ATTACHMENT 1

CITY OF IMPERIAL BEACH

COMMERCIAL ZONING REVIEW

RECOMMENDATIONS FOR ZONING, GENERAL PLAN, AND LOCAL COASTAL PLAN AMENDMENTS

SEPTEMBER 2010

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Appendices (Separate Document)

A Alternative Development Concepts by Study Area

B Parking Strategy Memo

C Financial Evaluation Memo

1

Overview

This working paper provides recommendations for Zoning, General Plan, and Local Coastal Plan Amendments for the commercial zones of Imperial Beach. These recommendations were developed following an extensive process of public input, development of prototype design, market analysis, and Zoning Code review.

The major commercial zoning recommendations, discussed in detail in Chapter 3, include the following:

- 15-foot minimum floor to ceiling height for all commercial spaces on the ground floor.
- Residential density and height bonus incentives for qualifying projects.
- Options for setbacks and stepbacks from adjacent residential property.
- Active commercial use requirements to foster pedestrian-oriented development, which also limits residential development on the ground floor.
- Elimination of conditional use permit for mixed-use development.
- Reduced parking requirements for commercial development.

The Imperial Beach City Council reviewed and refined the draft recommendations during a series of public meetings during 2009 and 2010 (see Table 1). The outcome of the City Council discussions are recorded in this document.

Table 1 – Summary of City Council Discussion of Topics Included in Commercial Zoning Review

Date	City Council Discussion Topic
October 26, 2009	Overview discussion including height, density, and Palm Avenue height overlay zone
November 18, 2009	Parking
December 16, 2009	Prototypes, density, floor area ratio, stepbacks, setbacks, and incentives
February 17, 2010	Density, floor area ratio, stepbacks, setbacks, and incentives
March 17, 2010	Floor area ratio and incentives
May 4, 2010	Land use table and definitions
June 2, 2010	Ground floor height and incentives
June 15, 2010	Active commercial use, design guidelines, and new zones
July 13, 2010	Design guidelines
July 21, 2010	Prototypes for Seacoast Drive and Old Palm Avenue
August 4, 2010	Prototype for Seacoast Drive, Old Palm Avenue, and Palm Avenue
August 18, 2010	Additional prototype for Old Palm Avenue and setbacks from residentially zoned properties

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Existing Zoning

This package of recommendations addresses four study areas of Imperial Beach: Palm Avenue (SR-75), Old Palm Avenue, Seacoast Drive, and 13th Street Corridor.

Each of the four study areas has one or more base zones. In addition to these base zones, the existing Zoning Code describes two overlay zones that promote mixed-use development in specified areas. Generally, the Mixed-Use 1 (MU-1) overlay area is applicable to properties designated as R-1500 zone of the Palm Avenue study area, while the Mixed-Use 2 (MU-2) overlay area is applicable to properties designated as R-1500 zone of the Seacoast Drive study area. The mixed-use overlay zones allow for higher density residential development in areas that would, over time, transition from residential to commercial and mixed-use development.

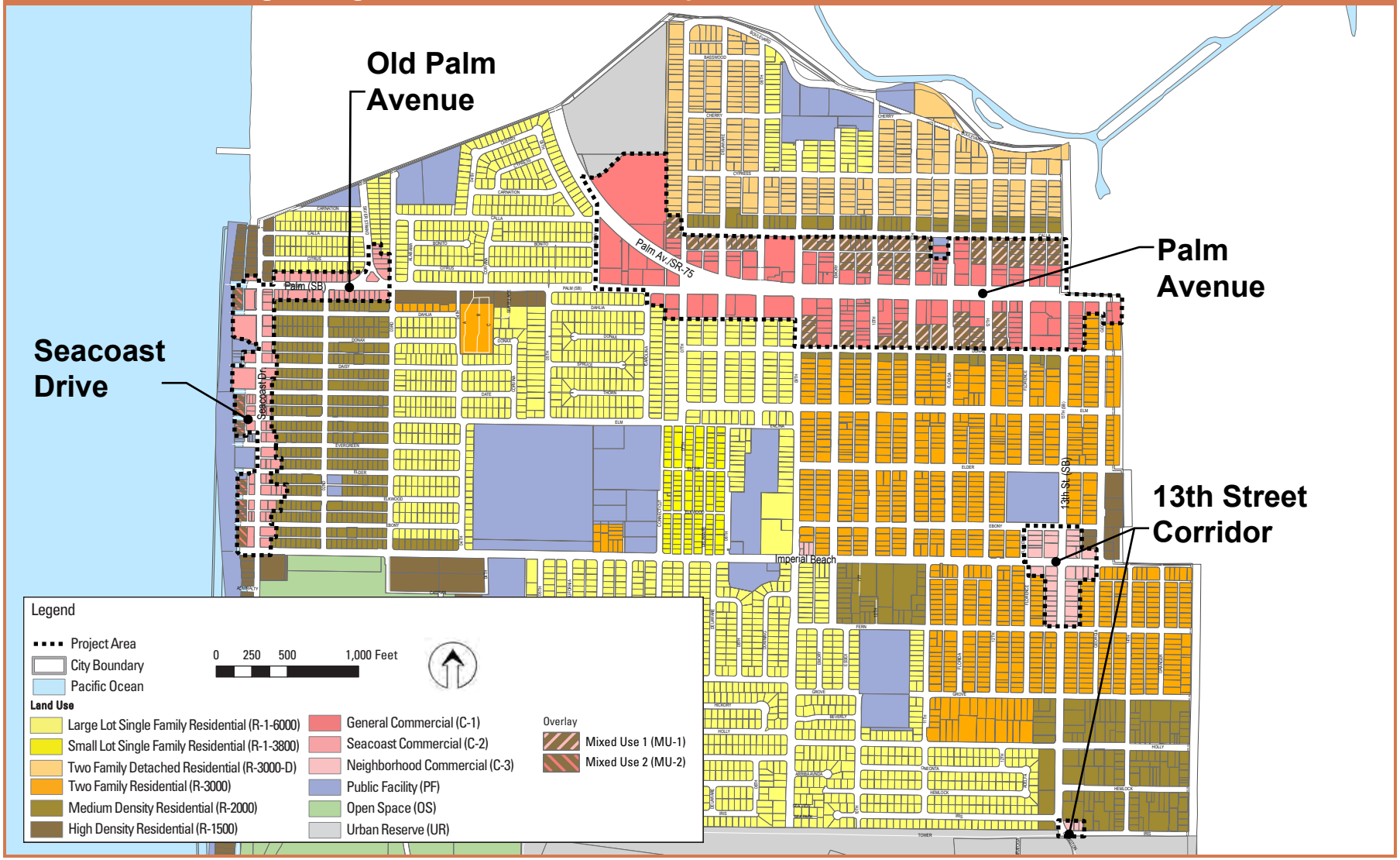
In the existing commercial zones, residential uses are permitted above first-floor commercial uses through the approval of a conditional use permit. Because this is implied and encouraged in the existing commercial zoning area, and because the mixed-use character is implied and encouraged in the existing R-1500 areas with the MU-1 or MU-2 overlay, the intent for development in these areas is similar.

Table 2 summarizes the existing zones and overlays for the study areas, and Exhibit 2 shows the existing zoning applied to the study areas.

Table 2 – Existing Base Zones and Overlays

Study Area	Existing Base Zone	Existing Overlays
Palm Avenue (SR-75)	C-1 General Commercial R-1500 High Density Residential	MU-1 (Mixed-Use 1) overlay primarily within R-1500 area
Old Palm Avenue	C-2 Seacoast Commercial	
Seacoast Drive	C-2 Seacoast Commercial PF – Public Facility R-1500 High Density Residential	MU-2 (Mixed-Use 2) overlay within R-1500 area
13th Street Corridor	C-3 Neighborhood Commercial	

Exhibit 1 – Existing Zoning and Planned Land Use Map



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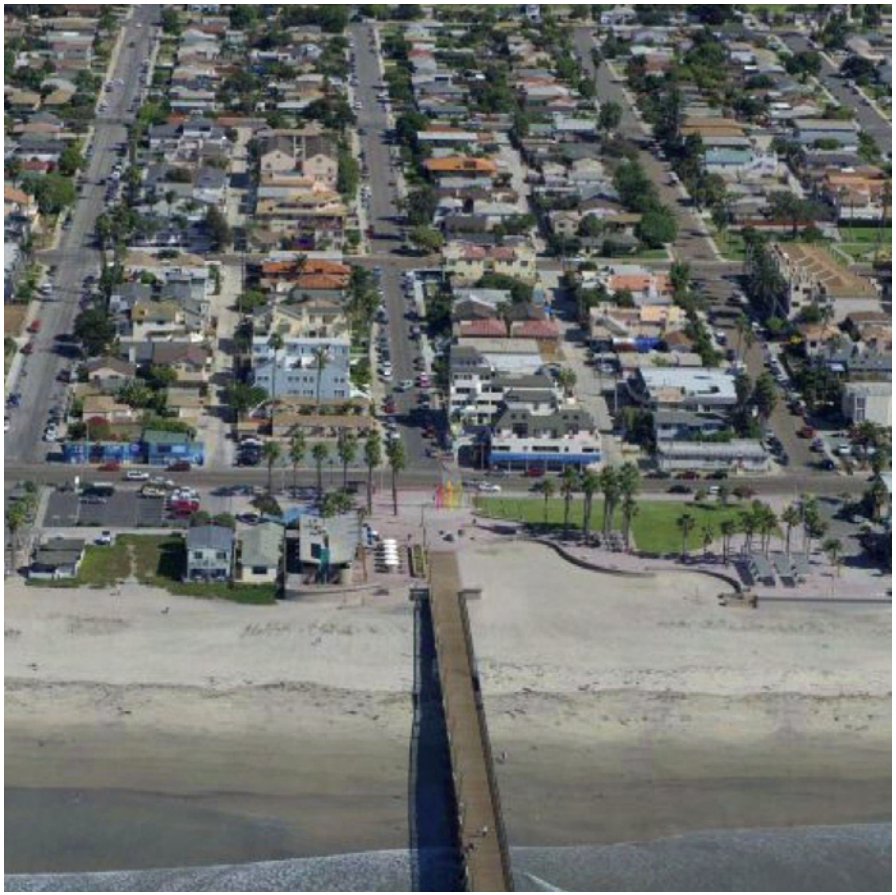
Recommended Zoning Code Amendments

The recommended zoning code amendments fall into six categories: a) Zone Changes, b) Development Standards, c) Development Incentives, d) Development Prototypes, e) Parking Standards, f) Use Regulations, and g) Definitions.



