

## CALIFORNIA COASTAL COMMISSION

South Coast District Office  
301 E Ocean Blvd., Suite 300  
Long Beach, CA 90802-4302  
(562) 590-5071



# W15c

A-5-MNB-20-0020 & A-5-MNB-20-0041 (CORINNA  
COTSEN 1991 TRUST)  
NOVEMBER 4, 2020

### **ADDENDUM**

**CALIFORNIA COASTAL COMMISSION**

South Coast Area Office  
301 E. Ocean Blvd., Suite 300  
Long Beach, CA 90802-4302  
(562) 590-5071



# W15c

## ADDENDUM

November 4, 2020

TO: Coastal Commissioners and Interested parties

FROM: South Coast District Staff

SUBJECT: **ADDENDUM TO ITEM W15c DE NOVO APPLICATION NO. A-5-MNB-20-0020 & A-5-MNB-20-0041 (Corinna Cotsen 1991 Trust) FOR THE COMMISSION MEETING OF WEDNESDAY, NOVEMBER 4, 2020**

---

### CORRESPONDENCE RECEIVED FROM THE APPLICANT

After the staff report was published, Commission staff received two letters from the applicant's attorney dated October 23, 2020 (**Attachment 1**) and November 2, 2020 (**Attachment 2**), expressing opposition to staff's recommendation and raising the following contentions: 1) the staff report does not identify specific LCP policies with which the project is determined to be inconsistent; 2) the Commission failed to appeal 53 similar projects over the past 20 years resulting in a reduction of residential units in areas zoned for medium or high density in the coastal zone of Manhattan Beach; 3) in two appeals where the Commission found no substantial issue (A-5-MNB-07-413 and A-5-MNB-10-272) the Commission focused mainly on building height, buildable floor area and open space requirements of the LCP; 4) constructing two duplexes on the two lots would do nothing to increase the supply of housing for the average person or to protect coastal resources; 5) the project is consistent with the laws in effect at the time of the local application; and 6) the proposed project will not negatively impact groundwater because of the relatively high elevation of the finished floor of the proposed basement in relationship to the groundwater table in the vicinity. The applicant's November 2, 2020 letter also contends that: 1) SB 330 "exempts" this project from the Housing Crisis Act and the project cannot be evaluated against standards that were not in effect in 2019, and 2) the City's ADU ordinance prohibits the construction of ADUs on this lot, so requiring an ADU is not an option here for maintaining density. The letter also corrects statements in the October 23, 2020 letter and clarifies that, according to the applicant's engineer, the elevation of the proposed structure is actually 44.5 feet lower than the elevation range stated in the prior letter.

Commission staff has the following responses to the applicant's letters.

First, contrary to the applicant's assertion, the staff report does identify specific LCP policies with which the project is determined to be inconsistent, including LUP Policies

II.B.1, II.B.2, and the Coastal Marine Resources Policies; and Sections A.01.030, A.12.020 and A.12.030 of the Certified IP. The staff report addresses these policies and discusses why the project is inconsistent with them on pages 6, 8, 9 and 11 of the staff report.

Second, with regard to the 53 projects in Manhattan Beach identified by the applicant that reduced housing density in areas zoned for medium or high density, and were not appealed by commissioners, the majority of these projects did not involve lot mergers, which was a significant factor in the appeal and reason for the denial recommendation and underscores the magnitude of this project and the extent to which it results in a very large single-family residence on a large lot that is not consistent with the character or pattern of development in the surrounding area. Furthermore, these projects illustrate that this project is not an isolated incident; rather, the project is part of a broader trend in development that is eliminating density in an area of Manhattan Beach specifically set aside in the LCP for more concentrated development, which raises concerns of consistency with both the designated zoning for this area and community character, as described in the staff report.

Third, the letter addresses two appeals where the Commission found no substantial issue (Appeal No. A-5-MNB-07-413 and A-5-MNB-10-272). The 2007 appeal was of a proposed project to demolish a triplex and build a single-family residence, and the 2010 appeal was of a project proposed to demolish a duplex and construct a single-family residence. In those cases, neither of which included a lot merger, the applicant's attorney contends that the Commission compared the proposed projects to the certified LCP policies and development standards and, in both instances, determined the appeals did not raise a substantial issue because the projects were consistent with objective standards in the LCP. However, the Commission's no substantial issue findings for those appeals did not consider the larger context of the trend in development that is apparent now. In addition, the Commission analyzed both projects for consistency with visual resources and community character and subjectively determined that the developments would not be out of scale with surrounding development. In A-5-MNB-07-413, the Commission found that the proposed residence was "visually compatible with the scale and character of the surrounding neighborhood, where many other similar-sized houses exist." The Commission came to a similar conclusion in A-5-MNB-10-272. Here, in contrast, the proposed project, particularly in light of the lot merger, will result in a house that is significantly out of scale with the surrounding development.

Fourth, the applicant's attorney contends that the "two duplex" alternative suggested in the staff report as a way of maintaining density on-site would not advance any certified LCP or statewide policies because they would not be affordable for the "average person". While new condominiums constructed in this location would not likely be "affordable," they would be more consistent with LCP policies regarding community character and the intended zoning for this area, which together further numerous Coastal Act policies intended to concentrate development in existing developed areas, minimize greenhouse gas emissions, and minimize impacts to coastal resources.

With regard to the applicant's assertion that the project is consistent with the laws in effect at the time of the application, which is a requirement of the Housing Crisis Act, the

Commission is not applying new laws and is not applying the Housing Crisis Act. Rather, the Commission's denial is based on the project's inconsistency with certified LCP policies that there is no dispute apply to this project.

Finally, with regard to the basement, the applicant submitted information regarding the depth of the basement and the height of the ground water table in the vicinity. This information was reviewed by Commission staff's Coastal Engineer Dr. Lesley Ewing and Dr. Joseph Street, and while they agree that the relatively high elevation of the proposed basement in relationship to the groundwater table in this location indicates that the proposed basement will not likely impact groundwater, Dr. Ewing remains concerned that a basement on a bluff may act as a potential retention device if exposed over time. Given the dynamic nature of the marine/beach environment, a full subterranean basement is not appropriate at this ocean-front location. Regardless, the primary issue in this case is the project's inconsistency with certified LCP policies relating to zoning and community character, which are sufficient bases for denial of the project.

