

CITY OF HERMOSA BEACH
PC RESOLUTION NO. 24-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HERMOSA BEACH, CALIFORNIA RECOMMENDING CITY COUNCIL APPROVE ZONE TEXT AMENDMENT (TA) 24-02 AND ORDINANCE TO AMEND PORTIONS OF TITLE 17 OF THE HERMOSA BEACH MUNICIPAL CODE FOR HOUSING ELEMENT-RELATED REGULATIONS PERTAINING TO MIXED USE DEVELOPMENTS, REVIEW PROCESSES, AND MULTI-FAMILY RESIDENTIAL PARKING REQUIREMENTS AND MAKE A DETERMINATION THAT THE ZONING TEXT AMENDMENT IS CONSISTENT WITH THE PLAN HERMOSA ENVIRONMENTAL IMPACT REPORT PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

WHEREAS, on August 8, 2023, the City Council conducted a public hearing and adopted the revised 2021-2029 Housing Element; and

WHEREAS, State law now requires all required rezonings to implement the Housing Element programs to be included in order for the California State Department of Housing and Community Development (HCD) to certify the Housing Element; and

WHEREAS, the Housing Element programs include implementation actions that require changes and updates to the City's Zoning Ordinance regulating the development of residential uses; and

WHEREAS, on November 14, 2023, the City Council adopted Ordinance 23-1471 consisting of zoning changes necessary to implement the Housing Element Programs; and

WHEREAS, Ordinance 23-1471 is slated to become effective upon HCD's certification of the Housing Element, which has not yet occurred; and

WHEREAS, during review of the City's Housing Element and evaluation of the Ordinance 23-1471, HCD issued on a comment letter on April 5, 2024, which indicated that changes needed to the adopted Housing Element-related zoning change (Ordinance 23-1471) to be consistent with State law and effectively implement the 2021-2029 Housing Element; and

WHEREAS, the April 5, 2024 HCD comment letter indicated that the City must revise the standards for mixed-use development, review processes for certain affordable housing projects, and reduce parking requirements for certain residential projects; and

WHEREAS, on May 21, 2024, the Planning Commission conducted a duly-noticed public hearing to consider the proposed Zoning Text Amendment, and after considering public testimony and discussion, recommended that the City Council approve the Zoning Text Amendment with minor revisions; and

WHEREAS, pursuant to the California Environmental Quality Act, the City has evaluated the revised Zone Text Amendment and concludes, based on substantial evidence in the record, that the proposed changes would not trigger any of the conditions set forth in State CEQA Guidelines Section 15162 in that the revisions would not result in any new significant environmental impacts nor substantially increase the severity of any significant impacts described in the PLAN Hermosa EIR (State Clearinghouse Number 2015081009), certified on August 22, 2017. Preparation of an EIR Addendum is appropriate, pursuant to CEQA Guidelines Section 15162, and an EIR Addendum has been prepared, dated September 14, 2023, as the City has evaluated the Zone Text Amendment and concluded, based on substantial evidence in the record, that the Zone Text Amendment would not trigger any of the conditions set forth in State CEQA Guidelines Section 15162 or result in any new significant environmental impacts nor substantially increase the severity of any significant impacts described in the PLAN Hermosa EIR. The PLAN Hermosa certified EIR, findings, Mitigation and Monitoring Program, and Statement of Overriding Considerations, are hereby incorporated by reference.

**THE PLANNING COMMISSION OF THE CITY OF HERMOSA BEACH, CALIFORNIA,
DOES HEREBY RESOLVE AS FOLLOWS:**

SECTION 1. The Planning Commission of the City of Hermosa Beach hereby recommends City Council **adopt Ordinance 24-XX approving Zone Text Amendment 24-02, as included in Exhibit A.**

VOTE: AYES:

 NOES:

 ABSTAIN:

 ABSENT:

CERTIFICATION

I hereby certify the foregoing Planning Commission Resolution 24-XX is a true and complete record of the action taken by the Planning Commission of the City of

Hermosa Beach, California at its regular meeting of May 21, 2024.