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Zone Changes

It is recommended that the City redefine the C-1, C-2, and C-3 zones, and MU-1 and MU-2 overlay designations to support cohesive mixed-use development within the study areas.

The areas currently governed by C-1 or R-1500/MU-1 within the Palm Avenue study area should be redefined as "C/MU-1: General Commercial and Mixed-Use." The areas currently governed by C-2 or R-1500/MU-2 within the Seacoast Drive and Old Palm Avenue study areas should be redefined as "C/MU-2: Seacoast Commercial and Mixed-Use." The areas currently governed by C-3 within the 13th Street Corridor study area should be redefined as "C/MU-3: Neighborhood Commercial and Mixed- Use." This redefinition allows for several key accomplishments:

- By bringing "Mixed-Use" into the zone name, it emphasizes the desire by the City for developments with a mixed-use character, while not disallowing purely commercial development.
- By consolidating the C and MU zones, it simplifies the code and encourages consistent development in all areas within each study area.
- By consolidating the zones, it allows for parcel assembly that may otherwise span both zones and could allow for ambiguity in permitted development character. It is consistent with current expectations for development type and intensity in a respective C or MU zone.

In addition, C-3 zoned parcels also exist at the northeast corner of Imperial Beach Boulevard and 9th Street. These parcels are not located in any of the study areas included in the Commercial Zoning Review, and, therefore, are not a part of this project. However, because the project proposes to eliminate the C-3 zone, it is recommended that the City rezone this land from C-3 to R-3000 concurrently with the approval of this project. Refer to the Imperial Beach General Plan for specific requirements for this area.

These recommendations have been incorporated into Exhibit 3 – Proposed Zoning Map.

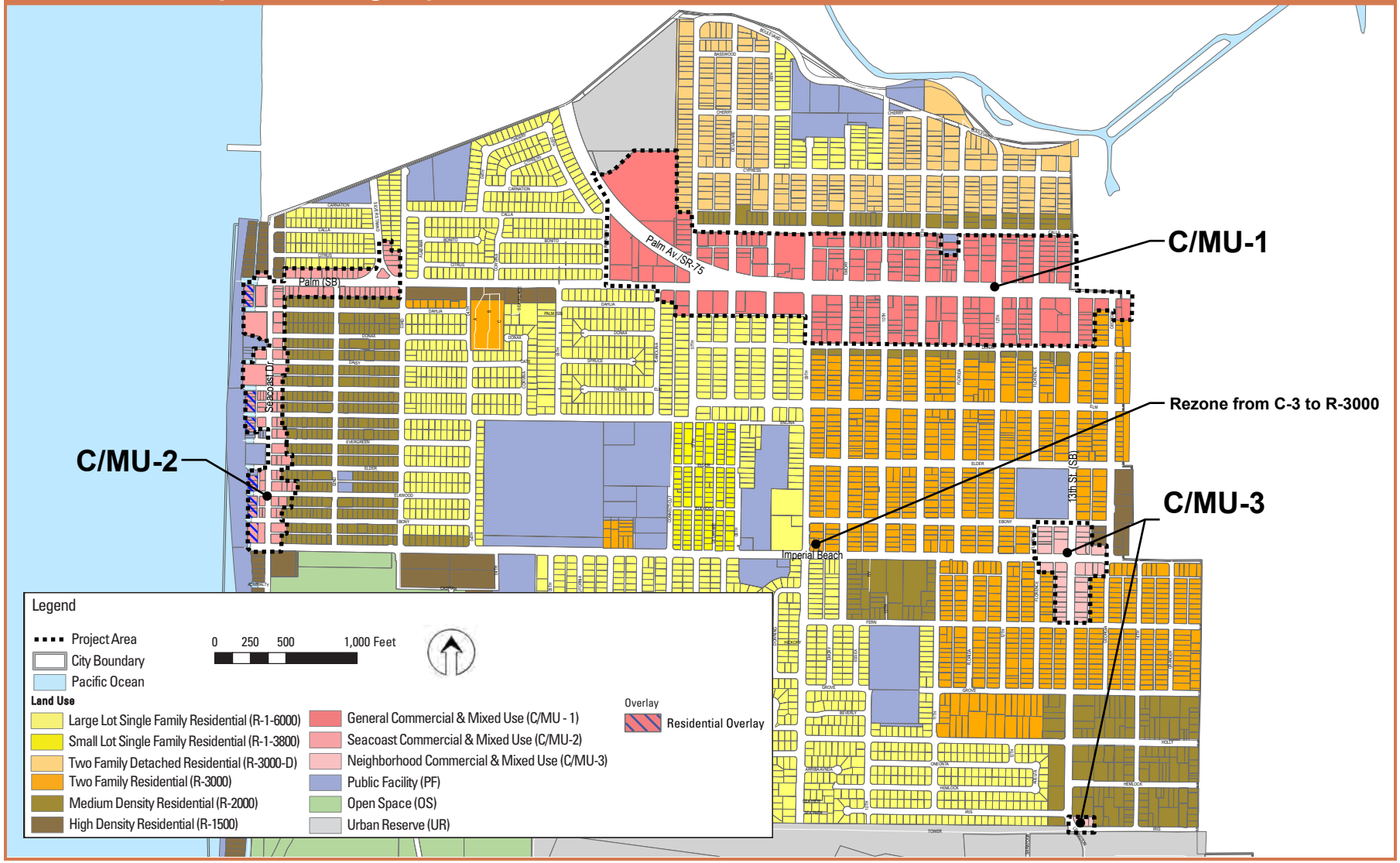
The Palm Avenue Corridor

The proposed Zoning Code revisions that apply to the C/MU-1 zone are mindful of the Palm Avenue Commercial Corridor Master Plan project, and are recommended in a manner consistent with the goals and policies of this plan. Some key elements screened for consistency include buffer types, creating a hospitable environment, and creating a focus for priority development near the intersection of 9th Street and Palm Avenue.

Residential Overlay Zone

Within the C/MU-2 zone, the Residential Overlay Zone allows multi-family and single-family residential units. The Residential Overlay Zone is the same boundary as the existing MU-2 overlay zone in the existing C-2 zone. Residential units are permitted by right.

Exhibit 2 – Proposed Zoning Map



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Development Standards

Development standards allow the City to describe the permitted development characteristics of proposed projects to protect the health and safety of surrounding properties and preserve and promote the goals and visions of the respective commercial zones. Development standards may vary between zones, depending on desired character.

The following tables (Tables 3-8) define the existing and proposed standards for the following:

- **Minimum active commercial use**
- **Building height**
- **First floor height**
- **Setbacks**
- **Stepbacks**
- **Density**

New Requirement: Minimum Active Commercial Use

Minimum active commercial use requirements at the ground floor level are recommended as a new development standard to promote mixed-use and commercial developments. By establishing these minimum standards, properties in a given area will develop active, pedestrian-oriented commercial uses as development projects are proposed.

"Active commercial uses" are considered general commercial uses, as permitted in a given district, that are oriented along the street wall facing the main street at ground level. Active commercial uses should be accessible to the general public, generate walk-in pedestrian clientele, and contribute to a high level of pedestrian activity. Property entrances will be oriented to the street, which will facilitate sidewalk traffic and active streets. The minimum requirements, described in Table 8, are expressed as a percent of total linear frontage, and are applicable to every proposed project.

Active Uses that Generate Pedestrian Activity	
Retail shops	Grocery stores
Restaurants	Bars
Theaters and the performing arts	Personal convenience services
Hotels	Banks
Travel agencies	Child care services
Museums and galleries	Libraries
Commercial recreation and entertainment	

Table 3 – Minimum Active Commercial Use Requirements

Proposed Zone	Former Standard	Proposed Standard
C/MU-1	None in the former C-1 zone	Active commercial uses shall be provided at 60% of the ground floor of all parcels with frontage along Palm Avenue, between 7th Street and Florida Street. As indicated in Table 4, all parcels with frontage along Palm Avenue shall contain commercial uses at the ground floor level a minimum distance of 25 feet from the front property line.
C/MU-2	None in the former C-2 zone	Active commercial uses shall be provided at 60% of the ground floor of all parcels with frontage along Old Palm Avenue and Seacoast Drive.
C/MU-3	None in the former C-3 zone	Active commercial uses shall be provided at 60% of the ground floor of all parcels with frontage along Imperial Beach Boulevard and 13th Street.

