

City Council Meeting: April 11, 2023

Santa Monica, California

ORDINANCE NUMBER 2743 (CCS)

(City Council Series)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MONICA
AMENDING THE OFFICIAL DISTRICTING MAP FOR CONSISTENT DESIGNATION
OF IDENTIFIED PARCELS

WHEREAS, on July 6, 2010, the City Council adopted the Land Use and Circulation Element (“LUCE”) of the City’s General Plan including a General Plan Land Use Map; and

WHEREAS, the City’s new Zoning Ordinance, Chapters 9.01 through 9.52 of Article 9 of the Santa Monica Municipal Code (“Zoning Ordinance”), became effective on July 24, 2015, and included a revised Official Districting Map; and

WHEREAS, on July 25, 2017, the City Council adopted the Downtown Community Plan which revised the Official Districting Map to include the DCP subareas; and

WHEREAS, California Government Code Section 65860 was amended by SB 1333, which became effective on January 1, 2019, to require that Charter Cities have consistency between their General Plans and Zoning Ordinances; and

WHEREAS, on July 17, 2019, the Planning Commission adopted Resolution Number 19-014, declaring its intention to consider recommending to the City Council that the City Council amend the land use designations in the General Plan Land Use Map and the Official Districting Map for consistent designation of identified parcels; and

WHEREAS, the City has reviewed and analyzed the currently adopted General Plan Land Use and Official Districting (Zoning) Maps and identified specific parcels for which there are inconsistencies between the two maps that require resolving; and

WHEREAS, California Government Code Section 66300 was added by SB 330, the Housing Crisis Act of 2019, and prohibits a local agency from changing the general plan land use designation, specific plan land use designation, or zoning of a parcel or parcels of property to a less intensive use or reducing the intensity of land use within an existing general plan land use designation, specific plan land use designation, or zoning district in effect at the time of the proposed change, below what was allowed under the land use designation or zoning ordinances of the affected county or affected city, as applicable, as in effect on January 1, 2018; and

WHEREAS, California Government Code Section 65915 *et al.*, the State Density Bonus Law provides that, for purposes of determining maximum allowable residential density, if the density allowed under the zoning ordinance is inconsistent with the density allowed under the land use element of the general plan or specific plan, the greater shall prevail; and

WHEREAS, on October 11, 2022, the City Council conducted a duly-noticed public hearing to consider adopting the amended 6th Cycle Housing Element, and after considering oral and written testimony, adopted Resolution Number 11469 (CCS), adopting an amended 6th Cycle Housing Element, which was certified by the State on October 14, 2022; and

WHEREAS, the Housing Element includes a variety of programs intended to achieve goals and policies related to new housing production for all income categories and the preservation of existing housing, ensuring there is equitable housing access to all neighborhoods, housing for the homeless including housing assistance and supportive services to low-income households, and eliminating housing discrimination; and

WHEREAS, the Housing Element sets forth a range of goals, policies and programs, including, but not limited to, procedural changes related to streamlining the review of housing projects, updating development standards and the Affordable Housing Production Program (“AHPP”) to ensure housing projects are feasible, providing opportunities for housing in areas of the City that do not currently permit housing, incentivizing housing in areas of the City that have not historically supported housing production, amending the City’s density bonus ordinance to ensure consistency with State law and integration into the City’s land use system, and committing to the production of affordable housing on City-owned/publicly owned land; and

WHEREAS, the Housing Element requires the City to implement certain programs through amendments to the Land Use and Circulation Element of the General Plan, the Bergamot Area Plan, the Downtown Community Plan, and the Zoning Ordinance in phases, subject to specified deadlines; and

WHEREAS, on February 1, 2023, the Planning Commission conducted a duly noticed public hearing, and, after considering oral and written testimony regarding the proposed amendments to the Official Districting Map, adopted Resolution Number 23-006 (PCS), recommending that the City Council amend the Official Districting Map based on the following findings:

1. The change in district boundaries is consistent in principle with the General Plan in that the proposed amendments will achieve consistency between the General Plan Land Use designations and designations in the Official Districting Map;

2. The change in district boundaries is consistent with the purpose of this Ordinance to promote the growth of the City in an orderly manner and to promote and protect the public health, safety, and general welfare because the proposed changes will be consistent with State law provisions promoting housing development included in the Housing Crisis Act of 2019 (SB 330) as well as ensuring transparency and consistency for establishing maximum allowable density for purposes of State Density Bonus Law, which requires that where there is inconsistency between the density allowed under the zoning ordinance and the density allowed under the land use element of the General Plan or specific plan, the greater shall prevail; and

3. The change in district boundaries is necessary to achieve the balance of land uses desired by the City, consistent with the General Plan, and to increase the inventory of land within a given Zoning District in that the proposed changes will increase housing production consistent with the goals, policies, and programs set forth in the 6th Cycle (2021-2029) Housing Element of the General Plan.

WHEREAS, on March 21, 2023, the City Council conducted a duly noticed hearing, and, after considering all oral and written testimony, desires to amend the Official Districting Map as set forth below.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SANTA MONICA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Based upon the oral and written testimony presented to the City Council at the public hearing on March 21, 2023, regarding the proposed changes to the Official Districting Map, the City Council hereby makes the following findings:

1. The changes in district boundaries are consistent in principle with the General Plan in that the amendments will achieve consistency between the General Plan Land Use designations and designations in the Official Districting Map;

2. The changes in district boundaries are consistent with the purpose of this Ordinance to promote the growth of the City in an orderly manner and to promote and protect the public health, safety, and general welfare because the changes will be consistent with State law provisions promoting housing development included in the Housing Crisis Act of 2019 (SB 330) as well as ensuring transparency and consistency for establishing maximum allowable density for purposes of State Density Bonus Law, which requires that where there is inconsistency between the density allowed under the zoning ordinance and the density allowed under the land use element of the General Plan or specific plan, the greater shall prevail; and

3. The changes in district boundaries are necessary to achieve the balance of land uses desired by the City, consistent with the General Plan, and to increase the inventory of land within a given Zoning District in that the changes will increase housing production consistent with the goals,

policies, and programs set forth in the 6th Cycle (2021-2029) Housing Element of the General Plan.

SECTION 2. The City of Santa Monica Official Districting Map is hereby amended as set forth in Exhibits A and B, attached hereto.

SECTION 3. Any provision of the Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to that extent necessary to effect the provisions of this Ordinance.

SECTION 4. 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 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 5. The Mayor shall sign and the City Clerk shall attest to the passage of this Ordinance. The City Clerk shall cause the same to be published once in the official newspaper within 15 days after its adoption. This Ordinance shall become effective 30 days from its adoption.

APPROVED AS TO FORM:

DocuSigned by:

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DOUGLAS SLOAN
City Attorney

EXHIBIT A

Amendments to the Official Districting Map Listed By Parcel

[BEHIND THIS PAGE]

Parcels for Zoning Map Changes

#	APN	Address	Street	LUCE Designation	Current Zoning Designation	Existing Development/Use	Zone Change	SSI
1	4288004012	2938	2nd St	Neighborhood Commercial	OP2	Parking lot behind Main St. retail	NC	
2	4289011020	1917	4th St	Low Density Housing	MUBL	Multi-unit residential	MUBL	
3	4289012006	1916	4th St	Low Density Housing	Split (MUBL/OP2)	Multi-unit residential	MUBL	
4	4283020040	1860	9th St	Low Density Housing/General Commercial split	R2	Multi-unit residential	GC	
5	4285027024	2920	10th St	Low Density Housing	R1	Multi-unit residential	R2	
6	4285027065	2921	10th St	Low Density Housing	R1	condos	R2	
7	4285027036	2920	11th St	Low Density Housing	R1	condos	R2	
8	4275007009	1453	21st St	Health Care Mixed Use	MUBL	St. John's parking	HMU	
9	4270021071	2645	30th St	Low Density Housing	R1	2-unit residential	R2	
10	4270007005	2305	31st St	Single-family residential	Split R1/R2	Multi-unit residential	R2	
11	4270020020	2665	31st St	Low Density Housing	Split (R2/NC)	Multi-unit residential	NC	