Peter Hoffman
Chair

Carrie Tai
Secretary

Date

Exhibit A
Draft Ordinance with Zoning Ordinance Amendments
(follows this page)

**CITY OF HERMOSA BEACH
ORDINANCE NO. 24-XX**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA APPROVING ZONE TEXT AMENDMENT (TA) 24-02 TO AMEND PORTIONS OF TITLE 17 OF THE HERMOSA BEACH MUNICIPAL CODE FOR HOUSING ELEMENT-RELATED REGULATIONS PERTAINING TO MIXED USE DEVELOPMENTS, REVIEW PROCESSES, AND MULTI-FAMILY RESIDENTIAL PARKING REQUIREMENTS AND MAKE A DETERMINATION THAT THE ZONING TEXT AMENDMENT IS CONSISTENT WITH THE PLAN HERMOSA ENVIRONMENTAL IMPACT REPORT PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Section 17.40.180 (B)(1) is hereby added to Title 17 (Zoning) of the Hermosa Beach Municipal Code as follows:

1. Residential uses must occupy at least 50 percent of the floor area.

SECTION 2. Chapter 17.42.250 (C)(2) (Work/live developments.) is hereby added to Title 17 (Zoning) of the Hermosa Beach Municipal Code to read as follows:

2. For project sites in the Housing Element (--HE) Overlay, a minimum of 50% of the total floor area must allowed for residential space.

SECTION 3. Section 17.44.020 (Off-street parking – Residential uses.) of Chapter 17.44 (Off-Street Parking) of Title 17 (Zoning) of the Hermosa Beach Municipal Code shall be replaced as follows:

The aggregate amount of off-street automobile parking spaces provided in connection with each of the following uses shall be not less than the following:

	Residential Housing Type	Parking Requirement
A.	One (1) family dwelling;	Two (2) off-street parking spaces plus one (1) guest space.

B.	Duplex or two (2) family dwelling; Exceptions: Section 17.44.020(F)	Two (2) off-street parking spaces for each unit plus one (1) guest space. One (1) additional space of on-site guest parking shall be provided for each on-street space lost because of new curb cuts and/or driveways.
C.	Multiple dwellings (three (3) or more units); Exception: Section 17.44.020(F)	Spaces per each dwelling unit: Zero to one bedroom: 1.5 spaces Two bedrooms: 2 spaces Three+ bedrooms: 2.5 spaces; ; plus one (1) additional space for each on-street space lost because of new curb cuts and/or driveways.
D.	Supportive or transitional housing-	Parking requirement for residential use. Exception: no parking required if within ½ mile of public transit stop.
E.	Junior accessory dwelling unit and accessory dwelling unit	Refer to Section 17.21.050(F).
F.	Density bonus projects; Projects with 15% or more lower-income affordable units; Projects with 25% or more moderate-income housing;	(Maximum Requirement per unit) (1) Zero to one bedroom: one (1) parking space. (2) Two to three bedrooms: one and a half (1.5) parking spaces. (3) Four and more bedrooms: two and one-half (2.5) parking spaces.
G.	Residential Care Facilities – Small.	Same as the Residential Housing Type
H.	Residential Care Facilities – Large; Assisted Living Facility	1 for every 3 beds
I.	Emergency Shelters; Low Barrier Navigation Centers	One (1) space for each staff member or employee on duty.

SECTION 4. Section 17.58.020(B)(2) of Title 17 (Zoning) of the Hermosa Beach Municipal Code shall be amended as follows:

- B. Precise Development Plans shall be decided upon by the Planning Commission with the following exceptions which shall be decided upon by the Community Development Director or designee:

1. New residential projects with two (2) or more dwelling units including a minimum of 20% lower-income units
2. Projects including minimum of 20% lower-income units that qualify for a density bonus pursuant to Section 17.42.100
3. Review for projects subject to said non-discretionary precise development plan shall:
 - a. Focus solely on physical design and ensuring conformance with objective development standards; and
 - b. Not constitute a 'project' pursuant to the California Environmental Quality Act (CEQA)

SECTION 5. Severability. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision will not affect the validity of the remainder of this ordinance. The City Council hereby declares that it would have adopted this ordinance, and each and every section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof is declared invalid or unconstitutional.

SECTION 6. Effective Date. This Ordinance shall take effect thirty (30) days after its passage and adoption pursuant to California Government Code section 36937, or upon certification of the City's 2021-2029 Housing Element (6th Cycle) by the California Department of Housing and Community Development, **whichever is later.**

SECTION 7. Relationship to Ordinance 24-1471 (adopted November 14, 2023). This Ordinance shall apply to language in Ordinance 24-1471 prior to both Ordinances taking effect at the same time. Whenever a conflict exists between this ordinance and Ordinance 24-1471, this Ordinance shall prevail.

SECTION 8. Certification. The City Clerk is directed to certify the passage and adoption of this Ordinance; cause it to be entered into the City's book of original ordinances; make a note of the passage and adoption in the records of this meeting; and, within fifteen (15) days after the passage and adoption of this Ordinance, cause it to be published or posted in accordance with California law.

PASSED, APPROVED and **ADOPTED** on this _____ day of June, 2024.

Justin Massey

PRESIDENT of the City Council and **MAYOR** of the City of Hermosa Beach, CA

ATTEST:

APPROVED AS TO FORM:

Myra Maravilla
City Clerk

Patrick Donegan
City Attorney