Table 4 – Building Height Standards

Proposed Zone	Former Standard	Proposed Standard
C/MU-1	Four-story/40 feet in the former C-1 zone	Four-story/40 feet
C/MU-2	Three-story/30 feet (except hotel uses to 40 feet as part of Specific Plan) in the former C-2 zone	Three-story/30 feet Three-story/35 feet on east side of Seacoast Drive for projects that qualify for performance-based bonus (as described in Section 3e: Development Incentives)
C/MU-3	Two-story/28 feet in the former C-3 zone	Three-story/30 feet Three-story/35 feet for projects that qualify for performance-based bonus (as described in Section 3e: Development Incentives)

Table 5 – First Floor Height

Proposed Zone	Former Standard	Proposed Standard
C/MU-1	None in the former C-1 zone	15-foot minimum floor-to-ceiling height for all commercial spaces on the ground floor 20-foot minimum height requirement for single-story buildings
C/MU-2	None in the former C-2 zone	15-foot minimum floor-to-ceiling height for all commercial spaces on the ground floor 20-foot minimum height requirement for single-story buildings
C/MU-3	None in the former C-3 zone	15-foot minimum floor-to-ceiling height for all commercial spaces on the ground floor 20-foot minimum height requirement for single-story buildings

Table 6 – Setbacks

Proposed Zone	Former Standard	Proposed Standard
C/MU-1	None in the former C-1 zone	General: 0 feet front, 10 feet rear, 5 feet side, 0 feet street side Exception: 15-foot front yard/landscape setback for properties facing Donax or Calla Avenues
C/MU-2	0 feet in the former C-2 zone if lot fronts Seacoast Drive, otherwise none required	0 feet all sides Exception: Consider options for a required rear yard setback for any properties abutting residentially zoned properties (see options below): 1. 10-foot rear yard setback for properties abutting residentially zone property; or 2. 10-foot rear yard setback for properties abutting any property zoned R-1-6000; or 3. 10-foot rear yard setback for properties on the north side of Palm Avenue abutting residentially zoned property.
C/MU-3	None in the former C-3 zone	0 feet front, 10 feet rear, 5 feet side, 0 feet street side

Table 7 – Stepbacks (new requirement)

Proposed Zone	Former Standard	Proposed Standard
C/MU-1	None in the former C-1 zone	5 feet at second floor and 10 feet at third floor for projects abutting residentially zoned property
C/MU-2	For properties fronting Seacoast Drive in the former C-2 zone, front of each building set on property line Second floor: Front yard=5 feet; 60% of frontage may be set back 0 feet Third floor: Front Yard=10 feet; 40% of frontage may be set back 5 feet	5 feet at second floor and 10 feet at third floor for projects abutting residentially zoned property Stepbacks are not required where the 10-foot setback is required or observed for at least 50% of the property line abutting residential property For properties fronting Seacoast Drive, an upper story stepback of 5 to 10 feet is required for a minimum of 50% of street-facing facades along Seacoast Drive
C/MU-3	None in the former C-3 zone	5 feet at second floor and 10 feet at third floor for projects abutting residentially zoned property

Table 8 – Density

Proposed Zone	Former Standard	Proposed Maximum	Proposed Maximum with Performance-Based Density Bonus
C/MU-1	43 dwelling units (DU)/ acre in the former C-1 zone	43 DU/acre	N/A
C/MU-2	29 DU/acre in the former C-2 zone	29 DU/acre	Maximum of 36 DU/acre for projects that qualify for performance-based bonus (as described in Section 3f: Development Incentives)
C/MU-3	22 DU/acre in the former C-1 zone	29 DU/acre	Maximum of 36 DU/acre for projects that qualify for performance-based bonus (as described in Section 3f: Development Incentives)

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Development Incentives

Development incentives are strategic zoning tools that allow for greater development capabilities within a project in exchange for features that enhance the project and/or benefit the community. A review of a wide range of potential incentives was investigated based on the experiences of other cities. It is recommended that the City consider inclusion of a residential unit density bonus and a height bonus to both improve the quality of projects and allow developers to reach maximum permissible development size.

Residential Density Bonus Incentive

The residential density bonus would allow qualified projects to exceed the base density of 29 dwelling units per acre (DU/acre) in the C/MU-2 (east side of Seacoast Drive only) and C/MU-3 zones, up to an allowed maximum of 36 DU/acre. The residential density bonus may also be provided for the provision of affordable housing per state and local requirements, in accordance with the requirements of Chapter 19.65 of the City's Municipal Code.

Height Bonus Incentive

The height bonus incentive would allow projects within the C/MU-2 (east side of Seacoast Drive only) and C/MU-3 to exceed the maximum building height of three stories and 30 feet. Qualified projects would be allowed to achieve a height of three stories and 35 feet.

Qualifying for Development Incentives

For a project to qualify for development incentives, a project would be required to satisfy the requirements of two or more of the following recommended performance-based standards:

- Lot Consolidation
- Green Building
- Active Commercial Use at the Ground Floor Level
- Three-Bedroom Units
- Provision of Public Open Space, Plaza Space, or Public Community Amenities
- Public Right-of-Way Dedication
- Provision of Greater Floor Stepback from Residential Property

Lot Consolidation

Small lot sizes have been identified as a key obstacle to the development of viable mixed-use projects. Accordingly, it is recommended that lot consolidation be implemented as a performance-based standard. This would encourage developers to undertake the difficult but necessary task of assembling private parcels, and rewarding them with the ability to produce greater projects while not compromising the objectives for the study areas or exceeding an overall maximum. Project sites within the C/MU-2 and C/MU-3 zones that are consolidated to a final size greater than 20,000 square feet shall satisfy the requirements of the lot consolidation performance-based standard.

Green Building

The green building performance-based standard would require projects to achieve Leadership in Energy and Environmental Design (LEED) Green Building Rating System certification, certification by a comparable program, or demonstrate the capability to achieve green building certification. Green building features may include the use of solar panels or other devices to achieve superior energy performance, green design, green roofs, low-volatile organic compounds (VOC) paint, water conservation, or low-impact development techniques. Green building standards must apply to the entire project and are subject to review and verification.

Active Commercial Use at the Ground Floor Level

"Active commercial uses" are commercial uses that are accessible to the general public, generate walk-in pedestrian clientele, and contribute to a high level of pedestrian activity. To meet the requirements of the active commercial use performance-based standard, the entire project must provide a minimum of 75% active commercial uses on the ground floor.

Three-Bedroom Units

Larger dwelling units are an important component of creating new development that accommodates the diverse needs of the community and provides housing for families. Projects would meet the requirements of the performance-based standard for three-bedroom units if 25% of the proposed residential units are three-bedroom units.

Provision of Public Open Space, Plaza Space, or Public Community Amenities

Providing places for people to gather, sit and rest, or participate in stimulating activity through other amenities is important to creating a vibrant and pedestrian-friendly district. These features are important to creating places where people want to be, can help define a place, and can even help draw in customers to local businesses. To meet the requirements for the public open space, plaza space, or public community amenities performance-based standard, a project must provide an additional 100 square feet of public open space or plaza space with a minimum dimension of 6 feet by 10 feet.

Public Right-of-Way Dedication

Providing additional public rights-of-way allows for the creation of wider sidewalks, and could allow for the introduction of new streetscape elements such as benches, sidewalk cafes, wayfinding signage, or public art. New projects that dedicate a minimum of 1 foot of private property frontage to public use (creates a 1-foot front setback dedicated to public use) will qualify for the public right-of-way dedication performance-based standard.

Provision of Greater Floor Stepback from Residential Property

New commercial or mixed-use projects can be larger in scale than adjacent residential properties. To encourage a more compatible development and softer transitions, floors above the first floor that provide additional stepback of 5 feet beyond the required stepback will qualify for the greater floor stepback from residential property performance-based standard.

Table 9 indicates the maximum building height with incentives. Table 10 summarizes the performance-based standards.

Table 9 – Maximum Building Height and Density with Incentives

Proposed Zone	Current Standard		Proposed Maximum By Right*		Proposed Max. With Incentives	
	Stories/Height	Max Density	Stories/Height	Max DU/Acre	Stories/Height	Max DU/Acre
C/MU-1	Four/40 feet	43 DU/acre	Four/40 Feet	43 DU/acre	N/A	N/A
C/MU-2 (West Side of Seacoast)	Three/30 feet	29 DU/acre	Three/30 Feet	29 DU/acre	N/A	N/A
C-MU-2 (Old Palm and East Side of Seacoast)	Three/30 feet	29 DU/acre	Three/30 Feet	29 DU/acre	Three/35 feet	36 DU/acre
C/MU-3	Two/28 feet	22 DU/acre	Three/30 Feet	29 DU/acre	Three/35 feet	36 DU/acre

*The proposed maximums described may, as an option, be provided with incentives, and not by right.
Note: In C/MU-2, 40 feet for hotel uses will continue to be allowed with a Specific Plan.

Table 10 – Summary of Performance-Based Standards

Qualifier	Requirements for Performance-Based Standards
A project applicant could be allowed up to 36 DU/acre and up to 35 feet in height (east side of Seacoast only) for achieving any two of the following:	
Lot Consolidation	Project sites that are consolidated to a final size greater than 20,000 square feet.
Green Building	Entire project achieves Leadership in Energy and Environmental Design (LEED) Green Building Rating System certification, a comparable green building certification, or can demonstrate the ability to achieve certification.
Active Commercial Use	Entire project must provide a minimum of 75% active commercial uses on the ground floor.
Three-Bedroom Units	25% of proposed residential units must be three-bedroom units.
Provision of Public Open Space, Plaza Space, or Public Community Amenities	Provide an additional 100 square feet of public open space or plaza space with minimum dimensions of 6 feet by 10 feet.
Public Right-of-Way Dedication	Dedicate a minimum of 1 foot of private property frontage to public use (creates a 1-foot front setback dedicated to public use).
Provision of Greater Floor Stepback from Residential Property	Floors above first floor provide additional setback 5 feet beyond required stepback.

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Development Prototypes

Tables 11-13 summarize potential development that could occur in Imperial Beach under existing regulations, proposed regulations, and regulations including development incentives. The subsequent prototypes illustrate prototypical development that could occur under incentivized regulations for Seacoast Drive and Old Palm Avenue - Setback Options. Prototypical development for Palm Avenue is shown using proposed regulations. The symbols and indicate the orientation of the section study.

