

INTRODUCTION OF AN ORDINANCE TO AMEND CHAPTER 17.21 OF THE HERMOSA BEACH MUNICIPAL CODE REGARDING ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS



BACKGROUND

City Council adopted

- Ordinance No. 18-1385
- Ordinance No. 20-1204
- Ordinance No. 22-1456U

PLANNING COMMISSION MEETING ON MAY 16, 2023

Recommend approval for the following sections:

- 17.21.040(B)(4) and (B)(5) regarding height regulations
- 17.21.030(A) regarding ADUs and JADUs, as well as clarifying language regarding accessory structures

Recommend City Council keep the current prohibition of roof decks (17.21.040(F))



AMEND ADU ORDINANCE

- Corrections to language relating to building height
- Clarify language based on consultation with HCD
- Provide flexibility and more options for the production of ADUs and JADUs

17.21.030 (A) Approval of ADUs and JADUs

1. Converted on Single-family Lot: One ADU as described in this subsection (A) (1) and one JADU **(or a second ADU in lieu of the JADU)** on a lot with a proposed or existing single-family dwelling on it, where the ADU or JADU **(or a second ADU in lieu of the JADU)**:

a. Is either: within the space of a proposed single-family dwelling; within the existing space of an existing single-family dwelling; or (in the case of an ADU only) within the existing space of an accessory structure **(including garage)**, plus up to 150 additional square feet if the expansion is limited to accommodating ingress and egress; and

17.21.040(B) General ADU and JADU Requirements and Development Standards

4. An ADU that is attached to the primary dwelling may not **exceed** ~~25 feet in height~~ or the height limitation imposed by the underlying zone that applies to the primary dwelling, ~~whichever is lower~~ **unless it is a conversion of existing space within an existing nonconforming structure that exceeds the height of the underlying zone.** ~~Notwithstanding the foregoing, ADUs subject to this subsection may not exceed two stories.~~

17.21.040(B) General ADU and JADU Requirements and Development Standards

5. For purposes of this subsection, height is measured ~~above existing legal grade to the peak of the structure.~~
pursuant to Measuring Building Height, Chapter 17.46.

ENVIRONMENTAL DETERMINATION

- Under California Public Resources Code section 21080.17, the California Environmental Quality Act (“CEQA”) does not apply to the adoption of an ordinance by a city or county implementing the provisions of section 65852.2 of the Government Code, which is California’s ADU law and which also regulates JADUs, as defined by section 65852.22.

PUBLIC NOTICING

- A legal ad was published on May 24, 2023 in the Easy Reader.
- Public notification was posted at 3 city public facilities.
- Staff fielded several inquiries but have not received any written public comments

RECOMMENDED ACTION:

Introduce and waive full 1st reading and introduce by title only an Ordinance of the City of Hermosa Beach, California, amending Chapter 17.21 of the Hermosa Beach Municipal Code regarding accessory dwelling units and junior accessory dwelling units, and determine the project is exempt under the California Environmental Quality Act (CEQA) pursuant to Section 21080.17 of the California Public Resources Code



THANK YOU

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