

ORDINANCE NO. 2025-09

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MARINA AMENDING TITLE 17 (ZONING CODE) OF THE MARINA MUNICIPAL CODE TO IMPLEMENT PROGRAM 3.3 OF THE HOUSING ELEMENT

WHEREAS, on April 11, 2024 the California Department of Housing and Community Development (State HCD) certified the Sixth Cycle Marina Housing Element; and

WHEREAS, City of Marina is obligated by the programs of the Housing Element to implement several policies and ordinance modifications in 2025 to remain compliant with the City's Housing Element, and/or the Housing Element law; and

WHEREAS, reducing barriers to the development of more housing is a key objective of the Sixth Cycle Housing Element; and

WHEREAS, State HCD has indicated during this cycle that lengthy processing time, unclear permitting procedures, layered reviews, multiple discretionary review requirements, and costly conditions of approval increase the cost of housing, create uncertainty in the development of project and increase the overall financial risk by developers; and

WHEREAS, since 2020 the Planning Commission has subsumed the role of the Design Review Board (DRB) by reviewing housing projects for consistency with the City's adopted goals and policies; and

WHEREAS, Program 3.3 of the Housing Element directs the City to adopt amendments to the Title 17 (Zoning Code) to further streamline the development of housing projects by making the Planning Commission's roles in reviewing housing projects officially codified in the Municipal Code.;

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF MARINA DOES ORDAIN
AS FOLLOWS:**

Section 1. Findings.

The City Council finds and determines the recitals set forth above to be true and correct and by this reference, incorporates the same herein as findings.

Section 2. Title 17, Zoning, of the Marina City Code is hereby amended to read as follows.
~~Strikethrough~~ identify deletions to the text; underlines indicate additional language added to the text.

Chapter 2.12 COMMISSIONS

2.12.020 Duties and powers of the commissions.

[. . .]

D. The planning commission shall be an advisory body to the city council regarding the overall coordination of land use in the city and shall specifically perform those duties described in the ordinances and codes of the city.

1. Subcommittees: ~~Design review board and~~ Tree committee. (Ord. 2006-05 § 1, 2006)

Chapter 17.06 R-1 OR SINGLE-FAMILY RESIDENTIAL DISTRICT

17.06.050 Building height.

A. Maximum building height limit in the R-1 districts shall be thirty feet for main buildings and sixteen feet for accessory buildings not intended for living purposes, except that approval by the ~~site and architectural design review board~~ planning commission shall be obtained prior to the construction of any accessory building over twelve feet in height, or if any portion within five feet of any lot line is over ten feet in height. Any action taken by the ~~site and architectural design review board~~ planning commission may be appealed, in writing, to the ~~planning commission~~ city council within ten days of such action. ~~Any action taken by the planning commission may be appealed, in writing, to the city council within ten days of such action.~~

[. . .]

Chapter 17.08 R-2 OR DUPLEX RESIDENTIAL DISTRICT

17.08.050 Building height.

A. Maximum building height limit in the R-2 districts shall be thirty feet for main buildings and sixteen feet for accessory buildings not intended for living purposes, except that approval by the ~~site and architectural design review board~~ planning commission shall be obtained prior to the construction of any accessory building over twelve feet in height, or if any portion within five feet of any lot line is over ten feet in height. Any action taken by the ~~site and architectural design review board~~ planning commission may be appealed, in writing, to the ~~planning commission~~ city council within ten days of such action. ~~Any action taken by the planning commission may be appealed, in writing, to the city council within ten days of such action.~~

[. . .]

Chapter 17.20 C-2 OR GENERAL COMMERCIAL DISTRICT

17.20.030 Conditional uses.

Uses permitted, subject to first securing a use permit in each case, in the C-2 districts shall be as follows:

[. . .]

G. Single-family, duplex and multiple-family residential dwellings limited to studio and one-bedroom units with a minimum of five hundred twenty-five square feet and a maximum of nine hundred square feet to a maximum density of one unit per five thousand square feet of lot area within the same building as commercial uses on the site and located above those commercial uses. Such residential uses shall be permitted subject to ~~site and architectural design review~~ planning commission approval. However, if residential use is existing or approved for a site, only those uses identified in Section 17.20.020(A) shall be allowed on the same site and all other permitted uses and all conditional uses listed in this chapter shall not be permitted on the site;

[. . .]

