ORDINANCE NO. 2025-1259

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, AMENDING TITLE 19 (ZONING) OF THE IMPERIAL BEACH MUNICIPAL CODE TO PROVIDE FOR BY RIGHT APPROVAL OF CERTAIN SITES DESIGNATED FOR LOWER INCOME HOUSING AND TO UPDATE THE CITY'S DENSITY BONUS ORDINANCE TO REFLECT CHANGES IN STATE LAW.

WHEREAS, Government Code Section 65863.2, subdivision (c), requires that certain sites designated for lower income housing and included in the site inventory for previous housing elements, be zoned to permit by right approval, as defined in Government Code Section 65863.2, subdivisions (h) and (i); and

WHEREAS, Program 9 (By-Right Approval for Projects with 20 Percent Affordable Units) of Section 5.2.3 (Provision of Adequate Housing Sites) of the City's Housing Element, which was adopted on July 16, 2021 and subsequently approved by the California Department of Housing and Community Development, provides that the City will amend the Zoning Ordinance to require by-right approval of housing that includes 20 percent of the units affordable to lower income households on certain sites designated in the Housing Element; and

WHEREAS, Sections 65915 et seq. of the California Government Code, known as State Density Bonus Law, require a city to provide a developer that proposes a housing development containing affordable and other types of housing with a density bonus and other incentives; and

WHEREAS, California Government Code Section 65915(a) requires that all cities adopt an ordinance that specifies how compliance with State Density Bonus Law will be implemented; and

WHEREAS, since adoption of the City's density bonus ordinance, the State Legislature has passed, and the Governor has signed into law, changes to State Density Bonus Law; and

WHEREAS, Program 11 of Section 5.2.4 (Removal of Governmental Constraints) of the City's Housing Element, which was adopted on July 16, 2021, and subsequently approved by the California Department of Housing and Community Development, provides that the City will "[r]evise the Zoning Ordinance to update density bonus provisions consistent with State law"; and

WHEREAS, a Public Notice of Availability of Proposed General Plan/Local Coastal Program Amendments was issued, which opened a six-week public review period that ran from August 22, 2024, to October 7, 2024; and

WHEREAS, the City Council conducted a public hearing on November 6, 2024 to consider the proposed amendments to the zoning ordinance and considered all evidence, including but not limited to public testimony and the evaluations and recommendations of staff; and

WHEREAS, notice of said public hearing was made at the time and in the manner required by law.

WHEREAS, on November 6, 2024, the City Council introduced and conducted the first reading of Ordinance No. 2024-1251 and subsequently passed and adopted the ordinance on November 20, 2024.

WHEREAS, the proposed amendments to Title 19 of the Imperial Beach Municipal Code in Ordinance No, 2024-1251 were then submitted to the California Coastal Commission for review and certification for the amendment to be effective.

WHEREAS, during its review of the related Local Coastal Program Amendment (LCPA-23-0001), the Coastal Commission required clerical revisions, including consolidating the two identical “Exhibit A” documents which were attached to Ordinance Nos. 2023-1225 and 2024-1251, updating outdated Government Code references, and correcting a duplicate zoning definition number used in both ordinances. These revisions were incorporated, and the Commission approved the LCPA on May 7, 2025. Because the revisions adopted by Coastal now differ slightly from those previously adopted by the City Council in Ordinance Nos. 2023-1225 and 2024-1251, Ordinance Nos. 2025-1258 and 2025-1259 are being introduced.

WHEREAS, another Public Notice of Availability of Proposed General Plan/Local Coastal Program Amendments was issued, which opened a six-week public review period that ran from October 19, 2025, to December 2, 2025; and

WHEREAS, the City Council conducted a public hearing on December 3, 2025, to consider the proposed amendments to the zoning ordinance and considered all evidence, including but not limited to public testimony and the evaluations and recommendations of staff; and

WHEREAS, notices of said public hearings were made at the time and in the manner required by law.

NOW, THEREFORE, the City Council of the City of Imperial Beach hereby ordains as follows:

Section 1. All of the statements set forth in the recitals above are true and correct and are incorporated herein as substantive findings.