The prototype sites were chosen based on their potential to test various commercial zoning concepts being recommended. The prototypes and development scenarios are meant for illustrative purposes only. They do not represent specific development proposals or any future condition of any parcel within Imperial Beach.

Seacoast Drive

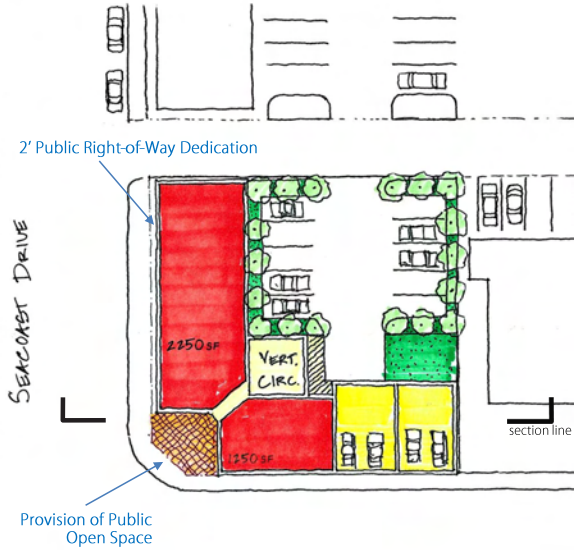
Table 11 - Seacoast Drive			
Lot Size - 9,450SF	**Existing Regulations**	**Proposed Regulations**	**Incentivized Regulations**
Commercial Square Footage	3,350 SF	3,850 SF	3,500 SF
Commercial Parking Required	7 spaces @ 2 spaces/1000 SF	4 spaces @ 2 spaces/1000 SF	4 spaces @ 2 spaces/1000 SF
Residential Square Footage	7,800 SF or 6 DU's Unit size varies	5,600 SF or 6 DU's Unit size varies	7,050 SF or 6 DU's @ 1,200 SF each
Residential Parking Required	9 spaces @ 1.5 spaces/DU	9 spaces @ 1.5 spaces/DU	9 spaces @ 1.5 spaces/DU
Total Development	**11,150 SF**	**9,450 SF**	**10,550 SF**
Total Parking Required	**16 spaces**	**13 spaces**	**13 spaces**
Total Parking Provided	**16 spaces**	**14 spaces**	**14 spaces**

- Reduced parking requirement
- 15 ft 1st floor commercial
- 5-10 ft setback for min. 50% Seacoast Dr. street frontage

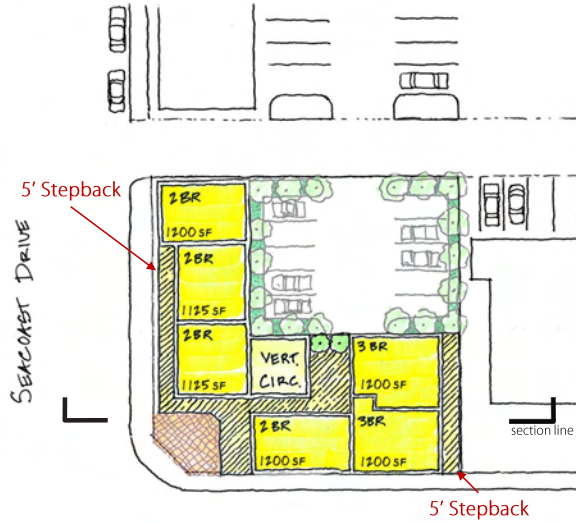
- 35 ft maximum building height
- 5-10 ft setback for min. 50% Seacoast Dr. street frontage as well as abutting residential

Prototypical Development with Incentivized Regulations for Seacoast Drive

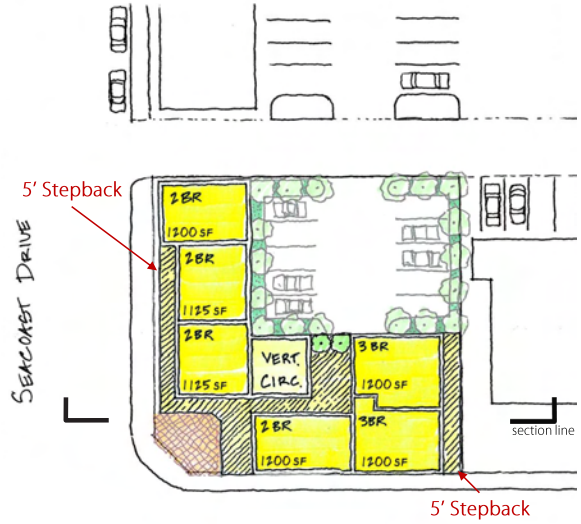
Ground Floor Plan



2nd Floor Plan



3rd Floor Plan



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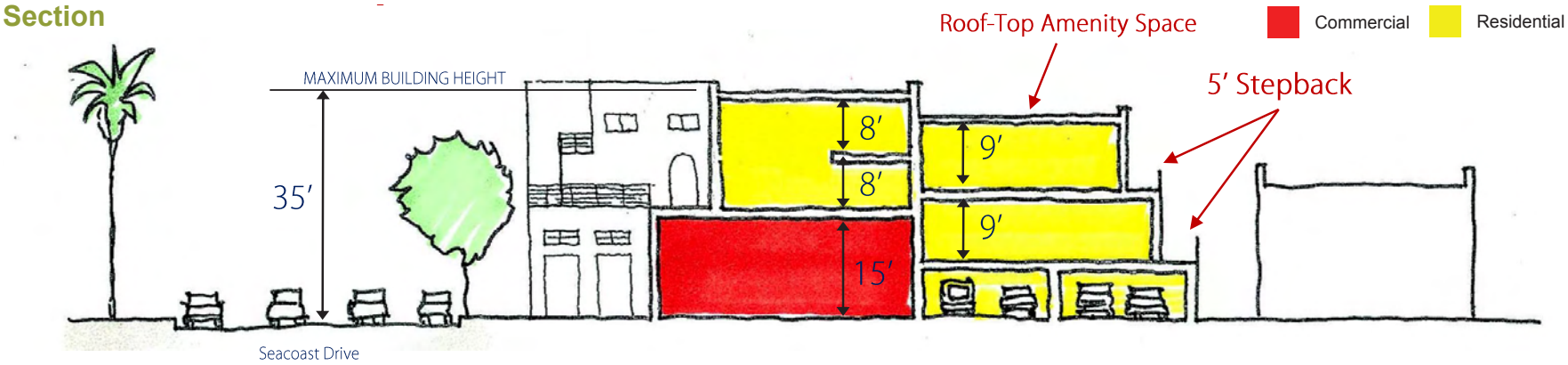


Old Palm Avenue - Setback Options

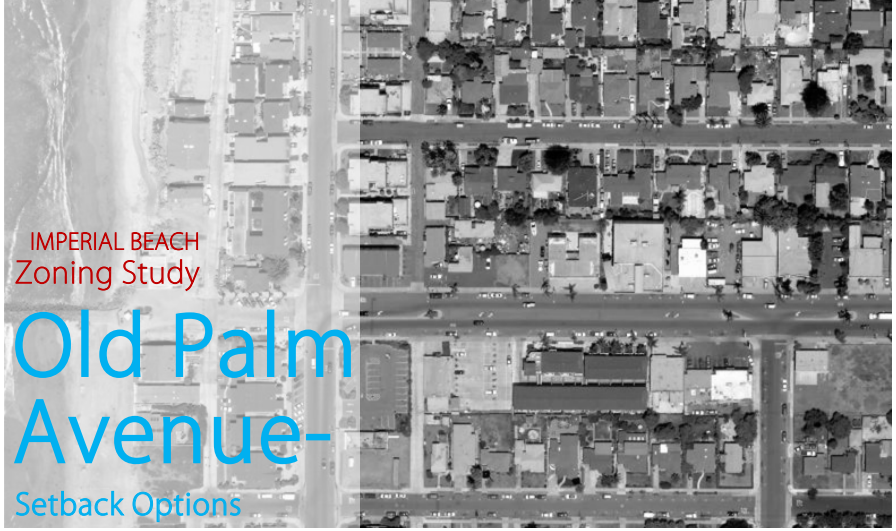
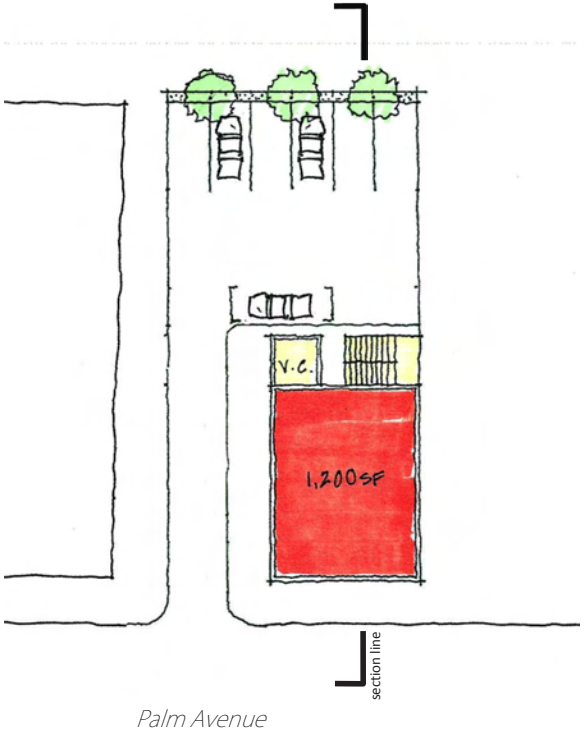


