
Chapter 20.28 – Overlay Zoning Districts [MHP, PM, B, and C-SP]

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20.28.010 – Purposes of Overlay Zoning Districts

The purposes of the individual overlay zoning districts and the manner in which they are applied are outlined below. An overlay district may be initiated as a Zoning Map amendment in compliance with Chapter 20.68 (Amendments).

- A. MHP (Mobile Home Park) Overlay Zoning District.** The MHP overlay zoning district is intended to establish a mobile home district on parcels of land developed with mobile home parks. The regulations of this district are designed to maintain and protect mobile home parks in a stable environment with a desirable residential character.
- B. PM (Parking Management) Overlay Zoning District.** The PM overlay zoning district is intended to provide for areas where parking management plans are appropriate to ensure adequate for parking management.
- ~~**C. Development Review (DR) Overlay Zoning District.** The DR Overlay zoning district is intended to implement adopted policies and criteria applicable within specific areas of the City. The DR Overlay zoning district may be combined with any other base zoning district in areas where it is determined that special attention to overall project design is required due to the unique character of the area and to ensure that proposed projects are in harmony with other quality development in the area.~~
- C. Bluff (B) Overlay Zoning District.** The B overlay district is intended to establish special development standards for areas of the City where projects are proposed on identified bluff areas. The specific areas are identified in Part 8 (Maps).
- D. Canyon (C) Overlay Zoning District.** The C overlay district is intended to establish special development standards for areas of the City where projects are proposed in identified canyon areas. The specific areas are identified in Part 8 (Maps).

20.28.020 – Mobile Home Park (MHP) Overlay Zoning District

- A. Uses allowed.** Uses allowed in the MHP Overlay Zoning District include only those uses listed below. When an MHP Overlay Zoning District is applied to an area, all uses previously allowed in the underlying zoning district are no longer allowed.
 - 1. Mobile home parks.** Mobile home parks as regulated by the State of California.

2. **Accessory structures and uses.** Accessory structures and uses incidental to the operation of mobile home parks (e.g., recreation facilities and/or community centers of a non-commercial nature, either public or private, storage facilities for the use of the mobile home park residents, and any other structures or uses that are incidental to the operation of a mobile home park).
- B. Removal of the Mobile Home Park Overlay District.** The Council shall not approve a Zoning Map amendment that would remove the MHP designation from a property, unless all of the following findings have first been made:
1. The proposed zoning is consistent with the General Plan, and in the event the proposed zoning is Planned Community, the PC development plan has been submitted and is consistent with the General Plan;
 2. The property which is the subject of the Zoning Map amendment would be more appropriately developed in compliance with the uses allowed by the underlying base zoning, or proposed zoning, and if the underlying base zoning or proposed zoning is Planned Community, that a PC development plan has been submitted and the property would be more appropriately developed with the uses specified in that development plan; and
 3. A mobile home park phase out plan has been prepared, reviewed, and found to be acceptable.
 - a. A phase out plan shall not be found to be acceptable unless it includes all of the following:
 - (1) A time schedule and method by which existing mobile homes, cabanas, ramadas, and other substantial improvements and tenants are to be relocated or appropriately compensated;
 - (2) Methods of mitigating the housing impacts on tenants having low and moderate incomes, elderly tenants, and tenants who are handicapped; and
 - (3) The programs or other means that are to be implemented properly address the housing impacts on those described in Subparagraph (2), above, are mitigated.
 - b. For purposes of this finding, "low and moderate incomes" shall be defined in compliance with the provisions of the City's Housing Element.

20.28.030 – Parking Management (PM) Overlay District

- A. Parking management district plan required.** Before approving an amendment reclassifying land to a PM Overlay District, the Commission and Council shall approve a parking management district plan.
- B. Establishment of parking management program(s).** The parking management district plan shall identify existing and planned parking facilities and establish parking management programs necessary to adequately serve the parking needs of the area.

- C. **Exemptions.** The parking management district plan shall also include a formula or procedure establishing the extent to which properties shall be exempted from the requirements of Chapter 20.42 (Off-Street Parking and Loading Standards).

~~20.28.040 – Development Review (DR) Overlay District~~

- A. ~~**Uses allowed.** Uses allowed within the DR Overlay zoning district shall be any use allowed in the base zoning district.~~
- B. ~~**Project approval.** Proposed projects within the DR Overlay zoning district shall be subject to approval of a Site Development Review in compliance with Section 20.66.070 (Site Development Review).~~