Section 2. Title 19 (Zoning) of the Imperial Beach Municipal Code is hereby amended to read as shown in Exhibit "A" attached hereto and incorporated herein by reference.

Section 3. The City Council finds that this Ordinance is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) (the common sense exemption) because it can be seen with certainty that there is no possibility that the adoption of this ordinance may have a significant effect on the environment, in that the ordinance merely implements the provisions of state law and includes no provisions beyond those required by Government Code Section 65580, 65583, and 65583.2 and State Density Bonus Law that that may result in a direct or indirect impact on the physical environment.

Section 4. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of the Ordinance, or its application to any person or circumstance, is for any reason held to be invalid and 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 hereof, irrespective of the fact that any one or more other

sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

Section 5. The provisions of Exhibit “A” were previously approved by the California Coastal Commission on May 7, 2025.

Section 6. All provisions of Ordinance No. 2024-1251 that conflict with or are inconsistent with the provisions of this Ordinance are hereby superseded and replaced in their entirety.

Section 7. The City Clerk is directed to prepare and have published a summary of this Ordinance no less than five (5) days prior to the consideration of its adoption and again within fifteen (15) days after adoption indicating votes cast.

INTRODUCED AND FIRST READ at a regular meeting of the City Council of the City of Imperial Beach held on the on the 3rd day of December, 2025; and thereafter

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Imperial Beach, California, on the 21st day of January, 2026, by the following vote:

AYES:	**COUNCILMEMBERS:**	**NAKAWATASE, LEYBA-GONZALEZ, FISHER, MCKAY**
NOES:	**COUNCILMEMBERS:**	**NONE**
ABSENT:	**COUNCILMEMBERS:**	**SEABURY**

MITCHELL D. MCKAY,
MAYOR

ATTEST:

JACQUELINE M. KELLY, MMC
CITY CLERK

APPROVED AS TO FORM:

JENNIFER M. LYON
CITY ATTORNEY

EXHIBIT "A"

To Ordinance No. 2025-1258 & Ordinance No. 2025-1259

1.) Title 19, Chapter 19.04 (Definitions), of the Imperial Beach Municipal Code is hereby amended by adding or amending the following sections:

19.04.056 Affordable rent

"Affordable rent" means the maximum allowable rent for a unit affordable to lower income households, equal to one-twelfth (1/12th) of 30 percent of 60 percent of area median income adjusted for assumed household size of one person in a studio affordable unit, two persons in a one-bedroom affordable unit, and one additional person for every additional bedroom; or as determined by the financing for the project, such as rents established for projects receiving tax credits.

19.04.058 Affordable sales price

"Affordable sales price" means the maximum purchase price that will be affordable to a lower income household. The purchase price shall be considered affordable only if it is based on a reasonable down payment, and monthly housing payments (including interest, principal, mortgage insurance, property taxes, homeowners insurance, homeowners association dues, property maintenance and repairs, and a reasonable allowance for utilities), all as determined by the city, that total no more than one-twelfth (1/12th) of 30 percent of 70 percent of area median income adjusted for assumed household size of one person in a studio affordable unit, two persons in a one-bedroom affordable unit, and one additional person for every additional bedroom; or as determined by the financing for the project.

19.04.091 Area median income

"Area median income" means the area median income applicable to San Diego County, adjusted for household size, as published and periodically updated in the California Code of Regulations, Title 25, Section 6932.

19.04.187 By right review

"By right review" is as defined in Government Code Section 65583.2(i). By right review does not exempt the use from design review or approval of a coastal development permit. By right review that includes design review approval is described in Section 19.83.065.

19.04.526 Lower income household

"Lower income household" means a household whose household income does not exceed the low income limits applicable to San Diego County, adjusted for household size, as published and periodically updated in the California Code of Regulations, Title 25, Section 6932.

19.04.527. Low barrier navigation center

"Low barrier navigation center" is a facility as defined in Government Code Section 65660(a) that meets all of the requirements of Government Code Sections 65660 et seq. (Article 12 of Chapter 3 of Division 1 of Title 7).

