homeless people. Supportive housing is a residential use of property subject only to those restrictions that apply to other residential dwellings of the same type in the same zone.

SECTION 6. Section 17.14.030, Schedule II-B is amended as follows:

| Schedule II-B: Commercial Districts – Use Regulations | | | | |
|--|-----------------------------|-----------|-----------|---|
| P = Permitted Use L = Limitations Apply C = Conditional Use Permit Required | Commercial Districts | | | Additional Regulations |
| | CC | SC | RC | |
| Retail | | | | |
| Animal Sales and Services | | | | |
| Animal Grooming | P | P | P | See CMC 17.14.040(C) |
| Animal Hospitals | – | C | – | See CMC 17.14.040(C) |
| Kennels | – | C | C | See CMC 17.14.040(C) |
| Automobile Sales and Services | | | | See CMC 17.14.040(D) |
| Motorcycles, Mopeds and Parts | P | P | – | |
| Vehicle Repair | – | C | C | |
| Vehicle Service and Gasoline | – | C | C | See CMC 17.14.040(D) |
| Building Materials, Hardware and Garden Supplies | P | P | C | See CMC 17.14.040(G) |
| Eating and Drinking Establishments | | | | See Chapter 17.56 CMC |
| Drinking Places | C | C | – | See CMC 17.14.040(I) |
| Restaurant, Full Line | C | C | – | See CMC 17.14.040(I) |
| Restaurant, Specialty | C | – | – | See CMC 17.14.040(I) |
| Food and Beverage Sales | | | | See Chapter 17.56 CMC |
| Convenience Market | – | L-2 | L-2 | See CMC 17.14.040 (D)(2) and (J)(2) |
| Food Store – Full Line | C | C | C | See CMC 17.14.040(J) |
| Food Store – Specialty | C | C | – | See CMC 17.14.040(J) |
| Liquor | P | P | C | See CMC 17.14.040(J) |
| Retail Sales | P | P | – | See Chapter 17.16 CMC; See CMC 17.14.040(T) |
| Antique Shops | P | – | – | See CMC 17.14.040(T) |
| Art Galleries | P | – | – | See CMC 17.14.040(T) |
| Arts and Crafts | P | – | – | See CMC 17.14.040(T) |
| Jewelry Shops | P | – | – | See CMC 17.14.040(T) |
| Sales by Public Outcry (Auction) | – | C | C | See CMC 17.14.040(U) |
| Specialty, Theme | P | P | – | See CMC 17.14.040(T) |
| Stationery | P | P | P | See CMC 17.14.040(T) |
| Thrift Shops | P | P | – | See CMC 17.14.040(T) |
| Vending Machines | C | C | C | See CMC 17.14.040(T) |

| Service/Office | | | | |
|---|----------------------|----------------------|----------------------|--|
| Banks and Other Financial Institutions | P | P | P | See CMC 17.14.040(F) |
| Automatic Teller Machines (ATM) | C | C | C | See CMC 17.14.040(E) |
| Business Services | P | P | L-1 | |
| Commercial Recreation | P | – | – | See CMC 17.14.040(H) |
| Community Care Facility | P | P | P | |
| Computer Services | P | P | P | |
| Day Care Centers | – | C | C | |
| Emergency Medical Care | P | P | P | |
| Government Offices | P | P | P | |
| Hotels and Motels | C | C | C | See Chapter 17.56 CMC, Restricted Commercial Uses, and CMC 17.14.040(M) |
| Hospitals and Clinics | | | | |
| Hospitals | | C | – | See CMC 17.14.040(L) |
| Clinics | P | P | P | See CMC 17.14.040(L) |
| Hospice Care, Limited | P | P | P | |
| Maintenance and Repair Services | L-3 | L-3 | L-3 | |
| Office | | | | |
| Business and Professional | P | P | P | |
| Medical and Dental | P | P | P | |
| Other | P | P | L-4 | See CMC 17.14.040(O) |
| Parking Facilities, Commercial | – | C | C | See CMC 17.14.040 (P) and Chapter 17.64 CMC, Findings Required for Permits and Approvals |
| Personal Improvement Services | C | C | – | See CMC 17.14.040(Q) |
| Personal Services | P | P | P | |
| Laundry and Dry Cleaning | C | C | C | See CMC 17.14.040(R) |
| Video Tape Rental | P | P | – | See CMC 17.14.040(R) |
| Research and Development Testing Services | P | P | P | See CMC 17.14.040(S) |
| Residential Care Facilities | | | | |
| General | – | C | C | |
| Limited | L-6- | L-6P | L-6P | |
| Senior | – | C | C | |
| Travel Services | P | P | P | See CMC 17.14.040(V) |
| Residential/Public and Semipublic | | | | |

