

CITY OF SAND CITY

ORDINANCE NO. 17-03 (2017)

**AN ORDINANCE OF THE CITY OF SAND CITY AMENDING
TITLE 18 OF THE MUNICIPAL CODE TO RECLASSIFY CERTAIN
PROPERTY BOUNDED BY FELL STREET, OCEAN VIEW AVENUE AND
ABUTTING PRIVATE PROPERTY (APN 011-182-002 & 003) FROM HEAVY
COMMERCIAL (C-2) TO MEDIUM DENSITY RESIDENTIAL PLANNED UNIT
DEVELOPMENT (R2-PUD)**

WHEREAS, Robert and Carrie Dayton (the "Applicant"), as the property owner, submitted applications to the City of Sand City (the "City") for site plan, architectural review, coastal development permit, and PUD re-zoning approvals regarding the development of two single-family residential dwellings on a 75'x75' property (the "Project") at 1785 Ocean View Avenue in Sand City (APN 011-181-002 & 003, Block 11, Lots 11, 13, 15) (the "Subject Property"); and

WHEREAS, the corner house of the Project fronting both Fell Street and Ocean View Avenue within the Subject Property shall hereinafter be referred to as "House 1" and the Project house fronting only Ocean View Avenue located between the aforementioned House 1 and the abutting Bungalows at East Dunes Lot 10 shall hereinafter be referred to as "House 2"; and

WHEREAS, the removal of a commercial contractor storage yard, considered by the City to be a blighting influence, for the development of two single family residential dwellings, is in compliance with the General Plan goals for the East Dunes of Sand City; and

WHEREAS, the Subject Property is bounded by Ocean View Avenue to the Southeast, Fell Street to the northeast, and abutting property to the northwest and southwest, with a current non-coastal zoning designation of "Heavy Commercial" (C-2), which is not consistent with the City's General Plan (2002 edition) that specifies residential development in the East Dunes area; and

WHEREAS, the R2-PUD district regulations, attached hereto and incorporated herein by this reference as "Ordinance Exhibit A", is intended to provide the land use and development standards for two (2) single family residential dwellings on the Subject Property that are consistent with the goals and policies of the Sand City General Plan; and

WHEREAS, the re-zoning of the Subject Property to Medium Density Residential Planned Unit Development (R2-PUD), as illustrated on Ordinance "Exhibit B", attached hereto and incorporated herein by this reference, is consistent with the goals and policies of the Sand City General Plan; and

WHEREAS, The proposed development of two (2) detached single-family residential dwelling units is consistent with estimates of the Regional Housing Needs Allocation

(RHNA) Plan 2014 to 2023 for Monterey County and the Sand City Housing Element (2015-2023); and

WHEREAS, the Project qualifies for a categorical exemption per CEQA (California Environmental Quality Act) Guideline Sections 15303(a) for an urbanized area and 15332 for infill development; and the re-zoning of the Subject Property from C-2 to R2-PUD is consistent with the Sand City General Plan (2002 ed.) that had an environmental initial study prepared, circulated, and negative declaration made.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Sand City as follows:

SECTION 1 - R2-PUD Regulations/Standards: The R2-PUD zoning requirements, attached hereto and incorporated herein as Ordinance "Exhibit A", shall provide the land use and development standards on the aforementioned Subject Property within this R2-PUD District, allowing for two (2) single-family residential dwellings on the Subject Property (APN 011-182-002 & 003).

SECTION 2 - Zoning Map: Chapter 18.06.060, the official Sand City Zoning Map, is hereby amended to reclassify the existing non-coastal C2 (Heavy Commercial) zoning designation for the Subject Property, bounded by Ocean View Avenue to the Southeast, Fell Street to the northeast, and abutting property to the northwest (APN 011-182-002 & 003) to R2-PUD (Medium Density Residential Planned Unit Development) zoning designation, as illustrated on "Ordinance Exhibit B", attached hereto and incorporated herein.

SECTION 3 - Effective Date: This ordinance for Re-zoning and Zoning Map update shall become effective thirty (30) days following this ordinance's adoption and second reading by the City Council.

