



## Staff Report

File #: REPORT 24-0133, Version: 1

### Honorable Chair and Members of the Hermosa Beach Planning Commission Regular Meeting of March 19, 2024

#### STUDY SESSION TO DISCUSS COMPREHENSIVE ZONING AND SUBDIVISION UPDATE

(Maricela Guilleán, Associate Planner)

#### **Recommended Action:**

Staff recommends that the Planning Commission:

1. Receive a presentation on the Comprehensive Zoning and Subdivision Code Update; and
  2. Solicit public comments; and
  3. Conduct discussion and provide guidance as appropriate on the upcoming Zoning updates.
- No formal Planning Commission actions or decision are required at this meeting.

#### **Executive Summary:**

The City initiated the Comprehensive Zoning Code and Subdivision Update (ZCU) in 2020. Efforts to update the zoning code are ongoing with recent Housing Element zoning changes brought before the Planning Commission and adopted by the City in 2023. Staff is resuming a focused effort to update the zoning code.

#### **Background:**

In 2017, the City Council adopted PLAN Hermosa, the City's General Plan. In 2020, the City completed an assessment report outlining areas of Title 16 (Subdivision Ordinance) and Title 17 (Zoning Ordinance) of the Hermosa Beach Municipal Code (HBMC) code that need to be revised in order to be consistent with PLAN Hermosa, the City's General Plan. In 2021, the City launched the ZCU, and the Planning Commission conducted a series of special meetings weighing in on the proposed zoning changes.

#### ***Past City Council and Planning Commission Actions***

Meeting Date	Description
March 4, 2020	Joint City Council/Planning Commission Study Session - Introduction to the Zoning and Subdivision Ordinance Assessment for Feedback
May 19, 2020	Planning Commission - The Final Zoning and Subdivision Ordinance Assessment Presentation

February 17, 2021	Economic Development Stakeholders Advisory Working Group - Introduction to the Targeted Parking Amendments to Receive Feedback
March 1, 2021	Economic Development Committee - Introduction to the Targeted Parking Amendments to Receive Feedback
March 3, 2021	Joint City Council/Planning Commission Study Session - Introduction to the ZCU for feedback
August 10, 2021	City Council adopts Ordinance No. 21-1436 to amend Chapter 17.26.050, Chapter 17.44, and Section 17.52.035 of the HBMC relating to off-street parking requirements in the commercial zones.
February 2, 2022	Special Planning Commission Meeting to discuss Draft Land Use Regulations
April 6, 2022	Special Planning Commission Meeting to discuss Draft Land Use Regulations
June 7, 2022	Special Planning Commission Meeting to discuss Draft District and Design Standards
August 8, 2022	Special Planning Commission Meeting to discuss Draft District and Design Standards
September 22, 2022	Special Planning Commission Meeting to discuss Citywide Standards
October 3, 2022	Special Planning Commission Meeting to discuss Citywide Standards
November 2, 2022	Special Planning Commission Meeting to discuss Administrative Procedures
December 13, 2022	City Council adopts Urgency Ordinance No. 22-1456U to amend Chapter 17.21 (Accessory Dwelling Units) of the HBMC.
March 21, 2023	Planning Commission Meeting to discuss Rezoning Approach for Housing Element Implementation.
July 11, 2023	City Council adopts Ordinance No. 23-1462 to amend Chapter 17.21 (Accessory Dwelling Units) of the HBMC.
September 26, 2023	City Council adopts Ordinance No. 23-1469 to amend portions of HBMC Title 17 relating to commercial cannabis activities and mobile cannabis dispensaries.
September 26, 2023	City Council adopts Ordinance No. 23-1468 to amend portions of HBMC Title 17 relating to Short-Term Vacation Rentals Pilot Program in Commercial Zones.

November 14, 2023	City Council adopts Ordinance No. 23-1471 to amend the HBMC to implement Housing Policies and Programs.
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The City set up the ZCU as a comprehensive update. Between 2021-2022, the Planning Commission reviewed, and City Council adopted Zone Text Amendments relating to off-street parking in commercial zones, Accessory Dwellings Units, Short-Term Vacation Rentals, Home Occupations, and Cannabis Delivery.