~~**19.04.527 Main streets**~~

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

19.04.528 Main streets

"Main street" is defined as the primary street adjacent to a parcel that carries the largest amount of 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.

19.04.747 Supportive housing

"Supportive housing" means housing with no limit on length of stay, that is occupied by the target population, and that is linked to onsite or offsite services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community pursuant to Health and Safety Code Section 50675.14(a)(B)(2). The "target population" is defined in Government Code Section 65582(p). Pursuant to Government Code Section 65583(~~a~~c)(~~5~~3), transitional housing and supportive housing shall be considered a residential use of property, and shall be subject only to those restrictions that apply to other residential dwellings of the same type in the same zone.

19.04.748. Supportive housing, permanent

"Supportive housing, permanent" means housing as defined in Government Code Section 65650(b) serving the target population is defined in Government Code Section 65650(d) that meets all of the requirements of Government Code Sections 65650 et seq. (Article 11 of Chapter 3 of Division 1 of Title 7).

2.) Title 19, Subsection 19.15.020(A), of Chapter 19.15, R-3000 Two-Family Residential Zone, of the Imperial Beach Municipal Code is hereby amended by revisions as follows:

19.15.020. Permitted uses.

A. The following uses are permitted in the R-3000 zone, provided that all projects except Accessory Dwelling Units and Junior Accessory Dwelling Units containing two to four units shall be subject to the approval of a site plan review by the community development department and five or more units shall be subject to the approval of a site plan review by the planning commission. Permanent supportive housing shall be reviewed consistent with the provisions of Government Code Sections 65650 et seq. and subject to by right review that includes design review approval:

1. Detached or attached residential dwelling units;

2. Accessory buildings, structures and uses customarily incidental to any permitted use;

3. Private garages to accommodate not more than four cars per dwelling unit;

4. Family day care facilities as permitted in Chapter 19.64;

5. Home occupations as permitted in Chapter 19.74;

6. Swimming pools, spas and hot tubs as permitted in Chapter 19.70;

7. Signs as permitted in Chapter 19.52;

8. Satellite dish antennae as permitted in Chapter 19.71;

9. Accessory Dwelling Units and Junior Accessory Dwelling Units as permitted in Chapter 19.66;

10. Permanent supportive housing with a maximum of 50 units.

3.) Title 19, Subsection 19.16.020(A), of Chapter 19.16, R-2000 Medium Density Residential Zone, of the Imperial Beach Municipal Code is hereby amended by revisions as follows:

19.16.020. Permitted uses.

A. The following uses are permitted in the R-2000 zone, provided that all projects except Accessory Dwelling Units and Junior Accessory Dwelling Units containing two or more units shall be subject to the approval of a site plan review by the community development department and five or more units shall be subject to the approval of a site plan review by the planning commission. Permanent supportive housing shall be reviewed consistent with the provisions of Government Code Sections 65650 et seq. and subject to by right review that includes design review approval:

1. Detached or attached residential dwelling units;

2. Accessory buildings, structures and uses customarily incidental to any permitted use;

3. Private garages to accommodate not more than four cars per dwelling unit;

4. Family day care facilities as permitted in Chapter 19.64;

5. Home occupations as permitted in Chapter 19.74;

6. Swimming pools, spas and hot tubs as permitted in Chapter 19.70;

7. Signs as permitted in Chapter 19.52;

8. Satellite dish antennae as permitted in Chapter 19.71.;

9. Accessory Dwelling Units and Junior Accessory Dwelling Units as permitted in Chapter 19.66.

10. Permanent supportive housing with a maximum of 50 units.

4.) Title 19, Subsection 19.17.020(A), of Chapter 19.17, R-1500 High Density Residential Zone, of the Imperial Beach Municipal Code is hereby amended by revisions as follows:

19.17.020. Permitted uses.

A. The following uses are permitted in the R-1500 zone, provided that all projects except Accessory Dwelling Units and Junior Accessory Dwelling Units containing two to four units shall be subject to the approval of a site plan review by the community development department and five or more units shall be subject to the approval of a site plan review by the planning commission. Permanent supportive housing shall be reviewed consistent with the provisions of Government Code Sections 65650 et seq. and subject to by right review that includes design review approval:

1. Detached or attached residential dwelling units;

2. Accessory buildings, structures and uses customarily incidental to any permitted use;

3. Private garages to accommodate not more than four cars per dwelling unit;

4. Family day care facilities as permitted in Chapter 19.64;

5. Home occupations as permitted in Chapter 19.74;

6. Swimming pools, spas and hot tubs as permitted in Chapter 19.70;

7. Signs as permitted in Chapter 19.52;

8. Satellite dish antennae as permitted in Chapter 19.71;

9. Accessory Dwelling Units and Junior Accessory Dwelling Units as permitted in Chapter 19.66;

10. Permanent supportive housing with a maximum of 50 units.

5.) **Title 19, Section 19.23.010** of Chapter 19.23, Commercial Mixed-Use Regulations, of the Imperial Beach Municipal Code is hereby amended by revisions as follows:

	C/MU-1	C/MU-2	C/MU-3	Notes
Commercial Uses				
Adult bookstore, adult hotel/motel, adult mini-motion picture theater, adult motion picture arcade, adult motion picture theater, sexual encounter studio, rap parlor, model studio	P	N	N	See definitions. Subject to requirements for adult-oriented businesses in Chapter 19.60.
Antique store	P	P	P	See definition.
Arcades and game centers	C	C	C	See definition.
Art studio, gallery, museum	P	P	P	See definition.
Athletic and health clubs	P	P	P	See definition.
Bars or cocktail lounges	C	C	N	See definition.
with live entertainment	C	C	N	See definition.
Beach equipment rental, bike rental, surf shop, fishing supply	P	P	N	

	C/MU-1	C/MU-2	C/MU-3	Notes
Body piercing establishment	C	N	N	See definition. Subject to Section 19.26.020(B)(1).
Bookstore	P	P	P	
Boutique	P	P	P	
Cabaret	C	N	N	See definition. Subject to Chapter 19.60.
Campsites	C	N	N	See definition.
Cannabis permitted use	P	N	N	See definition and number allowed in Chapter 4.60. Subject to the requirements of Chapters 19.61 and 4.60.
Child day care center	P	P	P	See definition.
Clinic	P	P	P	See definition.
Dancehall	C	N	N	See definition. Subject to Chapter 19.60.
Department store	P	N	N	
Drive-in restaurant	P	P	N	See definition.
Drive-through establishment	C	N	C	See definition.
Fortune telling establishment	C	N	N	See definition. Subject to Section 19.26.020(B)(3).
Hostel	C	C	N	See definition.
Kennel	C	N	N	See definition. Subject to Section 19.74.050.
Kiosk	P	P	P	See definition. In C/MU-2: Subject to Section 19.27.020(A)(2).
Liquor store	C	C	N	See definition.
Massage therapy establishment	P	P	P	See definition. Per Senate Bill 731.
Mortuary	C	N	N	
Motor vehicle sales	C	N	N	Subject to Section 19.74.070.
Palm reading establishment	C	N	N	See definition. Subject to Section 19.26.020(B)(3).
Pawnshop	C	N	C	See definition.
Personal convenience services	P	P	P	See definition.
Pool or billiard hall	C	C	N	See definition.
with live entertainment	C	C	N	See definition.
Postal services, private	P	P	P	
Professional offices, financial	P	P	P	

