#### **CALIFORNIA COASTAL COMMISSION**

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# Th13b

5-19-1215 (Arianpour) October 8, 2020

Correspondence



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Th13b

October 2, 2020

#### VIA EMAIL: Amrita.Spencer@coastal.ca.gov

California Coastal Commission c/o South Coast District Office 301 East Ocean Blvd., Suite 300 Long Beach, CA 90802

Re: Application No. 5-19-1215

421 Monterey Boulevard, Hermosa Beach, Los Angeles County

Hearing Date: October 8, 2020 (13b)

Response to Staff Recommendation for Project Denial

Dear Honorable Commissioners:

This office represents Bryan Arianpour (the "Applicant"), the owner of the above-referenced property (the "Property") and the applicant in the above-referenced matter. The Applicant requests a coastal development permit ("CDP") to replace a near 100 year old dilapidated structure with two condominiums and a JADU¹ ("Project"). This Project will provide three functional residences that are compliant with all municipal and state laws and consistent with the Chapter 3 policies of the Coastal Act. Two of these residences will be rented. The applicant will live in the third residence. While the Applicant would build three larger units on this lot, the existing Hermosa Beach certified Land Use Plan ("LUP") only permits two larger units on the lot. As a result, the Applicant has included an ADU which is larger than the existing unit that it is replacing and allows the owner to maintain three rentable units on this site.

The staff has recommended denial of this Project in the staff report dated August 20, 2020 ("Staff Report") based on an error of law and an assumption that there are other options to develop this Property. Staff's recommendation is also firmly entrenched in staff's reluctance to accept an ADU as a dwelling unit. ADUs are dwelling units based on state law and denying this application because of the ADU is a violation of state law. As discussed below, the Applicant has spent years exploring other possibilities for this Property and there are no other options available to develop this lot. The Application before you presents the best opportunity to increase population density

<sup>&</sup>lt;sup>1</sup> The terms JADU/ADU are referred to collectively as "ADU" herein unless indicated otherwise.

and maintain the number of units on this Property. On behalf of the Applicant, we ask for your support for this Application.

The following are our comments on the Staff Report:

## A. This Project Complies With Laws Existing At The Time This Application Was Deemed Complete

The Applicant filed its development plans with the City of Hermosa Beach in June 2019 in compliance with applicable municipal zoning and state requirements in place at the time. In late 2019, during contemplation of surrounding Hermosa Beach CDP applications, the Coastal Commission began recommending to local residents that where local zoning did not permit replacement of the number of units being demolished, the property owner could compensate for the loss of a unit by integrating a JADU or ADU. To address staff concerns regarding density,<sup>2</sup> the Applicant voluntarily revised its project plans to include a JADU and resubmitted plans to the Coastal Commission on December 3, 2019. The Applicant proceeded to have the plans stamped by the City of Hermosa Beach in 2020, once the city's ADU Ordinance was in place. The Applicant then resubmitted the plans to the Commission ("Resubmitted Plans").<sup>3</sup> The Resubmitted Plans are those included in the Application and they are entirely consistent with what the Coastal Commission was requesting and encouraging at the time.<sup>4</sup> By including an ADU into the project design, the Applicant has maintained the number of dwelling units on this lot, despite the limits of the local zoning code and the LUP, and complied with the policies and requirements that were in place at the time the Applicant filed and resubmitted this Application.

Notably, beyond deeming the Application final, the Applicant heard nothing from the staff between December 4, 2019 and July 7, 2020. On July 7, 2020, the Applicant provided staff with stamped Resubmitted Plans and staff then asked the Applicant to agree to an extension. After doing so, on July 15, 2020, staff advised the Applicant that it was "working actively with management to work out a recommendation." On September 18, 2020, for the first time, staff indicated that it would recommend denial of the Application. The Applicant has waited for a hearing date for a year, paid substantial fees during this time, only to be told at the last minute that their Application, which would have and should have been acceptable when filed and resubmitted in 2019, was no longer acceptable to staff.

While the COVID-19 pandemic might account for some of this delay, it does not explain the failure to give the Applicant <u>any</u> notice at all regarding the staff's intention to recommend denial of the Application, particularly considering the fact that this Application and the Resubmitted Plans

<sup>&</sup>lt;sup>2</sup> See Email from Staff to Brandon Straus dated November 22, 2019 attached as **Exhibit A**.

<sup>&</sup>lt;sup>3</sup> The Applicant's architect labelled the ADU a "JADU" on the plans but it is a fully compliant ADU under state and municipal law.

<sup>&</sup>lt;sup>4</sup> As recommended by the Coastal Commission in CDP for 52-54 17<sup>th</sup> Street, Hermosa Beach and CDP for 1602 Loma Drive, Hermosa Beach.

<sup>&</sup>lt;sup>5</sup> See Email from Staff to Brandon Straus dated July 15, 2020, attached as Exhibit B.

<sup>&</sup>lt;sup>6</sup> See Email from Staff to Brandon Straus dated September 18, 2020, attached as **Exhibit C**.

complied with all policies and laws in place at the time they were submitted. Specifically, the Commission was encouraging applicants to include ADUs in 2019, even though SB330 did not apply to 2019 applications and does not apply to the Coastal Commission or modify the Coastal Act today.<sup>7</sup>

## B. This Project Complies With The Complete Certified LUP, Which Staff Fails To Consider

The staff states that this Project does not comply with the density standards in the Hermosa Beach 1982 Certified LUP because 'Appendix G' (also known as the 'Zoning Code') to the LUP permits three units on this lot.

The staff is wrong. Maintaining a triplex on this lot is not consistent with either the certified LUP or the uncertified local zoning code.<sup>8</sup>

The staff's misinterpretation of the LUP results in a critical and flawed analysis of this Project. Contrary to the staff's conclusion, the Project does comply with the complete certified 1982 LUP. 9 Specifically:

- (a) The 1982 LUP includes a 'General Plan' (also knowns as 'Appendix J') that sets a maximum density standard for Hermosa Beach. **The Project meets this standard**; and
- (b) The LUP states in plain language that where there is a conflict between the density standards in Appendix G and Appendix J, the lesser density governs. Here the lesser standard is Appendix J, not Appendix G.