In response to the applicant's November 2, 2020 letter, as stated above, the Commission is not evaluating the project against new standards that were not in effect in 2019 when the application was submitted to the City. While the applicant asserts that the project is "exempt" from the Housing Crisis Act, that law is not the standard of review and, as the applicant concedes, does not modify the Coastal Act or the certified LCP. The Commission's decision is based on an evaluation of the project's consistency with certified LCP policies, which there is no dispute are the standard of review for this project. As a quasi-judicial agency, the Commission reviews projects for consistency with certified LCPs based on the facts before the Commission, and has discretion to consider prior precedents but is not bound to follow them.

In addition, the applicant asserts that ADUs may not be constructed on this lot under the City's uncertified ADU ordinance. However, the Commission has discretion under the Coastal Act to condition this project to include additional units (including ADUs) if it is necessary for the project to conform with the certified LCP. Regardless, other alternatives exist that would retain housing density without the need to construct ADUs, including the construction of additional residential units, such as a duplex, and denial of the project.

For all the reasons stated in the staff report, the project does not comply with certified LCP policies designating this area of the coastal zone for higher density development and protecting community character. Therefore, the Commission is well within its discretion to deny the project.

**November 4, W 15c - A-5-MNB-20-0020; A-5-MNB-20-0041**

Sherman Stacey &lt;sstacey@gaineslaw.com&gt;

Fri 10/23/2020 2:48 PM

**To:** Padilla, Stephen@Coastal <Stephen.Padilla@coastal.ca.gov>; Brownsey, Donne@Coastal <donne.brownsey@coastal.ca.gov>; Bochco, Dayna@Coastal <dayna.bochco@coastal.ca.gov>; Turnbull-Sanders, Effie@Coastal <effie.turnbull-sanders@coastal.ca.gov>; Aminzadeh, Sara@Coastal <sara.aminzadeh@coastal.ca.gov>; Hart, Caryl@Coastal <caryl.hart@coastal.ca.gov>; Wilson, Mike@Coastal <mike.wilson@coastal.ca.gov>; Rice, Katie@Coastal <katie.rice@coastal.ca.gov>; Escalante, Linda@Coastal <linda.escalante@coastal.ca.gov>; Howell, Erik@Coastal <erik.howell@coastal.ca.gov>; Uranga, Roberto@Coastal <roberto.uranga@coastal.ca.gov>; Groom, Carole@Coastal <carole.groom@coastal.ca.gov>

**Cc:** Celina Luna <Celina.Luna@longbeach.gov>; Revell, Mandy@Coastal <Mandy.Revell@coastal.ca.gov>; Dobson, Amber@Coastal <Amber.Dobson@coastal.ca.gov>; Hudson, Steve@Coastal <Steve.Hudson@coastal.ca.gov>; Stacy Straus <stacy@esroure.com>; Corinna Cotsen <corinnacotsen@icloud.com>; Lee Rosenbaum <leerosenbaum@me.com>; Kimberly Rible <kribble@gaineslaw.com>

 2 attachments (8 MB)

Correspondence to Coastal Commission 10 23 2020.pdf; Exhibits A-H to Applicant's Letter of 10 23 2020.pdf;

**Chair Padilla and Commissioners:**

I have attached a letter on behalf of the Applicant for CDP A-5-MNB-20-0020; A-5-MNB-20-0041 which is Item 15c on Wednesday, November 4, 2020. I have also attached exhibits to this letter. The Staff Recommendation is for denial of a permit to demolish a single family house and adjoining triplex and construct a new single family house covering two merged lots. Although the application was complete before January 1, 2020, the Staff Recommendation continues to apply non Coastal Act policies for its recommendation to deny. This Appeal differs from prior Commission actions over the past year in that Manhattan Beach has a fully certified LCP which constitutes the standard for review.

My letter makes several points, the most important of which are the 4 below.

1. The new single family house meets all the objective standards in the certified LCP for height, setbacks, open space, area, lot size, and bulk and is permitted by right in the certified LCP.
2. Replacement of multiple units with single family houses is fully consistent with the certified LCP and consistent with 53 prior decisions of the City since 2001 in the appeal jurisdiction, none of which were appealed by the Commission.
3. When appeals were filed by other parties on single family permits that replaced 2 or 3 units, the Commission found such projects fully consistent with the certified LCP and the Commission declined the appeals finding no substantial issue.
4. The Legislature specifically made SB 330 not applicable to this project because the application was fully complete before January 1, 2020, a date that should be a bright dividing line.

The Applicant began planning her new home many months before filing any application. She followed every applicable policy and specific standard established in the certified

LCP. Neither the Coastal Act nor the certified LCP has been changed. The Applicant can be held to the certified LCP but not to shifting policy views on density. The Staff Report does not provide appropriate reasons to apply new non-Coastal Act policies or alter the meaning of existing language in the certified LCP from the meaning validated by 53 prior decisions uniformly made over a 20 year period. The Applicant cannot be now made accountable to new laws that did not exist and that do not apply by the express terms of those new laws. At this point there are very few similar cases in the permit pipeline that will come before you. Denial of the Applicant's permit will have no impact on the housing crisis in California.

I hope that you have the opportunity to review my letter and the Exhibits which are attached. Exhibit D details the 53 prior cases where the Commission did not appeal a Manhattan Beach decision where a single family house replaced multiple units. The supporting documents are voluminous so we have placed a hyperlink on Exhibit D to a Dropbox file where all of such documents can be found. The hyperlink is on the cover page for Exhibit D and at the bottom of a summary spreadsheet on pages 7-10 of Exhibit D. The prior cases are numbered for ease in identification. The staff will be provided with both written and electronic copies of all documents.

I thank you in advance for your careful consideration.