Chapter 17.26 P OR BUSINESS PARK AND PLANNED INDUSTRIAL SMALL LOT COMBINING DISTRICT

17.26.050 Front yard.

Minimum front yard setbacks for buildings required in the P district shall be ten percent of the average lot depth with a minimum of fifteen feet required and a maximum of thirty feet required. However, as an alternative to the minimum setbacks for buildings as provided above in this section and as provided in Section [17.26.070](#), the building setbacks for buildings adjacent to a public street may be established on approved subdivision map recorded in the office of the recorder of the county or by an approved general development plan. Said alternative building setbacks shall show or describe both minimum and maximum building setbacks adjacent to all public streets in accordance with the approved general development plan. Such alternatives shall only be granted to accomplish specific urban design objectives defined by the project proponent and approved by the ~~site and architectural design review board~~ planning commission. (Ord. 2020-07 § 2, 2020; Ord. 96-12 § 1, 1996; Ord. 95-8 § 3, 1995; Zoning Ordinance dated 7/94, 1994)

17.26.060 Interior side yard.

In the P district, side yards which are not adjacent to a public street shall be required to be a minimum of five percent of the average lot width with the smallest acceptable required yard being equal to one-half the height of the adjacent building wall and the largest required yard being twenty feet. All portions of the required yard without driveways, parking or loading areas shall be landscaped to the satisfaction of the ~~design review board~~ planning commission. However, in the case of a lot under one acre, one interior side yard or rear yard shall be allowed to have a zero-foot setback. (Ord. 2020-07 § 2, 2020; Ord. 95-8 § 3, 1995; Zoning Ordinance dated 7/94, 1994)

17.26.070 Exterior side yard.

Minimum exterior side yard setbacks for buildings required in the P district shall be ten percent of the average lot depth with a minimum of fifteen feet required and a maximum of thirty feet required. However, as an alternative to the minimum setbacks for buildings as provided above in this section and as provided in Section [17.26.050](#), the building setbacks for buildings adjacent to a public street may be established on approved subdivision map recorded in the office of the recorder of the county or by an approved general development plan. Said alternative building setbacks shall show or describe both minimum and maximum building setbacks adjacent to all public streets in accordance with the approved general development plan. Such alternatives shall only be granted to accomplish specific urban design objectives defined by the project proponent and approved by the ~~site and architectural design review board~~ planning commission. (Ord. 2020-07 § 2, 2020; Ord. 96-12 § 1, 1996; Ord. 95-8 § 3, 1995; Zoning Ordinance dated 7/94, 1994)

17.26.080 Rear yard.

Minimum rear yard required in the P district shall be five percent of the average lot depth with the smallest acceptable required yard being equal to one-half the height of the adjacent building wall and the largest required yard being twenty feet. That portion of the yard which is five or

more feet from the lot line may be used for required parking. All portions of the required yard without parking shall be landscaped to the satisfaction of the ~~design-review board~~ planning commission. (Ord. 2020-07 § 2, 2020; Ord. 95-8 § 3, 1995; Zoning Ordinance dated 7/94, 1994)

17.26.090 District boundary buffer.

When the district buffer coincides with other yards required in the P district, the provisions of this section shall control except where the district boundary is adjacent to property planned for industrial uses. Minimum distance from the P district boundary to any building within the district shall be twenty feet, all of which shall be landscaped to the satisfaction of the ~~design-review board~~ planning commission. However, when the district boundary line is adjacent to a railroad right-of-way, only the first four feet adjacent to the right-of-way shall be required to be landscaped. Further, when the approved general development plan orients outdoor parking and truck loading facilities away from the district boundary, the planning commission may reduce the width of the landscaped area within the district boundary buffer to as little as ten feet total width when deemed necessary by the planning commission to accomplish landscape screening to the satisfaction of the ~~design-review board~~ planning commission. (Ord. 2020-07 § 2, 2020; Ord. 95-8 § 3, 1995; Zoning Ordinance dated 7/94, 1994)

Chapter 17.28 M OR INDUSTRIAL DISTRICT

17.28.090 Front yard.

Minimum front yard required in the M districts shall be thirty feet which shall be landscaped to the satisfaction of the ~~site and architectural design-review board~~ planning commission. (Ord. 2020-07 § 2, 2020; Zoning Ordinance dated 7/94, 1994)

17.28.100 Side yard.

Minimum side yard required in the M districts shall be ten feet which shall be landscaped to the satisfaction of the ~~site and architectural design-review board~~ planning commission. (Ord. 2020-07 § 2, 2020; Zoning Ordinance dated 7/94, 1994)

17.28.110 Rear yard.

Minimum rear yard required in the M districts shall be twenty feet which shall be landscaped to the satisfaction of the ~~site and architectural design-review board~~ planning commission. (Ord. 2020-07 § 2, 2020; Zoning Ordinance dated 7/94, 1994)

17.28.130 Special regulations and yards.

A thirty-foot yard shall be provided along any property line adjacent to or abutting any residential zoning district notwithstanding any provisions contained herein. Said thirty-foot yard shall be heavily landscaped; in addition, sound attenuation or deadening devices or structures shall be provided as deemed necessary by the community development director ~~of planning, the site and architectural design-review board,~~ the planning commission or city council. The purpose of this section is to protect residential areas located adjacent to zoning districts from deleterious or objectionable impacts that may be associated with uses which could locate in the M zoning district. (Ord. 2020-07 § 2, 2020; Zoning Ordinance dated 7/94, 1994)

17.28.140 Landscaping.

All required landscaping in the M district shall be subject to the following regulations:

A. All landscaped areas shall be accessible for purposes of maintenance to the satisfaction of the ~~site and architectural design review board~~ planning commission.

[. . .]