Policy section VI C 1, "Existing Policies and Programs"

In the November 1980 election, the citizens of Hermosa Beach voted that whenever there was a conflict between the Zoning Code and the General Plan, that whichever designation had the lesser density that density should apply. The Planning Commission started hearing to resolve the conflicts beginning January of 1981. Until such time that consistency is accomplished between the General Plan and Zoning, the General Plan will guide land use decisions.<sup>11</sup>

<sup>&</sup>lt;sup>7</sup> As late as July 2020, the Executive Director acknowledged that staff was still "trying to get confirmation on the new [2020 ADU] laws." If the Executive Director and staff did not know the Commission's position in July of this year, nor could the Applicant. See hearing transcript dated July 10, 2020.

https://cal-span.org/unipage/?site=cal-span&owner=CCC&date=2020-09-10. This Project should be viewed by the rules that were in place at the time the application was filed. To retroactively apply policies that were not in place at the time the Applicant filed his application and of which the Applicant had no notice, is contrary to general principles of fairness and due process of law and should not be permitted.

<sup>&</sup>lt;sup>8</sup> See discussion that follows: The 1986 uncertified zoning code includes the same density standards as the General Plan. In 1986, the standards set out in Appendix J were incorporated into the 1986 zoning code. Therefore, although it is not certified by the Commission, the 1986 zoning code contains the exact same zoning standards set out in the 1982 LUP under Appendix J.

<sup>&</sup>lt;sup>9</sup> And the 1986 uncertified zoning code.

<sup>&</sup>lt;sup>10</sup> LUP, pg. 11, attached as Exhibit D.

<sup>&</sup>lt;sup>11</sup> LUP, pg. 11, attached as Exhibit D.

Thus, the real issue is why the staff does not refer to the complete certified 1982 LUP (including both Appendix G and J) in its Staff Report.

The staff's position is that the Coastal Commission can only rely on the 1982 LUP to guide its decisions, but within that document, only the density standards in Appendix G of the LUP, not Appendix J. This is illogical: the Coastal Commission certified the complete LUP, including Appendix G and J, at the same time. <sup>12</sup> As acknowledged in the Staff Report, if the existing multifamily structure does not comply with the LUP and the same number of units cannot be replaced, ADUs/JADUs are an adequate mitigation measure. <sup>13</sup> This reasoning applies equally to Appendices G and J, both parts of the certified LUP.

Of equal importance, the LUP itself clarifies which standard governs and when. Appendix G is the density standard, expressed in minimum lot size/dwelling unit, that was in place in 1981. Appendix G is a "snapshot" of what the zoning standards were in 1981. It was included in the LUP to "demonstrate inconsistencies" with the General Plan density standards in Appendix J. By comparison, Appendix J was intended as the density goal to guide long term land use decisions. <sup>14</sup> Zoning in future was to be made consistent with Appendix J, not Appendix G. <sup>15</sup>

For this Project, the governing density standard of the 1982 LUP is the maximum residential density standard in the General Plan (Appendix J) because the lesser density is that found in the Appendix J. Where the property is located in an R3, high density zone, the calculation to determine the lesser density standard is as follows:

- Appendix G permits one dwelling unit/950 sq. ft in an R3 zone.
  - o Therefore, on a 3018 sq. ft. lot, three units can be built.
- Appendix J permits 26-40 housing units per acre in a high density zone.
  - Therefore, on a 3018 sq. ft. lot, in a high density zone, a maximum of 2.77 dwelling units can be built, calculated as follows:

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Lot size = 3018 s.f. = 0.06928375 acres.

DU/acre = 26-40.

40 units x 0.0689 acres = maximum of 2.77 units on the Site
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Therefore, this project does comply with the 1982 certified LUP because it permits a maximum of two units on this Lot (2.77 units). The two condo units count as the two full size units and the ADU, by state law, cannot be deemed to exceed the maximum density permitted by the municipal zoning code.<sup>16</sup>

<sup>&</sup>lt;sup>12</sup> See *City of Hermosa Beach Letter to the Coastal Commission dated August 18, 2020,* attached as **Exhibit E**. ("City Letter"), pages 3-4.

<sup>&</sup>lt;sup>13</sup> Staff Report, page 14.

<sup>&</sup>lt;sup>14</sup> See City Letter, pages 3-4.

<sup>&</sup>lt;sup>15</sup> See City Letter, page 4.

<sup>&</sup>lt;sup>16</sup> As we have seen in recent hearings where Appendix G does not allow the same number of units to be built on a Hermosa Beach lot, the staff recognizes that including a JADU/ADU mitigates for the loss of a unit (see CDP for 1820).

The LUP provision, Appendix G, cited by the staff is only half the standard.<sup>17</sup> Because of the staff's incomplete review, the interpretation of residential densities urged by the staff is fundamentally flawed, and reaches the wrong result. The Project conforms to the governing density standard in the certified LUP. The current structure does not, nor does rebuilding a triplex on this Lot.

Finally, the staff misinterprets the Application by presuming that the Applicant is relying on the uncertified zoning code as justification for this Project. That is not the case. The 1986 uncertified zoning code was not certified by the Commission but there is no need to refer to it here. The complete answer is found plainly in the certified LUP by looking at Appendix G and Appendix J.

#### C. A Triplex Cannot Be Rebuilt On This Lot

The Property is located on a 3,108 square foot (0.06928375 acre) parcel (the "Site"). The existing 94 year-old structure was originally built in 1926, with three small units, one at 600 sq. ft and the other two at 400 sq. ft. <sup>18</sup> The existing 400 sq ft. units have one bedroom and one bathroom each, and the 600 sq. ft. unit has two bedrooms and one bathroom (total of four bedrooms and three baths on the Property.) The building has not been substantially remodeled and as it now stands, is structurally compromised as a result of water damage, wood rot, deteriorated and corroded pipes and outdated electrical wiring.

The Property is located in a R-3, high density residential zone. There are already more than 40 residential units in the acre surrounding the Property, which is the maximum number of units allowed by the LUP in a high density zone. <sup>19</sup> In this zone, given the Site size of 0.06928375 acres, the Hermosa Beach certified LUP limits development to two units on this Site.

Given the requirements of the LUP, current building codes and the dilapidated condition of the existing structure, there is no "remodel" option and a triplex cannot be rebuilt on this Lot. The current Site includes two separate aged-out buildings and structurally, an addition cannot be built on top. Even if an addition could be made (which it cannot), a remodel involving changes to more than 50% of the structure cannot occur without a new approval from the City, which triggers the density standards in the LUP.

