

**CALIFORNIA COASTAL COMMISSION**

SOUTH COAST DISTRICT OFFICE  
301 E. OCEAN BLVD., SUITE 300  
LONG BEACH, CA 90802-4830  
(562) 590-5071



# Th13b

**5-19-1215 (Arianpour)**

**October 8, 2020**

## **EXHIBITS**

### **Table of Contents**

Exhibit 1 – Vicinity Map and Project Site

Exhibit 2 – Project Plans

Exhibit 3 – Revised Basement Plan with 500 Sq. Ft. ADU

Exhibit 4 – City Zoning Code Requirements for the R-3 Zone (Not  
certified by the Commission)

Exhibit 5 – Community Character Analysis

Exhibit 6 – Letter from City of Hermosa Beach Regarding ADUs



**Hermosa Beach**

**Project Site**

California Coastal Commission

5-19-1215

Exhibit 1

Page 1 of 2





**Bayview Drive**

**4th Street**

**Project  
Site**

**Monterey Boulevard**

### SOLAR NOTE:

PROVIDE A CONDUIT FROM THE ROOF TO THE ELECTRICAL PANEL FOR FUTURE SOLAR INSTALLATION PER HBMC SEC. 15.32.140 (ELECTRICAL CODE)

### NOTE:

A 3' EGRESS PATH MUST BE MAINTAINED FROM THE FINISHED BUILDING WALL TO THE BACK OF THE SHORING WALL, FENCE OR PROPERTY LINE

### LOT COVERAGE

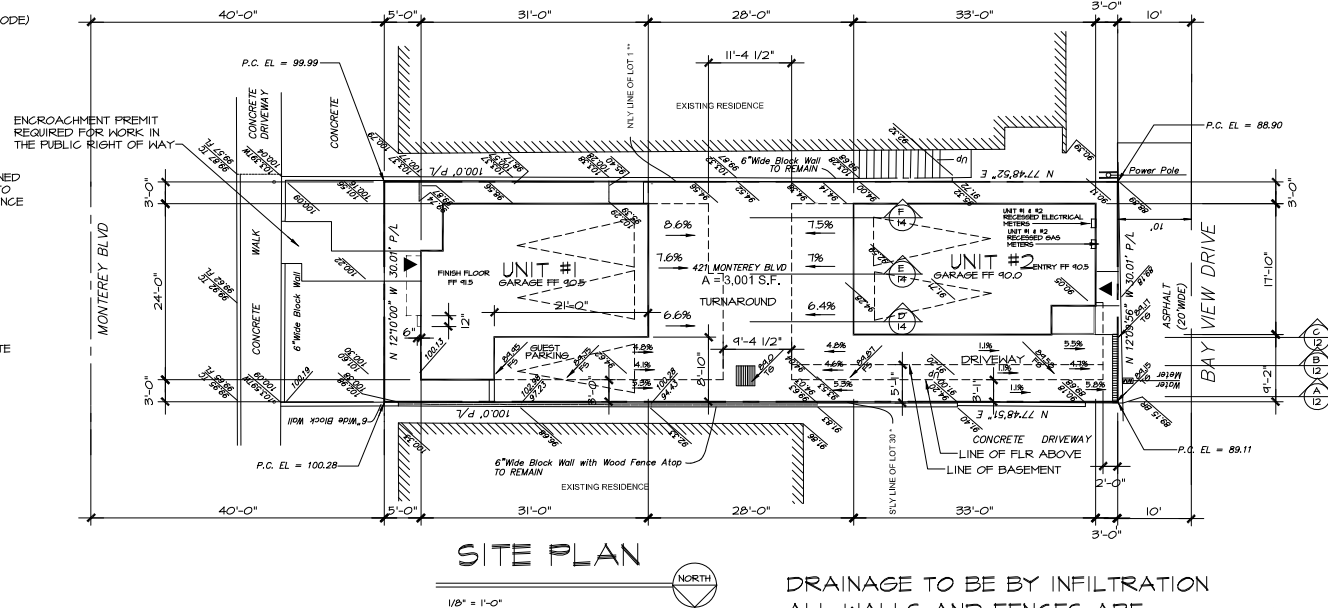
BUILDING: 120'9" SQ. FT.  
PAVED AREA: 1622 SQ. FT.

