



Staff Report

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REPORT 19-0447

Honorable Chairman and Members of the Hermosa Beach Planning Commission Regular Meeting of July 16, 2019

Zone Change 18-1- A request to rezone property located at 820 9th Street from General Commercial (C-3) to Single-Family Residential (R-1) and determine that the request is within the scope of the project considered in the PLAN Hermosa Environmental Impact Report (EIR).

Recommended Action:

Adopt the attached resolution recommending the City Council of the City of Hermosa Beach approve Zone Change 18-1, thereby rezoning the subject site from C-3 to R-1 and determine that the request is within the scope of the project considered in the PLAN Hermosa Environmental Impact Report (EIR).

Background:

EXISTING ZONING:	General Commercial (C-3)
PROPOSED ZONING:	Single-Family Residential (R-1)
GENERAL PLAN:	Low Density Residential
LOT SIZE:	3,908 square feet
LOT IMPROVMENTS:	Single-family Residence

The subject site is a 3,908 square foot rectangular shaped parcel that is located on the south side of 9th Street, east of Pacific Coast Highway. The site is improved with a 1,877 square foot, two-story residence, which includes an attached two-car garage. The residence was originally constructed in 1940. The first floor contains one bedroom, one bathroom, the family room, and the garage while the second floor consists of three bedrooms, one bathroom, kitchen, dining room, and living room. The site has a General Plan Land Use Designation of Low Density Residential and is currently zoned General Commercial (C-3).

The properties to the east of the project, which front 9th Street, have land use designation of Low Density Residential and are zoned Single-Family Residential (R-1). These parcels are all improved with single-family homes (the residence on the lot immediately to the east of the subject site is under construction). The properties to the north and west of the site have a land use designation of Community Commercial and are zoned General Commercial (C-3). These parcels are improved with a variety of commercial businesses. The property to the south of the project site has a land use designation of Low Density Residential and is zoned General Commercial (C-3). This property is improved with a portion of the used car dealership that fronts Pacific Coast Highway.

On November 21, 2017, the Planning Commission considered a similar request for the adjacent parcel on the east of the subject site. At the conclusion of the public hearing, the Planning

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Commission recommended the City Council approve the Zone Change. The City Council approved the request at their January 9, 2018 meeting.

Analysis:

In August 2017 the City adopted its updated General Plan (PLAN Hermosa), the City's first general plan update since 1979, which changed the subject lot's land use designation from Commercial Corridor to Low Density Residential; however, this action did not update the zoning of the parcel. As a result, the current zoning is inconsistent with the General Plan. The land use designation changes were to reflect that these properties have either historically been in use as residential or that properties currently in use as commercial would be more appropriate to continue as residential in the future. This change, along with a handful of others, were included in the General Plan update to bring consistency to the properties where the designation conflicted with the actual use and where it did not make sense to encourage commercial uses to extend further into residential areas.

The 1980 General Plan Map had identified these areas commercial (changed from residential) as a means to encourage greater depth for potential commercial redevelopment along PCH. Over the course of approximately 40 years, that additional commercial depth has not occurred and instead perpetrated the non-conforming status for the residential properties, thereby limiting potential investment and improvements to the properties. Due to the inconsistency between zoning and general plan, the applicant is now requesting the City rezone the property from C-3 to R-1.

Rezoning the subject lot to R-1 will allow improvements that are compatible with the existing residential development. Under the permitted uses in the R-1 zone, only a single dwelling unit is allowed on the parcel. The lot does not meet the minimum 4,000 square feet to provide an accessory dwelling unit. Further review of the existing residence shows it complies with all development standards of the R-1 zone, except the east side setback. This setback is required to be a minimum of 4'-4" (10% of the lot width), but currently there is only a 2'-10" setback. As with all properties in the R-1 zone, the nonconforming setback may remain; but any new construction is required to comply with the development standards.

Environmental Determination:

In accordance with Public Resources Code Section 21083.3 and California Environmental Quality Act (CEQA) Guideline Sections 15162 and 15168(c)(2), this rezone is consistent with the General Plan designation for the property and is within the scope of the project considered in the PLAN Hermosa Environmental Impact Report (EIR), which was certified by the City Council on August 22, 2017. Pursuant to CEQA, no additional analysis is required.

General Plan Consistency:

According to PLAN Hermosa, "The purpose of the Low Density Residential land use designation is to provide for the retention, maintenance, and investment in single-family residential neighborhoods and protect residential uses from potential nuisances of nonresidential uses. This low density designation is intended to provide the lowest levels of density, offer a high quality environment for family life, and ensure the preservation of residential property values." PLAN Hermosa additionally states, "Land use designations and zoning districts must be compatible, but need not be exactly the same. Zoning districts must be within the range of the allowed intensity and uses found in this Plan." The R-1 zone allows densities that are within the range for the Low Density Residential designation.

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The site is also within the Hermosa Hills Neighborhood character area. PLAN Hermosa states, “The intent is to improve key pedestrian connectivity and access while preserving the single-family development pattern of this area.” Approval of the zone change will limit the future use of the site to those uses allowed in the R-1 zone, such as the existing single-family home.

This action will implement PLAN Hermosa since the R-1 zone is compatible with and allows the types and density of uses outlined in the Low Density Residential land use designation. It will also insure that future development will be consistent with the Hermosa Hills Neighborhood character area, as outlined in the General Plan.

Summary:

Based on the analysis contained in this report, staff is of the opinion that the proposed zone change is consistent with the area and will implement the City’s General Plan (PLAN Hermosa). As such, staff is recommending the Planning Commission adopt the attached resolution, recommending the City Council of the City of Hermosa Beach approve Zone Change 18-1, thereby rezoning the subject site from C-3 to R-1 and determine that the request is within the scope of the project considered in the PLAN Hermosa Environmental Impact Report (EIR) pursuant to the requirements of the California Environmental Quality Act (CEQA).

Attachments:

1. Proposed Resolution
2. Radius Map
3. Notice Poster Verification
4. General Plan Map
5. Existing Zoning Map
6. Proposed Zoning Map
7. Aerial Photograph

Respectfully Submitted by: David Blumenthal, AICP, Senior Planner

Approved: Ken Robertson, Community Development Director

Legal Review: Lauren Langer, City Attorney