#### D. The 2002 Waiver Of Permit Design Cannot Be Rebuilt in 2020

Staff states that the Applicant received a CDP Waiver of Permit on February 7, 2008 which does not expire. The Waiver of Permit design ("WPD") provides for the demolition of a triplex and the

*Manhattan Avenue*). By the same logic, if Appendix J does not allow the same number of units to be built on a Hermosa Beach lot, a JADU/ADU should mitigate the loss of a unit. If there is a conflict between Appendix G and J, the LUP states that the lesser density governs.

<sup>&</sup>lt;sup>17</sup> It would be an error not to consider the entire certified LUP.

<sup>&</sup>lt;sup>18</sup> See Exhibit 1, pg 2/2 to the Staff Report which is an aerial diagram of the existing Site.

<sup>&</sup>lt;sup>19</sup> See LUP, page J-4, Appendix J at Exhibit D to this letter and Exhibit F to this letter (community character analysis).

construction of two detached condominium units. As a result, staff takes the position that one alternative to develop this Site is to build the WPD.

Staff is incorrect. The WPD cannot be constructed in 2020 for several reasons. Firstly, all condominiums must undergo public hearings before receiving municipal approval. Any approval received in 2008 has long expired and the WPD could not be constructed without undergoing a further public hearing. Secondly, the Building Code has undergone multiple changes since the WPD was approved in 2008. The WPD could not be built without a substantial redesign which in turn, necessitates new City building permits (zoning and building code review) and ultimately, a new coastal development permit.

#### E. No Project Is Not A Feasible Option

The existing buildings are nearly one century old. In their current state, a substantial remodel is inevitable in the very near future. Any such remodel triggers the density requirements of the LUP. Retaining the existing structure is therefore not "feasible" under section 30612 of the Coastal Act.<sup>20</sup>

A permit denial should not deprive coastal landowners of all economically beneficial or productive use of land.<sup>21</sup> Denying this Project, on the basis that "no project" is an option, does just that. But it also runs afoul to the goals of the Coastal Act. The Application if approved will provide for more bedrooms on this Site, more people living on this Site and a more affordable ADU option. This is consistent with the goals of the Coastal Act. Denying this Project, on the basis that "no project" is an option does not achieve the goals of the Coastal Act,

## F. The Project Is The Only Option That Complies With the Certified LUP and State Law

#### 1) Two Condominiums + JADU Complies With The 1982 Certified LUP

The existing structure is a triplex that does not comply with the certified LUP. At 3,018 sq. ft., the Property can only accommodate two residential dwelling units because under the LUP, Appendix J, only two units can be built on this lot. The result is that under the certified LUP, the Applicant is prohibited from building a triplex.

While the size of this Property only permits two large units, adding a sizeable ADU mitigates the loss of a smaller unit and maintains density on this Site. There is no other option for the redevelopment of this Project site given the age and condition of the existing structure and the certified LUP.

<sup>&</sup>lt;sup>20</sup> "An application for a coastal development permit to demolish a structure shall not be denied unless the agency authorized to issue that permit, or the commission, on appeal, where appeal is authorized by this division, finds, based on a preponderance of the evidence, that retention of that structure is feasible."

<sup>&</sup>lt;sup>21</sup> Rendering the property undevelopable would amount to an unconstitutional taking.

Because the Project seeks to bring the Property into compliance with the certified LUP, approving this project will not prejudice the ability of the Coastal Commission to finalize an LCP. On the other hand, denying this CDP application would render the Property undevelopable and the existing structure would remain in its dilapidated condition in violation of the certified LUP.

Therefore, this Project conforms with the dwelling unit standards under the certified LUP. The current structure does not.

#### 2) Two Condominiums + JADU Complies with the 2020 State Law

Under the 2020 State Housing Crisis Act (SB 330) California cities must maintain the number of units when approving development projects.<sup>22</sup> In addition, cities must permit the construction of ADUs, provided the property owner abides by minimum set back and safety requirements. As a result, a city can no longer preclude an ADU based on the overall square footage of the lot.<sup>23</sup>

As a result of this legislation, Hermosa Beach, like all surrounding cities, adopted an ADU ordinance which permits ADUs to be built on smaller lots.<sup>24</sup> ADUs can also be used to replace the loss of a unit where local zoning does not permit replacement of the number of units being demolished. This complies with SB330 and ensures that there is no net loss of units or reduction in density.

As described in the Staff Report, the Housing Crisis Act does not apply to the Coastal Commission or modify the Coastal Act. Nor was SB330 in place at the time the Applicant filed its application with the City or with the Coastal Commission.

Nevertheless, recognizing the importance of the Commission's intention to maintain housing in the coastal zone, and the requirements of the new state law to maintain density, the Applicant volunteered to include an ADU in the Project design as a means of maintaining the same number of dwelling units on this lot. An accessory dwelling unit is the only option to maintain the same number of dwelling units on this Site because local zoning does not permit a triplex to be rebuilt.

#### 3) The Project Maintains Density

Importantly, this Project does not result in the loss of a residential unit under state law. While it will result in the loss of a triplex unit, under state law, a residential dwelling unit includes an

<sup>&</sup>lt;sup>22</sup> Gov Code, Housing Crisis Act, Title 7, Div. 1, Chapter 12, Section 66300(d)(1).

<sup>&</sup>lt;sup>23</sup> Gov Code, Title 7, Div. 1, Chapter 4 (Zoning) Article 2, Sections 65852.2, 65852.22

<sup>&</sup>lt;sup>24</sup> Urgency Ordinance No. 20-14-30U.

ADU.<sup>25</sup> The legislature has described ADUs as a "valuable form of housing"<sup>26</sup> and the Regional Housing Needs Assessment ("RHNA") counts ADUs as housing. <sup>27</sup>

Because a residential dwelling unit includes an ADU, replacing a triplex unit with an ADU, does not change the number of residential dwelling units on this Lot.<sup>28</sup> Incorporating an ADU into the Project design is permitted where a third larger unit is not because the state law exempts ADUs from exceeding municipal density limits, regardless of the state's designation of an ADU as a residential dwelling unit.

Notably, there is no functional difference between a triplex unit and an ADU: both a triplex unit and ADU are zoned multi-family; neither a triplex nor an ADU can be purchased independently from the main unit; neither the Commission, state nor municipality have the authority to require a triplex owner to rent out individual units. The only difference between a triplex and an ADU is that on this particular Site, the Applicant can obtain a building permit for an ADU plus two condo units but they cannot obtain a building permit to rebuild a triplex.