	C/M U-1	C/M U-2	C/M U-3	Notes
institutions, and real estate				
Restaurant	P	P	P	See definition.
with live entertainment	C	C	C	See definition.
Retail food store	P	P	P	
Retail sales	P	P	P	See definition.
Sales of secondhand or used merchandise	N	N	N	See definition.
Single-family detached	N	N*	N	*Only permitted in Seacoast Mixed-Use/Residential Overlay Zone.
Tattoo establishment	C	N	N	See definition. Subject to Section 19.26.020(B)(4).
Residential and Similar Uses				
Accessory building, structures, private garages	C	C	C	See definition of accessory building.
Boarding house	C	N	N	See definition.
Emergency shelter	P	N	N	See definition.
Hostel	N	C	N	See definition.
Hotel, motel, bed and breakfast lodging, inn (H-1, H-2, H-3, H4, H-5)	P	P	P	See definitions above.
Live/work unit	P	P	P	See definition.
Low barrier navigation center	P	P	P	See definition. Subject to review consistent with Government Code Sections 65660 et seq. and to by right review that includes design review approval.
Mixed-use development	P	P	P	See definition.
Motor home/manufactured housing community	N	N	N	See definitions.
Multiple-family dwellings	P	P	P	See definition. See requirement for active commercial uses on ground floor per Sections 19.26.020(A)(1), 19.27.020(A)(1), 19.28.020(A)(1).
Second-family units	N	N	N	

	C/MU-1	C/MU-2	C/MU-3	Notes
Senior housing, nursing home, retirement home	C	C	C	See definitions.
Short-term rental	P	P	P	See definition.
Single-family detached	N	N*	N	*Only permitted in Seacoast Residential Overlay Zone.
Single-room occupancy units	C	N	N	
Supportive housing, permanent, with a maximum of 50 units	P	P	P	See definition. Subject to review consistent with Government Code Sections 65650 et seq. and to by right review that includes design review approval.
Timeshare	C	C	N	See definition.
Light Industrial Uses				
Automobile dismantling or wrecking yard	N	N	N	See definition.
Automobile repair or automobile body shop	C	N	N	See definitions.
Automobile sales lot	C	N	N	See definition.
Automobile service station/gas station	C	N	C	See definition.
Energy facility	C	N	N	See definition.
Equipment rental yard	C	N	N	
Incidental manufacturing	C	C	C	See definition.
Light manufacturing, manufacturing, industrial	N	N	N	
Public and Semi-Public Uses				
Campsites	N	N	N	See definition.
Clubs, fraternal/veteran/service organizations	C	C	C	Subject to Sections 19.26.020(B)(2), 19.27.020(A)(3), 19.28.020(A)(2).
with live entertainment	C	C	C	
Educational institutions	C	C	N	

	C/MU-1	C/MU-2	C/MU-3	Notes
Governmental or quasi-public building	P	P	P	
Library	P	P	P	
Religious assembly	C	C	C	See definition. Subject to Sections 19.26.020(B)(2), 19.27.020(A)(3), 19.28.020(A)(2).
Public parking lot	P	P	P	
Theatre/assembly	C	C	C	
Wireless communication facility	C	C	C	See definition. Subject to Chapter 19.90.
Green Building Utilities				
Green building utilities	P	P	P	See definition. Subject to Chapter 19.92.
Open Space and Recreation				
Passive public parks	P	P	P	
Playground and recreation areas	C	C	C	Permitted if incidental and accessory to a permitted use.
Public riding and hiking trails	P	P	P	

2.) Title 19, Subsection 19.26.020(C), of Chapter 19.26, C/MU-1 General Commercial And Mixed-Use Zone, of the Imperial Beach Municipal Code, is hereby amended by revisions as follows:

C. Site plan review by the City Council will be required if any of the following applies to proposed uses located in the C/MU-1 zone:

1. All proposed developments involving new construction.

2. Any addition, construction, or alteration of existing buildings resulting in an increase of ten percent or greater of the gross floor area of a commercial structure or in an individual commercial space within the structure or within a commercial shopping center.

3. Any proposed use or structure requiring the approval of a conditional use permit.

4. Any development including residential dwelling units, except Accessory Dwelling Units and Junior Accessory Dwelling Units as allowed in Chapter 19.66.