20.28.040 – Bluff (B) Overlay District

- A. **Applicability.** This Section applies to lots located in the Bluff (B) Overlay District as indicated on the Zoning Map. All development shall comply with the applicable development standards (e.g. setbacks, height) of the underlying zoning district in addition to the standards provided in this Section. In situations where an inconsistency occurs between the development standards of the underlying zoning district and the standards in this Section the most restrictive standard shall prevail.
- B. **Uses allowed.** Land uses allowed in the B overlay district are all those uses allowed in the underlying zoning district.
- C. **Development area defined.** For the purpose of this Section the development area of a lot is an area delineated for the purpose of regulating the placement and location of structures. Each lot within the B overlay district shall be divided into two or more development areas. Development areas are delineated on the Development Area Maps in Part 8 and are consistent with the development areas listed in Subsection D, below.
1. **Development Area A - Principal and accessory structures.** Area A allows for the development and use of principal and accessory structures. Accessory structures allowed in Areas B and C are allowed in Area A.
 2. **Development Area B - Accessory structures.** Area B allows for the development and use of accessory structures listed below. Principal structures are not allowed.
 - a. **Allowed accessory structures.** The following accessory structures are allowed in Area B:
 - accessory structures allowed in Area C are allowed within Area B.
 - barbecues
 - decks
 - detached or attached patio covers (solid or lattice)
 - fences, walls, and retaining walls in compliance with Section 20.30.040 (Fences, Hedges, Walls, and Retaining Walls)
 - fireplaces and fire pits

- gazebos
- outdoor play equipment
- patios
- platforms
- porches
- spas and hot tubs
- swimming pools
- terraces
- similar structures

b. Development standards for accessory structures. The following development standards apply to Area B:

- (1) Covered accessory structures (e.g., trellis, gazebos, patio covers) shall not exceed 12 feet in height from existing grade or finished grade or exceed 400 square feet in area.
- (2) Retaining walls shall comply with Section 20.30.040 (Fences, Hedges, Walls, and Retaining Walls).

3. Development Area C – Limited accessory structures. Area C allows for the development and use of limited accessory structures. The following accessory structures are allowed in Area C:

- benches
- drainage devices
- guardrails and handrails required by building code
- landscaping/irrigation systems
- on-grade trails
- on-grade stairways
- property line fences and walls, not including retaining walls
- underground utilities
- similar structures.

D. Location of development areas. The development areas are listed below and depicted in the referenced map exhibits located in Part 8. The placement of structures and grading is limited by development areas as defined in this Section and in Subsection C, above. The development areas for each parcel are polygons established by the property lines and the following development lines. (See Part 8, Map Exhibits 1-8) All contour lines refer to NAVD88 contours.

1. Map 1 - Kings Place

a. Kings Place (104-112 and 204-224)

- (1) Development Area A. Between the front property line adjacent to Kings Place and the development line established at an elevation that is 16 feet below the average elevation of the top of the curb adjacent to the lot.
- (2) Development Area C. All portions of the lot not located in Area A.

b. Kings Place (116-200)

- (1) Development Area A. As indicated by the specified distance (in feet) from the front property line on the development area map.
- (2) Development Area B. All portions of the lot not located in Area A or C.
- (3) Development Area C. Between the down slope boundary of Area A and a development line established at the 26-foot contour line*.
- (4) Additional development standards. Sport courts are allowed in Area B. Enclosed accessory structures that do not exceed 12 feet in height from existing or finished grade and do not exceed 400 square feet (cumulative) in area shall be allowed in Area B.

2. Map 2 - Irvine Terrace

a. Dolphin Terrace

- (1) Development Area A. Between the front property line adjacent to Dolphin Terrace and the development line established at an elevation that is 13 feet below the average elevation of the top of the curb adjacent to the lot.
- (2) Development Area C. All portions of the lot not located in Area A.

3. Map 3 - Irvine Terrace

a. Bayadere Terrace

- (1) Development Area A. Between the front property line adjacent to Bayadere Terrace and the development line established at an elevation that is 13 feet below the average elevation of the top of the curb adjacent to the lot.
- (2) Development Area C. All portions of the lot not located in Area A.

4. Map 4 - Avocado Avenue/Pacific Drive

a. Avocado Avenue

- (1) Development Area A. Above the 68-foot contour line for 415 Avocado Avenue, above the 50-foot contour line for 411 Avocado Avenue and the prolongation of such contour line along the shortest segment to the 35-foot contour line for 401 Avocado Avenue.*

(2) Development Area C. Below the 68-foot contour line at 415 Avocado Avenue, 50-foot contour line at 411 Avocado Avenue, and below the 35-foot contour line along 401 Avocado Avenue.*

b. Pacific Drive (2235-2329)

(1) Development Area A. Between the front property line adjacent to Pacific Drive and the 53-foot contour line.*

(2) Development Area C. All portions of the lot not located in Area A.

5. Map 5 - Carnation Avenue

a. Carnation Avenue (201-233)

(1) Development Area A. Between the front property line adjacent to Carnation Avenue and the 50.7-foot contour line.*

(2) Development Area C. All portions of the lot not located in Area A.

b. Carnation Avenue (239-317)

a. Development Area A. As indicated by the specified distance (in feet) from the front property line adjacent to Carnation Avenue on the development area map.

b. Development Area B. Between the Area A development line and the 70-foot contour line.*

c. Development Area C. All portions of the lot not located in Area A or B.

d. Additional Development standards. If Area A overlaps Area B, the area of overlap shall be regulated as Area A.