Sherman L. Stacey  
Gaines & Stacey, LLP  
1101 Dove Street, Suite 240  
Newport Beach, California 92660  
Telephone: (949)640-8999  
Fax: (949)640-8330  
sstacey@gaineslaw.com | website

FRED GAINES  
SHERMAN L. STACEY  
LISA A. WEINBERG  
REBECCA A. THOMPSON  
NANCI S. STACEY  
KIMBERLY RIBLE  
ALICIA B. BARTLEY

LAW OFFICES OF  
**GAINES & STACEY LLP**  
1101 DOVE STREET, SUITE 240  
NEWPORT BEACH, CALIFORNIA 92660

TELEPHONE  
(949)640-8999  
FAX  
(949)640-8330

October 23, 2020

ORIGINAL VIA U.S. MAIL

VIA EMAIL: [mandy.revell@coastal.ca.gov](mailto:mandy.revell@coastal.ca.gov)

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

**W15c**

Re: Appeal Nos. A-5-MNB-20-0020 & A-5-MNB-20-0041  
1312 and 1316 The Strand, Manhattan Beach  
Meeting Date: November 4, 2020; Agenda Item No. W15c  
**Project Support**

Dear Honorable Commissioners:

This office represents Corinna Cotsen as Trustee of the Corinna Cotsen 1991 Trust<sup>1</sup> (“Cotsen”), the owner of property located at 1312 and 1316 The Strand in Manhattan Beach (the “Property”). Our client sought and obtained a local coastal development permit from the City of Manhattan Beach (the “City”) that authorizes the demolition of an existing single-family residence and triplex, a lot merger, and the construction of a new single-family residence (the “Project”). Even though the Project meets every single standard set forth in the City’s certified Local Coastal Program, the Commission voted on October 8, 2020 to find that the appeal by Commissioners Escalante and Wilson raises a substantial issue. For the reasons contained in this correspondence and to be presented at the Commission’s Wednesday, November 4, 2020 hearing, Cotsen urges the Commission to follow the laws that were in effect at the time the application was deemed complete, adhere to an unbroken 20-year chain of precedent, and to approve de novo Coastal Development Permit No. A-5-MNB-20-0041.<sup>2</sup>

---

<sup>1</sup> Appeal No. A-5-MNB-20-0020 named Coral Courts, LLC as the Applicant. Coral Courts, LLC joins in this letter.

<sup>2</sup> The October 16, 2020 Staff Report refers to Coastal Development Permit Nos. A-5-MNB-20-0020 and A-5-MNB-20-0041. Although they are for the same Project, the two permits differ in one respect. The project description for Permit No. A-5-MNB-20-0020 does not incorporate the lot merger, whereas the project description for Permit No. A-5-MNB-0041 does incorporate the lot merger.

## **A. PROJECT BACKGROUND**

The Property is situated at two adjacent oceanfront lots, 1312 and 1316 The Strand, located in the City's RH (Residential High Density) zone and in Area III (Beach Area), within the appealable area of the Coastal Zone. Together, the two lots equal 6,287 square feet and are separated from the sandy beach by a downslope 12 foot wide pedestrian walkway, a landscaped buffer, and a paved bike path. (Please see project location photo, attached hereto as Exhibit 1 to the October 16, 2020 Staff Report (the "Staff Report").) The area surrounding the Property is developed with a mix of single and multi-family residences.

Cotsen inherited the property at 1316 The Strand from her grandparents who had built the current house in 1956 and lived there until her grandmother passed away in 1995. When Cotsen's neighbor, John Lyon, passed away in 2018, Cotsen purchased the adjacent triplex with the intent to demolish both her family house and the triplex to build a single-family house for her own family. The purchase was first through Coral Courts, LLC, and subsequently transferred to the Corinna Cotsen 1991 Trust.

Cotsen hired architects and engineers to prepare plans for the new house. Cotsen followed all of the rules and standards which were in effect. Cotsen filed an application with the City for a coastal development permit for the demolition of the family home (1316 The Strand) and the nonconforming triplex (1312 The Strand) and construction of a new, two-story over basement, 9,923 square foot single-family residence and attached three car garage over the two adjacent lots. The CDP application for the Project was deemed complete by the City on October 21, 2019 and approved by the City on March 3, 2020.<sup>3</sup> The City's approval was appealed by Commissioners Escalante and Wilson on April 6, 2020. (Appeal No. A-5-MNB-20-0020.) The City subsequently processed the associated lot merger,<sup>4</sup> reissued the coastal development permit with an updated project description, and issued a revised Notice of Final Action on July 23, 2020. Commissioners Escalante and Wilson thereafter filed another appeal, reasserting arguments that the Project is "inconsistent with the zoning and residential development policies of the certified LCP." (Appeal No. A-5-MNB-20-0041.) (Please see Project chronology contained in September 17, 2020 correspondence from the City, attached hereto as Exhibit A.)

Cotsen designed the single-family residence to comply with all laws, policies, and guidelines that were in effect at the time the application was filed and, subsequently, deemed complete. As detailed below, the 2019 laws do not prohibit a single-family residence in the RH zone, do not prevent a lot merger, nor do they require a one to one replacement of housing units. The subject Project objectively complies with the Commission certified Manhattan Beach Local Coastal Program ("LCP").

---

<sup>3</sup> The City originally approved the CDP on January 7, 2020, but then issued another CDP after Commission staff requested edits to the project description.

<sup>4</sup> The lot merger application was deemed complete by the City on November 15, 2020.



## **B. THE CERTIFIED LCP IS THE STANDARD OF REVIEW**

The location of this Project within the City of Manhattan Beach must be noted at the outset. The City's Land Use Plan ("LUP") was certified by the Coastal Commission in June 1981 and its LCP was fully certified in May 1994. The City has issued coastal development permits since that time. This fact makes this Project inherently different than projects located in Venice or Hermosa Beach, for example, which do not have a certified LCP. In other words, the City's zoning in this case has been officially "certified" by the Commission, unlike the zoning in Venice and Hermosa Beach which staff routinely refers to as consisting of an "uncertified zoning Code," and in those cases, the standard of review is the Coastal Act, and the LUP is only to be used as guidance

Coastal Act Section 30604(b) states that "[a]fter certification of the local coastal program a coastal development permit shall be issued if the issuing agency or the Commission on appeal finds that the proposed development is in conformity with the certified local coastal program." Therefore, the certified LCP is the applicable standard of review. As detailed below, this Project is no different than fifty-three (53) other single-family homes that, since 2001, were found by the City and Coastal Commission to be consistent with the City's certified LCP.

### **1. THE PROJECT IS CONSISTENT WITH THE CERTIFIED LCP'S DEVELOPMENT POLICIES AND COMMUNITY CHARACTER STANDARDS**

The Project's consistency with the certified LCP is highlighted by the fact that the Staff Report does not contain any claims of nonconformance with a single LCP provision. Instead, the focus of the appeal is on the Commission's recent position regarding a loss of housing units, reduction of "density potential" with the merger of two lots, and inconsistency with a newly discovered "intent" of the RH land use designation. The Staff Report describes the City's RH zoning as if it were a requirement, rather than an option, to build the maximum density permitted. But in fact, the certified LCP allows owners of property located in the RH zone a range of permitted uses, one of which is a single-family home, regardless of whether it sits on one lot or two. **The Staff Report admits on page 6 that "single-family residences are permitted by right" under LCP Section A.12.020.**

The LCP contains three policies with which residential development must adhere:

POLICY II.B.1: The proposed structure is consistent with the building scale in the coastal zone neighborhood and complies with the applicable standards of the LCP-Implementation Plan.

