

**CITY OF HERMOSA BEACH  
CITY COUNCIL  
RESOLUTION NO. 22-XX**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, DENYING A GENERAL PLAN AMENDMENT (GPA 20-1) AMENDING THE LAND USE DESIGNATION FROM COMMUNITY COMMERCIAL (CC) TO HIGH DENSITY RESIDENTIAL (HD) AND A REQUEST FOR A ZONING CHANGE (ZC 20-1) CHANGING THE ZONING DESIGNATION FROM SPECIFIC PLAN AREA 7 (SPA-7) TO RESIDENTIAL – PROFESSIONAL (R-P) FOR THE CONSTRUCTION OF A TWELVE (12) – UNIT ATTACHED CONDOMINIUM PROJECT AT 911 1<sup>ST</sup> STREET (APN 4186-026-047)**

The City Council of the City of Hermosa Beach does hereby resolve and order as follows:

**SECTION 1.** Findings. The City Council finds as follows:

- A. An application was filed on December 2, 2020, by the applicant Luigi Schiappa Development Inc, for development of a property located at 911 1st Street requesting a General Plan Amendment amending the land use designation from Community Commercial (CC) to High Density Residential (HD), a Zoning Code Change changing the zoning designation from Specific Plan Area 7 (SPA-7) to Residential- Professional (R-P) and approval of Conditional Use Permit (CON 20-05), Precise Development Plan (PDP 20-10), and Tentative Parcel Map No. 83011 for a proposed twelve-unit attached residential condominium project (collectively, the "Project").
- B. On March 15, 2022, the Planning Commission held a public hearing to consider a 12-unit condominium project. There was discussion regarding the current Housing Element process being updated and whether there was an opportunity to consider affordable housing or other public benefit within this project. The project was continued for further study. The Planning Commission held a dully noticed public hearing on November 15<sup>th</sup> and deliberated on the project. All interested parties were given full opportunity to be heard and to present evidence.
- C. At its November 15, 2022 hearing, by a 3-2 vote, the Planning Commission adopted Resolution No. 22-17 recommending adoption of the IS/ND and

approval of the Project, including the General Plan Amendment amending the land use designation from Community Commercial (CC) to High Density Residential (HD) and zoning change (ZC 20-1) changing the zoning designation from Specific Plan Area 7 (SPA-7) to Residential – Professional (R-P) to the City Council.

- D. The City Council conducted a duly noticed public hearing on the 29<sup>th</sup> day of November, 2022. All interested parties were given full opportunity to be heard and to present evidence.
- E. The proposed General Plan Amendment is deemed not to be in the public interest under Government Code section 65358 for the following reasons:
  - 1. The conversion of commercial parcels to residential parcels limits and/or curtails the City's ability to generate much needed revenue from the site.
  - 2. The City is better served if the parcel is a contributing part of the City's commercial corridor down Pacific Coast Highway. Further encroachment of residential uses may inhibit the ability for a thriving commercial area around this site.
  - 3. The proposed change to high density residential, without proper mechanism in place to ensure an affordable component, in-lieu fees or other public benefits would damage the public interest by allowing development of a desirable parcel in the City without any public benefit.
  - 4. The proposed project should take into account the current proposed Housing Element Changes and would be premature to approved such a land use change that would not contemplate affordable housing component or an in-lieu fee for consideration should no affordable be considered on this site.

## **SECTION 2. Denial.**

Based on the evidence received at the public hearing, all evidence in the record and the above findings, the City Council **hereby denies the** request for a General Plan Land Use Map amendment from Community Commercial (CC) to High Density Residential (HD) and a Zoning Code Change changing the zoning

designation from Specific Plan Area 7 (SPA-7) to Residential- Professional (R-P) for 911 1<sup>st</sup> Street (APN 4186-026-047).

**SECTION 3.** Environmental Review.

The recommended action is exempt from California Environmental Quality Act because CEQA does not apply to projects which a public agency disapproves (CEQA Guidelines section 15270).

**SECTION 4.** Severability.

If any section, subsection, subdivision, sentence, clause, phrase, or portion of this resolution 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 resolution. The City Council hereby declares that it would have adopted this resolution, 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 5.** Record of Proceedings.

This resolution takes effect immediately and that the City Clerk shall certify to the passage and adoption of this resolution; shall cause the same to be entered among the original resolutions of said City; and shall make a minute of the passage and adoption thereof in the records of the proceedings of the City Council of said City in the minutes of the meeting at which time same is passed and adopted. The City Clerk shall keep a copy of same along with such other documents and records of proceedings as may be designated by the City Manager.

**PASSED, APPROVED and ADOPTED** on this 29<sup>th</sup> day of November 2022.

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

**ATTEST:**

**APPROVED AS TO FORM:**

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Myra Maravilla  
City Clerk

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Michael Jenkins  
City Attorney

I HEREBY CERTIFY that the foregoing Resolution No. 22-XX was adopted by the City Council of the City of Hermosa Beach at a regular meeting held thereof on the 29<sup>th</sup> day of November 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Myra Maravilla  
City Clerk