### GRADING

GRADING IS PROPOSED FOR THIS SITE

CUBIC YARDS CUT: 984  
CUBIC YARDS FILL: 180

MAX. HEIGHT OF FILL: 20'  
MAX. HEIGHT OF CUT: 20'



## SITE PLAN

1/8" = 1'-0"



DRAINAGE TO BE BY INFILTRATION  
ALL WALLS AND FENCES ARE  
EXIST'G ON NEIGHBORS PROPERTY

IMPORTANT

### ZONING INFORMATION

	REQUIRED	PROVIDED
LOT AREA PER DWELLING UNIT	1320 SQ.FT.	1443 SQ.FT. 644%
LOT COVERAGE	3001x65% = 1450.65	
YARDS:		
FRONT	5'	5'
SIDE	3'	3'
REAR	4 1/2'	3 1/2'
PARKING AND DRIVEWAYS:		
NUMBER OF SPACES	2 PER UNIT-TOTAL 4 SPACES	2 PER UNIT-TOTAL 4 SPACES
GUEST SPACES	1 SPACES	1 SPACES
PARKING SETBACK	17'9"	17'9"
PARKING STALL DIMENSION	20'x17' UNIT	20'x17' UNIT
TURNING AREA	28'	28'
DRIVE WIDTH	4'	4'
DRIVEWAY MAX. SLOPE	12.5%	3%/10%
OPEN SPACE:	300 SQ.FT.	300 UNIT #1/301.5 UNIT #1
TOTAL	300 PER UNIT	300 UNIT #1/654.5 UNIT #2
PRIVATE (PER UNIT)	300 PER UNIT	UNIT #1 DECKS 654.5 SQ.FT.
		TOTAL 654.5 SQ.FT.
		UNIT #2 DECK 200.34 SQ.FT.
		ROOF DECK 100 SQ.FT.
		TOTAL 300.34 SQ.FT.
STORAGE (PER UNIT)	200 CU.FT.	UNIT #1: 371 CU.FT.
		UNIT #2: 217 CU.FT.

### ZONING

R-3

### DEVELOPMENT PROGRAM

#### BUILDING SUMMARY

	UNIT #1	UNIT #2
SUB-BASMENT LIVING AREA	630 SQ.FT.	0 SQ.FT.
BASMENT JADU	108 SQ.FT.	500 SQ.FT.
FIRST LEVEL LIVING AREA	908 SQ.FT.	114 SQ.FT.
SECOND LEVEL LIVING AREA	843 SQ.FT.	1010 SQ.FT.
THIRD LEVEL LIVING AREA	272 SQ.FT.	656 SQ.FT.
TOTAL LIVING AREA	2761 SQ.FT.	2280 SQ.FT.
GARAGE	441 SQ.FT.	448 SQ.FT.
BALCONY/DECK	101.5 SQ.FT.	200.34 SQ.FT.
ROOF DECKS	55.8 SQ.FT.	306 SQ.FT.
TOTAL DECKS/PATIOS	554.5 SQ.FT.	506.34 SQ.FT.
NUMBER OF BEDROOMS	3	3
NUMBER OF BATHS	2.5	2.5
OCCUPANCY	R-3/U	
TYPE OF CONSTRUCTION	VB	

AUTOMATIC SPRINKLERS ARE  
REQUIRED. DEFERRED  
SUBMITTAL FOR FIRE  
SPRINKLERS: 13-D SYSTEM  
TO BE INSTALLED BY A  
C-16 LICENSED CONTRACTOR

#### OWNER

SOUTHERN CALIFORNIA CONSTRUCTION  
C/O. BRIAN ARIANPOUR  
P.O. BOX 2284  
REDONDO BEACH, CA. 90218  
310-804-8761

#### JOB ADDRESS

421 MONTEREY BLVD.  
HERMOSA BEACH CALIFORNIA

#### LEGAL

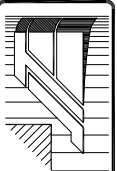
LOT 31  
TRACT NO 1074  
MB 17-131  
APN # 4188-010-044

#### BLDG SUMMARY

TYPE OF CONSTRUCTION:  
VB, THREE STORIES W/ BASEMENT  
W/ SPRINKLERS  
OCCUPANCY: R-3/U  
FLOOD ZONE 'X'  
PARKING - 2-ENCLOSED PER UNIT  
1 GUEST



REVISIONS	BY



JAN TROBAUGH  
ARCHITECT  
ARCHITECTURE AND PLANNING  
2420 CARSON STREET, SUITE 225  
Torrance, California 90501  
310-504-2882  
ARCHITECT@JANTRB.COM

SHEET DESCRIPTION  
SITE PLAN

PROJECT DESCRIPTION  
2-UNIT CONDOMINIUM FOR  
SOUTHERN CALIFORNIA CONST.  
421 MONTEREY BLVD.  
HERMOSA BEACH, CA.