Table 12 - Old Palm Avenue - Setback Options

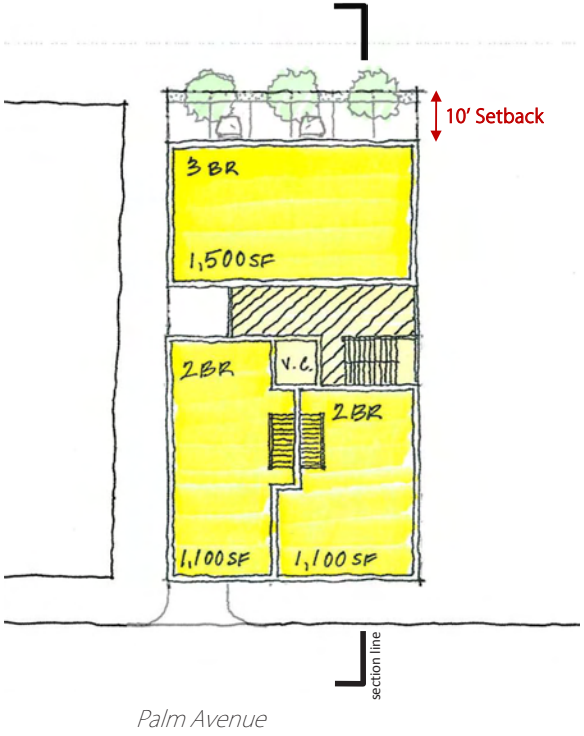
Lot Size 5,150 SF	Existing Regulations	Proposed Regulations	Incentivized Regulations
Commercial Square Footage	900 SF	1,200 SF	1,200 SF
Commercial Parking Required	2 spaces @ 2 spaces/1000 SF	1 spaces @ 2 spaces/1000 SF	0 spaces <1,500 SF Parking Waiver
Residential Square Footage	3,700 SF or 3 DU's @ 1,250 SF each	3,700 SF or 3 DU's Size/DU varies	4,950 SF or 4 DU's Size/DU varies
Residential Parking Required	3 spaces @ 1.5 spaces/DU	5 spaces @ 1.5 spaces/DU	6 spaces @ 1.5 spaces/DU
Total Development	**4,650 SF**	**4,900 SF**	**6,150 SF**
Total Parking Required	**7 spaces**	**6 spaces**	**6 spaces**
Total Parking Provided	**8 spaces**	**7 spaces**	**7 spaces**
		• Reduced parking requirement • 15 ft 1st floor commercial	• Parking waiver - commercial / retail < 1,500 SF • 10 ft rear setback & 5 ft stepback from residential uses or zones

Prototypical Development with Incentivized Regulations for Old Palm Avenue - Setback Options

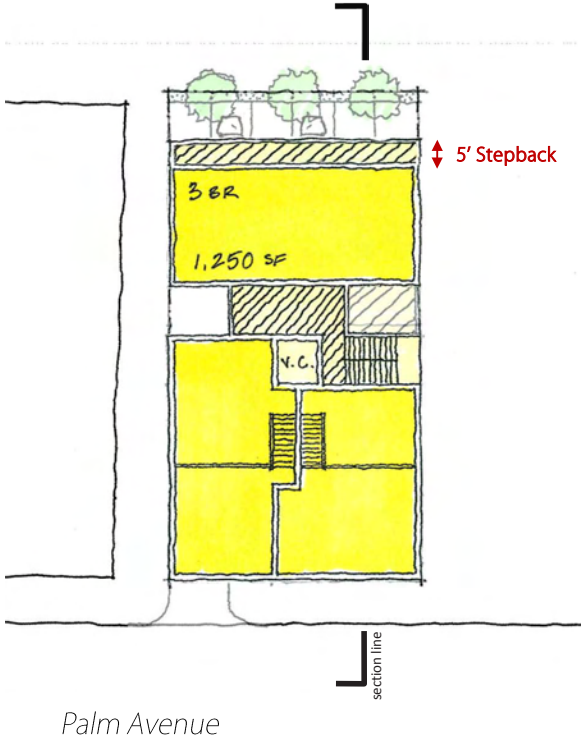
Ground Floor Plan



2nd Floor Plan



3rd Floor Plan



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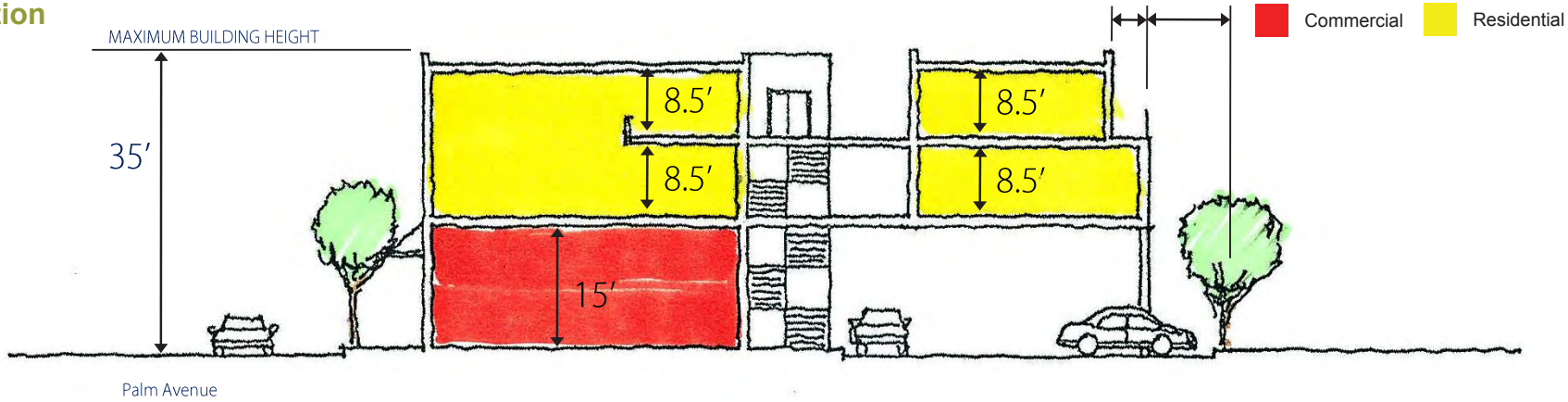


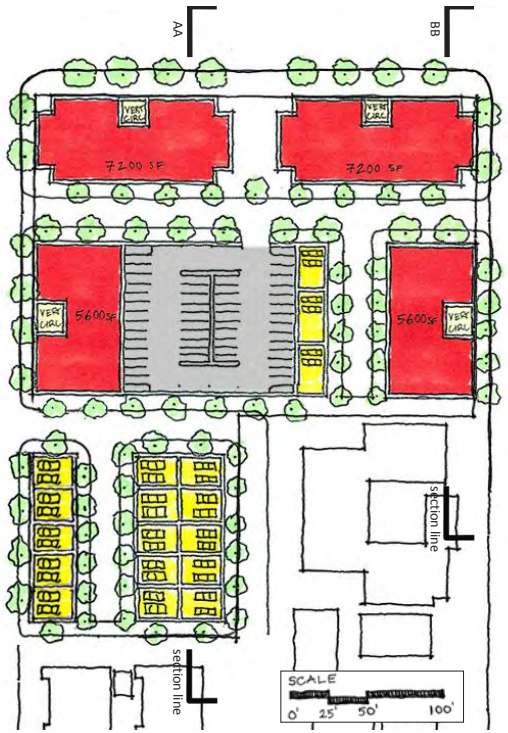
Palm Avenue

Table 13 - Palm Avenue			
Lot Size 85,500 SF	**Existing Regulations**	**Proposed Regulations**	**Incentivized Regulations**
Commercial Square Footage	20,000 SF	25,600 SF	n/a
Commercial Parking Required	80 spaces @ 4 spaces/1000 SF	52 spaces @ 2 spaces/1000 SF	n/a
Residential Square Footage	101,700 SF or 70 DU's Size/DU varies	74,900 SF or 54 DU's Size/DU varies	n/a
Residential Parking Required	105 spaces @ 1.5 spaces/DU	81 spaces @ 1.5 spaces/DU	n/a
Total Development	**121,700 SF**	**100,500 SF**	**n/a**
Total Parking Required	**185 spaces**	**133 spaces**	**n/a**
Total Parking Provided	**186 spaces**	**159 spaces**	**n/a**

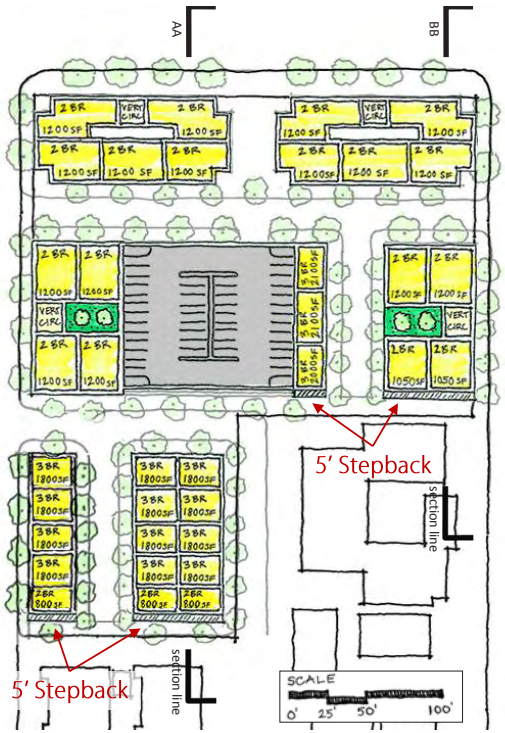
- Reduced parking requirement
- 15 ft 1st floor commercial
- At 2nd floor and above 5'-10' if abutting residential uses or zones