#	APN	Address	Street	LUCE Designation	Current Zoning Designation	Existing Development/Use	Zone Change	SSI
12	4292003028	715	California Ave	Medium Density Housing	R2	St. Monica's	R3	
13	4289015025	207	Hollister Ave	Neighborhood Commercial	OP2	Multi-tenant Commercial	NC	
14	4292003027	1030	Lincoln Blvd	Medium Density Housing	R2	St. Monica's	R3	
15	4285027083	810	Ashland	Low Density Housing	Split (R1/R2)	Multi-unit residential; recently constructed. With access from Ashland Ave.	R2	
16	4287032013	810	Navy St	General Commercial	OP1	Single-unit residence	GC	
17	4284025028	1343	Ocean Park Blvd	Single Family Housing/Medium Density Housing split	Split (R1/R3)	Mt. Olive Lutheran Church;	R3	X
18	4287032019	811	Ozone St	General Commercial	OP1	Single-unit residence	GC	
19	4284033001	1302	Pico Blvd	Neighborhood Commercial	Split (NC/R2)	Multi-tenant Commercial	NC	
20	4284033003	1310	Pico Blvd	Neighborhood Commercial	Split (NC/R2)	Automotive Repair	NC	
21	4284033018	1310	Pico Blvd	Neighborhood Commercial	Split (NC/R2)	Automotive Repair	NC	
22	4284033019	1320	Pico Blvd	Neighborhood Commercial	Split (NC/R2)	Automotive Repair	NC	
23	4274026019	2019	Pico Blvd	Neighborhood Commercial/Low Density Housing split	Split (MUBL/R2)	Multi-unit residential	MUBL	