From a functional perspective, the new ADU is more consistent with the goals of the Coastal Act than the existing triplex unit: it is larger than the unit it is replacing and because of its design (larger bathroom, closet and kitchen) it can accommodate more people living on this Lot. The ADU provides a safe environment for tenants and is a practical, rentable option for the Property owner which could accommodate a single person, couple, young family or a multi-generational family (grandparents, adult children). ADUs also provide opportunities for lower cost housing (albeit not "affordable housing") in the coastal zone. Even if the triplex could be rebuilt (which it cannot), a larger triplex unit would almost certainly rent for substantially more than the proposed ADU. This result is not consistent with the goals of the Commission.<sup>29</sup>

Together with the two condo units, this Project provides an opportunity for more people to live on the same Site. The entire Project increases the total bedroom count on the Site from **four to seven**. This is consistent with the Commission's goal to maintain or <u>increase</u> density in the coastal zone in areas that can accommodate it.

<sup>&</sup>lt;sup>25</sup> "Accessory Dwelling Unit" means an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated. Gov Code, Title 7, Div. 1, Chapter 4 (Zoning) Article 2, Section 65852.2(j)(1).

<sup>&</sup>lt;sup>26</sup> AB881: Gov Code, Title 7, Div. 1, Chapter 4, Article 2, Section 65952.150.

<sup>&</sup>lt;sup>27</sup> See City Letter, page 1 where the City states: "The City supports the use of ADUs as dwelling units within the coastal zone and agrees that ADUs are considered independent dwelling units per sec 65852.2(j) of the Government Code, the state legislature and the California Department of Housing and Community Development ("HCD"), which sets the RHNA numbers."

<sup>&</sup>lt;sup>28</sup> Concluding that an ADU is not a "dwelling unit" is wrong and inconsistent with state law.

<sup>&</sup>lt;sup>29</sup> As acknowledged by the staff in its report, the Coastal Act does not authorize the Commission to regulate affordable housing. It does provide that the Commission should encourage the protection of existing and new affordable housing opportunities *Coastal Act, Section 30604*. Denying this application does not accomplish this goal. There is no existing affordable housing on this Property (or in the Hermosa Beach coastal zone) so approving this application will not take it away.

Conversely, denying this Project will not accomplish the goals of the Coastal Act. Less people will be living on this Site, in old aged out structures, with inadequate parking. As noted above, the Applicant would gladly build three larger units if permitted. He cannot. But he can build an ADU and as an income property, he will rent it out, along with the second condominium unit, a plan that is entirely consistent with the goals of the Coastal Act.

With this Project, there is no net loss of dwelling units and no decrease in density, as required by state law. The Applicant is maintaining the number of residential dwelling units on this Site and providing a larger, more functional JADU/ADU unit that can accommodate more people than the existing small triplex unit it is replacing.

## G. Recent Commission Decisions Confirm That ADUs Are Consistent With The Coastal Act

The Commission has accepted JADUs/ADUs as replacement dwelling units in other cities as recently as July 2020, acknowledging that these dwelling units maintain density. In reviewing a July 2020 Santa Monica application to redevelop two separate dwelling units on a 2608 sq. ft lot, the staff concluded that development of a single family home plus an attached JADU was consistent with the Chapter 3 policies of the Coastal Act.<sup>30</sup> In this particular case, the approved proposal involved demolishing a 575 sq. ft. non-conforming detached structure, and replacing it with a 279 sq ft JADU attached to a single family residence.<sup>31</sup>

Thus, where local zoning does not allow the same number of units to be rebuilt on a project site, approval of a JADU or ADU on the site complies with the Coastal Act.

#### H. The Project Is Consistent With The Surrounding Community Character

Staff argues that this Project will have a cumulative impact on the overall character of the surrounding area, inconsistent with section 30251 of the Coastal Act.<sup>32</sup> The staff's analysis is

<sup>&</sup>lt;sup>30</sup> The Commission may recall that it had three projects on the consent calendar in July 2020. Two in Hermosa Beach and one in Santa Monica. Each project proposed to replace a duplex with an ADU or JADU. The Hermosa Beach projects were taken off the consent calendar for further debate. The Santa Monica project was approved without discussion.

<sup>&</sup>lt;sup>31</sup> See staff report for 156 Fraser Avenue, Santa Monica, dated July 10, 2020, page 6. "Previously, the Commission has required maintenance of the number of residential units on a site when consistent with local zoning by approving projects that include Accessory Dwelling Unit (ADU) or a Junior Accessory Dwelling Unit (JADU) in addition to the main dwelling unit. Although the city of Santa Monica's certified LUP limits development on this R2 zoned property to one unit per 1,500 sq. ft. on each parcel, it does not preclude ADUs from being developed in conjunction with a new or existing single-family residence. Therefore, the development of the JADU is consistent with the certified LUP and consistent with Section 30250 of the Coastal Act."

<sup>&</sup>lt;sup>32</sup> Section 30251 of the Coastal Act states: "The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas...."

flawed for the following reasons. Firstly, the staff takes issue with the size of the two condo units but by staff's admission, it does not know the size of the existing units within an acre of this Property.<sup>33</sup> A "general idea" or approximation which cannot be verified by the staff is not substantial evidence that this Project will have a cumulative impact on the overall character of the surrounding area.<sup>34</sup>

Secondly, staff is concerned that this Project will set a precedent, allowing other lots in the area to redevelop properties with fewer onsite units. This statement is incorrect for the following reasons:

- (a) it presupposes that ADUs are not "dwelling units" which for the reasons articulated above, is a legal error. Simply put, ADUs do not present a risk for downzoning because they are considered dwelling units and because as a condition of approval, the deed requires them to be maintained as such for the life of the structure. If anything, this Project would support the conclusion advocated by the Commission thus far in prior projects: if the existing LUP will not allow development of the same number of units, loss of a unit can be mitigated by inclusion of an ADU.
- (b) it is based on the incorrect assumption that there are alternative forms of development that can be approved on this Site and other R-3 sites of equal square footage. As noted above, R3 lots of 3081 sq. ft. can only accommodate two full sized units under Appendix J. The City will not approve a new triplex or three condominiums on this Site. The alternative forms of development advocated by the staff cannot be accommodated on this Site. Denial of this Application leaves the Property owner with no option to redevelop a near century old aged out structure.
- (c) If other larger lots can accommodate three units under the governing density standard of the certified LUP, and given the new 2020 laws now in effect, the current LUP would require that three units be rebuilt. There is therefore no danger that this Project will set a precedent.