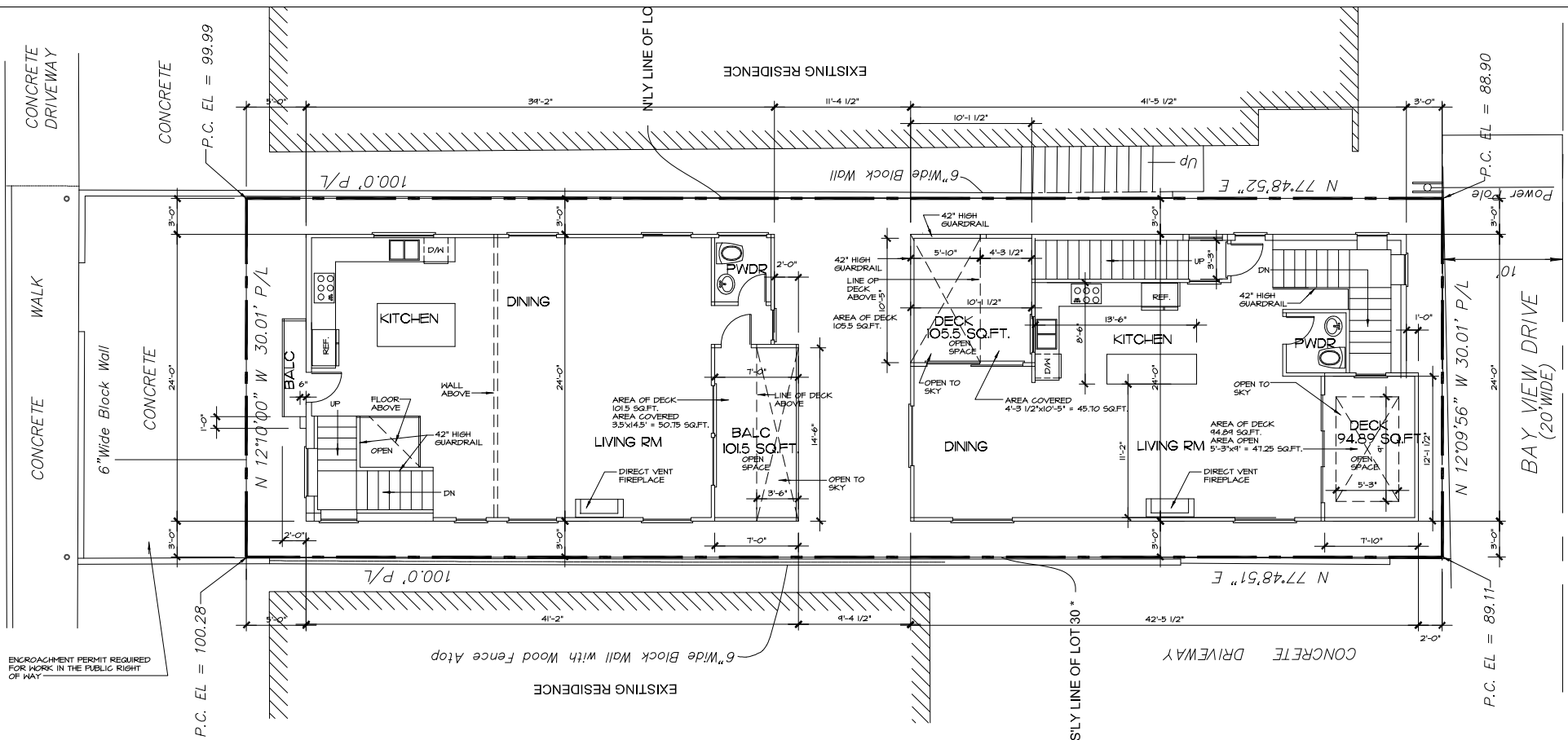
DRAWN	JT
CHECKED	
DATE	5-14
SCALE	NOTED
JOB NO.	17-116
SHEET	1







MONTEREY



## SECOND FLR-UNIT #1

1/4" = 1'-0"



## THIRD FLR-UNIT #2

1/4" = 1'-0"



### PROJECT DESCRIPTION

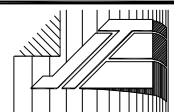


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### JAN TROBAUGH ARCHITECT

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TORRANCE, CALIFORNIA 90501  
310-308-2582 ARCHT@NOL.COM