### Focus on Housing Changes - 2023

In 2023, the City shifted its focus to updating the Housing Element to comply with state mandates and the California Housing and Community Development (HCD) requirements. As part of those efforts, the Planning Commission recommended, and the City Council adopted Housing Element related zoning changes. The Zone Text Amendments include:

- Revised Regulations for Special Housing Types
- Creation of Conditional Use Permit Objective Findings
- Creation of New Zone - R2-A Medium Density Residential Zone (22)
- Revised Regulations for Mixed-Use Development
- Creation of Housing Element Sites Inventory Overlay
- Revised Regulations for M-1 Light Manufacturing Zone
- Revised Regulations of Live/Work Definition and Development Standards
- Creation of Building Design Guidelines
- Revised Precise Development Plan (PDP) Review Process
- Creation of Land Value Recapture
- Revised Regulations for Reasonable Accommodation Procedure

The amendments will go into effect upon certification of the Housing Element, which is currently under review for certification by HCD.

The ZCU was intended as a single, comprehensive update. However, various factors have impacted this approach including the zoning work already completed, new State legislation relating to housing and development that must be considered, along with changes in staffing. In recognition of these changes, staff is resuming a phased approach of the ZCU. Zone Text Amendments will be presented for adoption in discrete sections.

### Discussion:

Zoning and subdivision regulations translate the policies of a general plan into parcel specific regulations, including land use regulations and development standards. The type and intensity of land uses that are permitted and how they perform is critical to achieving PLAN Hermosa's vision for neighborhood preservation and enhancement, economic development, coastal resource protection,

environmental sustainability, and community health. The ZCU would also address the issues identified in the 2020 Assessment Report. The ZCU would result in a zoning and subdivision ordinances that:

- Are consistent with and implements the General Plan/Coastal Land Use Plan;
- Are modern and reflects the City's current uses, practices, and development patterns;
- Provide clear decision-making protocols and streamlined review processes, where appropriate;
- Are clear, concise, understandable, and easy to use.

Breaking down the ZCU into phased, discrete sections would allow for concrete progress towards a comprehensive update. Each section would be reviewed in the context of the entire code for internal consistency. The tentative schedule and next steps are identified below:

**March/April 2024** - Planning Commission to review and provide recommendation on Administrative Processes and Procedures. The proposed updates would:

- Create processes and procedures for General Plan Amendments
- Create processes and procedures for development of the Coastal Zone
- Revise public noticing requirements to be consistent with state law
- Modify the appeals and calls for Review process
- Modify and consolidate the similar use determination process
- Modify Precise Development Plan process to streamline review where appropriate
- Review/revise Amendment to Entitlement/other applications

**May/June 2024** - Planning Commission to review and provide recommendation on land use regulations for Commercial and Industrial Zones, definitions related to uses, standards for specific uses and zoning map changes.

- Update zoning maps for consistency with new zones
- Create Coastal Overlay with no proposed zone changes
- Revise commercial and industrial land uses to reflect contemporary uses
- Establish and revise land use definitions
- Revise and add operating standards for specific uses
- Revise Minor Special Event regulations pursuant to City Council direction
- Establish adaptive reuse regulations

- Update site development standards (lighting, landscaping, trash enclosures, fencing, etc)
- Update parking ratios for consistency with commercial and industrial use definitions

**Summer 2024** - Planning Commission to review and provide recommendation on Land Use Regulations for Residential Zones, Public and Semi-Public Zones, and Open Space Zone, and Zoning Map Changes.

- Update zoning maps for consistency with new zones
- Create Coastal Overlay with no proposed zone changes
- Consolidate and update Open Space Zones
- Revise land use definitions
- Update land use regulations for Residential Zones and Public and Semi-Public Zones to reflect contemporary uses
- Update site development standards
- Update site development standards (lighting, landscaping, trash enclosures, fencing, etc)
- Create clear standards for measuring fences, walls, distance, fractions, area, lot coverage, setbacks, signs, etc.