Third, this Project is entirely consistent with maintaining a diversified mix of housing – the current units on the Site are 400 sq. ft. and 600 sq ft. The proposed ADU is 500 sq ft. This is consistent with both the certified LUP and compatible with the character, mass and scale of the surrounding area. Thus, the overall character will not be impacted.

Because the Project will bring the Property into compliance with the certified LUP and is consistent with the Coastal Act, it will not prejudice the ability to prepare an LCP.

#### I. The City's ADU Approach Is Consistent With Surrounding Cities And State Law

<sup>&</sup>lt;sup>33</sup> See footnote 7, page 15 to the Staff Report: "The size of individual units was approximated by dividing the square footage of the total structure by the number of onsite units. While this method is not the most precise method to approximate individual unit sizes, it does provide a general idea of the makeup of the immediate neighborhood."

<sup>&</sup>lt;sup>34</sup> Community Character analysis depends on which side of the street one analyzes. For example, the Staff analyzed 42 surrounding lots (see Exhibit 5 to the Staff Report) and the Applicant analyzed 33 surrounding lots (see Exhibit F to this letter).

While the Applicant is not here to advocate for Hermosa Beach, it must be noted that the City's approach to ADUs is no different than that of the surrounding cities. The permitting of ADUs to replace units is not unique to Hermosa Beach.

It would be an error to conclude that only the city of Hermosa Beach is treating an ADU as a residential dwelling unit. As described above, ADUs are residential dwelling units under state law. The surrounding coastal cities similarly treat ADUs as such and recognize that ADUs satisfy the requirement to maintain density, particularly where local zoning and small lot sizes combined cannot accommodate the existing number of units on the project site.

The approach to ADUs in Hermosa Beach has changed drastically in the last year. Pre-2020, there was a gap in the ability of the City to approve a property owner's request to build an ADU. The City fixed this. In 2020, Hermosa Beach amended its ADU ordinance bringing it in line with the new 2020 state laws. The City is now applying the new 2020 laws regarding ADUs and maintaining density. The approach in Hermosa Beach is no different than any other surrounding city. <sup>35</sup> The recent approval of a single family residence-JADU in Santa Monica, discussed above, demonstrates this point.

Hermosa Beach similarly maintains that it is preserving, not reducing its housing stock. In this regard, the City is complying with the new 2020 Legislation.<sup>36</sup>

#### J. Closing Remarks

In closing, this Project complies with the current Hermosa Beach certified LUP, the Hermosa Beach ADU ordinance, the 2020 State laws regarding ADUs and density and the Chapter 3 policies of the Coastal Act. Contrary to staff's assertions, it is consistent with other Hermosa Beach and coastal city projects approved by this Commission and will not prejudice preparation of a LCP. Approving this Project provides an opportunity for lower cost housing through the ADU, maintains density on this Site and increases the number of persons who can live on this Site. The Applicant has complied with every request made of the staff, based on the rules and policies in place at the time he filed the Application with the City and with the Coastal Commission.

On behalf of the Applicant, we ask for your support for Application. Thank you for your time and consideration.

Sincerely,

<sup>&</sup>lt;sup>35</sup> The Applicant acknowledges that there have been ongoing negotiations between Hermosa Beach and the Coastal Commission to finalize a LCP. The Applicant respects this negotiation process. However, property owners can only act on the basis of the rules in place at the time their applications are submitted. CDP applications should not be delayed pending negotiations nor policy created through individual CDP applications.

<sup>36</sup> See City Letter, pages 1-2.

Sincerely,

Meighan E Leon

SPIERER, WOODWARD, CORBALIS & GOLDBERG Attorneys at Law

A Professional Corporation

MEL:tlk

# Coastal Application No. 5-19-1215 Exhibit A

Subject:

421 Monterey Blvd., Hermosa Beach

Date:

Friday, November 22, 2019 at 10:13:07 AM Pacific Standard Time

From:

Stevens, Eric@Coastal

To:

**Brandon Straus** 

Attachments: 5-19-1215 Inc. Ltr. 2019 11 22 (421 Monterey Blvd., Hermosa Beach).pdf

Hi Brandon,

Please see the attached incomplete letter for CDP 5-19-1215.

Thanks,

**Eric Stevens** 

California Coastal Commission 301 East Ocean Boulevard, Suite 300 Long Beach, CA 90802 562-590-5071

#### **CALIFORNIA COASTAL COMMISSION**

SOUTH COAST DISTRICT OFFICE 200 OCEANGATE, 10TH FLOOR LONG BEACH, CALIFORNIA 90802-4416 PH (562) 590-5071 FAX (562) 590-5084 WWW COASTAL CA GOV



November 22, 2019

Srour & Associates Attn: Brandon Straus 1001 6th Street, Suite 110 Manhattan Beach, CA 90266

Re: NOTICE OF INCOMPLETE APPLICATION

Applicant: Southern California Construction, LLC

Location: 421 Monterey Blvd., Hermosa Beach, Los Angeles County

Coastal Development Permit Application No. 5-19-1215

Dear Mr. Straus:

The above referenced application was received on October 23, 2019. Coastal Commission staff has reviewed your application for the demolition of an existing triplex and construction of two new condominium units in Hermosa Beach. Commission staff has determined that your application is incomplete and cannot be filed or processed until the following items have been received:

- 1. Design Alternatives. The proposed project results in the reduction of housing density and may reduce affordable housing on the subject site. Section 30250 of the Coastal Act requires that new development be located in areas able to accommodate it, which can be interpreted to encourage retention of housing density. Section 30251 requires that development be compatible with the character of the area, and the surrounding area of the subject site contains medium density housing. The reduction of existing housing stock through the conversion of multi-unit properties resulting in fewer units has been identified as an emerging issue by the Coastal Commission. Because the City of Hermosa Beach does not have a fully certified Local Coastal Program, the standard of review for this application is the Coastal Act. Please provide a design alternative that maintains the three unit density on the site. In addition, please submit an analysis and an exhibit showing neighboring structures on the subject block and adjacent blocks (minimum 20 closest properties) and whether they are single family residences or include multiple units.
- 2. Revised Project Description. Your project includes a condominium conversion, but your project description does not reflect this change. Please revise your project description, found on page two of the CDP application.