### REVISIONS

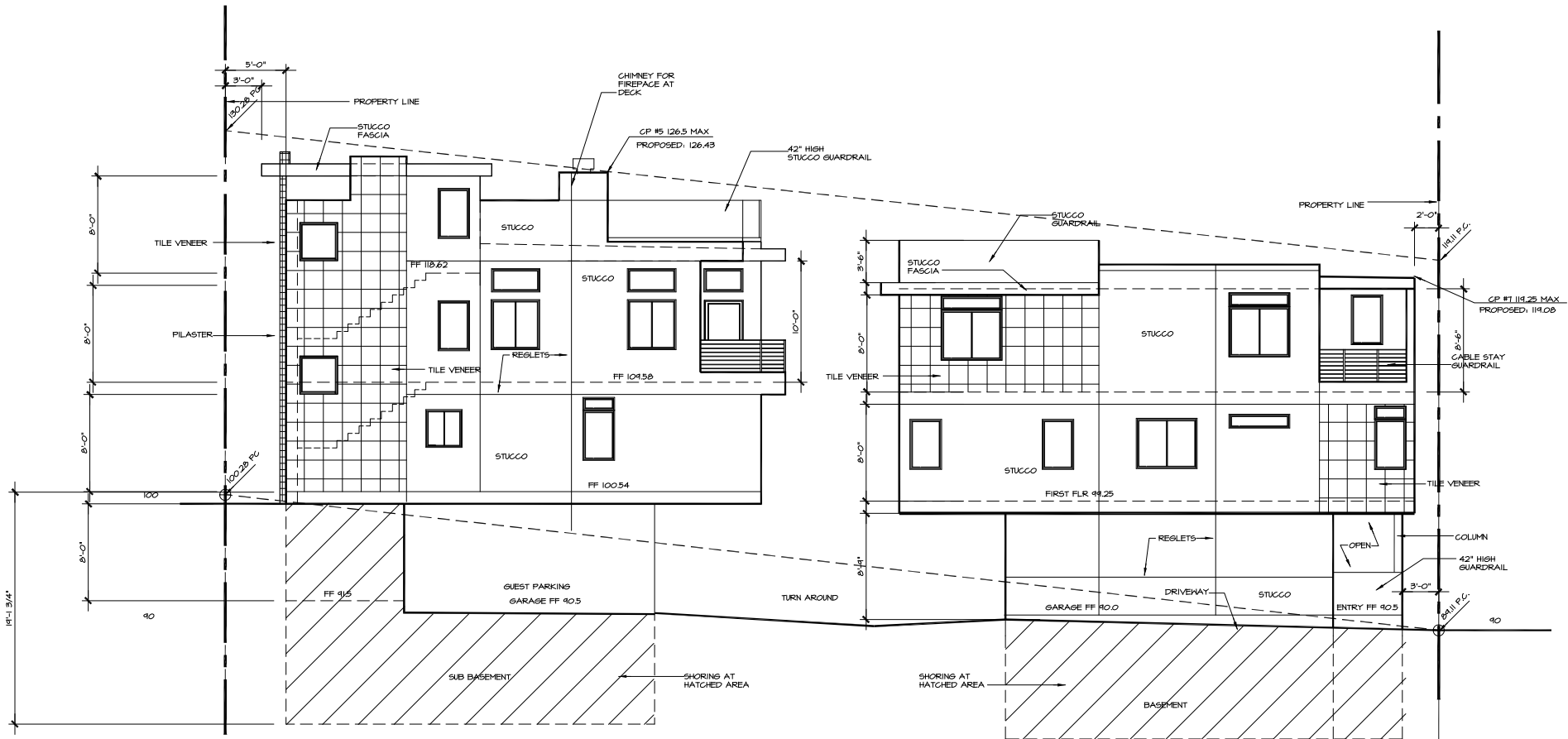
BY

DATE  
NOTED  
JOB NO.  
SHEET

5

SHEETS





**NORTH ELEVATION UNIT #1**

1/4" = 1'-0"

**NORTH ELEVATION UNIT #2**

1/4" = 1'-0"

**PROJECT DESCRIPTION**



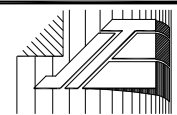
**SHEET DESCRIPTION  
ELEVATIONS**

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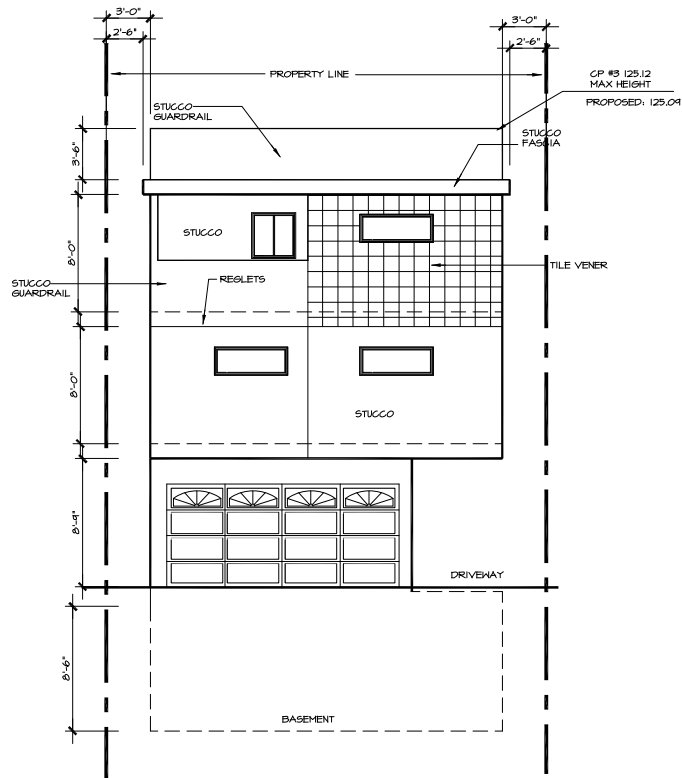
**JAN TROBAUGH  
ARCHITECT**

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2420 CARSON STREET, SUITE 225  
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310-308-2582 ARCHT@AOL.COM