Chapter 17.30 AIRPORT DISTRICT

17.30.040 Parking, loading, service areas and screening service areas, and screening.

A. *General Standards.*

[. . .]

7. For buildings within the A-2 district which were in existence on January 1, 2003, loading areas within three hundred feet of the right-of-way of either Imjin or Neeson Roads shall be screened if and as determined necessary by the ~~site and architectural design review board or the appropriate appellate body under Section 17.56.060~~ planning commission. Other loading areas for buildings which were in existence on January 1, 2003, are not required to be screened.

[. . .]

Chapter 17.38 MHR OR MARINA HEIGHTS RESIDENTIAL DISTRICT

17.38.100 Site and architectural review.

In the MHR district, the development of individual lots shall be subject to site and architectural design review procedures in Chapter 17.56. Sections 5 through 17.56.060. (~~Ord. 2020-07 § 2, 2020; Ord. 2004-05 § 1, 2004~~)

Chapter 17.40 COASTAL ZONING

17.40.120 General coastal zoning regulations.

[. . .]

12. *Water Facilities.*

a. Water facilities, including wells and storage tanks, serving less than three domestic users are permitted in any zoning district.

b. Water facilities, including wells and storage tanks, serving three or four domestic users are permitted in any zoning district upon approval by the ~~design review board~~ planning commission as to the location, access, landscaping and color of storage tanks. Such uses shall be subject to a coastal permit.

[. . .]

[Subsection I] 2. *Satellite Antenna Requirements—Residential Districts.* In residential districts:

a. The ~~site and architectural design review board~~ planning commission shall be the primary reviewing body of applications to install satellite dish antennas. It shall ensure that each application is consistent with the provisions and intent of this chapter prior to approval.

[. . .]

[Subsection I] 4. *Development Standards.*

a. The planning commission ~~and/or site and architectural design review board~~ may add any conditions to a permit necessary to achieve the compatibility of satellite dish antennas with its neighborhood.

b. All satellite dish antennas located in residential districts shall be located to minimize the visual impact on surrounding properties and from public rights-of-way and adjacent properties by use of screens, fences and/or landscaping without impeding the efficiency of the dish, to the satisfaction of the planning commission or on appeal the city council ~~on appeal, or site and architectural design review board.~~

[. . .]

[Subsection I] 5. *Limitation.* Certain parcels of land in the city may not be able to accommodate satellite dish antennas because of unique terrain problems and/or adverse effects on the surrounding neighborhood. In such instances, ~~the site and architectural design review board or the planning commission~~ may withhold approval to construct, install and/or maintain a satellite dish antenna.

[. . .]

[Subsection I] 7. *Appeals.* Any action taken by the ~~site and architectural design review board~~ planning commission may be appealed, in writing, to the ~~planning commission~~ city council within ten calendar days of said action. ~~Any action taken by the planning commission may be appealed, in writing, to the city council within ten days of said action.~~

[. . .]

17.40.200 C-P or coastal development permit combining district.

[. . .]

E Coastal Development Permits

[. . .]

3. *Granting.* In considering an application for a coastal development permit the planning commission shall consider and give due regard to the Marina general plan and local coastal land use and implementation plans. The planning commission shall determine whether or not the establishment, maintenance and operation of the use applied for will, under the circumstances of the particular case, be consistent with the general plan and local coastal land use and implementation plans, based upon the following findings that the project will:

- a. Not impair major view corridors towards the sea from Highway 1 parallel to the sea, including the planning guidelines listed in the LCLUP;
- b. Be subject to approval of the ~~site and architectural design review board~~ planning commission, including the planning guidelines listed in the LCLUP;

[. . .]

J. Issuance of Administrative Coastal Development Permit by the Director of Planning.

1. *Definition.* An administrative coastal development permit is a coastal permit issued by the director of planning which does not become effective until its issuance is reported to the city council. If one-third of the members of the city council so request, issuance of the administrative permit shall not become effective and, at the applicant's request, the application shall be considered as a regular coastal development permit at the next regularly scheduled meeting of the city council.

2. Applicability.

a. Following the review of a coastal permit application by the director of planning, said official shall have the authority to issue a coastal permit by virtue of Section 30624 of the California Coastal Act for the following nonemergency developments:

- i. Improvements to any existing structure;
- ii. Any single-family dwelling;
- iii. Any other developments not in excess of one hundred thousand dollars, other than any division of land;
- iv. Any development of four dwelling units or less that does not require demolition.

However, said authority of the director of planning shall not apply to that development which is within the Coastal Commission's continuing permit jurisdiction pursuant to Coastal Act Section 30519 or appealable to the Coastal Commission pursuant to Coastal Act Section 30603 or any division of land. Such permit for nonemergency development shall not be effective until after reasonable public notice and adequate time for the review of such issuance has been provided, as specified in subsection [K](#) of this section.

b. If the ~~planning community development~~ director receives an application that is asserted to be for improvements or other development within the criteria established in subsection [\(J\)\(2\)\(a\)](#) of this section and if the ~~planning community development~~ director finds that the application does not qualify as such, he or she shall notify the applicant that the permit application cannot be processed administratively and must comply with procedures for coastal development permits provided in subsection [E](#) of this section. The ~~planning community development~~ director, with the concurrence of the applicant, may accept the application for filing as a regular permit and shall adjust the application fees accordingly.

c. In the case of any development involving a structure or similarly integrated physical construction which lies partly within and partly outside the Coastal Commission's appeal area,

the entire structure or similar integrated physical construction must be subject to at least one public hearing and may not be processed as an administrative permit.