| | | | | |
|--|----------|----------|--------------|--|
| Colleges and Trade Schools | P | P | P | |
| Community Centers | P | P | P | |
| Conference Facilities, Small | P | P | P | |
| Community Social Service Facility | P | P | P | |
| Family Day Care | | | | See CMC 17.08.050(B) |
| Small Family | – | – | P | |
| Large Family | – | C | C | |
| Libraries, Public | P | P | P | |
| Multifamily Dwellings | | | | See CMC 17.14.040(N) |
| 0 – 22 dwelling units/acre | P | P | P | |
| 23 22 – 33 dwelling units/acre | C | C | C | |
| 34 – 44 dwelling units/acre | C | C | C | Chapter 17.64 CMC, Findings Required for Permits and Approvals |
| <u>45 – 88 dwelling units/acre</u> | <u>C</u> | <u>C</u> | <u>C</u> | <u>Chapter 17.64 CMC, Findings Required for Permits and Approvals</u> |
| Museums, Galleries, Gardens (noncommercial) | P | P | P | |
| Park and Recreation Facilities | | | | |
| Individual Recreation | C | C | – | |
| Organized Recreation | C | – | – | |
| Parking Facilities, Noncommercial | – | C | C | See Chapter 17.64 CMC, Findings Required for Permits and Approvals |
| Public Safety Facility | P | P | P | |
| Religious Facilities | – | – | C | |
| Schools, Private | P | P | P | |
| Senior Citizen Housing | P | P | P | |
| Single-Family | L-5 | C | C | See CMC 17.08.050(G) |
| Theater, Live Performance | C | C | C | |
| Theater, Motion Picture | C | C | – | |
| Transitional Housing Facility | – | – | P | – |
| Industrial | | | | |
| Handicraft/Custom Manufacturing | P | P | C | See CMC 17.14.040(K) |
| Industry, Limited | P | P | – | |
| Transportation, Communication and Utilities | | | | |
| Communication Facilities | – | – | – | |
| Facilities Within Buildings | P | P | C | |

| | | | | |
|--|---|---|---|---|
| Utilities, Major | P | P | C | |
| Utilities, Minor | P | P | C | |
| Agricultural | | | | |
| Nurseries | P | P | P | |
| Other | | | | |
| Accessory Use | | | | See CMC 17.08.050(A) |
| Nonconforming | | | | See Chapter 17.36 CMC, Nonconforming Uses and Buildings |
| Temporary | | | | See CMC 17.52.100(I) |
| Specific Limitations and Conditions: | | | | |
| L-1: Limited to advertising, consumer credit reporting, secretarial court reporting, equipment maintenance and repair, personnel supply services, and nonretail computer services and repair. | | | | |
| L-2: Allowed only as accessory use to gasoline stations and limited to a maximum of 300 square feet. No sales of alcohol are permitted. See CMC 17.14.040(D)(2) and (J)(2). | | | | |
| L-3: Any establishments with activities generating noise, odors, deliveries by large vehicles, high traffic by customers, or requiring large storage needs are not permitted. | | | | |
| L-4: Limited to offices for the following categories: operators of nonresidential buildings, apartment buildings, dwellings, real estate agents and managers, and title companies. | | | | |
| L-5: Limited to sites that are already developed with a single-family dwelling, or that were originally developed as, or used as, a single-family dwelling but have since been converted to another use. Existing single-family dwellings can be maintained, altered, repaired and/or redeveloped. R-1 district floor area ratio standards shall apply to these sites. | | | | |
| L-6: Subject to the same regulations as apply to other family residential dwellings in the same zone. | | | | |

SECTION 7. Section 17.08.040 of the Municipal Code is amended as follows:

In Schedule II-1 under **Residential**, “Group Residential” is added as a conditional use in the R-4 zone.

SECTION 8. Severability. If any section, subsection, phrase, or clause of this ordinance is for any reason held to be unconstitutional, 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 section, subsection, phrase or clause thereof irrespective of the fact that any one or more sections, subsections, phrases, or clauses be declared unconstitutional.