REVISIONS	BY

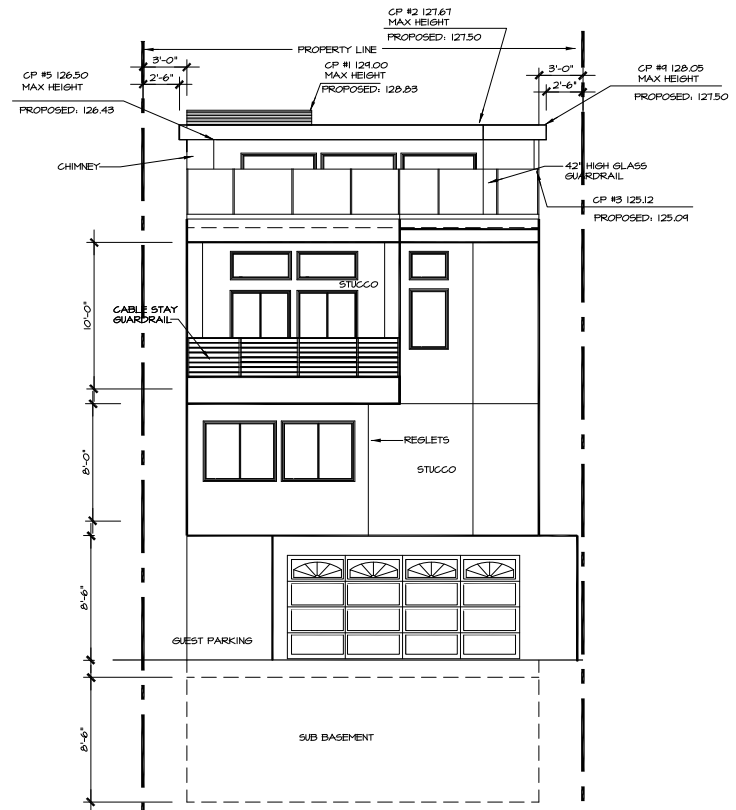
DRAWN	JT
CHECKED	JT
DATE	5-18
SCALE	NOTED
JOB NO.	17-116
SHEET	8
OF	8



EAST ELEVATION

1/4" = 1'-0"

UNIT #2



WEST ELEVATION

1/4" = 1'-0"

UNIT #1

PROJECT DESCRIPTION

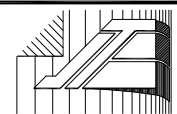


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ELEVATIONS

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REVISIONS	BY

DRAWN	JT
CHECKED	JT
DATE	5-18
SCALE	NOTED
JOB NO.	17-116
SHEET	11
SF	SHEETS



T - SYAGRUS ROMANZOFFIANUM



B1 - CHONDROPETALUM ELEPHANTHINUM



S2 - DODONAEA PURPUREA



S3 - DIETES GRANDIFLORA



G1 - ALOE STRIATA



G2 - ROSMARINUS PROSTRATUS



GR - PEA GRAVEL

## WATER EFFICIENT LANDSCAPE CALCULATIONS

PER 2015 REVISED MODEL WATER EFFICIENT LANDSCAPE ORDINANCE

### REFERENCE EVAPOTRANSPIRATION (ET<sub>0</sub>) 42.8

PLANT DESCRIPTION	PLANT FACTOR (PF)	IRRIGATION METHOD	EFFICIENCY (E)	ETAF (PF/E)	LAND AREA	ETAF X AREA	ETWU
LOW WATER	0.2	DRP	0.91	0.25	276	69	1,622 GAL./YR.
MODERATE WATER	0.5	DRP	0.81	0.62	20	12.4	322 GAL./YR.
				<b>TOTAL</b>	<b>296 SQ. FT.</b>	<b>81.4</b>	<b>ETWU TOTAL</b>
							<b>2,149 GAL./YR.</b>
							<b>MAWA TOTAL</b>
							<b>4,300 GAL./YR.</b>

### MAXIMUM APPLIED WATER ALLOWANCE (MAWA)

MAWA = (ET<sub>0</sub>) (G-R) (ETAF X LA) + ((1-ETAF) X SLA)

MAWA = (42.8) (0.62) ((0.55 X 296) + ((0.45 X 0)

**MAWA = 4,300 GAL./YR.**

### ETAF CALCULATIONS

(AVERAGE ETAF FOR REGULAR LANDSCAPE AREAS MUST BE .55 OR BELOW FOR RESIDENTIAL AREAS)

TOTAL ETAF X AREA = 81.4

TOTAL AREA = 296 SQ. FT.

**AVERAGE ETAF = 0.27**

## HYDROZONE INFORMATION TABLE

LOW WATER USE HYDROZONE = ALL PROPOSED SHRUB AND GROUND COVER PLANTING AREAS (276 SQ. FT.)  
MODERATE WATER USE HYDROZONE = RWB FOR THE TWO PROPOSED PALM TREES (20 SQ. FT.)