3. *Action.* The planning community development director may deny, approve or conditionally approve applications for administrative coastal development permits on the same grounds as contained in subsection [E](#) of this section for an ordinary CDP application and may include reasonable terms and conditions necessary to bring the project into consistency with the certified LCP.

[. . .]

K. *Effective Date of Short Form Permits.* Any administrative permit or waiver authorization issued by the director of planning pursuant to the provisions of this section shall be scheduled on the agenda of the city council at its first scheduled meeting after that permit has been issued. The planning community development director shall prepare a report in writing with sufficient description of the work authorized to allow the city council to understand the development to be undertaken. Such report shall be available at the meeting and for administrative permits shall be mailed to all persons wishing to receive such notification at the time of the regular mailing of notice for the meeting and any person who requested to be on the mailing list for the project meeting and any person who requested to be on the mailing list for the project as in subsection [L](#) of this section. If, at the meeting, one-third of the appointed members of that governing body so request, the permit or authorization issued by the director of planning shall not go into effect and, if the applicant wishes to pursue the application, the application for a coastal development permit shall be processed by the city pursuant to standard coastal permit procedures listed in this chapter. Unless the city council indicates otherwise, the failure to object to issuance of any waiver or administrative permit shall be presumed to be based upon the findings set forth and adopted.

L. *Public Notice.* Prior to scheduling any short form permit for city council review, with the exception of categorically excluded projects, the director of planning shall comply with the following public notice procedures:

1. At the time the permit application is submitted the applicant must post, at a conspicuous place, easily read by the public and on the site, or as close as possible to the site, of the proposed development, notice that an application for the proposed development has been submitted to the city using a standardized form(s) provided by the planning community development director. The notice shall contain a general description of the nature of the proposed development. If the applicant fails to post and keep posted the completed notice form until the waiver or administrative permit becomes effective, the planning community development director shall refuse to file the application or shall withdraw the application from filing if it has already been filed when he or she learns of such failure. The city shall enforce the administrative permit or waiver authorization pursuant to procedures set forth in Chapter [17.74](#) if it determines that the administrative permit or waiver authorization was granted without proper notice having been given, and the failure of the noticing may have caused the planning community development director to act differently in issuing said permit.

2. Within ten calendar days of filing an application for a coastal development permit or at least ten calendar days prior to the first public hearing or to city council review of the planning community development director's action on the development proposal, the local government shall provide notice by first class mail of pending application for development.

[. . .]

17.40.210 Parking requirements.

[. . .]

4. Multiple Dwellings.

a. One-bedroom units and efficiencies: one space for each dwelling unit which shall be covered plus one additional space for each five dwelling units or fraction thereof,

b. Two-bedroom units: one and one-half spaces for each dwelling unit, one of which shall be covered plus one additional space for each five dwelling units or fraction thereof,

c. Three or more-bedroom units: two spaces for each dwelling unit, one of which shall be covered plus one additional space for each five dwelling units or fraction thereof,

d. *General Note.* All required on-site parking spaces shall be uniformly distributed throughout the development to the satisfaction of the ~~site and architectural design review board~~ planning commission,

e. *General Note.* Twenty percent of all required parking spaces, but in no case less than one space, shall be kept unreserved and available for visitor parking. Visitor parking spaces shall be identified by a sign or other means and shall be uniformly distributed throughout the development to the satisfaction of the ~~site and architectural design review board~~ planning commission;

[. . .]

17.40.240 Site and architectural design review.

~~A. Site and Architectural Design Review Board—Approval Required When. The Marina planning commission shall appoint a site and architectural design review board, hereinafter referred to as the board, as a subcommittee of the Marina planning commission.~~

The board planning commission shall have the power to review and make recommendations to the ~~planning commission~~ regarding all applications for developments in the coastal zone city. A building permit shall not be issued for any of the following uses until site and architectural design approval has been obtained: public buildings and grounds; public and private schools; colleges, libraries, art galleries, and museums; public and private hospitals and other institutions; churches and other religious buildings and grounds; clubs, lodges, mortuaries, meeting halls, and other places of public assembly; motels and hotels; office buildings; all commercial and industrial uses; mobile home parks; parking lots; public utility structures and installations, except poles and towers carrying overhead lines; and more than one dwelling unit on a single parcel.

[. . .]