PASSED AND ADOPTED by the City Council of Sand City on this 20th day of June, 2017 by the following vote:

AYES: Council Member Blackwelder, Hawthorne, Hubler
NOES: None
ABSENT: Council Member McDaniel
ABSTAIN: Council Member Carbone

ATTEST:


Linda K. Scholink, City Clerk

APPROVED

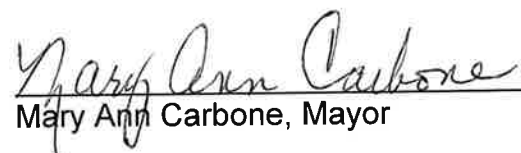

Mary Ann Carbone, Mayor

EXHIBIT A

ORD 17-03 (2017)

ZONING REQUIREMENTS OF THE “MEDIUM DENSITY RESIDENTIAL PLANNED UNIT DEVELOPMENT (R2-PUD) ZONING DISTRICT FOR CERTAIN PROPERTY BOUNDED BY OCEAN VIEW AVENUE, FELL STREET, AND ABUTTING PRIVATE PROPERTY (APN 011-182- 002 & 003)

SECTION 1: PERMITTED USES

- A. Permitted Uses: Land uses allowed within this R2-PUD Zoning District shall be limited to:
1. Single-family detached residential units, one (1) unit/structure per 2,812.5 square foot or larger lot.
 2. Home occupation uses conducted by the residential occupant of the residential dwelling are allowable with the City issuance of a Home Occupation Permit by the Sand City Planning Department and issuance of a valid Sand City business license, provided that said home occupation satisfies the definition of such as specified in Zoning Code Section 18.04.280.
 3. Accessory dwelling unit, in accordance with State legislation Assembly Bill (AB) 2299 and Senate Bill (SB) 1069.
- B. Prohibited Uses: Unless otherwise specified in this R2-PUD District, the following land uses are prohibited.
1. Commercial, Industrial, Manufacturing, Retail, Professional Office, and/or Service Commercial uses.

SECTION 2: MINIMUM BUILDING DEVELOPMENT STANDARDS

- A. Density and Unit Type:
1. There shall be no more than one (1) single-family detached dwelling unit per 2,812.5 square foot lot; for a total of two (2) single family dwelling units within this R2-PUD.
 2. Density bonuses are subject to Chapter 18.59 of the Sand City Municipal Code (Zoning Ordinance).
- B. Area Requirements:
1. Lot Coverage (includes ground level floor area, covered porches and decks, and garage) for each 2,812.5 square foot lot within this R2-PUD shall be no greater than fifty-seven percent (57%); but shall be subject to potentially less coverage per discretionary site plan review and land entitlement/development permit approval.
- C. Setbacks:
1. All setbacks (front, rear, and sides) shall be as approved by site plan review and approval in the City issuance of land use entitlement/development permits. Side

setbacks shall be no less than five (5) feet regardless. For the purposes of this R2-PUD, setbacks are measured from property line to the main structure, including any integral portion of said structure (i.e. porches, decks, or the like) via the most direct and shortest distance between.

2. All building setbacks within this R2-PUD shall satisfy minimum specifications mandated by the California Building and Fire Codes. If there is a conflict between this Ordinance and the Building and/or Fire Code(s) in regards to building setbacks, the Building and Fire Codes shall take precedence.

D. Off-Street Parking:

1. There shall be a minimum of two (2) full-sized (non-compact) on-site parking spaces provided for each residential dwelling unit on each 2,812.5 square foot lot. These on-site parking spaces shall be within an enclosed garage. Additional driveway parking is permissible provided sufficient driveway depth is available without encroachment into a public right-of-way.
2. All on-site parking required within this R2-PUD District shall conform, at a minimum, to Chapter 18.64 of the Sand City Municipal Code (Zoning Ordinance).