## PLANT LIST

NO.	BOTANICAL NAME	COMMON NAME	SIZE	QTY	WUCOLS RATING	HEIGHT X WIDTH	REMARKS
TREE:							
T	SYAGRUS ROMANZOFFIANUM	QUEEN PALM	24" BOX	2	MODERATE	30' X 12-15'	
SHRUBS:							
B1	CHONDROPETALUM ELEPHANTHINUM	LARGE CAPE RUSH	5 GAL.	2	LOW	4'-6" X 4'-6"	UPRIGHT FORM
S2	DODONAEA VISCOSA PURPUREA	PURPLE HORSEDE BUSH	5 GAL.	13	LOW	8'-12' X 4'-6"	
S3	DIETES GRANDIFLORA	FORTNIGHT LILY	1 GAL.	9	LOW	3' X 3'	
GROUNDCOVERS:							
G1	ALOE STRIATA	CORAL ALOE	1 GAL.	30' 6.6.	LOW	1'-2" X 1'-1.5'	
G2	ROSMARINUS PROSTRATUS	PROSTRATE ROSEMARY	1 GAL.	30' 6.6.	LOW	1'-1.5' X 2'-4"	
GRAVEL: permeable paving							
GR	2" LAYER PEA GRAVEL OVER FILTER FABRIC						

## PLANTING NOTES

- PLANT QUANTITIES ON MATERIALS LIST ARE ONLY A GUIDE. PLANTS ON PLAN HAVE PRECEDENCE. CONTRACTOR IS RESPONSIBLE FOR VERIFYING EXACT QUANTITIES.
- DUE TO CONSTRUCTION GRADING FOR THE SITE, THE SOIL MANAGEMENT REPORT, INCLUDING AGRONOMIC ANALYSIS WITH INFILTRATION RATES, SHALL BE COMPLETED AS PART OF THE CERTIFICATE OF COMPLETION.
- ALL PROPOSED TREES SHALL BE PLANTED WITH ROOT BARRIER PANELS, "CP SERIES" 2 FT. DEEP PANELS BY CENTURY PRODUCTS OR EQUAL. (CENTURYROOTBARRIER.COM) SEE DETAILS SHEET.
- ALL PROPOSED TREES SHALL BE DOUBLE-STAKED. DOUBLE-STAKING SHALL CONFORM TO DETAIL, SEE DETAILS SHEET.
- ALL PLANTING AREAS SHALL HAVE A 3" LAYER OF MULCH APPLIED PRIOR TO GROUND COVER PLANTING. \*SEQUIA BLEND MULCH\*, SCREENED AT 3" BY NEW LEAF ORGANICS (951.694.4825) OR EQUAL.
- PLANTING PLAN MEETS HERMOSA BEACH MUNICIPAL CODE CHAPTER 8.56 WATER CONSERVATION - [HTTP://WWW.HERMOSABCH.ORG/INDEX.ASP?PAGE=412](http://www.hermosabch.org/index.asp?page=412) AND CHAPTER 8.60 EFFICIENT LANDSCAPING - [HTTP://WWW.HERMOSABCH.ORG/INDEX.ASP?PAGE=413](http://www.hermosabch.org/index.asp?page=413).

## AREA CALCULATION

LOT AREA = 3,000 SQ. FT.  
BUILDING FOOTPRINT = 1,809 SQ. FT.  
HARDSCAPE AREA = 1,622 SQ. FT.  
LANDSCAPE AREA = 45 SQ. FT.  
PERMEABLE PAVING AREA = 40 SQ. FT.

## ENCROACHMENT LANDSCAPE AREA

TOTAL ENCROACHMENT AREA = 428 SQ. FT.  
REQUIRED MIN. 1/3 TO BE LANDSCAPE AREA = 140 SQ. FT.  
PROPOSED LANDSCAPE AREA = 211 SQ. FT.

## REQUIRED STATEMENT

"I HAVE COMPLIED WITH THE CRITERIA OF THE WATER EFFICIENT LANDSCAPE ORDINANCE AND THE LANDSCAPE REGULATIONS AND APPLIED THEM ACCORDINGLY FOR THE EFFICIENT USE OF WATER IN THE LANDSCAPE DESIGN PLAN."

SIGN:   
DATE: 7/29/19



## PLANTING PLAN

1/8" = 1' 0"

REVISIONS	BY
5.5.19	
7.29.19	
8.06.19	



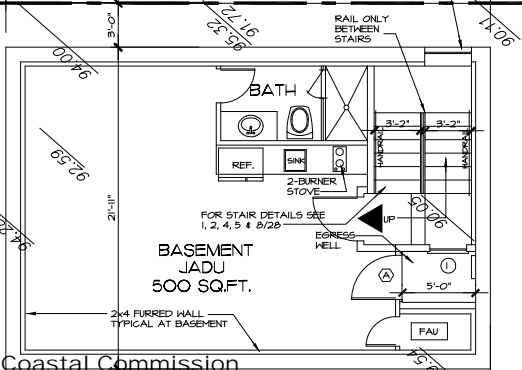
PLANS PREPARED FOR:  
SOUTHERN CALIFORNIA CONSTRUCTION  
1500 WEST 10TH STREET, SUITE 100  
HERMOSA BEACH, CA 92644  
PREPARED BY:  
CRAIG WEBER & ASSOCIATES  
1500 WEST 10TH STREET, SUITE 100  
HERMOSA BEACH, CA 92644  
CA LICENSE 1355