C. ~~Board~~ Commission Action. The ~~board~~ commission shall consider all necessary plans, drawings and statements in an endeavor to encourage buildings, structures, or other improvements to be designed and constructed, and so located, that they will not be unsightly, undesirable or obnoxious in appearance to the extent that they will hinder the orderly and

harmonious development of the city, impair the desirability of residence or investment or occupation in the city, limit the opportunity to obtain the optimum use and value of the land and improvements, impair the desirability of living conditions on or adjacent to the subject site, conform with the standards included in the local coastal land use plan and/or otherwise adversely affect the general welfare of the community.

1. *Preliminary Design Review.* ~~The board~~ Planning staff shall suggest any changes in plans of such proposed buildings, structures, or other improvements, as it may deem necessary to accomplish the purposes of this section, and shall not recommend to the commission approval of any such plans until it is satisfied that such purposes will be accomplished thereby.

D. *Planning Commission Action.* The planning commission shall review the preliminary design review recommendation of ~~the board~~ staff in acting upon the site and architectural design approval. All improvements which have received site and architectural design approval shall be constructed substantially in accordance with the approved plans, and no change shall be made subsequently without the review and approval of the planning commission or community development director. When public hearings are required, for solely design review approvals, not including subdivision maps or other development applications, no more than five hearings shall be required.

E. *Appeal.* If the applicant is not satisfied with the action of the planning commission, said person may file an appeal with the city council in writing within ten days after written notice of the decision of the planning commission has been mailed to the applicant. The appeal shall set forth specifically the points of issue, the reason for the appeal, and wherein the appellant believes there was an error or abuse of discretion by the appropriate authority. The city council shall hold a hearing on said appeal and shall render its decision thereon within thirty days after filing thereof. The city council may reverse or affirm or modify the decision of the planning commission and such action shall be final. (Ord. 2020-07 § 2, 2020; Ord. 2007-11 § 3 (Exh. A), 2007). If an appeal is filed for a project that utilized the City's Objective Design Standards for a housing development project as defined by California Government Code 65589.5, the appeal must be based on identifying an inconsistency with an objective standard that is consistent with state law and filed with the City during the standard appeal period for a development project.

Chapter 17.42 GENERAL ZONING REGULATIONS

17.42.020 Use regulations.

[. . .]

K.

1. Water facilities, including wells and storage tanks, serving less than three domestic users are permitted in any zoning district.

2. Water facilities, including wells and storage tanks, serving three or four domestic users are permitted in any zoning district upon approval by the ~~design review board~~ planning commission as to the location, access, landscaping and color of storage tanks. In the Coastal Zone such uses shall be subject to a coastal permit.

[. . .]

17.42.060 Height.

[. . .]

I. Master fence plans for subdivisions of five units/lots or more shall be reviewed as part of the entitlement process. Master fence plans for minor subdivisions may, at the discretion of the applicant, be reviewed as part of the entitlement process. Master fence plans may deviate from the fence regulations stated herein if the ~~design review board and/or~~ planning commission makes findings that the proposed fences provide public safety, privacy or security and are aesthetically pleasing from the street side view (findings are listed in order of importance). The ~~design review board or~~ planning commission may require landscaping or other measures to mitigate the visual impacts of proposed fences and/or retaining walls or any combination thereof.

[. . .]

17.42.090 Satellite dish and local television broadcast antennas.

[. . .]

B. *Satellite Dish Antenna Requirements—Residential Districts.* In residential districts:

1. The ~~site and architectural design review board~~ planning commission shall be the primary reviewing body of applications to install satellite dish antennas. It shall ensure that each application is consistent with the provisions and intent of this chapter prior to approval.

[. . .]

D. *Development Standards for Satellite Dish Antennas.*

1. The planning commission ~~and/or site and architectural design review board~~ may add any conditions to a permit necessary to achieve the compatibility of a satellite dish antenna with its neighborhood.

2. All satellite dish antennas located in residential districts shall be located to minimize the visual impact on surrounding properties and from public rights-of-way and adjacent properties by use of screens, fences and/or landscaping without impeding the efficiency of the dish, to the satisfaction of the city council on appeal; or the planning commission. ~~or site and architectural design review board.~~

[. . .]

E. *Limitation.* Certain parcels of land in the city may not be able to accommodate satellite dish antennas because of unique terrain problems and/or adverse effects on the surrounding neighborhood. In such instances, ~~the site and architectural design review board or~~ the planning commission may withhold approval to construct, install and/or maintain a satellite dish antenna.

[. . .]

G. *Appeals.* Any action taken by the ~~site and architectural design review board~~ planning commission may be appealed, in writing, to the ~~planning commission~~ city council within ten

days of said action. ~~Any action taken by the planning commission may be appealed, in writing, to the city council within ten days of said action.~~

[. . .]

17.42.130 Criteria and standards for residential hotel conversions.

[. . .]

L. *Site Design Review*. Residential hotels in Marina shall be subject to ~~site and architectural design review~~ planning commission approval pursuant to Chapter [17.56](#). (Ord. 2020-07 § 2, 2020; Ord. 2008-06 Exh. A, 2008; Ord. 2004-04 § 1 (Exh. 2), 2004; Ord. 2004-03 § 1, 2004)

Chapter 17.44 PARKING REQUIREMENTS

17.44.020 Residential.

Parking requirements for residential use, excluding residential use approved by use permit as pursuant to Section [17.18.030](#) or [17.20.030](#), shall be as follows:

[. . .]