E. Building Height:

1. Buildings shall not exceed thirty (30) feet in height, from finished grade to peak of roof-line.
2. A maximum of two stories are allowed, provided that the total building height does not exceed thirty (30) feet in height from finished grade to peak of structure.

F. Architecture:

1. All exterior architectural elements, elevations, and building designs shall be subject to review by the Sand City Design Review Committee and land entitlement/development permit approvals of the City. There shall be no exterior design modification of any dwelling unit on any lot/parcel within this R2-PUD District without prior approval of the City and issuance of applicable/required City permits for such modifications.
2. Materials - All building materials shall be of a high quality that are appropriate for the approved architectural design and for site climate/weather conditions. The application of exterior facade materials shall consist of Horizontal Lap Siding, Board-and-Batten, or Wood/Composition Shingles, subject to land use entitlement/development permit requirements. The use of stucco/plaster may be allowed subject to Design Review Committee and City Council discretionary approval, but shall be secondary, of no more than 50% of the structure's surface area, to that of the aforementioned non-plaster materials. Exterior facade building materials shall wrap around building corners to the next elevation before a change of material is applied.
3. Roof - Roof designs shall incorporate gable and/or hipped roofs. Flat roofs are prohibited. Roof slopes shall be no less than 5/12 pitch and no greater than 8/12, pitch, subject to Design Review Committee review and City approval.

Roofing materials shall consist of a thick-butt composition shingle material of an earth-tone color. Metal Seam roofing may also be incorporated, at the discretion of the City in the issuance of required land use entitlement/development permits.

4. Garages - Garages and garage doors shall be designed and located as to be visually subordinate to the living area of the structure. This shall be accomplished by either setting the garage further back into the lot and bringing living area closer to the street, or by appropriately massing the structure above and/or to the sides of the garage whereby the garage is visually subjugated by the living area of the structure.
5. Entries - Front entries shall be emphasized through architectural treatment. The use of covered porches, trellises, and/or other similar design elements are encouraged.
6. Windows/Doors - Windows and doors along each elevation shall be consistently aligned vertically and horizontally for property fenestration. Windows and door shall also provide visually appealing trim.
7. Decks, porches, and patios shall be designed, in form and use, as an integrated component of the main structure.

G. Landscaping:

1. Front yard landscaping shall consist primarily of drought resistant plant species appropriate for a coastal climate and sandy soil; subject to Sand City Planning Department review and approval of a landscape plan.
2. Front yard landscaping shall incorporate a water conservatory irrigation system, the design of which shall be subject to Planning Department review and approval.

SECTION 3: OTHER REQUIRED CONDITIONS AND PROVISIONS

A. Other required conditions within this R2-PUD Zoning District are as follow:

1. Site Plan and Design Permit approval for development within this R2-PUD District shall be subject to review and approval by either the City Council or a Council designated land use authority for the East Dunes Specific Plan Area.
2. A Grading/Drainage Plan for all construction within this R2-PUD shall be subject to review and approval by the City Engineer prior to any substantial grading activities within this R2-PUD District.
3. Fence and Hedge restrictions specified in Section 18.62.060 of the Sand City Municipal Code (Zoning Ordinance) shall apply.
4. The Design Control District regulations of Chapter 18.58 of the Municipal Code (Zoning Ordinance) shall apply