POLICY II.B.2: The proposed structure is consistent with the residential bulk control as established by the development standards of the LCP-Implementation Plan.

POLICY II.B.3: The proposed structure is consistent with the 30' coastal zone residential height limit as required by the LCP-Implementation Plan.

The Project is consistent with these certified LCP policies which are implemented by the City's zoning ordinance (Chapter 2 of the LCP Implementation Plan). Section A.12.030. Corresponding Section 10.12.030 of the City's Zoning Code (Property Development Regulations: RS, RM, and RH Districts) reflects the applicable height, floor area and open space requirements that apply to the Project, which is on an RH-zoned lot.

The Project is similarly consistent with the certified LCP's community character policies which are contained in Chapter 2 of the Implementation Plan. The corresponding section of the Municipal Code Section 10.01.040(B) states, in part:

**“Section 10.10.040 B. Types of Regulations.**

1. **Land Use Regulations** specify land uses permitted, conditionally permitted, or prohibited in each zoning district, and include special requirements, if any, applicable to specific uses. Land use regulations for base zoning districts are in Part II of the zoning regulations; land use regulations for overlay districts are in Part III. Certain regulations, applicable in all or several districts, are in Part IV.
2. **Development Regulations control the height, bulk, location, and appearance of structures on development sites. Development regulations for base zoning districts and area districts are in Part II of the zoning regulations;** development regulations for overlay districts are in Part III. Certain development regulations, applicable in more than one class of base or overlay districts, are in Part IV. These include regulations for site development, parking and loading, signs and nonconforming uses and structures.” **[Emphasis added.]**

**CHART B-1**

<b>Maximum Height (Feet)</b>	
Required	Proposed
30	29.03 <sup>5</sup>
<b>Maximum Buildable Floor Area (Square Feet)</b>	
Required	Proposed
10,688	9,923
<b>Minimum Usable Open Space (Square Feet)</b>	
Required	Proposed
1,486	1,663
<b>Minimum Setbacks (Feet)</b>	
Required	Proposed
Front: 5, Rear: 5, Side 6.4	Front: 5- 12, Rear: 5, Side: 6.4 – 31.4 <sup>6</sup>

<sup>5</sup> The roof's highest point is 29.03', however, the majority of the roof height varies between 25.82' and 26.88'.

<sup>6</sup> The setbacks vary, meeting or exceeding requirements.

When comparing the City-approved Project plans against the standards contained in the certified LCP, there is no evidence of non-compliance. The proposed single-family residence conforms to the certified LCP's floor area, height, and open space requirements. The maximum lot size in this zone as stated in Section 10.20.030 of the certified LCP is 7,000 square feet. The merged lots for this Project total 6,287 square feet in size. The maximum amount of buildable floor area allowed by the certified LCP is 1.7 times the lot area (10,688 square feet [6,287 x 1.7]). The local coastal development permit approved a 9,923 square foot structure, 7.2% less than the allowable regulations. The proposed single-family residence also conforms to the open space requirement pursuant to Section 10.12.030(M) of the certified LCP. The proposed project provides 1,663 square feet of usable open space area, which is 11.8% more than the 1,486 square feet required. The proposed Project also complies with the certified LCP's maximum height requirements. The certified LCP provides a 30' height limit (and 3 stories) and the subject home's maximum height is 29.03'. Finally, the proposed Project also meets all the certified LCP's setback requirements. (Please see Norelius Studio summary and diagrams, attached hereto as Exhibit B.)

The Commission looks to local LUP's and certified LCP's, when they exist, to determine consistency with community character. In September 2020, the Commission approved a 14,495 sq. ft. single-family residence with a basement in Santa Monica, finding the project is consistent with "all certified LUP policies and is consistent with all City zoning requirements. The certified LUP does not limit FAR or square footage for this particular area of the City's coastal zone, but does regulate height and development type. The project is consistent with the single-family residence use and is below the height limit....In this case the proposed development has been designed to stay within, and in some cases, remain under the maximums outlined in the standards." (Please see the September 10, 2020 Staff Report for 222 Marguerita Ave., CDP No. 5-20-0237.)

Using the same analysis, an even stronger case can be made here where there is a certified LCP in contrast to an outdated LUP, like in Santa Monica. The conclusion of that analysis is that because the Project complies with the allowable RH uses and with all applicable development standards, it is deemed to be consistent with community character. Similar findings were made by the Commission in finding "no substantial issue" on Manhattan Beach Appeal No. A-5-MNB-07-413 and Appeal No. A-5-MNB-10-272. (Please see pages 8-10, below.) The proposed structure is visually compatible with the scale and character of the surrounding neighborhood where a mix of similar-sized single and multi-family dwellings exists.

## **2. THE CERTIFIED LCP'S RH AND RM ZONES WERE NOT INTENDED TO MAINTAIN DENSITY**

The arguments contained in the Staff Report are premised on the alleged "intent" of the RH land use designation which, staff claims, is intended to "promote density through the construction of multi-family structures." However, the Staff Report does not reference one single prior Coastal Commission decision to support these claims that the certified LCP was intended to maintain density. In fact, the original intent of the certified LCP's zoning designations, and the findings upon which those regulations are based, was to allow a range of development options within the parameters of certain development standards.

Staff concedes that the “City’s certified implementation plan allows a minimum of one unit per lot for RH designated properties.” They argue that merging two lots<sup>7</sup> to accommodate one home, therefore, is “inconsistent with the high-density residential land use designation in the certified LCP.” In support, staff cites to LUP Policy II.B.1, which states “[m]aintain building scale in coastal zone residential neighborhoods consistent with Chapter 2 of the Implementation Plan” and LUP Policy II.B.2, which states “[m]aintain residential building bulk control established by development standards in Chapter 2 of the Implementation Plan.” But these policies relate to scale and bulk, rather than density, and staff conveniently ignores that the Project complies with the zone’s allowable uses and every development standard contained in the Implementation Plan.