D. Multiple Dwellings.

1. One-bedroom units and efficiencies: one space for each dwelling unit plus one additional space for each five dwelling units or fraction thereof,
2. Two-bedroom units: one and one-half spaces for each dwelling unit, plus one additional space for each five dwelling units or fraction thereof,
3. Three or more bedroom units: two spaces for each dwelling unit, plus one additional space for each five dwelling units or fraction thereof,
4. *General Note*. All required on-site parking spaces shall be uniformly distributed throughout the development to the satisfaction of the ~~site and architectural design review board~~ planning commission,
5. *General Note*. Twenty percent of all required parking spaces, but in no case less than one space, shall be kept unreserved and available for visitor parking. Visitor parking spaces shall be identified by a sign or other means and shall be uniformly distributed throughout the development to the satisfaction of the ~~site and architectural design review board~~ planning commission;

E. Dwellings Approved under Chapter 17.66.

1. One-bedroom units and efficiencies: one space for each dwelling unit plus two additional spaces for each five dwelling units or fraction thereof,
2. Two or more bedroom units: two spaces for each dwelling unit plus two additional spaces for each five dwelling units or fraction thereof,

3. *General Note.* All required on-site parking spaces shall be uniformly distributed throughout the development to the satisfaction of the ~~site and architectural design review board~~ planning commission,

4. *General Note.* Twenty percent of all required parking spaces, but in no case less than one space, shall be kept unreserved and available for visitor parking. Visitor parking spaces shall be identified by a sign or other means and shall be uniformly distributed throughout the development to the satisfaction of the ~~site and architectural design review board~~ planning commission;

[. . .]

Chapter 17.56 SITE AND ARCHITECTURAL DESIGN REVIEW

~~17.56.010 Site and architectural design review board—Approval required when.~~

~~The Marina planning commission shall appoint a site and architectural design review board, hereinafter referred to as the board, as a subcommittee of the Marina planning commission. The board planning commission shall have the power to review and make recommendations to the planning commission regarding all applications for which the commission is the specified review authority, as shown in Table 17.56.035 for developments in the city. A building permit shall not be issued for any of the following uses until site and architectural design approval has been obtained: public buildings and grounds; public and private schools; colleges, libraries, art galleries, and museums; public and private hospitals and other institutions; churches and other religious buildings and grounds; clubs, lodges, mortuaries, meeting halls, and other places of public assembly; motels and hotels; office buildings; all commercial and industrial uses; mobile home parks; parking lots; public utility structures and installations, except poles and towers carrying overhead lines. Also, no occupancy permit shall be issued pursuant to Title 15 for civilian reuse projects on former United States military land until site and architectural design approval has been obtained. All housing development projects, as defined in Chapter 17.04, Definitions, that meet objective zoning and design standards per the city of Marina objective design standards shall be reviewed ministerially at staff level. (Ord. 2024-02 § 3, 2024; Ord. 2020-07 § 2, 2020; Ord. 2001-07 § 1, 2001; Ord. 97-12 § 1, 1997; Zoning Ordinance dated 7/94, 1994)~~

~~17.56.020 Appointment to board.~~

~~The board members shall be appointed and the board shall operate in accordance with Chapter 2.12 and in the following prescribed manner:~~

~~A. The board shall be established and appointed on an annual basis by a majority vote of the city council upon a recommendation from the planning commission.~~

~~B. The board shall consist of five members plus one alternate as follows:~~

~~1. *Members 1 through 3.* At least three board members shall be members of the public at large. One public at large member may reside outside the city. All other public at large members shall be residents of the city. All public at large members should preferably have a background, or some knowledge, of planning, real estate, engineering, architecture, contracting, or any related field.~~

- ~~2. Member 4. One board member shall be a member of the tree committee.~~
- ~~3. Member 5. One board member shall be a member of the planning commission.~~
- ~~4. Alternate. The alternate board member shall be a member of the planning commission.~~
- ~~C. The board should include at least:~~
- ~~1. Two architects/design professionals; and~~
 - ~~2. One landscape architect/landscape contractor/nurseryman.~~
- ~~D. The board shall not include more than one member of any firm.~~
- ~~E. A quorum shall consist of any three members of the board.~~
- ~~F. The board shall yearly appoint a chairman and vice chairman. Term of chair shall not exceed two successive years. Elections shall be held every January. The chair shall preside at all meetings of the board, make appointments to any subcommittees and shall perform all the duties necessary or incidental to the office. The vice chair shall serve as chair in the absence or inability of the chair to serve.~~
- ~~G. The board shall not include more than one member of any firm.~~
- ~~H. The board shall yearly appoint a chairman and vice chairman. (Ord. 2020-07 § 2, 2020; Ord. 2006-19 § 1, 2006; Zoning Ordinance dated 7/94, 1994)~~

17.56.0320 Application and fees.

A. Applications for site and architectural design review shall be accompanied by drawings showing front, side and rear elevations of the proposed building, structure signs, fences, developments, or improvements or additions thereto. The applicant shall also submit plans or drawings showing in reasonable detail, proposed building or structural locations, topography, existing vegetation, proposed parking layout and location, proposed landscaping plans and proposed color schemes.