Prototypical Development with Proposed Regulations for Palm Avenue

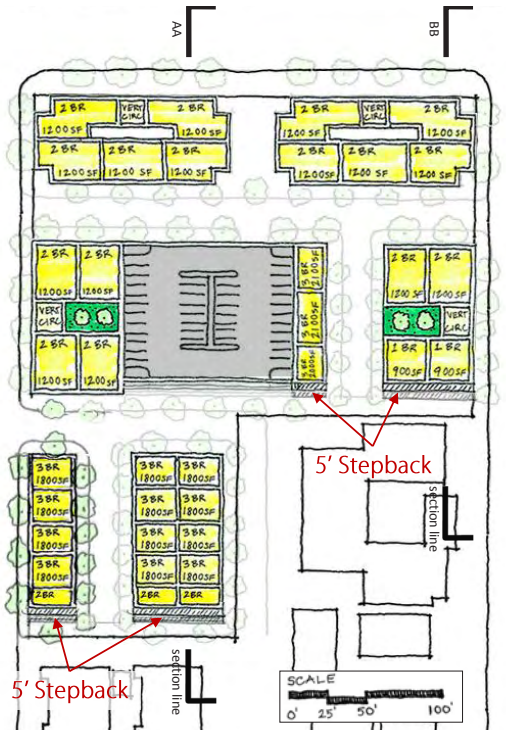
Ground Floor Plan



2nd Floor Plan

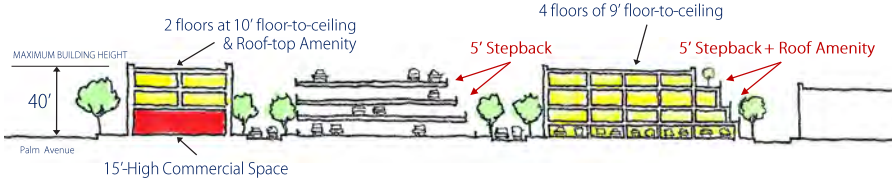


3rd Floor Plan

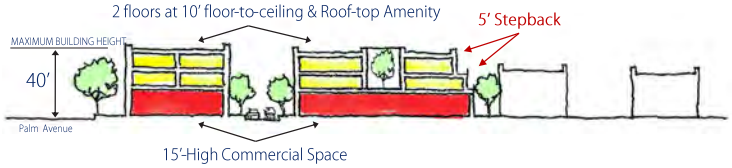


Commercial Residential

Section AA



Section BB



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Parking Standards

As part of the planning process, Fehr and Peers undertook a review of the existing parking standards and regulations in Imperial Beach. Its review and recommendations are included in full within Appendix B of this Working Paper. A summary of the key recommendations are included below.

Parking Ratios

Table 14 provides the recommended parking standards.

Development and Implementation of Shared Parking Code

Fehr and Peers recommends that the City implement shared parking by updating the City's Municipal Code to specifically allow the use of shared parking. Fehr and Peers provides two options for implementation. Under the first option, the City would allow the use of shared parking subject to review and approval by City Staff. Under the second option, the City would propose specific shared parking standards that would become part of the Municipal Code. The consultant team recommends the first option because it will allow the City more flexibility to respond to changing development conditions. The City will have an opportunity to review proposed project parking with respect to the types and amounts of land uses proposed, the nature of projects in the surrounding area and their respective on-site parking provisions, the availability of public parking in the surrounding area, and other factors on a project-by-project basis, while using shared parking as a development incentive. This option is an established model approach that is used by jurisdictions across California.

Distance to Shared Facilities

The existing provisions for off-site parking, from the Imperial Beach Municipal Code 19.48.050 Section M, identifies the permissible distance to those facilities as 500 feet: *"Shared parking or off-site parking within five hundred feet of the project site may be used to satisfy this requirement with the approval of a conditional use permit."*

Fehr and Peers recommends that, as part of the revised parking code, the distance to any off-site parking or shared parking facilities be increased to 1,000 feet.

Table 14 – Summary of Parking Standard Changes

Category	Former Standard	Proposed Standard	Eligible for Waiver for 25% Reduction for Vertical Mixed-Use	Eligible for Waiver for Commercial Uses less than 1,000 SF (Consider increase to 1,500 SF)	Eligible for Additional Parking Reduction for Shared Parking
Commercial C/MU-1 C/MU-3	Varies by use	1 space per 500 SF of commercial	X	X	X
Commercial C/MU-2	Varies by use	1 space per 1,000 SF of commercial	X	X	X
Multi-Family Residential	1.5 spaces per unit	Same	X		X
Hotel without cooking facilities	1.0 spaces per unit	Same	X		
Hotel with cooking facilities	1.5 spaces per unit	Same	X		

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Use Regulations

The following land use tables (Tables 15-19) illustrate the recommended land use changes and are organized according to the revised base zones, which include C/MU-1, C/MU-2, C/MU-3, and the existing PF zone.

Key to Land Use Tables

N, P, C, et. al	Regulated use
N, P, C, et. al	Recommended as newly defined regulated use. The existing zoning ordinance does not specifically identify or include this use.
N, P, C, et. al	Included in existing zoning but not fully addressed in all zones. Some zones do not mention the use while other zones permit, conditionally permit, or do not permit the use.
P	Expressly permitted.
C	Permitted with conditional use permit.
N	Not permitted.
CC	Would require City Council permission to evaluate for compatibility with zone.
[C] or [P]	Red text indicates land use permission in the existing zoning ordinance that is recommended to be changed.

Notes

*	All parcels with frontage along Palm Avenue shall contain commercial uses at the ground floor level and extend down adjoining side streets a minimum distance of 25 feet from the front property line.
a	All uses and development in the PF zone require site plan approval by the City Council.
b	Per the City's zoning code, hotels consist of various types, which are further defined as follows: H-1 A site area of a minimum of 35,000 square feet; at least 30 guest rooms; facilities for conference, meeting, or public use; and a full-service restaurant on-site. H-2 A "Motel," which is an establishment providing guest rooms on a less-than-monthly basis, with most rooms gaining access from an exterior walkway. H-3 A lot, parcel, or segment of real property dedicated to "timeshare units," as defined in Section 19.04.756 of the Imperial Beach Municipal Code. H-4 A "bed and breakfast" lodging place containing no more than six guest rooms and one kitchen.
c	H-4 type hotels only.
d	This zone is to allow all uses proposed under C/MU-2, and multi-family and single-family residential units within the boundaries of the proposed overlay. Residential units are permitted by right.
oo	Other requirements exist.
C*	This designation indicates that, in the existing zoning ordinance, additional restrictions apply to these uses. Athletic and health clubs are only allowed on the 2nd floor subject to a conditional use permit. Financial and professional offices located on the first floor are subject to a conditional use permit.
o	Other requirements exist in locating near other specific land use types.

Table 15 – Residential and Similar Land Uses

LAND USE	PF[a]	C/MU-1*	C/MU-2	C/MU-3	Notes
Accessory buildings, structures, private garages	N	C	C	C	
Boarding house	N	P	N	N	
Emergency shelter	N	P	N	N	
Hotels, Motels (H1, H2, H3, H4)[b]	P	P	P	P[c][C]	
Live/Work units	N	P	P	P	
Motor home/Manufactured housing community	N	N	N	N	
Mixed-use development	N	P	P	P	
Multi-family residential units	N	P	P	P	Minimum active commercial uses are required for all residential developments. See page 17 for more information related to commercial uses.
Second-family units	N	N	N	N	
Senior housing, nursing home, retirement home	N	C	C	C	
Short-term rentals	N	P	P	P	
Single-family detached	N	N	N[d]	N	
Timeshares	N	C	C[oo]	N	
Youth hostel	N	N	C	N	

Table 16 – Commercial Land Uses

LAND USE	PF[a]	C/MU-1*	C/MU-2	C/MU-3	Notes
Adult bookstore, adult hotel/motel, adult mini-motion picture theater, adult picture arcade, adult picture theater, sexual encounter studio, rap parlor, model studio	N	C	N	N	
Antique stores	N	P	P	P	
Arcades/Game centers	N	C	C	C	
Art studio, galleries, museums	N	P	P	P	
Athletic and health clubs	N	P [C]	P [C*]	P [N]	
Bars, cocktail lounges, pool/billiard hall	N	C	C	N [N]	
with live entertainment	N	C	C	N	
Beach equip rental, surf shop, fishing supply	N	P	P	N	
Body piercing establishment	N	C[o]	N	N	Subject to Section 19.26.020(B)(6)
Bookstores	N	P	P	P	
Boutiques	N	P	P	P	
Child care facilities	N	P[o]	P[o]	P[o]	Subject to Sections 19.26.020, 19.27.020, 19.28.020
Department stores	N	P	N	N	
Drive-in restaurants	N	P	P	N	
Drive-through establishments	N	C	N	C	
Fortune telling establishments	N	C[o]	N	N	Subject to Section 19.26.020(B)(11)
Kennels	N	C[o]	N	N	Subject to Section 19.74.050
Kiosks	N	P[oo] [C]	P[oo]	P[oo] [C]	Subject to Section 19.27.020(A)(20); similar requirements to apply to C/MU-1 and C/MU-3
Liquor stores	N	P[oo]	P[oo]	N	Additional requirements to be determined pending City Council discussion
Massage therapy establishment	N	C[o]	N	N	Subject to Section 4.28.150; definition subject to change pending City Attorney review
Mortuaries	N	C	N	N	
Pawn shops	N	C	N	C	
Personal convenience services	N	P	P	P	
Restaurants	N	P	P	P	
with live entertainment	N	C	C	C	
Retail food stores	N	P	P	P	
Tattoo establishment	N	C[o] [C]	N	N	Subject to Section 19.26.020(B)(21)