6. Map 6 - Ocean Boulevard/Breakers Drive

a. Breakers Drive (3100-3200):

(1) Development Area A. Between the 52-foot contour line* and the property line adjacent to Breakers Drive.

(2) Development Area C. All portions of the lot not located in Area A.

(3) Additional Development standards. Structure height may not exceed the 52-foot contour line.*

b. Ocean Boulevard (3207-3309)

(1) Development Area A. Between the 48-foot contour line* and the property line adjacent to Ocean Boulevard and between the 33-foot contour line* and the property line adjacent to Breakers Drive.

(2) Development Area C. Between the 33-foot and 48-foot contour lines.*

c. Ocean Boulevard (3317-3431)

(1) Development Area A. Between the 48-foot contour line* and the property line adjacent to Ocean Boulevard.

(2) Development Area C. All portions of the lot not located in Area A.

(3) Additional Development standards. No fences or walls in Area C.

d. Ocean Boulevard (3601-3729)

(1) Development Area A. Between the property line adjacent to Ocean Boulevard and the seaward extent of the existing principal structure.

(2) Development Area C. All portions of the lot not located in Area A.

(3) Additional Development standards. New development shall not extend farther onto the bluff face beyond existing development.

7. Map 7 - Shorecliffs

a. Shorecliff Road

(1) Development Area A. As indicated by the specified distance (in feet) from the front property line on the development area map.

(2) Development Area B. Between the seaward boundary of Area A and a line established by a 10-foot setback from the bluff edge (Not all lots have an Area B).

(3) Development Area C. All portions of the lot not located in Area A or B.

(4) Additional Development standards. If Area A overlaps Area B, the area of overlap shall be regulated as Area A. No fences or walls shall be allowed in Area C.

8. Map 8 - Cameo Shores

a. Brighton Road

(1) Development Area A. As indicated by the specified distance (in feet) from the front property line on the development area map.

(2) Development Area B. Between the seaward boundary of Area A and a line established by a 10-foot setback from the bluff edge (Not all lots may have an Area B).

- (3) Development Area C. All portions of the lot not located in Area A or B.
- (4) Additional Development standards. If Area A overlaps Area B, the area of overlap shall be regulated as Area A. No fences or walls shall be allowed in Area C.

*all contour lines refer to NAVD88 contours

E. Basements. Subterranean basements are allowed in Area A and may be constructed at an elevation (NAVD88) below any specified contour elevation. Basements shall not daylight on the bluff or slope face beyond Area A. (see exhibit).

F. Grading – all development areas. Grading is limited to the minimum necessary for the construction and placement of allowed structures.

G. Encroachments.

1. Above grade encroachments. Balconies, bay windows, eaves, architectural features, and shading devices attached to principal or accessory structures may encroach from Area A into Area B without limitation provided they do not require ground support. Balconies, bay windows, eaves, architectural features, and shading devices attached to principal or accessory structures may encroach from Area A or Area B into Area C provided they do not require ground support and encroach no farther than 5 feet into Area C and comply with any required minimum setbacks.

2. Subterranean structural encroachments. Foundations, basement walls, structural supports, and shoring for principal structures may encroach a maximum of 24 inches into an adjacent development area (B or C).

H. Non-conforming structures. Principal and accessory structures that do not conform to the development standards of this Chapter shall comply with Section 20.040.040 (Non-Conforming Structures) of this zoning code.

I. Adjustment of development area boundary.

1. Reduced development area(s). A bluff development area shall be reduced whenever necessary to:

a. Ensure safety and stability against slope failure (i.e., landsliding) for the economic life of a development. At a minimum, the development area shall be adjusted to ensure a slope stability factor greater than or equal to 1.5 at the end of the economic life of the development for the static condition of the bluff or canyon or a factor of safety greater than or equal to 1.1 for the seismic condition of the bluff or canyon, whichever is farther landward; and

b. Ensure that the principal structures are safe from hazards due to erosional factors for the economic life of the building.

- 2. Increased development area(s).** A development area's boundaries may be adjusted through the approval of a Site Development Review in compliance with Section 20.54.080 (Site Development Review) to allow structures and grading not otherwise allowed. In addition to the Site Development Review findings, all of the following findings shall also be made:
- a. The increased bluff or canyon development area will ensure a slope stability factor of safety greater than or equal to 1.5 at the end of the economic life of the development for the static condition of the bluff or canyon or a factor of safety greater than or equal to 1.1 for the seismic condition of the bluff or canyon, whichever is farther landward;
 - b. The increased bluff or canyon development area will provide adequate protection from erosion factors for the economic life of the development;
 - c. The increased bluff or canyon development area will be compatible and consistent with surrounding development; and
 - d. The increased bluff or canyon development area will not have an impact on public views, sensitive habitat areas, and is not otherwise detrimental to the community.

20.28.050 – Canyon (C) Overlay District (To be added)

20.28.060 – Overlay Zoning Districts General Development Standards

The overlay zoning district development standards shall be established in this Chapter and/or during review of any required permit (e.g., Conditional Use Permit, Minor Use Permit, Site Development Review).

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