~~5. Notwithstanding any other provisions of this subsection C, low-barrier navigation centers and permanent supportive housing shall be subject to by right review that includes design review approval.~~

5. Notwithstanding any other provisions of this subsection C, the following uses shall be subject only to by right review that includes design review approval as described in Section 19.83.065:

a. Llow-barrier navigation centers; ~~and~~

b. Ppermanent supportive housing;

c. Housing development projects where 20 percent of the total number of housing units in the project are proposed to be available to lower income households at affordable rent or affordable sales price, located on sites shown in Table C-2 of the Housing Element as designated for lower income housing and identified in the 5th cycle; and

d. Other uses eligible for by right approval by state law. ~~shall be subject to by right review that includes design review approval.~~

3.) Title 19, Subsection 19.27.020(B), of Chapter 19.27, C/MU-2 Seacoast Commercial and Mixed-Use Zone, of the Imperial Beach Municipal Code is hereby amended by revisions as follows:

B. Site plan review by the City Council will be required if any of the following applies for proposed uses located in the C/MU-2 zone:

1. All proposed developments involving new construction;

2. Any addition, construction, remodeling or alteration of existing buildings resulting in an increase of ten percent or greater of the gross floor area of a commercial structure or in an individual commercial space within the structure or within a commercial shopping center;

3. Any proposed commercial use, residential use, or structure requiring the approval of a conditional use permit;

4. Any development including residential dwelling units except Accessory Dwelling Units and Junior Accessory Dwelling Units as allowed in Chapter 19.66;

5. Public parking lots; and

~~6. Notwithstanding any other provisions of this subsection B, low-barrier navigation centers and permanent supportive housing shall be subject to by right review that includes design review approval.~~

6. Notwithstanding any other provisions of this subsection B, the following uses shall be subject only to by right review that includes design review approval as described in Section 19.83.065:

a. Llow-barrier navigation centers; ~~and~~

b. Ppermanent supportive housing;

c. Housing development projects where 20 percent of the total number of housing units in the project are proposed to be available to lower income households at affordable rent or affordable housing cost, located on sites shown in Table C-2 of the Housing Element as designated for lower income housing and identified in the 5th cycle; and

d. Other uses eligible for by right approval by state law. ~~shall be subject to by right review that includes design review approval.~~

4.) Title 19, Subsection 19.28.020(B), of Chapter 19.28, C/MU-3 Neighborhood Commercial And Mixed-Use Zone, of the Imperial Beach Municipal Code is hereby amended by revisions as follows:

B. Site plan review by the City Council will be required if any of the following applies for proposed uses located in the C/MU-3 zone:

1. All proposed developments involving new construction;

2. Any addition, construction, remodeling, or alteration of existing buildings resulting in an increase of ten percent or greater of the gross floor area of a commercial structure or in an individual commercial space within the structure or within a commercial shopping center;

3. Any proposed commercial use or structure requiring the approval of a conditional use permit;

4. Any development including residential dwelling units except Accessory Dwelling Units and Junior Accessory Dwelling Units as allowed in Chapter 19.66;

5. Public parking lots; and

~~6. Notwithstanding any other provisions of this subsection B, low-barrier navigation centers and permanent supportive housing shall be subject to by right review that includes design review approval.~~

6. Notwithstanding any other provisions of this subsection B, the following uses shall be subject only to by right review that includes design review approval as described in Section 19.83.065:

a. L~~l~~ow-barrier navigation centers; ~~and~~

b. P~~p~~ermanent supportive housing;

c. Housing development projects where 20 percent of the total number of housing units in the project are proposed to be available to lower income households at affordable rent or affordable housing cost, located on sites shown in Table C-2 of the Housing Element as designated for lower income housing and identified in the 5th cycle; and

d. Other uses eligible for by right approval by state law. ~~shall be subject to by right review that includes design review approval.~~

9.) Title 19, Section 19.48.040, of Chapter 19.48 Off-Street Parking, of the Imperial Beach Municipal Code is hereby amended by revisions as follows:

19.48.040. Required spaces—Other residentially oriented uses.

The number of required off-street parking spaces for other residentially oriented uses shall be as follows:

A. Boarding houses, retirement homes, and clubs having sleeping rooms: two spaces plus one space for each three beds;

B. Hostels: one space per five beds, plus two total employee spaces;

C. Mobile home parks, trailer parks: one and one-half spaces for each trailer space;

D. Hospitals, sanitariums: one and one-half spaces for each bed.

E. Accessory Dwelling Units and Junior Accessory Dwelling Units: As specified in Chapter 19.66.

F. Permanent supportive housing: as specified in Government Code Section 65650 et seq.

5.) Title 19, Subsection 19.65.030(C)(3), of Chapter 19.65, Affordable Housing Density Bonus, of the Imperial Beach Municipal Code, is hereby amended by revisions as follows:

3. Requested waivers. The application shall include the following minimum information for each waiver requested on each lot, shown on a site plan (if applicable)~~.: a.t~~The City's usual development standard and the requested development standard.