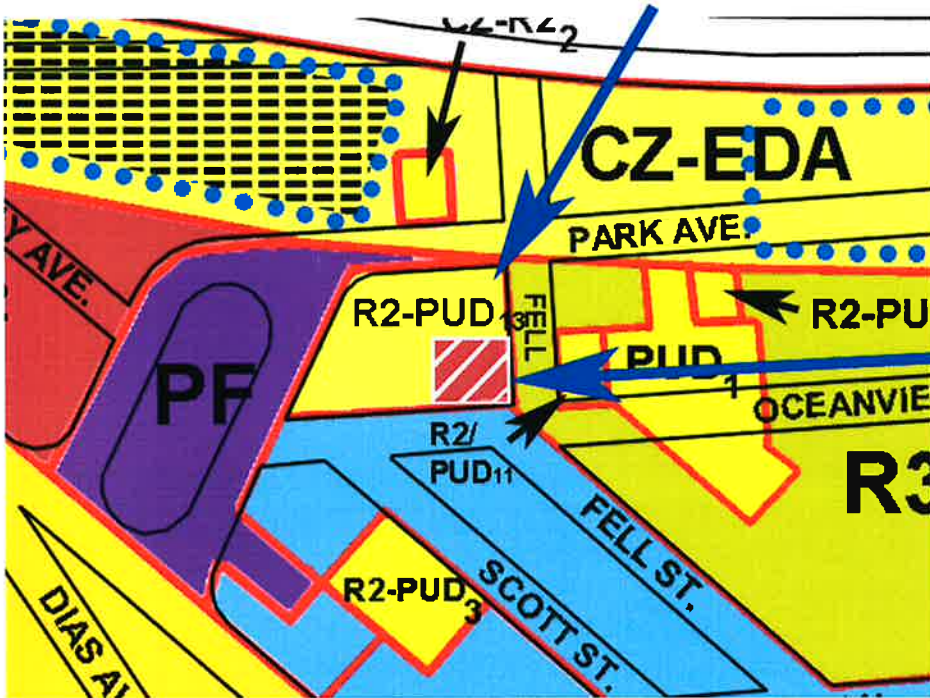
SECTION 4: ZONING CODE CHAPTER & SECTION REFERENCES

- A. All references to Chapters and/or Sections of the Sand City Zoning Ordinance pertain to that edition of the Zoning Ordinance initially adopted by the Sand City Council in 1984, with subsequent amendments up to the date of this R2-PUD Re-Zoning Ordinance (Ord No. 17-03, 2017).

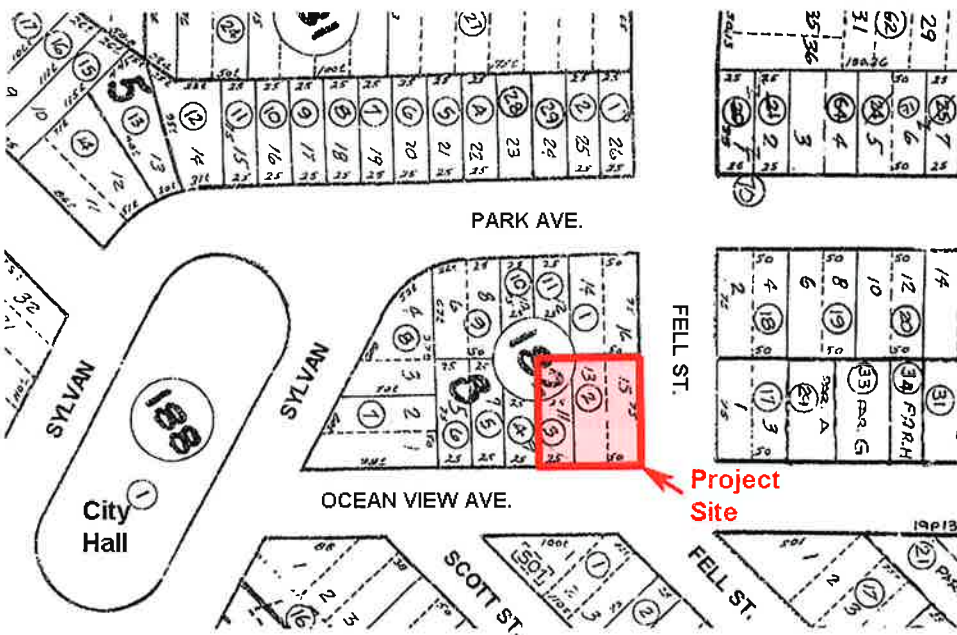
EXHIBIT B

ORDINANCE NO. ORD 17- 03 (2017)

Bungalows at East Dunes Project



Subject Property to be rezoned from C-2 to R2-PUD



Parcels/lots to be rezoned:
 APN 011-182-002 & 003
 Lots 11, 13, 15 / Block 8