PROJECT:  
A.P.N. # 438-010-044  
**2-UNIT CONDOMINIUM**  
201 MONTESECA BLVD  
HERMOSA BEACH, CA 92644

Date:	APR 2019
Scale:	1/8" = 1' 0"
Drawn:	KGW
Job:	1482
Sheet:	

**L1**



BASEMENT  
JADU  
500 SQ.FT.

N 12°09'56" W 30.01' P/L

ASPHALT

BAY VIEW DRIVE  
(20' WIDE)

Water  
Meter

California Coastal Commission  
5-19-1215  
Exhibit 3

## Chapter 17.16

### R-3 MULTIPLE-FAMILY RESIDENTIAL ZONE

Sections:

**17.16.010 Permitted uses.**

**17.16.015 Short term rentals prohibited.**

**17.16.020 Height.**

**17.16.030 Front yard.**

**17.16.040 Side yards.**

**17.16.050 Placement of buildings.**

**17.16.060 Area.**

**17.16.070 Permissible lot coverage.**

**17.16.080 Usable open space.**

**17.16.090 Lot area per dwelling unit.**

#### **17.16.010 Permitted uses.**

In an R-3 zone only the following uses are permitted as are hereinafter specifically provided and allowed, subject to the provisions of Chapter [17.44](#) governing off-street parking requirements:

A. Any use permitted in the R-2 zone;

B. Multiple dwellings;

C. Single room occupancy facilities (maximum six (6) units). (Refer to Section [17.40.090](#) for additional requirements);

D. Condominiums. (Refer to Chapter [17.22](#) for additional condominium requirements);

E. A public parking area when developed as required by Chapter [17.44](#). (Ord. 13-1342 §3, 2013; prior code Appx. A, § 600)



**17.16.015 Short term rentals prohibited.**

It shall be unlawful for any person to offer or make available for rent or to rent (by way of a rental agreement, lease, license or any other means, whether oral or written) for compensation or consideration a residential dwelling, a dwelling unit or a room in a dwelling for less than thirty (30) consecutive days. It shall be unlawful for any person to occupy a residential dwelling, a dwelling unit or a room in a dwelling for less than thirty (30) consecutive days pursuant to a rental agreement, lease, license or any other means, whether oral or written, for compensation or consideration. (Ord. 16-1365 §6, 2016)

**17.16.020 Height.**

Intent and Purpose. The intent and purpose of this section is to set a standard height limit for most projects in scale with existing development and to minimize view obstruction. However, to recognize that pre-existing development in some neighborhoods and/or clusters of lots are already predominately built higher than the height limit, this section also allows some projects to exceed the height limit to enable property owners to enjoy the same rights to view, sunlight and air enjoyed by those property owners with the higher buildings. This section further sets forth the conditions and design criteria for determining whether a project is allowed to exceed the height limit.

A. No building shall exceed thirty (30) feet in height unless in compliance with subsections (B) and (C) of this section. Refer to Chapter [17.22](#) for additional height requirements for condominium projects located adjacent to walk streets.

B. The planning commission shall hold a public hearing and may grant or conditionally grant an exception to allow a multiple- or single-family building to exceed thirty (30) feet in height up to a maximum of thirty-five (35) feet in height when all of the following conditions are met to the satisfaction of the planning commission (subject to appeal to the city council pursuant to Section [17.58.040](#)):

1. An extension above the height limit is necessary to take advantage of a scenic view over surrounding structures which are already constructed above thirty (30) feet in height. Said structures already in excess of thirty (30) feet would otherwise significantly obstruct the proposed project's view potential;
2. The proposed development is located between, and adjacent to, two (2) or more contiguous lots with buildings constructed in excess of the thirty (30) foot height limit;
3. The structural extension above thirty (30) feet will not adversely impact the available views, and access to sunlight and air of adjacent and surrounding properties;

4. If all the above conditions are satisfied, the following design features of the portion of the building above thirty (30) feet shall also be considered by the planning commission to determine if an exception should be granted:

- a. The style and pitch of the roof,
- b. The mass and bulk of the proposed structure above thirty (30) feet (in order to minimize bulk of the upper floor),
- c. The architectural appearance, as exhibited by the type, style, and shape of the structure and the proposed exterior materials.