**a. SINGLE-FAMILY HOMES ARE PERMITTED IN THE RH ZONE**

Single-family homes are permitted in the RH zone. Section 10.12.020 explains that “[i]n the following schedule, the letter “P” designates use classifications permitted in residential districts.”

**RS, RM, RH, RPD, and RSC DISTRICTS LAND USE REGULATIONS\***

- P — Permitted
- PDP — Precise Development Plan
- SDP — Site Development Permit
- U — Use Permit
- L — Limited, (See additional use regulations)
- — Not Permitted

	RS	RM	RH	RPD	RSC	Additional Regulations
<b>Residential Uses</b>						(A)
Day Care, Small Family Home	P	P	P	P	P	(P)
Day Care, Large Family Home	L-22	L-22	L-22	L-22	L-22	(P)
Group Residential	-	-	U	-	U	
Multi-family Residential						
5 or fewer units	-	P	P	P	U	(B)(C)(L)(P)
6 or more units	-	PDP/SDP	PDP/SDP	PDP/SDP	U	(B)(C)(L)(O)(P)
Multi-family Transient Use	-	-	-	-	-	
Residential Care, Limited	P	P	P	P	P	
Single-family Residential	P	P	P	P	P	(C)(P)
Single-family Transient Use	-	-	-	-	-	

\*Abridged table from Section 10.12.020.

<sup>7</sup> At the Commission’s related October 2020 Substantial Issue hearing, Deputy Director Steve Hudson testified that merging the two lots would “permanently lock in this lower allowable pattern of development density on site, even in the future...” This is not correct. New, smaller lots could be recreated in the future so long as they comply with the City’s minimum lot area requirements.

The certified LCP unequivocally permits a single-family residence in the RH zone and nowhere does the certified LCP require that a RH-zoned site be developed with a high density development. Staff's argument fails to acknowledge the admitted "black letter law," which is clear – *i.e.* the RH zoning designation, that the Commission certified as part of the City's certified LCP, allows single-family homes as a matter of right.

**b. IF THE INTENT OF THE CERTIFIED LCP WAS TO MAINTAIN DENSITY, THIS IS NOT REFLECTED BY 20 YEARS OF PRECEDENT**

Within the City of Manhattan Beach, virtually the entire Coastal Zone area is zoned RH or RM. (Please see the City's Zoning Map, attached hereto as Exhibit C.) Every single coastal development permit decision of the City and Coastal Commission over the last 20 years supports the replacement of multiple units by single units. Numerous residential coastal development permits have been issued by the City. Of those, since 2001, the City has issued 53 coastal development permits for single-family homes, in the RH or RM zone and within the appealable jurisdiction of the Coastal Zone, that have resulted in a loss of one or more housing units.<sup>8</sup> At least five of those single-family homes involved the merger of two or more lots.<sup>9</sup> On every one of these occasions, the City transmitted a Notice of Final Action to the Commission office. No appeal was ever initiated by the Commission claiming that demolition of units and construction of a single-family house was inconsistent with the certified LCP. In all 53 cases, the Commission's action (or inaction) confirms that single-family residences are consistent in the RH and RM zone, even if they result in a loss of one or more residential units.

Also, noticeably absent from the Staff Report is one single citation to a prior decision of the Coastal Commission in support of the appeal. Instead, the Staff Report makes generalized arguments that are based on new statewide housing policies, while at the same time conceding that those specific laws enacted to prevent loss of housing units do not apply nor are they contained in the certified LCP.

In fact, there is overwhelming precedent confirming the Project's conformance with the certified LCP. Since 2001, twenty-two (22) CDPs excluding the subject Project were issued by the City of Manhattan Beach for single-family homes on The Strand. In each case, the number of residential units was reduced. Every single one of these residences is situated in either the RH or RM zone and every single one of these projects was found by the City to be consistent with the certified LCP. Since 2002, thirty-one (31) other coastal development permits were issued by the City for single-family homes off The Strand that reduced the number of residential units (within the appeal jurisdiction of the Coastal Zone). Again, every single one of these residences is situated in

---

<sup>8</sup> The Staff Report identifies 45 single-family residences that were approved by replacing multi-unit structures between 2009 and 2019. In addition, these statistics do not include countless other coastal development permits that have been issued by the City for single-family homes in the RH and RM zones that did not reduce residential units.

<sup>9</sup> Evidence from the County Assessor shows other lots along The Strand have been resubdivided into larger lots than when originally created, but that occurred prior to the formal lot merger process that is required today. These larger parcels are marked in yellow. (Please see Assessor records, attached hereto Exhibit E.)

either the RH or RM zone. And again, every single one of these projects was found by the City to be consistent with the certified LCP. (Please see spreadsheet, photographs, and coastal development permits since 2001 for fifty-three (53) single-family homes, attached hereto as Exhibit D and Chart B-2, below.)

**CHART B-2**

Location	Zoning	CDPs Issued for SFRs	Lot Merger	Appealed by Coastal Commission	Appealed by 3 <sup>rd</sup> Party	Found Consistent w/LCP
On The Strand	RH or RM	<b>22</b> <i>since 2001</i>	4	0 <sup>10</sup>	0	<b>22</b>
Off The Strand <i>*in appeal jurisdiction</i>	RH or RM	<b>31</b> <i>since 2002</i>	1	0	2 <sup>11</sup>	<b>31</b>
<b>Total</b>	-	<b>53</b>	<b>5</b>	<b>0</b>	<b>2</b>	<b>53</b>

The City of Manhattan Beach properly acted in all 53 cases as demonstrated by the lack of a single appeal. The City of Manhattan Beach acted properly in this case as the Cotsen project is no different than these 53 other cases. The Coastal Commission's non-appeal of a single residential coastal development permit in almost twenty (20) years equates to the Commission's concurrence that these 53 homes comply with the certified LCP.

Two of these projects were appealed by a third party. In both instances the Commission found no substantial issue and concluded that the single-family homes replacing multi-family structures were consistent with the certified LCP.