### Notice of Incomplete Application CDP No. 5-19-1215

3. Fees. A permit fee of \$605 was submitted with this application, which coincides with the permit fee for a Coastal Development Waiver. However, due to the proposed reduction of housing density, this application will not be processed as a Waiver. The Regular Calendar permit fee for a Coastal Development Permit for construction of up to four detached residential dwellings between 1,501 and 5,000 square feet is \$5,541 for each dwelling, which would be \$11,082. In addition, since a condominium conversion is proposed, other fees associated with the proposed project include a subdivision, which requires a fee of \$3,627 each, which would be \$7,254. Therefore, please submit the difference of \$17,731.

Please do not limit your submittal to the above-mentioned items. You may submit any information, which you feel may help Commission staff gain a clear understanding of the scope of your project. Upon receipt of the requested materials, we will proceed with determining the completeness of your applications. Thank you for your attention to these matters. We look forward to working with you. If you have any questions regarding your application, please contact me at the address and phone number listed above.

Sincerely,

Eric Stevens Coastal Program Analyst

cc: File

Coastal Application No. 5-19-1215

Exhibit B

Subject:

Re: 421 Monterey Blvd., Hermosa Beach

Date:

Wednesday, July 15, 2020 at 1:35:09 PM Pacific Daylight Time

From:

Spencer, Amrita@Coastal

To:

Stevens, Eric@Coastal, Brandon Straus

Attachments: image001.png, image002.png, image003.png, image004.png, image005.png, image006.png

Thanks so much, Brandon. I'll file this for our records. As the extension indicates, the last possible date to act on this item is now November 28. However, I will be working actively with management to work out a recommendation. We will keep you posted with information accordingly.

Thanks, Amrita

From: Brandon Straus <bra> <bra> don@esrour.com> Sent: Wednesday, July 15, 2020 1:25:18 PM

To: Spencer, Amrita@Coastal < Amrita. Spencer@coastal.ca.gov >; Stevens, Eric@Coastal

<eric.stevens@coastal.ca.gov>

Subject: RE: 421 Monterey Blvd., Hermosa Beach

Hi Amrita,

Attached is the signed extension request.

Thanks,



REAL ESTATE DEVELOPMENT SERVICES GROUP, INC.

#### **Brandon Straus**

2447 Pacific Coast Highway, Suite 200 Hermosa Beach, CA 90254 (310) 372-8433 Email: brandon@esrour.com

www.srourandassociates.com

From: Spencer, Amrita@Coastal < Amrita. Spencer@coastal.ca.gov>

Sent: Wednesday, July 8, 2020 12:55 PM

To: Brandon Straus <br/> <br/> Straudon@esrour.com>; Stevens, Eric@Coastal <eric.stevens@coastal.ca.gov>

Subject: RE: 421 Monterey Blvd., Hermosa Beach

Hi Brandon,

Thank you for sending along the City-approved revised plans. We will review the plans and discuss this project with management prior to finalizing our recommendation for this project. Given the scheduling constraints that our office is experiencing at this time, the earliest hearing that we can consider for this project is the September hearing. With that in mind, I have attached a time extension document for you to review, sign, and return.

Please let me know if you have any questions.

# Coastal Application No. 5-19-1215 Exhibit C

Subject:

RE: 421 Monterey Blvd., Hermosa Beach

Date:

Friday, September 18, 2020 at 12:25:40 PM Pacific Daylight Time

From:

Spencer, Amrita@Coastal

To:

Brandon Straus, Stevens, Eric@Coastal

Attachments: image001.png, image002.png, image003.png, image004.png, image005.png, image006.png

Good afternoon Brandon,

I wanted to give you a status update on this project. Staff has reviewed the revised plans submitted for the project, and has determined that the 500 sq. ft. JADU proposed in this case is not adequate mitigation for the triplex unit that would be lost as a result of the proposed redevelopment with 2 condominium units. Therefore, staff has made the decision to schedule this project for the October hearing with a recommendation of denial. A staff report has been prepared and will be posted for review. Hearing notices will also be mailed out soon. Please let myself or Eric if you have any questions.

#### Thank you,



Amrita Spencer I Coastal Planner CALIFORNIA COASTAL COMMISSION South Coast District Office 301 E, Ocean Blvd, Suite 300 Long Beach, CA 90802 (562) 590-5071



Please note that public counter hours for all Commission offices are currently suspended indefinitely in light of the coronavirus. However, in order to provide the public with continuity of service while protecting both you and our employees, the Commission remains open for business, and you can contact staff directly by email, and regular mail. Phone messages left in the Long Beach office will be returned sporadically. If your matter is urgent, please send an email. In addition, more information on the Commission's response to the COVID-19 virus can be found on our website at <a href="https://www.coastal.ca.gov">www.coastal.ca.gov</a>.

From: Brandon Straus <brandon@esrour.com> Sent: Wednesday, July 15, 2020 1:54 PM

To: Spencer, Amrita@Coastal < Amrita. Spencer@coastal.ca.gov >; Stevens, Eric@Coastal

<eric.stevens@coastal.ca.gov>

Subject: RE: 421 Monterey Blvd., Hermosa Beach

Thanks, much appreciated.

Regards,



# Coastal Application No. 5-19-1215 Exhibit D

#### 1. Existing Policies & Program

Policy: That the City should restrict building height to protect overview and viewshed qualities and to preserve the City"s existing low-rise profile.

Program: Zoning and building codes limit the height of all structures, depending on zone. The maximum height in each residential R-1, R-2, and R-3 zones are 25 ft., 30 ft., and 35 ft. respectively. The maximum height in the City is 45 ft. or three stories and is in the commercial zone. (See Appendix G, Table XIII.)

Policy: Establish residential condominium approval procedures that will encourage the development of units that will contribute to and are consistent with the evolving character of the City.

Program: The current Condominium Ordinance which includes design and building permit review are programs which support this policy.

Policy: That the zoning and general plan will be made consistent.

Program: In the November 1980 election, the citizens of Hermosa Beach voted that whenever there was a conflict between the Zoning Code and the General Plan, that whichever designation had the lesser density that density should apply. The Planning Commission started hearing to resolve the conflicts beginning January of 1981. Until such time that consistency is accomplished between the General Plan and Zoning, the General Plan will guide land use decisions.

Policy: That a special overlay zone for the development of large parcels of land should be enacted.

Program: The City Council in November of 1980, passed the Planned Development Zone. The intent of this overlay zone is to encourage a creative approach in commercial and residential development, allow variety and flexibility while maintaining high standards of design. (See Appendix I.)

