



# AGENDA REPORT

**Department:** Planning  
**Prepared by:** Sophia Depew, Assistant Planner  
**Meeting Date:** Tuesday, October 7, 2025  
**Approved by:** Scott W. Huth, Interim City Manager

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## **SUBJECT:**

Adoption and Second Reading of an Ordinance Amending Table 18.24.040 A and Table 18.24.040 D of Title 18 (Zoning) of the Municipal Code Related to Maximum Height and Number of Stories in the MXC-1 and MXD-1 Zones.

## **RECOMMENDATION:**

Hold the Public Hearing and Adopt the Ordinance Entitled: “An Ordinance of the City Council of the City of National City, California, Amending Table 18.24.040 A and Table 18.24.040 D of Title 18 (Zoning) of the National City Municipal Code Related to Maximum Height and Number of Stories in the MXC-1 and MXD-1 Zones.”

## **PRIOR ACTION:**

City Council introduced this item at their meeting on September 16, 2025.

## **EXPLANATION:**

### Background

Table 18.24.040 A and Table 18.24.040 D in the Land Use Code (Zoning Ordinance) regulate building form and placement (development standards) within the MXC-1 (Minor Mixed-Use Corridor) and MXD-1 (Minor Mixed-Use District) zones, respectively. The tables include minimum and maximum standards for development, such as: setbacks, stepbacks, height, lot size, floor area ratio, and density. The maximum height listed in the tables is 50 feet and 3 stories.

While all zones within the National City Land Use Code measure maximum height in feet and number of stories, the difference in height (in feet) and number of stories in the MXC-1 and MXD-1 zones is inconsistent with the City’s other zones. For example, the Mixed-Use Transition (MXT) zone, which was added to the Land Use Code as part of the Focused General Plan Update in 2024, has a height limit of 45 feet and 4 stories.

The maximum story height in the California Building Code (CBC) is 14 feet (ceiling to ceiling). Therefore, the usable square footage of a three-story building would never exceed a height of 42 feet. The CBC also has a minimum ceiling height of seven feet-six inches, meaning a building under 50 feet in height could potentially include five or six stories depending on how the structure was designed.

Generally, height is defined in the Land Use Code (LUC) as “the vertical distance from the highest point of any structure to the ground level directly below, except as otherwise provided in this section. On sloped lots, the height shall be measured from the average grade to the tallest point of the structure”. However, story is defined by the Uniform Building Code as “the

vertical distance from top to top of two successive tiers of beams or finished floor surfaces and, for the topmost story, from the top of the floor finish to the top of the ceiling joists or, where there is not a ceiling, to the top of the roof rafters”.

In 2023, height measured on sloped lots was amended to an “average grade” measurement, reducing the need for discretionary approvals (variances) and overall building costs while improving consistency with State law and the Focused General Plan Update. Increasing the number of permitted stories would be complimentary to this previous code update on height measurement and provide additional relief for lots with topographical challenges. Projects could be designed so portions of a building could accommodate a higher number of stories than other portions of the same structure (i.e. sloped lots).

Additionally, there are other development standards in place that limit the size and bulk of buildings in the MXC-1 and MXD-1 zones: the maximum height of a building is 50 feet, the minimum third-story stepback is eight feet, the maximum floor area ratio is 1.0 for single-use projects and 2.0 for mixed-use projects, and the maximum density is 48 dwelling units per acre. These standards already restrict the scale of new projects within the zones.

### Proposal

The applicant, under National City Municipal Code Section 18.12.140, has proposed to increase the maximum number of stories permitted in the MXC-1 zone from three stories to four stories. Staff has also recommended that there be an increase of the maximum number of stories permitted in the MXD-1 zone to four stories. There are no proposed changes to maximum height (in feet), floor area ratio (FAR), or density.

The applicant’s request is based on a proposed 120-unit 4-story multifamily housing development within the MXC-1 zone. The project is meeting the maximum height (in feet) and maximum FAR with a four-story design. The three-story maximum is limiting the project’s ability to provide the desired density allowed by right in the zone.