**Fall - Winter 2024** - Planning Commission to review and provide recommendation on Citywide standards including:

- Revise parking standards - to right-size parking requirements and add flexibility where appropriate
- Update general definitions
- Update standards for solar regulations for consistency with State law
- Revise legal non-conforming standards to allow some additional flexibility
- Update wireless regulations for consistency with Federal law
- Revise home occupation standards to address applicability in commercial and mixed-use zones
- Revise sign regulations to provide flexibility and streamline review where appropriate
- Review Historic Preservation provisions and revise if needed.
- Review mural determination section and revise if needed
- Update landscape standards
- Relocate Model Water Efficient Landscape Ordinance to Zoning Ordinance
- Establish building design standards development consistent with the Coastal Act (ex. requiring fritted glass) in the Coastal Zone
- Review live entertainment provisions and revise as necessary

**Winter 2024 - Spring 2025** - Planning Commission review and recommendation of the Subdivision Ordinance.

- Revise the Subdivision Ordinance for consistency with state law.

This approach will continue to provide opportunities for the Planning Commission and the public to provide feedback on revised standards and lead to a more efficient way to achieve the goals and policies outlined in PLAN Hermosa.

**General Plan Consistency:**

PLAN Hermosa, the City's General Plan, was adopted by the City Council in August 2017. The purpose of the ZCU is to implement the General Plan and aligns with the following PLAN Hermosa implementation actions:

- **Land Use 1** - Amend the Zoning Map to bring consistency between PLAN Hermosa Land Use Designations and Zoning Ordinance Zoning Districts and review development standards for non-conforming Uses.
- **Land Use 2** - Establish development standards within the zoning code to establish any new land use designations and modify existing development standards to articulate the appropriate building form, scale, and massing for each established character area and applicant density standards.

The ZCU process is consistent with the following Goals and Policies established in PLAN Hermosa:

- **Goal 1:** A high degree of transparency and integrity in the decision-making process.
  - **Policy 1.1** Open Meetings. Maintain the community's trust by holding meetings in which decisions are being made, that are open and available for all community members to attend, participate, or view remotely.

**Public Notification:**

For the current agenda item, the City posted an announcement on the City's Zoning and Subdivision Ordinance information page and sent an e-blast to community members that are included on interest lists for the ZCU. The public may sign up for notifications on the webpage here:

<https://www.hermosabeach.gov/our-government/city-departments/community-development/plans-programs/zoning-and-subdivision-ordinance-update> <<https://www.hermosabeach.gov/our-government/city%20departments/community-development/plans-programs/zoning-and-subdivision-ordinance-update>>. The interest lists include 1,958 email addresses to date. As of the writing of the report, staff has received no public comments.

**Attachments:**

1. 2020 Zoning and Subdivision Ordinance Assessment Report
2. Link to the March 4, 2020 Joint City Council/Planning Commission Study Session

3. Link to the May 19, 2020 Planning Commission Meeting
4. Link to the February 17, 2021 Economic Development Stakeholders Advisory Working Group
5. Link to the March 1, 2021 Economic Development Committee Meeting
6. Link to the March 3, 2021 Joint City Council/Planning Commission Study Session
7. Link to the August 10, 2021 City Council Meeting
8. Link to the February 2, 2022 Special Planning Commission Meeting
9. Link to the April 6, 2022 Special Planning Commission Meeting
10. Link to the June 7, 2022 Special Planning Commission Meeting
11. Link to the August 8, 2022 Special Planning Commission Meeting
12. Link to the September 22, 2022 Special Planning Commission Meeting
13. Link to the October 3, 2022 Special Planning Commission Meeting
14. Link to the November 2, 2022 Special Planning Commission Meeting
15. Link to the December 13, 2022 City Council Meeting
16. Link to the March 21, 2023 Planning Commission Meeting
17. Link to the July 11, 2023 City Council Meeting
18. Link to the September 26, 2023 City Council Meeting
19. Link to the November 14, 2023 City Council Meeting

**Respectfully Submitted by:** Maricela Guilleán, Associate Planner

**Concur:** Alexis Oropeza, Planning Manager

**Legal Review:** Patrick Donegan, City Attorney

**Approved:** Carrie Tai, AICP, Community Development Director