B. Such applications shall be accompanied by a fee to be established by resolution of the city council from time to time hereafter enacted, no part of which shall be returnable to the applicant. (Ord. 2020-07 § 2, 2020; Zoning Ordinance dated 7/94, 1994)

17.56.035 Board action Design review process.

Table 17.56.035 establishes thresholds for design review. Minor projects are reviewed by the community development director. Major projects are reviewed by the planning commission.

<u>Review Authority for Site Plan and Design Review</u>	<u>Review Level</u>		
	<u>Community Development Director</u>	<u>Planning Commission</u>	<u>City Council</u>
<u>RESIDENTIAL CONSTRUCTION ACTIVITIES</u>			
<u>Residential New Construction</u>			

<u>New multifamily units (attached or detached) ≤1,000 sq. ft.</u>	<u>Decision</u>	<u>Appeal</u>	<u>Appeal</u>
<u>New multifamily units (attached or detached) >1,000 sq. ft.</u>	<u>Recommend</u>	<u>Decision</u>	<u>Appeal</u>
<u>Accessory structures</u>	<u>Decision</u>	<u>Appeal</u>	<u>Appeal</u>
<u>Accessory structures >16 feet in height</u>	<u>Recommend</u>	<u>Decision</u>	<u>Appeal</u>
<u>Residential Additions</u>			
<u>Residential additions</u>	<u>Decision</u>	<u>Appeal</u>	<u>Appeal</u>
<u>Other Residential Construction or Improvements</u>			
<u>Facade or exterior improvements in multifamily residential zones</u>	<u>Decision</u>	<u>Appeal</u>	<u>Appeal</u>
<u>New or modified landscaping</u>	<u>Decision</u>	<u>Appeal</u>	<u>Appeal</u>
<u>NON-RESIDENTIAL CONSTRUCTION ACTIVITIES</u>			
<u>New Construction, Additions and Modifications</u>			
<u>Accessory structures</u>	<u>Decision</u>	<u>Appeal</u>	<u>Appeal</u>
<u>New construction, additions or modifications ≤1,000 sq. ft.</u>	<u>Decision</u>	<u>Appeal</u>	<u>Appeal</u>
<u>New construction, additions or modifications >1,000 sq. ft.</u>	<u>Recommend</u>	<u>Decision</u>	<u>Appeal</u>
<u>Other Non-Residential Construction</u>			
<u>Facade or exterior improvements ≤1,000 sq. ft.</u>	<u>Decision</u>	<u>Appeal</u>	<u>Appeal</u>
<u>Facade or exterior improvements >1,000 sq. ft.</u>	<u>Recommend</u>	<u>Decision</u>	<u>Appeal</u>
<u>AIRPORT DESIGN REVIEW MODIFICATIONS</u>			
<u>Facade or exterior improvements <10,000 sq. ft.</u>	<u>Decision</u>	<u>Appeal</u>	<u>Appeal</u>
<u>Facade or exterior improvements >10,000 sq. ft.</u>	<u>Recommend</u>	<u>Decision</u>	<u>Appeal</u>

17.56.040 Board Action

The ~~board~~ review authority shall consider all necessary plans, drawings and statements in an endeavor to encourage buildings, structures, or other improvements to be designed and constructed, and so located, that they will not be unsightly, undesirable or obnoxious in appearance to the extent that they will hinder the orderly and harmonious development of the city, impair the desirability of residence or investment or occupation in the city, limit the opportunity to obtain the optimum use and value of the land and improvements, impair the desirability of living conditions on or adjacent to the subject site, conform with the standards included in the local coastal land use plan and/or otherwise adversely affect the general welfare of the community.

~~A. Preliminary Design Review. The board shall suggest any changes in plans of such proposed buildings, structures, or other improvements, as it may deem necessary to accomplish the purposes of this section, and shall not recommend to the commission approval of any such plans until it is satisfied that such purposes will be accomplished thereby.~~

~~B. Final Design Review. In those situations where the site and architectural design approval by the planning commission as described in Section 17.56.050 or by city council on appeal as~~

described in Section [17.56.060](#) requires additional review by the board, the board shall review submitted final plans and other required final review submittal materials for conformance with the site and architectural design review approval. (Ord. 2020-07 § 2, 2020; Zoning Ordinance dated 7/94, 1994)