The pertinent portions of Table 18.24.040A and Table 18.24.040D currently read as follows:

Development Standard	Minimum	Maximum
Height	None	50’ and 3 stories

Staff is suggesting the following changes (shown as underlined>):

Development Standard	Minimum	Maximum
Height	None	50’ and <u>4</u> stories

### Analysis

The intent of the standards in the MXC-1 and MXD-1 zones are to ensure excellence in site planning and building design in order to create a vibrant and well-defined public realm that is pedestrian-friendly and supportive of a sustainable way-of-life. Increasing the number of permitted stories from three to four is in line with the intent of the zones by providing greater site design flexibility. It gives projects the opportunity to build up, instead of out, creating new space that can be utilized for the benefit of the residents like green space, common open space, and parking.

The current height requirement in the City's MXC-1 and MXD-1 zones provides for a maximum height that would never be achieved by a conventional building design. The large gap between height (in feet) and number of stories is an unnecessary burden to new developments that could otherwise construct usable square footage in an efficient and practical manner. Onerous requirements on the number of stories a project may incorporate can also take away from flexible site design and deter projects on smaller or sloped lots, which conflicts with the General Plan policies related to infill development.

It should also be noted that the MXT zone, which was intended to be a transition to lower density residential zones, allows for up to four stories even though it has a lesser maximum height of 45 feet. With an additional five feet of height limit, it is not expected that allowing four stories in the MXC-1 and MXD-1 zones will be any more impactful.

With no changes to maximum height (in feet), floor area, or density, there will be no increase to the amount of building area granted. All projects will be required to meet the development standards in the zone that contribute to the MXC-1 and MXD-1 zones character.

### Findings

There are two findings required for approval of a Code Amendment: (1) – consistency with the General Plan: and (2) compliance with the California Environmental Quality Act (CEQA).

#### (1) General Plan Consistency

The proposal to amend Table 18.24.040A and Table 18.24.040D is consistent with General Plan Policy LU-5.4 and Policy H 2.1 due to increasing the likelihood of development of in-fill lots and promoting development of underutilized land by providing greater design flexibility for small lots and lots with topographic challenges.

**Policy H 2.1:** Promote residential development on underutilized land and remove barriers to infill development.

**Policy LU-5.4:** Encourage and incentivize strategic adaptive reuse and infill development of vacant land in commercial and mixed-use areas.

#### (2) California Environmental Quality Act (CEQA)

The ordinance being proposed is considered exempt from CEQA because it is not a project as defined in Section 15378. No increase in density, height (in feet), or additional permissions will be granted and there would therefore be no potential to result in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

### Summary

Staff is recommending that the City Council approve amending the code sections related to maximum height and number of stories in the MXC-1 and MXD-1 zones to allow four stories. The amendment provides greater design flexibility for properties to be developed to their maximum potential, conforming with General Plan Policies. The change also improves consistency with other zones throughout the City. The recommendation of the Planning Commission has been provided above.

### **FINANCIAL STATEMENT:**

An application fee of \$5,500 was paid with the submittal of the subject Code Amendment. Fees are anticipated to cover the cost of staff review time and processing of the permit.

### **RELATED CITY COUNCIL 2020-2025 STRATEGIC PLAN GOAL:**

Housing and Community Development

**ENVIRONMENTAL REVIEW:**

This is not a project under CEQA, and is therefore, not subject to environmental review. CCR15378; PRC 21065.

**PUBLIC NOTIFICATION:**

The Agenda Report was posted at least 72 hours in advance of the Regular Meeting date and time, and 24 hours in advance of a Special Meeting in accordance with the Ralph M. Brown Act.

**ORDINANCE:**

Second Reading

**EXHIBITS:**

Exhibit A – Redlined NCMC Tables 18.24.040 A and 18.24.040 D

Exhibit B – Draft Ordinance