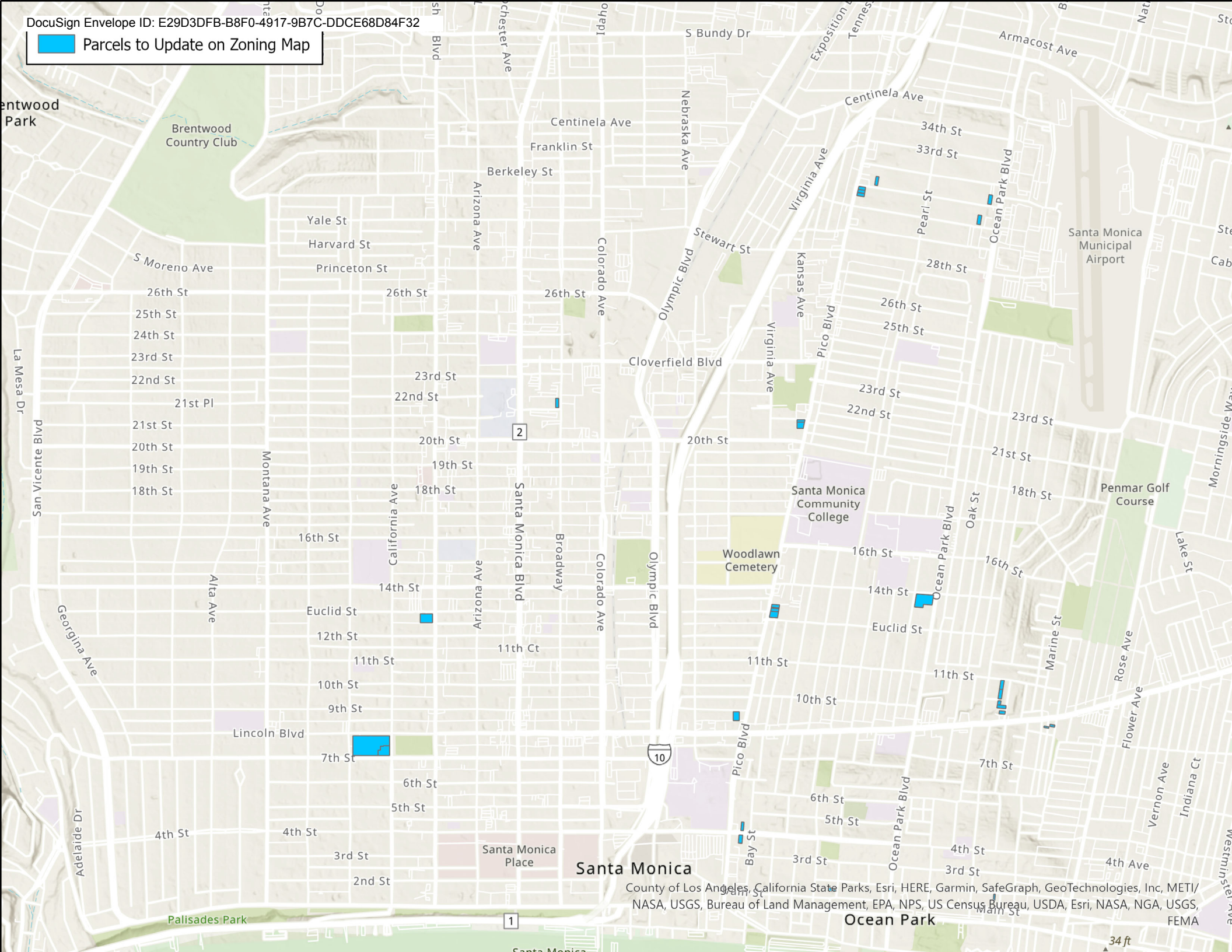
#	APN	Address	Street	LUCE Designation	Current Zoning Designation	Existing Development/Use	Zone Change	SSI
24	4274026020	2029	Pico Blvd	Neighborhood Commercial/Low Density Housing split	Split (MUBL/R2)	Rear half of Pizza Hut with a parking lot	MUBL	
25	4270006041	3018	Pico Blvd	Neighborhood Commercial	Split (NC/R2)	Retail/2 nd floor office	NC	X
26	4270006042	3024	Pico Blvd	Neighborhood Commercial	Split (NC/R2)	Multi-unit residential	NC	X
27	4270006043	3026	Pico Blvd	Neighborhood Commercial	Split (NC/R2)	Retail/2 nd floor office	NC	X
28	4281019026	1217	Wilshire	Mixed Use Boulevard/Low Density Housing	Split (R2/MUB)	Multi-tenant Commercial	MUB	
29	4285027021	813	Wilson Pl	Low Density Housing	R1	Single-unit residence	R2	
30	4285027019	823	Wilson Pl	Low Density Housing	R1	Multi-unit residential (2 units)	R2	

EXHIBIT B

Map of Amendments to the Official Districting Map

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Parcels to Update on Zoning Map



Approved and adopted this 11th day of April, 2023.

DocuSigned by:

Gleam Davis

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Gleam Davis, Mayor

State of California)
County of Los Angeles) ss.
City of Santa Monica)

I, Maria Dacanay, Acting City Clerk of the City of Santa Monica, do hereby certify that the foregoing Ordinance No. 2743 (CCS) had its introduction on March 21, 2023 and was adopted at the Santa Monica City Council meeting held on April 11, 2023, by the following vote:

AYES: Councilmembers Brock, de la Torre, Torosis, Zwick
 Mayor Davis, Mayor Pro Tem Negrete

NOES: None

ABSENT: Councilmember Parra

ATTEST:

DocuSigned by:

Maria Dacanay

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Maria Dacanay, Acting City Clerk

4/24/2023

Date

A summary of Ordinance No. 2743 (CCS) was duly published pursuant to California Government Code Section 40806.