**i. Appeal No. A-5-MNB-07-413**

Appeal No. A-5-MNB-07-413 was for the demolition of a two-story, 2,976 square foot triplex, and the construction of a three-level, thirty-foot high, 4,235 square foot single-family residence with a three-car garage on a 2,700 square foot lot at 121 9<sup>th</sup> Street in the RH zone, resulting in the loss of two dwelling units. Here is the Commission's finding of no substantial issue:

“Commission staff has compared the City-approved project plans against the standards contained in the certified LCP, and has found no evidence of non-compliance. The proposed *single-family residence conforms to the thirty-foot height limit* contained in the certified LCP. The proposed project also *conforms to the LCP's buildable floor area limit*. The lot is 2,700 square feet in size. The maximum amount of buildable floor area allowed by the certified LCP is 1.7 times the lot area (1.7 x 2,700 = 4,590 square feet). The local coastal development permit approves a 5,015 square foot structure (4,235 square foot house plus 780 square foot garage). However, the buildable floor area of a

<sup>10</sup> Excluding the subject Project.

<sup>11</sup> See Appeal No. A-5-MNB-10-272 at 121 8<sup>th</sup> St. (12/2010); Appeal No. A-5-MNB-07-413 at 121 9<sup>th</sup> Street (1/2008).

residential structure in the RH zone (Area III), as defined in Section A.04.030 of the certified LCP, does not include 600 square feet used for vehicle storage (e.g., the garage). Therefore, ***the proposed project's buildable floor area is 4,350 square feet (5,015- 600 = 4,415) and falls within the LCP's buildable floor area limit*** for the 2,700 square foot lot. The proposed single-family residence also ***conforms to the open space requirement*** of the certified LCP. The proposed project provides 365 square feet of usable open space area, which is greater than the 350 square feet required.

The appeal also raises concerns about the proposed project's effect on views and the visual quality of the area. Although the proposed three-level single-family residence is much larger than the two-story apartment building it will replace, the visual resources of the community will not be adversely affected. The proposed structure is ***visually compatible*** with the scale and character of the surrounding neighborhood, where many other similar-sized houses exist. ***The certified LCP specifically calls for the subject site (and surrounding lots) to be developed with a single-family residence or duplex up to thirty feet in height.*** The certified LCP does not identify the property for view protection. The public access and public views of the coast provided by the walk street (9<sup>th</sup> Place) that fronts the project site will not be affected by the project (Exhibit #6). Therefore, the proposed project will not obstruct any protected public views and will not adversely affect the visual quality of the area.” [Emphasis added.]

## ii. Appeal No. A-5-MNB-10-272

Appeal No. A-5-MNB-10-272 was for the demolition of a duplex and the construction of a three-level, thirty-foot high, 3,946 square foot single-family residence with a three-car garage at 121 8<sup>th</sup> Street in the RM (Medium Density Residential) zone, resulting in the loss of one dwelling unit. Here is the Commission’s finding of no substantial issue:

“The appeal includes no evidence of non-compliance with the City’s building standards. The proposed ***single-family residence conforms to the thirty-foot height limit*** set forth by the certified LCP. The proposed project also ***conforms to the LCP’s buildable floor area limit***. The lot is 2,700 square feet in size. The maximum amount of buildable floor area allowed by the certified LCP is 1.6 times the lot area ( $1.6 \times 2,700 = 4,320$  square feet) [and proposed project ***conforms to the LCP’s maximum floor area limitations***]...

...Although the proposed three-level single-family residence is larger than the building it will replace, the new building will not be out of scale or out of character with the other structures in the neighborhood. The proposed structure is ***visually compatible*** with the scale and character of the surrounding neighborhood, where many other similar-sized houses exist. ***The certified LCP specifically calls for the subject site (and surrounding lots) to be developed with a single-family residence or duplex up to thirty feet in height.*** ***The proposed project complies with the thirty-foot height limit and the floor area limit*** for the lot set forth by the certified LCP. The appeal is not supported by any evidence to the contrary. The public access and public views of the coast provided by the walk street

(8th Street) that fronts the project site will not be affected by the project. Therefore, the proposed project will not adversely affect any coastal resources.” **[Emphasis added.]**

In both appeal instances, the Commission compared the proposed projects to the certified LCP policies and development standards and, in both instances, determined objective compliance. As discussed in Section B(1) on pages 4-5 above, the same analysis conducted for the instant Project similarly results in consistency with the certified LCP and findings for Project approval.

**C. THE “TWO DUPLEX” ALTERNATIVE DOES NOT ADVANCE ANY CERTIFIED LCP OR COASTAL ACT POLICY**

Staff states that the “new state law is relevant because projects resulting in a loss of housing units and density potential, such as the case here, have significantly contributed to the current housing shortage in the state, which compelled the Legislature to enact housing laws such as SB 330. [These laws] are reflective of a statewide policy to encourage and increase housing throughout the state, which may impact coastal resources...” With the exception of the “No Project” alternative, staff suggests that Cotsen construct two duplexes. Neither of these alternatives advance any certified LCP or statewide policies.

The Coastal Act does not authorize the Commission to regulate affordable housing. And although Section 30604 of the Coastal Act does provide that the Commission should encourage the protection of existing and new affordable housing opportunities, that policy is not advanced by Cotsen revising the Project to provide two duplexes. In Permit Amendment Application No. 5-15-0535-A1, the Commission approved the enlargement of an existing duplex and its division into condominiums at 808 The Strand. One condominium unit, consisting of 2,911 square feet, sold in December 2015 for \$8,500,000 and new duplexes along The Strand are likely to sell upwards of \$10M, averaging between \$800 to \$1,400 per square foot. (Please see Los Angeles County Tax Assessor Records for 808 The Strand #2, attached hereto as Exhibit F.)

This purported “alternative,” that Cotsen could construct two, two unit buildings, is irrelevant to the “housing crisis” and four condominiums at a \$8.5M sale price would do nothing to increase the supply of housing for the average person or to protect coastal resources.

**D. THE PROJECT COMPLIES WITH LAWS EXISTING AT THE TIME THE APPLICATION WAS DEEMED COMPLETE**

The “Housing Crisis Act” (or SB 330) Government Code Section 66300(d)(4) states clearly that “[t]his subdivision shall only apply to a housing development project that submits a complete application pursuant to Section 65943 on or after January 1, 2020.” In its March 11, 2020 “Legislative Report: 2019 Chaptered Legislation, Housing” the Commission’s Legislative Unit and Legal Division agreed that “the new, no net loss standards shall only apply to a housing development project that submits a complete application pursuant to Section 65943 on or after January 1, 2020.” *And even the Staff Report concedes that “the new state law does not apply to this project” and that “the Housing Crisis Act does not amend the Coastal Act and is not the standard of review for the subject property.”*



Approximately two months after the City deemed the Cotsen application complete, the City and state laws changed. In anticipation of the January 1, 2020 effective date of SB 330, on December 17, 2019 the City adopted Urgency Interim Ordinance Nos. 19-0019-U and 19-0020-U, and to correspond with and implement the state's "no net loss" mandate. Those ordinances were subsequently extended by Ordinance Nos. 20-0002-U and 20-0003-U and today, in alignment with State law, the City requires an equal number of replacement units for residential dwelling units that are demolished.