SECTION 9. Effective Date. This ordinance shall take effect thirty (30) days after adoption.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA this 12th day of July, 2016, by the following roll call vote:

AYES:

NOES:

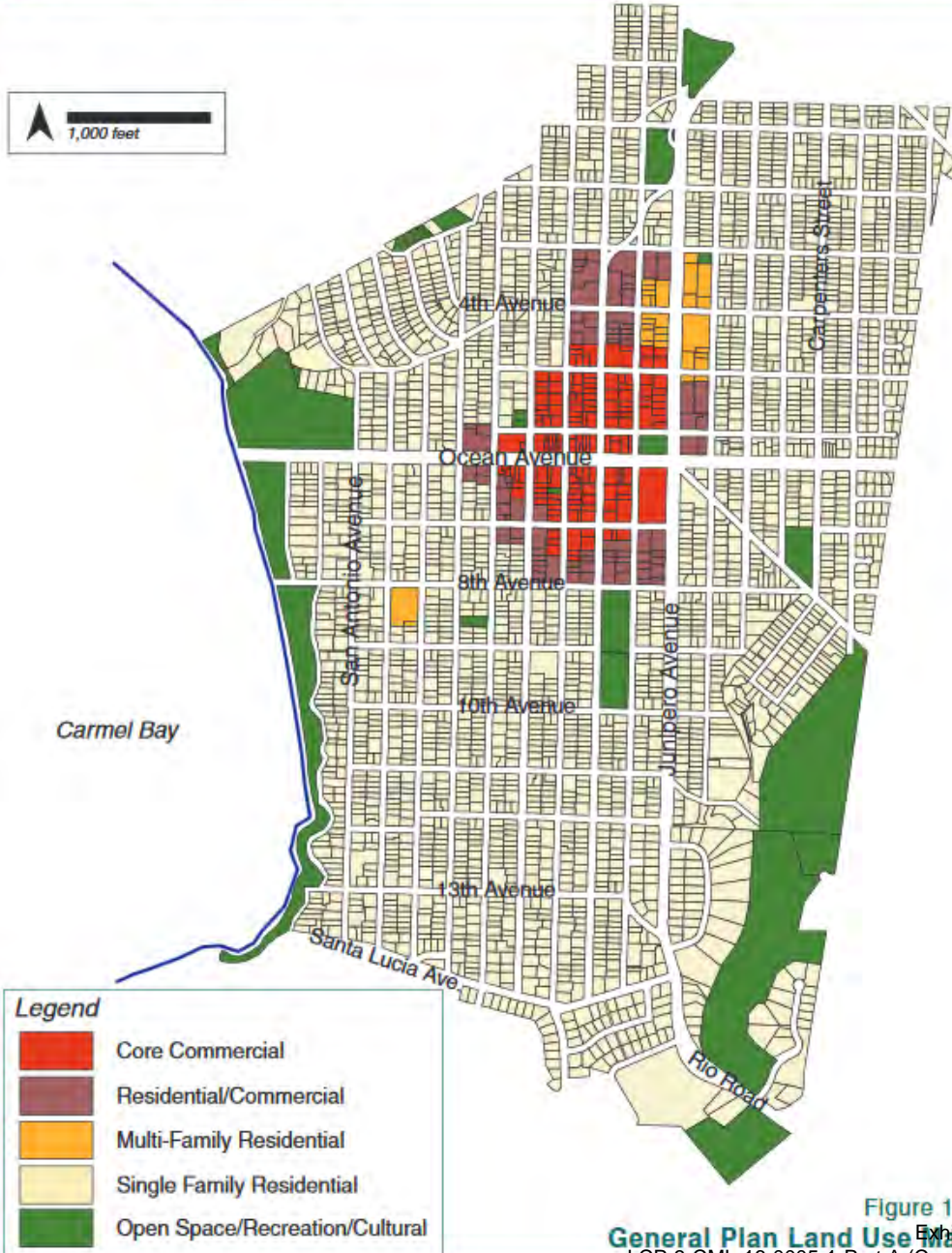
ABSENT:

APPROVED:

STEVE DALLAS, Mayor

ATTEST:

ASHLEE WRIGHT, City Clerk



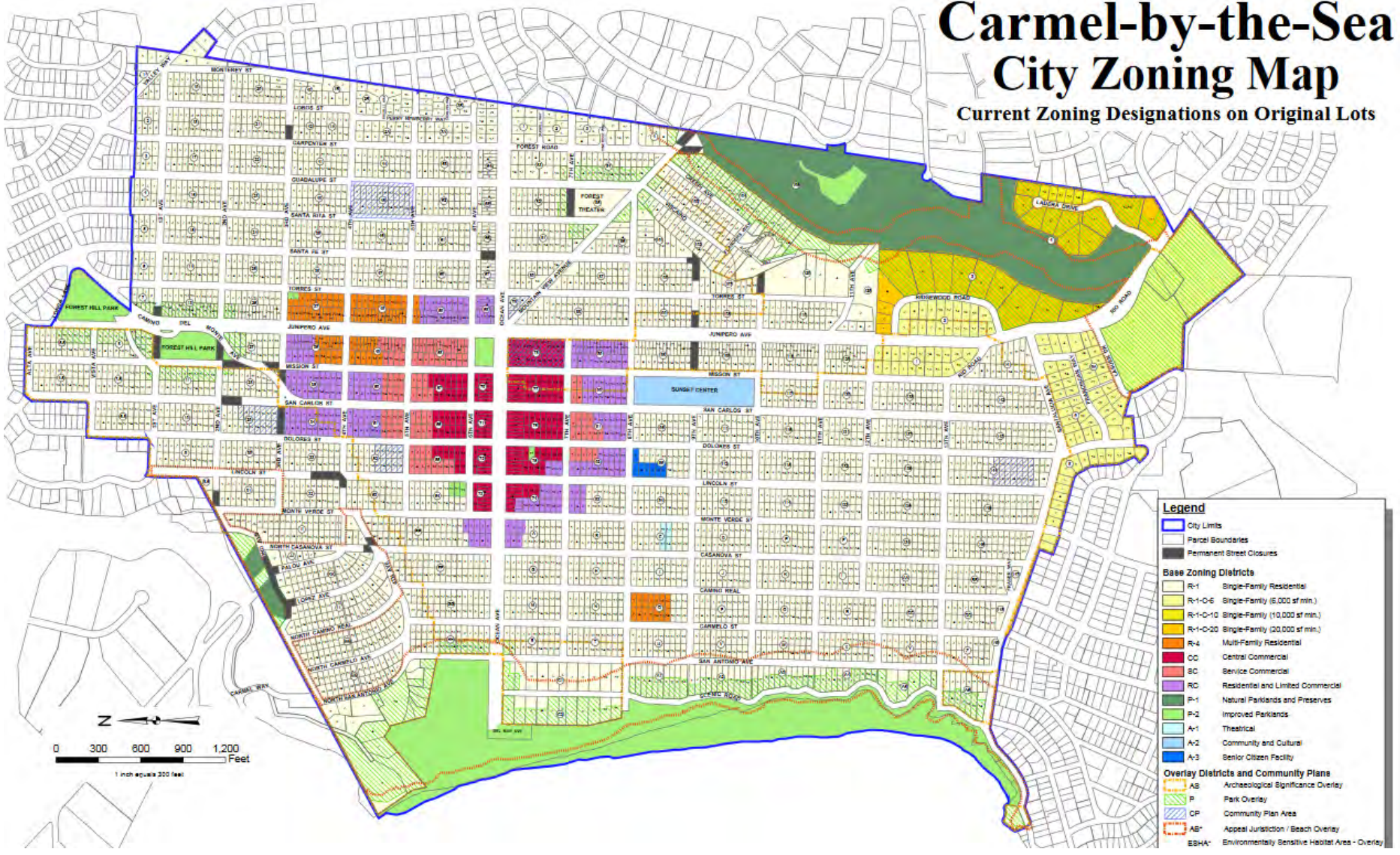
Legend

| | |
|--|--------------------------------|
| | Core Commercial |
| | Residential/Commercial |
| | Multi-Family Residential |
| | Single Family Residential |
| | Open Space/Recreation/Cultural |

Figure 1.3
General Plan Land Use Map Exhibit 2 (Land Use and Zoning Maps)
 LCP-3-CML-16-0005-1-Part A (Carmel Affordable Housing Incentives)

Carmel-by-the-Sea City Zoning Map

Current Zoning Designations on Original Lots



Legend

- City Limits
- Parcel Boundaries
- Permanent Street Closures

Base Zoning Districts

- R-1 Single-Family Residential
- R-1-O-6 Single-Family (6,000 sf min.)
- R-1-O-10 Single-Family (10,000 sf min.)
- R-1-O-20 Single-Family (20,000 sf min.)
- R-4 Multi-Family Residential
- CC Central Commercial
- SC Service Commercial
- RC Residential and Limited Commercial
- P-1 Natural Parklands and Preserves
- P-2 Improved Parklands
- A-1 Theatrical
- A-2 Community and Cultural
- A-3 Senior Citizen Facility

Overlay Districts and Community Plans

- AS Archeological Significance Overlay
- P Park Overlay
- CP Community Plan Aves
- AB Appeal Jurisdiction / Beach Overlay
- EBHA* Environmentally Sensitive Habitat Area - Overlay