



## Staff Report

File #: REPORT 19-0390, Version: 1

### Honorable Chairman and Members of the Hermosa Beach Planning Commission Regular Meeting of June 18, 2019

Variance 19-1- A Variance from the Multiple Family Residential (R-3) open space zone provisions and parking standards to allow a new single-family residence to provide less than required open space, 230 square feet, rather than the required 300 square feet with a parking space located within the front 20 feet of the lot not leading to a garage at 1515 Monterey boulevard and determination that the project is categorically exempt from the California Environmental Quality Act.

#### **Recommended Action:**

Adopt the attached resolution approving Variance 19-1 to allow a deviation in the open space provisions and parking standards of the Multiple Family Residential (R-3) zone, and determine that the project is categorically exempt from the California Environmental Quality Act (CEQA).

#### **Background:**

ZONING:	Multiple Family Residential (R-3)
GENERAL PLAN:	High Density Residential
LOT SIZE:	1,154 square feet
EXISTING/ PROPOSED FLOOR AREA:	888 square feet /1,889 square feet
PROPOSED LOT COVERAGE:	64.6% (65% maximum)
EXISTING PARKING (STANDARD/ GUEST):	No parking provided
PROPOSED PARKING (STANDARD/ GUEST):	2 Standard (1 garage & 1 unenclosed) / 2 guest located upon the driveway.

The lot fronts on the west side of Monterey Boulevard, between 16<sup>th</sup> Street and Pier Avenue. The rectangular shaped lot has an area 1,154 square feet, which is below the minimum lot area of 4,000 square feet required by the R-3 zone. The lot measures 29.1 feet wide by 39.5 feet deep; whereas, typical lots in this zone and area measure 40 feet wide by 100 feet deep. There is no alley access to the lot. The site is currently improved with an 888 square feet single-story single-family residence, with no parking spaces or driveway curb cut provided.

#### **Analysis:**

The applicant requests a variance to deviate from the R-3 zone open space provisions and the parking standards to allow a new single-family residence to be constructed on the site. Specifically, the applicant is requesting to provide 230 square feet of open space, rather than 300 square feet of open space as required by Section 17.16.080 of the Hermosa Beach Municipal Code. The 230 square feet useable open space is provided in two third floor balconies: including, a 177 square feet balcony on the west side of the third floor (accessed from the living room) and 53 square feet balcony on the northeast corner of the third floor (accessed from the kitchen). Additionally, the applicant is proposing to provide an unenclosed parking space on the south side of the one-car garage, thus deviating from Section 17.44.090(D) of the Hermosa Beach Municipal Code, which requires that any parking within the front 20 feet of the lot leads to a garage. In total, the applicant is proposing four

parking spaces, which includes the three required by the code and one to replace the loss of one on-street parking space. The municipal code allows the guest spaces to be located in the garage setback, which is a minimum of 17-feet from the back of sidewalk to the garage door. As a result of the existing Monterey Boulevard street-improvements and the large right-of-way (right-of-way is 80'), the guest spaces will be located in the public right-of-way and will require an encroachment permit issued by the Public Works Department.

The applicant is proposing to construct a 1,889 square feet (1,696 square feet livable area, plus 193 square feet garage) three-story residence on the site. The new first floor of the residence will be comprised of the one-car garage, entry, guest bedroom and bathroom. The new second floor will include two bedrooms and two bathrooms. The third floor will provide the kitchen, living and dining space as well as two partially covered balconies totaling 230 square feet all other components of the project will comply with current R-3 development standards, parking standards and other relevant code provisions.

Variances shall be granted only when, because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of the zoning ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification. Any variance granted shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which such property is located.

All four of the following findings must be made for variance requests. The applicant believes the proposal meets all required variance findings and their comments have been attached.

**Finding 1: *There are exceptional circumstances applicable to the property involved.***

**Staff Analysis:** The subject site has a lot area of 1,154 square feet with lot dimensions of 29.1 feet wide by 39.5 feet deep; whereas, the minimum lot size for the R-3 zone is 4,000 square feet. There are 23 residential properties on Monterey Street, between 16th Street and Pier Avenue, which have lot areas that range from 1,154 square feet (the subject site) to 15,000 square feet. After considering the setback areas, which must be kept open from ground to sky, the buildable area of the lot is reduced to 754 square feet. This reduced lot size and buildable area is not consistent with the other properties in the vicinity and thus is considered an exceptional circumstance that is applicable to the property.

**Finding 2: *The variance is necessary for the preservation of a substantial property right possessed by other properties in the vicinity of the subject property.***