These new City and State laws could prohibit Cotsen from constructing a single-family home on the Property today, but they do not apply retroactively to 2019 projects. The Project was designed to comply with all applicable City and state requirements in place at the time the application was filed and deemed complete in October 2019. At that time, no laws were in effect that mandated a one to one replacement of housing units.

Notably, several recent Commission actions support adhering to the laws that were in effect in 2019 versus 2020. Commissioner Padilla stated at the Commission's October 8, 2020 hearing on Item Th13b that the "Housing Crisis Act is not the standard of review to determine consistency" and Commissioner Bochco stated the Commission must "draw a line in the sand," whereby 2019 laws should apply to 2019 projects and 2020 laws should apply to 2020 projects.

This Project is a 2019 project, complies with 2019 laws, and cannot be held to different standards that were not in effect until 2020. The Legislature chose the January 1, 2020 date by which this project could be insulated from the change in law. The Coastal Commission lacks any authority to ignore the Legislature's determination

#### **E. THE PROJECT DOES NOT IMPACT THE WATER TABLE**

There is no evidence that groundwater supplies will be impacted by the Project. The LUP's Coastal Marine Resource Policies require, in part, that "groundwater supplies be protected." Although Section F "Water Quality" in the Staff Report concedes a lack of information on this issue, it irresponsibly recommends CDP denial simply because Cotsen "has not submitted any information with regard to the location of the groundwater table in this location, where the groundwater level is in relationship to the proposed basement, or whether the basement would need to be dewatered during or after construction."

The reason that no groundwater information was part of the application to the City is because it was not required given the high elevation of the Property that is characteristic of this area of The Strand. In fact, the Property's lowest elevation point is situated at 86.24 feet above sea level in the southwest corner, while the highest elevation point is 95.40 feet. (Please see Norelius Studio summary and diagrams, attached hereto as Exhibit B.) The floor of the basement is proposed for approximately 78.75' above sea level and, given the high elevation, will not result in the displacement of groundwater as it is nowhere near the water table.

On July 10, 2019, NorCal Engineering conducted a Soils Investigation for the Property. (Please see NorCal Soils Investigations, attached hereto as Exhibit G.) Section 5.2 “Groundwater” states that “[g]roundwater was not encountered in the area of the subsurface borings.” As detailed in the NorCal report, the “investigation consisted of the placement of three subsurface exploratory borings by hand auger to a maximum depth of 22.5 feet below current ground elevations...” No ground water was encountered. With an 86’ elevation, there is no scientific evidence and/or physical mechanism by which a potential 6 feet of sea level rise would increase the water table to such an extent (approximately 90 feet) that the Project would need to account for changes to the groundwater level that could occur with future sea level rise. This conclusion is bolstered by the California Department of Conservation’s “Historically Highest Ground Water Contours and Borehole Log Data Locations” for the Venice Quadrangle. (Please see Seismic Hazard Evaluation of the Venice 7.5-Minute Quadrangle, Los Angeles County, California, attached hereto as Exhibit H.)

Therefore, there is no evidence whatsoever to support the argument that the basement may be impacted by rising groundwater levels over the life of the Project, even if sea level rise is the maximum projected in the Commission guidelines. In fact, the evidence unequivocally shows that the Project protects groundwater supplies as required by the certified LCP.

#### **F. CONCLUSION**

Non Coastal Act policies that promote the preservation of higher density housing in higher density zones do not override the black letter law. The black letter law is evidenced by 53 other single-family residences approved over the last 20 years that reduced the number of units in the RH and RM zones, none of which were appealed by the Commission. Findings were made in every single instance, even those that involved lot mergers, that a single-family home complies with the certified LCP. Here, approval of the Project is further supported by the fact that the Project objectively complies with the certified LCP and state laws that were effective when the application was deemed complete.

If the Commission is legitimately concerned about the Manhattan Beach certified LCP’s lack of “robust policies that would explicitly prohibit the loss of residential units...,” then the proper procedure is to request the City to amend its certified LCP in conjunction with Coastal Act Section 30519.5, rather than trying to retroactively apply new laws that advance newly preferred housing policies. To deny the Project would be at the expense of Cotsen who followed the specific guidance contained in the certified LCP and 20 years of precedent under the applicable pre-2020 laws.

The Commission is legally obligated to follow the laws that were in effect at the time the application was deemed complete, adhere to an unbroken 20-year chain of precedent, and to approve de novo Coastal Development Permit No. A-5-MNB-20-0041.

Sincerely,

GAINES & STACEY LLP

*Sherman L. Stacey*

By

SHERMAN L. STACEY

cc: All Coastal Commissioners  
Amber Dobson  
Lee Rosenbaum  
Corinna Cotsen  
Stacy Straus  
Kimberly A. Rible, Esq.

# EXHIBITS

**Appeal Nos. A-5-MNB-20-0020 & A-5-MNB-20-0041  
1312 and 1316 The Strand, Manhattan Beach  
Meeting Date: November 4, 2020  
Agenda Item No. W15c**

EXHIBIT A: Project Chronology Letter from City of Manhattan Beach, dated 9/17/2020

EXHIBIT B: Norelius Studio Summary and Diagrams

EXHIBIT C: City of Manhattan Beach Zoning Map

EXHIBIT D: Historical City of Manhattan Beach CDP Information, since 2001

EXHIBIT E: Los Angeles County Assessor Maps

EXHIBIT F: Los Angeles County Assessor Information for 808 The Strand #2

EXHIBIT G: NorCal Engineering Soils Investigation, dated 7/10/2019

EXHIBIT H: California Dept. of Conservation Venice Quadrangle Ground Water Evaluation

# **EXHIBIT A**

**Project Chronology Letter from  
City of Manhattan Beach, dated 9/17/2020**



CITY OF MANHATTAN BEACH  
1400 Highland Avenue, Manhattan Beach, CA 90266

Ted Fatuross  
[www.citymb.info](http://www.citymb.info) · [tfatuross@citymb.info](mailto:tfatuross@citymb.info) · (310) 802-5512

09/17/2020

Srour & Associates  
Attn: Stacy Straus  
2447 Pacific Coast Highway, Suite 200  
Hermosa Beach, CA 90254

Dear Srour & Associates,

Per your request, I have outlined a timeline of events for the Coastal Development Permit applied for 1316 The Strand here in the City of Manhattan Beach. Please see below and let me know if you have any questions.