17.56.050 Planning commission Review authority action.

The community development director shall serve as the review authority for minor projects, as shown in Table 17.56.035, and shall refer major projects to the planning commission with a recommendation for approval or denial. The planning commission shall serve as the review authority for major projects, as shown in Table 17.56.035. The community development director shall have the authority to refer the project for planning commission review if doing so is in the public interest or having broad effect on the community. ~~the preliminary design review recommendation of the board in acting upon the site and architectural design approval.~~ All improvements which have received site and architectural design approval shall be constructed substantially in accordance with the approved plans, and no change shall be made subsequently without the review and approval of the ~~planning director~~ appropriate review authority. When public hearings are required, for solely design review approvals, not including subdivision maps or other development applications, no more than five hearings shall be required. (Ord. 2020-07 § 2, 2020; Zoning Ordinance dated 7/94, 1994)

17.56.0760 Generally.

All qualified housing development projects as defined in Section [17.04.440.1](#) and under state law shall be ministerially reviewed and approved. (Ord. 2024-02 § 3, 2024)

Chapter 17.62 TREE REMOVAL, PRESERVATION AND PROTECTION

17.62.020 Definitions.

[. . .]

“Development proposal” means and includes:

1. Proposed land subdivisions;
2. Proposed building projects for uses requiring ~~site and architectural design~~ planning commission approval by Section [17.50.010](#); and

[. . .]

17.62.060 Tree removal permit.

[. . .]

B. *Review Process.* The community development director or designee, upon review and recommendation by the tree committee, may approve, deny or conditionally approve a request for removal. If the request is a part of a development proposal that requires review by ~~the site and architectural design review board, the minor subdivision committee, and/or the planning commission,~~ the community development director or designee shall refer the application together with a recommendation for action thereon to the appropriate reviewing body.

[. . .]

Chapter 17.66 DEVELOPMENT STANDARDS FOR CONDOMINIUM/PLANNED DEVELOPMENT PROJECTS AND CONDOMINIUM CONVERSIONS

17.66.020 Driveways and walkways.

[. . .]

C. *Pedestrian Walkways.* Public sidewalks shall be provided along both sides of any public street within the boundary of the project and along any public street abutting the project site in accordance with city standards. An internal pedestrian walkway system shall be provided which connects each unit and each building with the project with public sidewalk system in accordance with a plan reviewed and approved by the ~~design review board~~ planning commission and in accordance with the city of Marina objective design standards. A minor driveway may serve purposes of a walkway system for the connection of up to four units. (Ord. 2024-02 § 3, 2024; Ord. 2020-07 § 2, 2020; Ord. 2005-10 § 1 (Exh. A), 2005; Ord. 2004-13 § 1, 2004)

17.66.080 Rubbish collection.

Plans for the storage and screening of trash and recycled materials shall be reviewed and approved by the ~~design review board~~ planning commission in accordance with adopted design guidelines. Unless alternatively approved by the planning commission, said plans shall provide for use of individual containers for the trash and recycled materials for each unit. (Ord. 2020-07 § 2, 2020; Ord. 2004-13 § 1, 2004)

Section 3. California Environmental Act (CEQA).

The proposed project is exempt from the California Environmental Quality Act (CEQA) under Section 15061(b)(3) as the adoption of the ordinance will have no reasonable possibility that the project will have a significant effect on the environment. Because the proposed action merely updates the Municipal Code to clarify that certain housing types are allowed in certain residential zones, subject to a use permit and project-specific environmental review as necessary, there is no possibility that the activity in question may have a significant effect on the environment. No further environmental review is necessary.

Section 4. Severability.

It is the intent of the City Council of the City to supplement applicable state and federal law and not to duplicate or contradict such law and this ordinance shall be construed consistently with that intention. If any section, subsection, subdivision, paragraph, sentence, clause, or phrase of this ordinance, or its application to any person or circumstance, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases of this ordinance, or its application to any other person or circumstance. The City Council declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause, or phrase independently, even if any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases were declared invalid or unenforceable.

Section 4. Effective Date.

This ordinance shall be in full force and effect thirty (30) days following its passage and adoption, as certified by the City Clerk. This ordinance was introduced and read on the 3rd day of June 2025 and was finally adopted on the 24th day of June 2025, by the following vote:

AYES: COUNCILMEMBERS: McAdams, McCarthy, Biala, Visscher, Delgado

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

ATTEST:

Bruce Delgado, Mayor

Anita Sharp, Deputy City Clerk

EXHIBIT A

FINDINGS

Consistent with the General Plan

- 1) General Plan Policy 5.4.6- Zoning Ordinance Update 5.4-A major revision of the City's existing zoning code is required to implement the General Plan. The initial step should be to thoroughly review and critique the existing code and identify its deficiencies. Changes are required to implement Housing Element policies and programs.

Evidence: By adopting the revisions to the zoning ordinance as required by Program 3.3 of the Housing Element, the City will be implementing General Plan Policy 5.4.6 which directs city staff to review the Municipal Code for consistency with Housing Element Law.

- 2) General Plan Policy 5.7-Preparation and adoption of the following ordinances should be undertaken to address the General Plan objectives of matching housing to the needs of local employees and providing housing to meet the needs of households of all economic levels:

Evidence: By reducing the housing constraints for special housing needs groups per Program 3.3 of the Housing Element, the City will be implementing General Plan Policy 5.7.