**Staff Analysis:** Currently the subject site is improved with an 888 square feet single-story residence. The applicant is proposing to replace this dwelling unit with a new three-story 1,696 square feet unit. In reviewing the other properties located on this portion of Monterey Boulevard, all of the residential units are two or three stories. Furthermore, all of the properties are improved with multiple dwelling units, with exception to the subject site, 1409 Monterey (a 2,860 square feet dwelling unit), 1504 Monterey (a 1,691 sq. ft. dwelling unit), and 1509 Monterey (a 2,160 square feet dwelling unit). Due to the limited lot and buildable area, the applicant can only provide a single residence on the site. The proposed size of 1,696 square feet is consistent with other similar units in the vicinity. It is important to note that open space cannot be located in the setbacks and must have

a minimum dimension of seven feet by seven feet. Due to the limited buildable area, the only feasible location of the open space is restricted to decks. While the applicant could reduce the square footage of the residence to provide larger decks, it is staff's opinion that applicant has made every effort to keep the size of the residence to a minimum. The living area (living room, kitchen, and dining) has been limited to 513 square feet and two of the bedrooms are 162 square feet, while the third is 166 square feet. This results in the proposed residence home only being seven square feet larger than the smallest residence on this segment of Monterey Boulevard. In order to prevent the need for the variance, the applicant would need to reduce the size of the proposed home, below the size of homes that other owners enjoy. Staff believes that reducing the size of the residence would prevent the property owner from enjoying the benefit of a reasonable sized home that others in the area currently have; particularly given the fact that this residence will remain one of the smallest single family homes along Monterey Boulevard. Accordingly, the proposed deviation from the open space and parking requirements are considered necessary to preserve a substantial right possessed by other properties in the vicinity of the subject property.

**Findings 3: *The variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which the property is located.***

**Staff Analysis:** This request includes deviations from two development standards. The first is reducing the required on-site useable open space from 300 square feet to 230 square feet. This 70 square feet reduction in useable open space does not have the capability to impact the use and enjoyment of other properties in the area. Instead, it will only have an effect on the occupants of the residence. The second deviation is to allow an on-site parking space that does not lead to a garage. Since this property does not currently have on-site parking, any new development on the site will require the provision of parking. This will result in the loss of one street parking space to accommodate a new curb-cut. Nevertheless, the proposed project will provide four parking spaces for use by the occupants of the residence, thus will alleviate the impact of the loss of one on-street parking. Considering this, approval of the variance for these two deviations will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which the property is located.

**Findings 4: *The granting of the variance will not conflict with the provisions of, or be detrimental to, the General Plan.***

**Staff Analysis:** The subject site has a land use designation of High Density Residential. According to PLAN Hermosa (the City's General Plan) the purpose of the high density residential designation is to "provide[s] a range of residential housing types to serve the varying living accommodation needs or desires of the community." Further, the site is within the Sand Section Neighborhood, which has an intended distribution of land uses that include apartments and single-family homes. Approval of this variance will accommodate the construction of a new single-family home on the site, which is consistent with the land use designation and the neighborhood. Consequently, approval of the variance will not conflict with the provisions of, or be detrimental to, the General Plan.

**Environmental Determination:**

The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305(a), Class 5 Exemption, Minor Alterations in Land Use Limitations, because the project is a minor variance that is on a property with an average slope of less than 20%, and will not result in any changes to the land use or allowed density.

### **General Plan Consistency:**

The project site is located within the High Density Residential (HD) land use area. The appropriate density for this land use density is 25.1 - 33.0 dwelling units per acre. According to PLAN Hermosa, the purpose of this land use designation is to “provide[s] a range of residential housing types to serve the varying living accommodation needs or desires of the community.” While the High Density Residential land use designation discourages single-family homes, it does not prohibit them. Due to the undersized lot size, anything more than a single dwelling unit would be unfeasible.

The site is also within the Sand Section Neighborhood character area. This neighborhood accommodates a range of residential development types, with neighborhood commercial services. The abundance of small, pedestrian-friendly blocks gives this area its charm and intimate sense of community. The intended distribution of land uses includes small scale apartments and single-family homes, such as the proposed residence.

PLAN Hermosa (the City’s General Plan) was adopted by the City Council in August 2017. The project supports several PLAN Hermosa goals and policies that are listed below.

**Land Use Goal 1.** Create a sustainable urban form and land use patterns that support a robust economy and high quality of life for residents.

**Policy 1.6 Scale and context.** Consider the compatibility of new development within its urban context to avoid abrupt changes in scale and massing.

**Land Use Goal 2.** Neighborhoods provide for diverse needs of residents of all ages and abilities, and are organized to support healthy and active lifestyles.

**Policy 2.3 Balanced neighborhoods.** Promote a diverse range of housing unit types and sizes, within the allowed densities.

The proposal will allow the construction of a new three-story residence. This will bring property into scale with the other two and three-story buildings on the street. Furthermore, this action will ensure that the neighborhood maintains a variety of housing types.

### **Summary:**

Based on the analysis contained in this report, staff is of the opinion that the proposed variance to the required useable open space and parking standards is a prudent measure to construct a new residence on the substandard lot. Staff is of the further opinion that all four of the required findings can be made in a positive manner. As such, staff is recommending the Planning Commission adopt attached resolution, including all conditions of approval contained therein, approving Variance 19-1 to allow a deviation in the open space provisions and parking standards of the Multiple Family Residential (R-3) zone, and determine that the project is categorically exempt from the California Environmental Quality Act (CEQA).

### **Attachments:**

1. Proposed Resolution
2. Location and Radius Map
3. Lot Size Map
4. Notice Poster Verification
5. Applicant Submittal

**Respectfully Submitted by:** David Blumenthal, AICP, Senior Planner

**Concur:** Ken Robertson, Community Development Director

**Legal Review:** Lauren Langer, City Attorney