TABLE XIII

# RESIDENTIAL ZONE REQUIREMENTS

31.02	USES	LOT AREA PER UNFLLING UNIT	COVERAGE	BLDG. HEIGHT	USABLE OPEN SPACE	FROUT	YAND REQUIREMENTS	S S S S S S S S S S S S S S S S S S S
R-1	Single family dwellings, accessory building	1 lot/1 d.u.	655 max.	Max. 2-story or 25'	400 sq. ft. Min. dimen- sion of 10'	400 sq. ft. 10% of lot Min. dimen- depth, min. 5' sion of 10' max. 10'		10% of lot Ground - 5 width, 2nd flr3 min. 3' If alley, Grd 3'
R-2 R-2B	Single family dwellings built to R-1 standards; ouplexes; condominiums. (Lot less than 30' wide, S.F.D. only.)	1200 sq. ft./ 1 d.u.	655 max.	Max. 2-story or 30'	300 sq. ft. per d.u. Min. dimen- sion of ?'	10% of lot depth, min. 5 max, 10'	10% of lot width, min. 3'	of lot Ground - 5' width, 2nd flr3' If alley, Grd 3' Grd 3'
R-3	fultiple dwellings; (Lots less than 2400 sq. ft.= single family dwel- lings only.)	Min. 950 sq.ft./ 1 d.u.	65% max.	Max, 35'	200 sq. ft. per d.u.	200 sq. ft. As required per d.u. on Zoning Map	10% of lot width min. 3'	10% of lot Ground - 5' width If alley, ann. 3' Grd 3'
d-	Residential use - develop to R-3 requirements ** Professional uses, subject to Conditional Use Permit	Same as R-3	70% max.	Max, 45' 3-story	Same as R-3 As required on Zoning M	As required on Zoning Map	10% of lot width min. 3'	

\*\* Exception: Less than 30 ft. lot width, single family dwelling only; Less than 40 ft. lot width or 4,000 sq. ft., two dwelling units only

DISTANCE BETWEEN BUILDINGS 2-1 & R-3 = Hinimum of B Tt. between habitable buildings, and 6 ft. between a habitable and an accessory building. 2-2 & R-2B = Minimum of 6 ft. between all buildings.

OFF-STREET PARKING REQUIREMENTS
ALT dwellings: Two spaces per unit required
Front 50 ft. of lot - Parking must be enclosed
Rear of lot - Parking may be unenclosed
Note: Tandem parking allowed only on alleys or private drivevays.

Revised 9/18/1979

Residential Density & Population Holding Capacity City of Hermosa Beach, California

CHART A

A	83		ပ		0		ist		L
RESIDENTIAL TYPES	H/US ACRES		ACRES (NET)		RANGE OF H/US		PERSONS/ FAMILY		POPULATION RANGES
LOW DENSITY	0-13	×	230		0 - 2,990	×	2.4		0 - 7,176
MEDIUM DENSITY	14-25	×	123	М	1,722 - 3,075 X	×	2.4	ti ti	4,133 - 7,380
HIGH DENSITY	26-40	×	80		2,080 - 3,200	×	2.3	•	4,784 - 7,360
TOTAL					3,802 - 9,265 X	×	2.4		9,125 -22,236
MULTI-USE CORRIDOR	26-40	×	48		K 096 - 929	+-	2.3	*	1,438 - 2,208
TOTAL		1	481		4,427 -10,225 X	+-	2.4		10,625 -24,540
MEDIAN					7,326	-			17,582

Coastal Application No. 5-19-1215

Exhibit E



# City of Hermosa Beach

Civic Center, 1315 Valley Drive, Hermosa Beach, CA 90254-3885

August 18, 2020

Jack Ainsworth, Executive Director California Coastal Commission John.Ainsworth@coastal.ca.gov

Dear Mr. Ainsworth:

I write today to address one issue: how units are replaced following the demolition of non-conforming dwelling units in the coastal zone. This issue has come up repeatedly over the past few years and warrants the City explaining its position and approach. The purpose of this letter is not to advocate for approval of a coastal development permit for one particular project in Hermosa Beach. Project applicants bear that burden. This letter is written to ensure that the City's land use regulations and policies, which inform the staff recommendation and Commission's decision, are appropriately conveyed and analyzed. The City is in the best position to report on the history and status of our local development standards, and presentation of this information to the Commission is intended to foster the best and more informed decision making.

As the City follows the Commission's various policy and project decisions, we have noticed an evolving (and sometimes inconsistent) position on the use of ADUs (and JADUs) as replacement units (JADUs and ADUs referred to herein together as ADUs). Let me start by saying that the City's position has evolved as well. Simply, the City supports the use of ADUs as replacement dwelling units in the Coastal Zone. As noted in recent staff reports to the Commission, Hermosa Beach recently updated its ADU Ordinance to comply with recent changes in the state law and expanded the locations where ADUs could be sited. I have read that some coastal staff members and some Commissioners do not support use of ADUs for replacement units because "ADUs are dependent on a single-family residence to serve as a housing unit." That is true; an ADU is by its nature accessory to a single-family home. But, they are independent dwelling units and must be treated as such. Frankly, the State has mandated that the City permit these units and as such, they must qualify as replacement dwelling units. The State's ADU program is premised on out of the box solutions to resolving the housing crisis, rethinking existing space to create different housing opportunities for all of California's diverse populations. To suggest that the ADU should not be counted as a replacement unit because the unit may not be rented or is a smaller component of the larger house is immaterial and irrelevant. ADUs are independent dwelling units. See Government Code 65852.2(j)(1). ADUs count towards creating units for the City's RHNA numbers. ADUs actually provide a lower cost housing option in the Coastal

Zone, and can provide independent housing opportunities for senior citizens, college students, individuals who work at local businesses, and any number of other populations. Housing is not just for families and smaller housing options play an important role in the City and the Coastal Zone. Additionally, the City is now subject to SB 330 (the Housing Crisis Act) and these smaller units provide an important tool for replacement units in this built out, incredibly dense city. The state legislature and the California Department of Housing and Community Development treat ADUs as independent housing units and the Coastal Commission should not treat ADUs different than other state agencies.