Table 17 – Office and Industrial Land Uses

LAND USE	PF[a]	C/MU-1*	C/MU-2	C/MU-3	Notes
Automobile repair, body shops, auto sales lots	N	C	N	N	
Energy facility	N	C	N	N	
Equipment rental yard	N	C	N	N	
Financial institutions	P	P	P [C*]	P	
Gas stations	N	C	N	C	
Incidental manufacturing	N	C	N	C	
Light manufacturing, manufacturing, industrial	N	N	N	N	
Professional office	P	P	P [C*]	P	
Wireless communication facilities	C	P[oo] [C]	P[oo] [C]	P[oo] [C]	Subject to Section 19.90

Table 18 – Public and Semi-Public Uses

LAND USE	PF[a]	C/MU-1*	C/MU-2	C/MU-3	Notes
Campsites	N	N	N	N	
Churches	N	C	C	C	
Clubs, fraternal/veteran/service organizations	N	C	C	C [N]	
with live entertainment	N	C	C	C	
Governmental or quasi-public building	P	P	P	P	
Library	P	P	P	P	
Postal services, private	P	P	P	P [C]	
Public parking lots	P	P	P [C]	P	
Schools, private	P	C	C	N	
Theatres/Assembly	N	P	P [C]	P	

Table 19 – Open Space and Recreation

LAND USE	PF[a]	C/MU-1*	C/MU-2	C/MU-3	Notes
Other	CC	CC	CC	CC	
Parks	P	P	P	P	
Playground and recreation areas	P	P	P	P	
Public riding and hiking trails	P	P	P	P	

3g

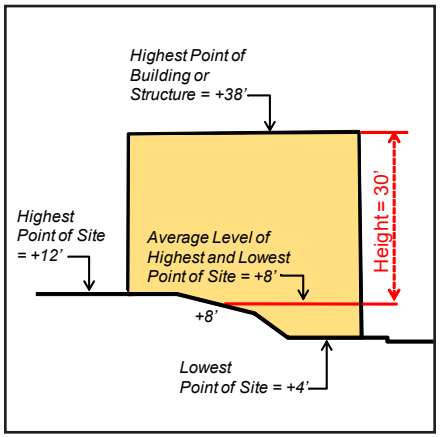
Definitions

Specific elements referred to within the Zoning Code must be well defined so that there is no ambiguity to the reader as to the meaning of a word or term.

Revisions

Height, measurement of

Add: Height shall be measured from the average level of the highest and lowest point of that portion of the building site covered by the building or structure to the highest point of the building or structure.



New Definitions

Active Commercial Uses

"Active commercial uses" mean commercial uses that are accessible to the general public, generate walk-in pedestrian clientele, and contribute to a high level of pedestrian activity. Uses that generate pedestrian activity include retail shops, grocery stores, restaurants, bars, theaters and the performing arts, commercial recreation and entertainment, personal convenience services, hotels, banks, travel agencies, airline ticket agencies, child care services, libraries, and museums and galleries.

Active Use Area

"Active use area" means all portions of a site and buildings included in the use area, except storage, parking, and landscaping.

New Definitions

Courtyard
"Courtyard" means an open space unobstructed to the sky, located at or above grade level on a lot, and bounded on two or more sides by walls of a building.

Garage
"Garage" means an accessible and usable enclosed space of not less than 9 feet by 19 feet for the parking of automobiles off the street.

Ground Floor Retail
"Ground floor retail" is considered a general commercial use as permitted in a given district that is oriented along the street wall facing the main street and pedestrian movement, serves as a component of a mixed-use or multi-story project, and is compatible with a broad range of retail types that add to and benefit from a pedestrian retail context.

Habitable Floors
"Habitable floors" are levels within a residential or mixed-use structure that permit residential, employment, visitor, or similar uses to be developed. Habitable floors do not include levels with rooftop, mechanical equipment, architectural treatments, stairwell entries, or similar uses open or partially open to the environment at the highest floor of the structure. The highest habitable floor shall not exceed the height limits defined in respective zones.

Height, First Floor
"First Floor Height" means the vertical distance from the average level of the highest and lowest point of that portion of the building site covered by the building or structure, to the highest point of the ceiling.

Live/Work Units
A "live/work unit" means a structure or portion of a structure combining a residential living space for a group of persons including not more than four adults in the same unit with an integrated work space principally used by one or more of the residents of that unit.

Live Entertainment
"Live entertainment" includes live music, recorded music, music played by a DJ, comedy, karaoke, readings, dancing, acting, or other entertainment performed on a site three or more days during a calendar year. This includes dancing by patrons to live music, recorded music, or music played by a DJ.

Loading Area
"Loading area" means an area of adequate size for the delivery vehicles expected to be used, logically and conveniently located for bulk pickup and delivery, readily accessible when required parking spaces are filled, and located totally outside of any street or alley right-of-way.

Main Streets
"Main street" is defined as the primary street adjacent to a parcel that carries the largest pedestrian and automotive traffic. For the commercial zones within the City, the main streets are considered Palm Avenue, Old Palm Avenue, State Route 75 (SR-75), Seacoast Drive, Imperial Beach Boulevard, and 13th Street.

Massage Establishment
"Massage establishment" means a fixed location at which a massage business engages in or carries on a commercial activity involving, in whole or in part, the recurring giving or administering of massages on the premises, consistent with the definition in Section 4.28.020 of the Imperial Beach Municipal Code, and in compliance with SB 731. This definition specifically excludes any adult-oriented business as defined in Section 19.60 of the Imperial Beach Municipal Code.

Mixed-Use Development
"Mixed-use development" means a development consisting of one or more lots developed as a cohesive project and designed with a blend of various compatible uses such as commercial, residential, and institutional. The uses may be located in the same building or in separate buildings on the same site plan. A mixed-use development should not consist exclusively of live/work units.

New Definitions

Multiple-Family Dwelling
"Multiple-family dwelling" means a lot containing more than one dwelling unit, sharing at least one common wall with another dwelling unit.

Open Space, Private
"Private open space" means an area connected or immediately adjacent to a dwelling unit. The space can be a balcony, porch, ground or above grade patio, or roof deck used exclusively by the occupants of the dwelling unit and their guests.

Open Space, Public
"Public open space" means those usable outdoor spaces commonly accessible to all residents and users of the building for the purpose of passive or active recreation.

Paseo
"Paseo" means a path set aside for pedestrian walking that may pass through any part of a parcel to access points away from the main street edge.

Parapet
"Parapet" means a low protective wall or railing along the edge of a raised structure such as a roof or balcony.

Pedestrian entrance
"Pedestrian entrance" means a functional entrance or door that is accessible to the general public from an enclosed occupied space. This does not include entrances to mechanical equipment or storage areas, emergency exits, or decorative nonfunctional doors and entrances.

Personal convenience services
"Personal convenience services" include commercial establishments such as, but not limited to, dry cleaners, shoe repair, drug stores, convenience stores, barber shops, hair salons, nail salons, mailing centers, ticket sales, and travel agents, excluding any adult uses as defined in Section 8.92.010 of the Municipal Code.

Plaza
A "plaza" is a type of public open space usually located near urban buildings and often featuring walkways, trees and shrubs, places to sit, and sometimes smaller shops.

Public parking lot
A "public parking lot" means a parking area that contains parking spaces available to all members of the public on a free or for-fee basis, for purposes of parking a motor vehicle while accessing other areas in the city.

Senior Housing
"Senior housing" or senior units means a housing development as defined in State of California Civil Code Section 51.3.

Stepback
"Stepback" means the minimum horizontal distance between the building line of a developed floor beneath and the building line of a floor above the ground floor along any side of a structure as defined in the respective zones in this code.

Street Wall
"Street wall" means the building façade along a property line adjacent to any public street. The street wall may include arcades, colonnades, recessed entrances, private open space, and urban open space.

Urban open space
"Urban open space" means any usable space accessible to the general public which is 1,000 square feet or greater in size such as plazas, parks, etc.

Youth hostel
"Youth hostel" means a place where travelers over the age of 17 but under the age of 30 may stay for a limited duration at low cost in a facility that is appropriately recognized by a state or national hostel organization that may include dormitory like sleeping accommodations.

4

Design Guidelines

To ensure that the City's vision is met and that a high quality of design is achieved, it is recommended that the existing 1984 Design Review Manual and Design Review Guidelines (Resolution #3117) be updated to create a more user-friendly, graphically oriented format, or a "form based code."

This will allow the Design Guidelines to be more easily interpreted and enforced compared to the existing Imperial Beach Design Guidelines, which are in narrative form. Within the existing Design Guidelines document, many concepts are difficult to interpret because of the lack of graphic examples. Additionally, some concepts and guidelines may be out of date, specifically related to the design of multi-family residential, and the proposed addition of mixed-use zones.

It is recommended that the new document emphasize standards and guidelines for the development of high-quality projects specifically within the commercial and mixed-use zones, focusing on high-quality design related to multi-family residential buildings, mixed-use, ground floor retail uses, pedestrian orientation, and the public realm. Additionally, the Design Guidelines should be closely coordinated with the Palm Avenue Commercial Corridor Master Plan project. The new Design Guidelines should seek a balance between being overly prescriptive at one end of the scale and overly vague and open to misinterpretation at the other end.

The Design Guidelines should be graphic intensive. In addition, the Design Guidelines should be capable of being easily reproduced in black and white, and be suitable for downloading from the City of Imperial Beach's website.

The Design Guidelines should address the following topics:

- Relationship of Buildings to Site and Surrounding Area
- Commercial and Mixed-Use Development
- Multiple-Family Residential Development
- Ground Floor Uses and Street Level Design
- Building Design, Materials, and Colors
- Landscape Improvements and Open Space
- The Use of Landscaping for Storm Water Control
- Circulation and Parking
- Sign Criteria

The Design Guidelines should also incorporate elements of sustainability, including building siting, landscape, storm water control, paving, lighting, signage, building materials, and construction practices and materials.

