

ORDINANCE NO. 2021-05

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MARINA
AMENDING TITLE 17 OF THE MARINA MUNICIPAL CODE ‘ZONING;’
TO DELETE IN THEIR ENTIRETY SECTIONS 17.04.291 AND 17.04.380 OF CHAPTER
17.04 ‘DEFINITIONS;’ AND TO AMEND SECTIONS 17.06.020 B AND 17.06.050 B OF
CHAPTER 17.06 “R-1 OR SINGLE-FAMILY RESIDENTIAL DISTRICT;” AND SECTIONS
17.08.020 B AND 17.08.050 B OF CHAPTER 17.08 “R-2 OR DUPLEX RESIDENTIAL
DISTRICT;” AND SECTIONS 17.10.020 B, AND 17.10.050 OF CHAPTER 17.10 “R-3 OR
SINGLE-FAMILY RESIDENTIAL DISTRICT;” AND SECTIONS 17.12.020 B, 17.12.060 OF
CHAPTER 12 “R-4 OR MULTIPLE-FAMILY RESIDENTIAL DISTRICT;” AND
SUBSECTIONS A. 3. d. i. AND A. 3. f .iii. OF SECTION 17.42.040 “DWELLING UNITS”
OF CHAPTER 17.42 “GENERAL ZONING REGULATIONS.”

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THE CITY COUNCIL OF THE CITY OF MARINA DOES HEREBY ORDAIN AS
FOLLOWS:

1. Sections 17.04.291 and 17.04.380 Deleted. Municipal Code Sections 17.04.291
and 17.04.380, relating to definitions are hereby deleted in their entirety and not replaced.

2. Section 17.06.020 B Amended. Municipal Code Section 17.06.020 B, relating to
permitted uses is hereby amended to read as follows:

“B. Accessory dwelling units pursuant to the provisions of 17.42.040, except in the Coastal Zone
where this provision shall not be effective unless and until approved by the California Coastal
Commission.”

3. Section 17.06.050 B Amended. Municipal Code Section 17.06.050 B, relating to
building height is hereby amended to read as follows:

“B. The maximum building heights for accessory dwelling units shall be governed by the
provisions of Section 17.42.040.”

4. Section 17.08.020 B Amended. Municipal Code Section 17.08.020 B, relating to
permitted uses is hereby amended to read as follows:

“B. Accessory dwelling units pursuant to the provisions of 17.42.040.”

5. Section 17.08.050 B Amended. Municipal Code Section 17.08.050 B, relating to
building height is hereby amended to read as follows:

“B. The maximum building heights for accessory dwelling units shall be governed by the provisions of Section 17.42.040.”

6. Section 17.10.020 B Amended. Municipal Code Section 17.10.020 B, relating to permitted uses is hereby amended to read as follows:

“B. Accessory dwelling units pursuant to the provisions of 17.42.040.”

7. Section 17.10.050 Amended. Municipal Code Section 17.10.050, relating to building height is hereby amended to read as follows:

“The maximum building heights for accessory dwelling units shall be governed by the provisions of Section 17.42.040.”

8. Section 17.12.020 C Amended. Municipal Code Section 17.12.020 C, relating to permitted uses is hereby amended to read as follows:

“C. Accessory dwelling units pursuant to the provisions of 17.42.040.”

9. Section 17.12.060 Amended. Municipal Code Section 17.12.060, relating to building height is hereby amended to read as follows:

“The maximum building heights for accessory dwelling units shall be governed by the provisions of Section 17.42.040.

10. Subsection A 3. d. i of Section 17.42.040 Amended. Municipal Code Subsection A 3. d. i of Section 17.42.040 relating to height is hereby amended to read as follows:

“i. An accessory unit is limited to sixteen feet in height; however, an accessory dwelling unit may be up to a maximum height limitation of twenty-four feet (24’), provided that it is constructed on a vacant lot in conjunction with a newly constructed primary single family dwelling located on the same lot, and that the first story of the accessory dwelling unit structure includes parking for the unit and access to that parking is provided from the street with a unobstructed driveway or alleyway access of at least twelve feet (12’) in width.”

10. Subsection A 3. f. iii of Section 17.42.040 Amended. Municipal Code Subsection A 3. f. iii of Section 17.42.040 relating to property line setbacks is hereby amended to read as follows:

“iii. A minimum setback of four feet from the side and rear property lines is required for an accessory dwelling unit twenty-four feet in height or less. If there is a recorded constraint, such as a no-build easement (e.g., public utility easement), then the recorded constraint prevails in determining the setback. Front and street side yard setbacks shall be the same as the underlying zoning district. An accessory dwelling unit in excess of twenty-four feet in height shall comply with setback requirements of the main structure of the applicable zoning district.”

11. Effective Date. This ordinance shall take effect and be in force 30 days from and after its final passage.

12. Posting of Ordinance. Within 15 days after the passage of this ordinance, the Deputy City Clerk shall cause it to be posted in the three public places designated by resolution of the City Council.

The foregoing ordinance was introduced at a regular meeting of the City Council of the City of Marina duly held on the 8th day of September 2021, and was passed and adopted at a regular meeting duly held on the 5th day of October 2021, by the following vote:

AYES, COUNCIL MEMBERS: Medina Dirksen, Burnett, Biala, Delgado

NOES, COUNCIL MEMBERS: None

ABSENT, COUNCIL MEMBERS: Berkley

ABSTAIN, COUNCIL MEMBERS: None

Bruce C. Delgado, Mayor

ATTEST

Anita Shepherd-Sharp Deputy City Clerk