Over the past few years, our City's executive team has met with the Coastal Commission's executive team to discuss this very issue. At the last meeting, in the summer of 2019, the parties agreed that ADUs would and should serve as replacement units because they meet the Coastal Commission's goals of providing smaller, lower cost housing units in the Coastal Zone. While the State's ADU laws have eliminated aspects of local control over local zoning decisions, the City evolved it position on second units in order to support solutions to address the statewide housing crisis. Part of the inducement to change policy and accept the mandates of the State ADU law was that it would resolve this replacement issue in the Coastal Zone. In fact, it was the coastal commission staff that originally suggested to local residents that an ADU could be used as a replacement unit, especially on the problematic nonconforming properties where local zoning would not allow for replacement of the number of units being demolished. At the time, the City's ADU law did not allow ADUs on certain lots. But following adoption of AB 881, the City has now expanded the sites on which ADUs are permitted. Accordingly, we urge the staff and commission to apply a consistent approach moving forward and treat ADUs as replacement units.

With respect to the nonconforming parcels mentioned above, I would like to reiterate the City's position concerning its local zoning for the record. Many recent reports to the Commission contain a flawed interpretation of the residential densities established in City's Certified Coastal Land Use Plan. This interpretation, and subsequent statements and reports that rely on that interpretation, are fundamentally flawed and reflect an incomplete review of the policies in the certified LUP. Instead, the City's density standards in the Zoning Ordinance are consistent with the residential density policies of the certified LUP. Therefore, the density standards in the Zoning Ordinance can be used as the standard of review for projects pending in the City.

The commission staff tend to focus on a narrow list of LUP policies as support for its recommendations—taking a broader look at the certified LUP can provide a more balanced view of those policies. The following are the most relevant policies in the City's certified LUP that relate to the maximum residential density requirements (which were omitted or not fully described in recent staff reports).



#### "IV Coastal Housing

Policy: To continue the current mix of low, moderate, and high housing densities

Program: The Land Use Element of the General Plan shall continue to define low, medium, and high-density residential areas within the City. (See Appendix J.)"

#### VI. Coastal Development and Design

Policy section VI C 1, "Existing Policies and Programs" the third policy and program specifically refers to the 1980 election, where the voters determined to resolve conflicts between zoning and the General Plan with respect to density, the designation which has the lesser density should apply. And further states that "Until such time that consistency is accomplished between the General Plan and zoning, the General Plan will guide land use decisions."

This policy and program are critical to understanding the applicable density limits in the City, yet its full content is typically omitted. The commission staff suggests that the Commission can only rely on the 1981 certified LUP as guidance in this decision. Here, the 1981 certified LUP says that densities are as defined in Appendix J, where the density ranges of the General Plan are exhibited. As noted, the density ranges in the General Plan in effect at that time of LUP certification were as follows:

- Low Density 0-13 units per acre
- Medium Density 14-25 units per acre
- High Density 26-40 units per acre

Nevertheless, the staff often rely only on Appendix G from the LUP and characterize the zoning standards in place in 1981 as the certified development standards of the LUP. They are not. This appendix G was provided for information purposes and to demonstrate the inconsistencies with the General Plan density standards and the zoning provision in place at the time. However, as stated above the relevant policy certified in the LUP at that time are the density ranges in Appendix J, not the "snap-shot" of what the zoning standards were at that time in Appendix G.

Also, the staff focuses attention to the zoning changes in 1986, characterizing that action as "creating more restrictive standards" and that the action was "uncertified". However, such a characterization is not accurate. Those 1986 zoning change actions were appropriate and necessary steps to implement the residential density policies in the 1981 LUP. Simply, the certified LUP policy is to make zoning density standards (expressed in lot

area per dwelling unit) consistent with the General Plan and the certified LUP. Therefore, the zone changes were not more or less restrictive than the LUP—the certified LUP provided that the zoning in the future to be made consistent with Appendix J. What the City did in 1986 was to implement this LUP policy, and the policy of the General Plan, to make the zoning density standards (expressed in lot area per dwelling unit) consistent with the General Plan and LUP. These are the current density standards and can be used as a proper standard of review for this project.

Thus, because of this fundamental misinterpretation of the LUP, and reliance on zoning standards that were in effect in 1981 as the standard of review, we believe the analysis applied to certain projects has been flawed.

Notably, the City continues to work toward completion and certification of a Local Coastal Program, which can resolve this misunderstanding in the future. The City does not disagree with Coastal Commission staff's goals of protecting housing resources in the coastal zone. We share those same goals and continue to work with Coastal Commission and Housing and Community Development staff to bring the local context and perspective needed to meet the constantly evolving nature of housing legislation in a manner that minimizes unintended consequences to coastal access and quality of life issues in our community.

We believe the disconnect is in the current mechanisms being used to implementing those goals. From the City's perspective, the best mechanism to implement housing policy in the City is through the long-term planning, such as the General Plan, LUP and LCP processes, not in an ad hoc basis through individual CDP applications. The long-term planning process, which is well underway through adoption of Hermosa's new General Plan, is a better process to identify appropriate locations for housing density or opportunities for more ADUs, as part of a more comprehensive housing analysis for the City. Undoubtedly, responding to the housing crisis will be a critical component of the next statewide Housing Element Cycle, which is in the early stages of the Regional Housing Needs Allocation process. The City is committed to working with our partners such as SCAG and HCD to meet our obligations and will certainly work to continue to balance those objectives with those of the Coastal Act.

In conclusion, the City of Hermosa Beach has embraced and welcomed high housing densities for decades. The City is one of the most dense areas in the coastal zone throughout the State, with 71% of all lots within the Coastal Boundary zone zoned for multifamily use (R-2, R-2B and R-3). In other words, there are areas of the City's coastal zone that can accommodate high density development and address staff's concerns about a reduction in the number of residential units. Ultimately, these projects on tightly constrained lots require a balancing of many competing interests. That balancing can only be done with due respect given to the local conditions and constraints and we hope that this letter

# City of Hermosa Beach

assists in providing that necessary context to allow for a thoughtful discussion and decision by the Coastal Commission.

Thank you for allowing us the opportunity to clarify the City's development and density standards. The staff and Commission's role are critical in the implementation of the Coastal Act. We do not take your duty lightly. If there is anything further we can provide to better inform your decision-making, please do not hesitate to let me know. We believe we can best represent the City's development and density standards and housing policies.

Sincerely,

Suja Lowenthal City Manager

Copy: Steve Hudson, District Director

South Central Coast and South Coast, Los Angeles County

California Coastal Commission Steve.Hudson@coastal.ca.gov

# Coastal Application No. 5-19-1215 Exhibit F

# Exhibit Showing the Number of Units in Neighboring Structures on the Subject Block and Adjacent Blocks for 421 Monterey Blvd, Hermosa Beach