The following is a summary of key design guidelines that have been developed specifically for the study areas. Prior to the preparation of a Design Guidelines update, it is recommended that these guidelines be adopted concurrently with other zoning amendments and also be incorporated within the existing 1984 Design Review Manual and Design Review Guidelines (Resolution #3117) to be used as part of the development review process.

Relationship of Buildings to Site and Surrounding Area

1. View corridors to the oceanfront should be preserved or created where possible. This can be accomplished through the use of upper story breezeways or courtyards that provide a view, or at the ground floor with mid-block pedestrian connections, plazas, or paseos that are oriented toward the view.

Circulation and Parking

1. Curb cuts or access to parking lots should be limited along Seacoast Drive and Old Palm Avenue.
2. Where they exist, surface parking lots should be screened from the street. Additionally, they should be shaded from the sun by trees, vine-covered trellises, or overhead solar panels.

Commercial and Mixed-Use Development

1. All buildings located along Palm Avenue, Seacoast Drive, or the intersection of 13th Street and Imperial Beach Boulevard should locate their primary entrances facing on or toward the street or another public space that intersects the sidewalk. Primary entrances oriented only to parking lots are discouraged.
2. Innovative and imaginative design and architecture is strongly encouraged.
3. Building entrances, corners of buildings, and street corners should be well articulated.
4. Variation and expression of building details, form, line, colors, and materials should be used to create visual interest.
5. Variation in wall plane and roof line is strongly encouraged to reduce the scale and bulk of the buildings, and to add visual interest.
6. Individual units should be expressed where possible.
7. Street-facing facades should incorporate balconies, patios, and other pedestrian-scaled elements to enliven the street edge.
8. Blank walls, or walls without windows, doors, or other articulation, are strongly discouraged. The maximum length of any blank wall shall be limited to 20 feet.

Ground Floor Uses and Street Level Design

1. Ground floors should consist of primarily active uses, such as active commercial, retail, and restaurants, as well as active residential uses such as building amenities, common rooms, and building lobbies.
2. A minimum of 60% of the street-facing facades of ground floor non-residential uses should be composed of clear non-reflective glass that allow views of the indoor space. Interior blinds, drapes, posters, signage, and/or interior shelving for product displays may potentially obscure a maximum of 30% of the required transparent area.
3. The maximum height of the bottom sill of required display windows shall not exceed 30 inches above the adjacent sidewalk. The minimum head height for storefronts and windows at the ground floor should be 80 inches above the adjacent sidewalk.
4. Architectural features such as canopies, awnings, lighting, and other design features should be incorporated into the ground floor to add human scale to the streetscape and add to the pedestrian experience.
5. Projects should strive to achieve three-sided or four-sided architecture to shield service and delivery areas, utility boxes, and associated infrastructure.

Landscape Improvements and Open Space

1. The public realm should be enhanced by creating an attractive pedestrian atmosphere. This may include the use of landscaping, seat walls, seating, plazas, fountains, public art, and other high-quality design features.
2. Common open space should be imaginatively landscaped, well designed, and well maintained.
3. Service areas, storage, trash collection areas, and equipment should be located at the rear of buildings if possible, and screened from view by the use of walls, high-quality fencing, planting, or a combination of these solutions.
4. Drought-tolerant, native plant materials should be used whenever possible.
5. Landscape plans should incorporate provisions for storm water runoff including bioswales or other comparable methods.

5

Development Review Process

The Development Review Processes for Site Plan Review, Conditional Uses, and other sections of the current Zoning Code were reviewed to determine if the administrative process was in any way punitive toward commercial or mixed-use developments.

The review did not identify any particular area of the Development Review Processes that were adversely detrimental to commercial or mixed-use projects. The review did identify two areas that require modification:

- Landscaping requirements need to be modified to include provisions for storm water control. Also refer to proposed Design Guidelines in Section 4.
- The Conditional Uses section will change to be consistent with the revised C/MU-1, C/MU-2, and C/MU-3 zones, and the proposed land use table changes identified in Section 2A.

Other portions of the Zoning Code outside of base commercial/mixed-use zones and administrative procedures, such as parking and open space, will be reviewed for internal consistency and, where appropriate to commercial or mixed-use projects, updated accordingly.

6

General Plan / LCP Amendments

The City of Imperial Beach General Plan/Local Coastal Plan (General Plan) was reviewed in its entirety to assess consistency between the proposed zoning amendments and the General Plan.

Consistencies or conflicts were found in the Design Element of the General Plan with regard to the character of development in Imperial Beach and height references. In the Circulation Element, parking inconsistencies were identified in connection with minimum parking requirements and shared parking arrangements. Finally, inconsistencies were identified in the Land Use Element regarding the Land Use Map and the Land Use Designations and Specifications Table (Table L-2 in the General Plan).

The General Plan would need to be amended to reflect commercial zoning amendments if adopted by the City Council.

7

Financial Feasibility

Below is a summary of key findings related to the financial feasibility of the Recommendations for Zoning, General Plan, and Local Coastal Plan Amendments. For more information, a detailed financial memorandum is included within Appendix C of this Working Paper.

Review of Prototypes and Code Modifications

Keyser Marston Associates (KMA) reviewed development prototypes to determine whether the potential code modifications would enhance development feasibility and increase the prospects for high-quality commercial and mixed-use development within the City. These code modifications allow for any or all of the following:

- Increased building height
- Increased residential density
- Addition of building setback requirements
- Reduced parking requirement

The KMA review was based on development industry knowledge and experience with comparable developments in similar markets; KMA did not prepare financial pro forma models. Overall, KMA found that the code modifications enable property owners and prospective developers greater flexibility in developing mixed-use projects within the City's commercial zone. Increases to height and density limits improve the potential for higher quality commercial tenants and enhance a project's ability to afford high land-acquisition costs.

Not surprisingly, current macroeconomic conditions—the housing market crisis, credit crunch, and ongoing economic slowdown—have made development of all land uses extremely difficult in the near-term. Some development concepts rely on structured parking. In the current market, higher density developments relying on expensive structured parking are less feasible than lower density developments that use only surface parking.

However, review of the City's existing development regulations is intended to address a planning horizon of 20 years. In a rebounded mid-term market, with renewed pressure on housing supply, KMA anticipates that developers are likely to pursue residential development at densities that require structured parking. In the long-term, KMA anticipates that housing supply growth in San Diego County will again be outpaced by increases in employment and in-migration. These pressures will increase demand for higher density in-fill residential developments, which will benefit from the code modifications currently under consideration.

SANDAG Smart Growth Areas

Consistent with the Vision Plan for Imperial Beach, the San Diego Association of Governments (SANDAG) has identified portions of Imperial Beach within its Smart Growth Concept Map for South San Diego County as Community Centers or Mixed-Use Transit Corridors. The areas of 9th Street/Palm Avenue and Imperial Beach Boulevard/13th Street have been identified as "Community Centers." The areas of Palm Avenue from 7th Street to 13th Street, Seacoast Drive from Imperial Beach Boulevard to Palm Avenue, and Palm Avenue from Seacoast Drive to 3rd Street have been identified as "Mixed-Use Transit Corridors."

Additionally, as part of its 2030 Regional Growth Forecast Update for Imperial Beach, SANDAG projects a need for an additional 2,309 net housing units to be constructed, much of which is expected to be in the form of multi-family housing units within these Smart Growth Areas. Imperial Beach may be eligible for future grant dollars and funding based upon the City's efforts to tie new development to smart growth principles and the SANDAG Concept Map. This funding may be an important resource for implementing key projects within the study areas.

Estimate of Retail Space Demand

KMA prepared a retail sales import/export (leakage) model and estimate of retail space demand for Imperial Beach based on potential recapture of existing resident's retail spending. The KMA study concluded that recapture potential could amount to the need for approximately 55,000 to 88,000 square feet of additional retail development.

For purposes of estimating future retail space demand, KMA has estimated that approximately 75% of SANDAG's forecasted new housing units, or 1,732 new units, may actually be constructed within Imperial Beach's existing (and proposed) commercial and mixed-use zones. These new multi-family housing units will, in turn, support additional retail space. As shown in Table 20, KMA projects demand from new housing units and demand from outside the trade area to create the need for approximately 55,000 to 71,000 square feet of additional new retail. Based on these findings, KMA estimates that the City can accommodate between approximately 110,000 and 159,000 square feet of new retail development to meet demands for and be supported by the year 2030 population.

Fiscal Considerations

The City has indicated an interest in evaluating the potential fiscal consequences of any modifications to existing development regulations. Important factors that should be considered include the following major factors:

- To the extent that code modifications result in improved development economics, the amount and quality of commercial development in the City should increase.
- Such an increase will yield additional sales tax revenues to the City.
- Improved feasibility for mixed-use developments will likely yield an increase in the number of housing units developed within the City's commercial and mixed-use overlay zone. In turn, these additional "rooftops" will support additional consumer expenditures that can be captured within the City.
- For those concepts with a reduced parking requirement, developments that do not provide 100% of their own parking needs create a need for off-site public parking facilities. Some of this cost burden may be imposed on private property owners and developers, but the balance will most likely need to be funded through public monies.

Table 20 – Estimated Demand

	Low	High
Sales Export Recapture Potential	55,000 SF	88,000 SF
Retail Space Demand Through 2030		
Demand from New Housing Units	44,000 SF	57,000 SF
Demand from Beyond Trade Area	11,000 SF	14,000 SF
Total Retail Space Demand Through 2030	**55,000 SF**	**71,000 SF**
Sales Export Recapture Potential	110,000 SF	159,000 SF

8

Next Steps

The remaining steps in the Commercial Zoning Review include:

- Preparation of Draft Zoning Ordinance Amendments
- Preparation of Draft General Plan/Local Coastal Plan Amendments
- Environmental review for Zoning Amendments and General Plan/ Local Coastal Plan Amendments
- Public noticing and public review
- City Council hearing, consideration, and potential approval
- Coastal Commission review