~~b. Reasonable documentation that the development standards for which waivers are requested will have the effect of physically precluding the construction of the development at the densities or with the concessions or incentives permitted by Government Code Section 65915.~~

6.) Title 19, Subsection 19.65.070(C), of Chapter 19.65, Affordable Housing Density Bonus, of the Imperial Beach Municipal Code, is hereby amended by revisions as follows:

C. Except where a housing development is eligible for an additional bonus pursuant to Government Code Section 65915(v), ~~E~~each housing development is entitled to only one density bonus. If a housing development qualifies for a density bonus under more than one category, the applicant shall identify the category under which the density bonus is requested to be granted. ~~Each housing development is entitled to only one density bonus.~~

7.) Title 19, Subsection 19.65.070(D), of Chapter 19.65, Affordable Housing Density Bonus, of the Imperial Beach Municipal Code, is hereby amended by revisions as follows:

D. The density bonus units shall not be included in determining ~~whether~~ the number of affordable units required to qualify a housing development for a density bonus pursuant to State Density Bonus Law.

8.) Title 19, Subsection 19.83.020(A), of Chapter 19.83, Design Review, of the Imperial Beach Municipal Code is hereby amended by revisions as follows:

A. Design review by the Design Review Board is required as follows:

1. Any development adjacent to the following corridors within the City limits:

a. Highway 75;

b. Palm Avenue;

c. Silver Strand Boulevard;

d. Rainbow Drive;

e. Imperial Beach Boulevard;

f. Seacoast Drive;

g. 9th Street; and,

h. 13th Street;

2. All commercial development within the City;

3. All development requiring site plan review by the Planning Commission or a conditional use permit;

4. All sign permits when deemed necessary by the Community Development Department;

5. All City projects, except street repair, resurfacing, etc.

6. Those projects referred by the Community Development Department for action.

7. Those projects eligible for by right approval that includes design review approval, subject to the provisions of Section 19.83.065.

9.) Title 19, Subsection 19.83.065, is added to Chapter 19.83, Design Review, of the Imperial Beach Municipal Code to read as follows:

19.83.065 By right approval that includes design review approval.

A. As provided by Government Code Section 65583.2(i), design review approval for projects eligible for by right approval is exempt from the California Environmental Quality Act. Review of these projects shall be limited to conformance with objective standards established by the general plan, zoning ordinance, and design guidelines and conformance with the local coastal plan.

B. Permanent supportive housing shall be reviewed consistent with the provisions of Government Code Sections 65650 *et seq*.

C. Low barrier navigation centers shall be reviewed consistent with the provisions of Government Code Section 65660 *et seq.*

D. Any subdivision of the site shall be subject to all laws, including but not limited to Title 18 (Subdivisions).

E. The project shall comply with the development standards for the affordable units contained in Section 19.65.090.

F. The applicant shall enter into an affordable housing agreement with the city as follows:

1. The affordable housing agreement shall set forth the conditions and guidelines to be met regarding the affordable housing included in the project, including but not limited to the type,

size and location of each affordable unit; the eligible occupants; affordable rents and sales prices, as applicable; phasing of the affordable units in relation to the market-rate units; and other relevant provisions approved by the City Attorney. The affordable housing agreement shall run with the land, to be executed by the City Manager or designee.

2. The agreement shall require the continued affordability of rental units that qualified the applicant for by-right approval for a minimum of 55 years and shall require the continued affordability of for-sale units for 45 years.

~~1.~~3. The executed affordable housing agreement shall be recorded against the housing development prior to final or parcel map approval, or prior to issuance of building permits for the housing development, whichever is earliest.