C. Application and public hearing requirements for processing exceptions to the height limit shall be in accordance with procedures established by the city council. Applicants for exceptions shall provide detailed topographical surveys and spot elevations of existing buildings for determining if existing building on adjacent lots exceed thirty (30) feet. (Ord. 95-1136 §§ 1 (part), 2 (part), 1995; prior code Appx. A, § 601)

#### **17.16.030 Front yard.**

Every lot shall have a front yard as shown on the map entitled "Front Yard Requirements" and adopted as a part of this title. Refer to Chapter [17.22](#) for additional front yard requirements for condominiums. (Prior code Appx. A, § 602)

#### **17.16.040 Side yards.**

A. Interior lots and corner lots shall have a side yard on each side of the lot of ten (10) percent of the width of the lot, provided such side yard shall be not less than three (3) feet in width and need not exceed five (5) feet in width.

B. Reversed corner lot shall have the following side yards:

1. Where the side lot line of the reversed corner lot adjoins another lot there shall be maintained a side yard not less than ten (10) percent of the width of the lot, provided such side yard shall be not less than three (3) feet in width and need not exceed five (5) feet in width.
2. On the street side, the side yard shall have a width of not less than the front yard setback required on the abutting lot to the rear or a width equal to ten (10) percent of the width of the reversed corner lot, whichever is the lesser. (Prior code Appx. A, § 603)

#### **17.16.050 Placement of buildings.**

Placement of buildings on any lot shall conform to the following:

- A. No building may occupy any portion of a required yard.
- B. Any buildings used for human habitation shall not be located closer to the rear property line than a distance of five (5) feet. However, where a rear yard abuts a street or alley, the building may be located three (3) feet on the ground floor level, and one (1) foot on upper stories, from the rear property line.
- C. The distance between any building used for human habitation shall be not less than eight (8) feet. The distance between a main building and accessory building shall be not less than six (6) feet.
- D. No buildings may be erected over any easement dedicated for public utility uses except those easements of record granted to Warren Gillelen.
- E. No accessory building may be located closer than three (3) feet to any side or rear property line. (Prior code Appx. A, § 604)

**17.16.060 Area.**

The minimum required lot area shall be four thousand (4,000) square feet. (Prior code Appx. A, § 605)

**17.16.070 Permissible lot coverage.**

All buildings, including accessory buildings and structures, shall not cover more than sixty-five (65) percent of the area of the lot. (Prior code Appx. A, § 606)

**17.16.080 Usable open space.**

There shall be a minimum of three hundred (300) square feet of usable open space per dwelling unit.

- A. One hundred (100) square feet of the required open space shall be directly accessible to and at the same floor level of the primary living area of each unit.
- B. Each qualifying open space area may be covered up to fifty (50) percent but shall not be enclosed on more than two (2) sides by building walls or guardrails greater than forty-two (42) inches in height. A trellis may be allowed to cover an entire open area so long as the open areas between the trellis beams is equal to or exceeds the area required to remain open and uncovered.
- C. The minimum dimension of open space areas shall be seven (7) feet by seven (7) feet.
- D. Open space areas may include pools, spas, gardens, play equipment, decks over non-living areas, and decks over living areas of the same dwelling unit but shall not include driveways, turning areas, parking areas and required front, rear and side yard areas.

E. Roof Decks. A maximum of one hundred (100) square feet of required open space may be provided on a roof deck, with minimum dimension of seven (7) feet by seven (7) feet. For the purposes of this section, "roof deck" is defined as the walkable or otherwise usable open space area located above the roof framing of the building, the only access to which is from the floors below.

F. When computing open space in conjunction with yard areas, only an area which exceeds the minimum required yard area may be counted toward open space and only if the overall dimension of the required setback and the exceeding area together has a dimension of at least seven (7) feet in width and length.

G. Circular, triangular, odd and/or unusual shaped open space areas shall have a minimum of forty-nine (49) square feet in area as well as minimum seven (7) foot dimensions.

H. Decks, balconies or similar areas which extend over more than one (1) dwelling unit shall have a minimum S.T.C. rating of fifty-eight (58).

I. Each development of five (5) or more units shall provide one hundred (100) square feet of common open space area or facility per unit in addition to required open space. The common open space area may include play area, pool, spa, recreation room, gym, garden and similar amenities for the common use of all owners, but shall not include driveways, turning areas, parking areas, and required front, rear and side yard areas. (Ord. 00-1207, §4 (part), 2000; Prior code Appx. A, § 507)

#### **17.16.090 Lot area per dwelling unit.**

The minimum lot area per dwelling unit shall be not less than one thousand three hundred twenty (1,320) square feet. (Prior code Appx. A, § 608)

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The Hermosa Beach Municipal Code is current through Ordinance 20-1416U, passed August 25, 2020.

Disclaimer: The City Clerk's Office has the official version of the Hermosa Beach Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

City Website: <https://www.hermosabeach.gov/>

City Telephone: (310) 318-0204

[Code Publishing Company](#)

# Community Character Analysis







# 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](mailto: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 its 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 multi-family 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



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,

A handwritten signature in blue ink, appearing to read "Suja".

Suja Lowenthal  
City Manager

Copy: Steve Hudson, District Director  
South Central Coast and South Coast, Los Angeles County  
California Coastal Commission  
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