10/21/2019- City received Coastal Development Permit application. City deemed application complete on the same day.

11/15/2019- City received Lot Merger application. City deemed application complete on the same day.

11/20/2019- Planning issued corrections to applicant's architect regarding architectural plans.

12/10/2019- City mailed public notice.

12/12/2019- The Beach Reporter published with public notice.

12/13/2019 – 01/06/2020- Public noticing period.

1/07/2020- City issues Coastal Development Permit in accordance with the Manhattan Beach Local Coastal Program.

01/30/2020- Applicant signs Coastal Development Permit..

02/05/2020- City sends Notice of Final Government Action to California Coastal Commission.

02/24/2020- California Coastal Commission sends Notification of Deficient Notice to City.

03/03/2020- City issues Revised Coastal Development Permit in accordance with the Manhattan Beach Local Coastal Program.

03/17/2020- Applicant signs Revised Coastal Development Permit..

03/19/2020- City sends Notice of Final Government Action to California Coastal Commission.

03/25/2020- CCC sends Notice of Appeal Period letter to City, stating appeal period end at 5:00 PM 04/07/2020.

03/26/2020- CCC staff (Eric Stevens) and City staff (Ted Fatuross) exchange emails regarding the project.. More emails are exchanged on 03/31/2020 and 04/01/2020.

04/06/2020- CCC sends Commission Notification of Appeal to City.

07/02/2020- Certificate of Compliance for Merger of Parcels signed by Manhattan Beach Community Development Director Carrie Tai.

07/08/2020- City corrects Coastal Development Permit's project description *nunc pro tunc* in accordance with the Manhattan Beach Local Coastal Program.

07/23/2020- Applicant signs Coastal Development Permit that was corrected *nunc pro tunc*.

07/23/2020- City sends Revised Notice of Final Government Action to the CCC.

08/06/2020- CCC sends Notice of Appeal Period to City with incorrect project description.

08/11/2020- CCC sends Commission Notification of Appeal to City with incorrect project description.

08/12/2020- City staff (Ted Fatuross) contacts CCC staff (Shannon Vaughn) via email regarding incorrect project description in Notice of Appeal Period letter sent to City on 08/06/2020.

08/14/2020- Corrected Notification of Appeal Period sent to City by CCC with correct project description. Indicates Appeal Period ends at 5:00 PM on 08/12/2020.

Sincerely,

A handwritten signature in black ink, appearing to read "Ted Fatuross", with a stylized flourish extending from the end.

**Ted Fatuross**

**Assistant Planner**

# **EXHIBIT B**

## **Norelius Studio Summary and Diagrams**



# 1316 the strand . coastal appeal summary + diagrams

## DESIGN STRATEGY

It has been the desire of the client and the design team, from the beginning of this process, to design a house which respects the scale and rhythm of The Strand, as varied as its homes are in size, bulk, and style. It has always been the intent to work within all zoning code requirements regulating size and bulk, or to propose even smaller and less bulky solutions than required. Some examples:

1. The width of the ground elevation facing The Strand is less than 80% of what is allowed. The rest is left open for a covered outdoor terrace that opens to a courtyard beyond. *(Diagram P. 1)*
2. An additional 28% of The Strand elevation has windows on the front and back that allow passerby to look directly through the house to the courtyard, further minimizing the bulk. *(Diagram E. 1)*
3. The entire The Strand elevation is modulated with multiple planes and materials, to avoid a single flat monolithic elevation. *(Diagram E. 1)*
4. On the second floor of The Strand elevation, the south end of the house is semi-circular, again reducing the perceived bulk. *(Diagram P.2)*
5. The south side of the house, which can be clearly seen when walking north on The Strand, reveals the large courtyard at the center of the house and the stepped-back second floor to the east, which exceeds the requirements for open space.

As designed, the project at 1316 The Strand meets or surpasses all zoning code regulations for lots in the RH-3 zone. Client-driven design goals ensure the bulk of the building is reduced by not maximizing the buildable floor area; the designed open space exceeds that which is required by code; and the overall height and number of stories is below code allowed maximums.

## SETBACKS

The RH-3 zone requires 5' setbacks at front and rear yards and side yard setbacks that are 10% of the overall lot width. Along the southern side yard setback line, the building is setback an additional 10' in the southwest corner and an additional 25' directly to the south. This means that the building, at this part of the site, is only occupying 51.2% of the available lot width the zoning code would allow it to occupy. *(Diagram P. 1)*

The building also steps back an additional 3' in areas where the vertical height of the building exceeds 24' within 3' of the side yard setback line. *(Diagrams P.3, E. 1 - E.4)*

10.12.030 (F) Building Height and Required Yards. *Except as provided below, the width of a required interior side, corner side or rear yard adjoining a building wall exceeding twenty-four (24') in height, excluding any portion of a roof, shall be increased three feet (3') over the basic requirement.*

## 1316 the strand . coastal appeal summary + diagrams

The bulk of the building is further reduced by the entire north elevation of the building, including all portions of the roof, stepping back an additional 3' so that the entirety of the building is below 24'.

### BUILDABLE FLOOR AREA

The maximum allowable Buildable Floor Area (BFA) in the RH-3 zone is determined by multiplying the lot width by the code dictated Floor Area Factor (FAF) of 1.7. The combined lot area is 6,287sf, multiplied by 1.7 results in a maximum allowable BFA of 10,688sf. The proposed project has a BFA of 9,923sf, 7.2% less than allowed.

*10.12.030 (I) Maximum Buildable Floor Area. The maximum buildable floor area on a lot shall be determined by multiplying the lot area times the Floor Area Factor (FAF) shown in the table (1.7). [...] Certain space is not included in the definition of buildable floor area:*

- 1. The area used for vehicle parking and loading [...] up to six hundred (600) square feet where three (3) enclosed parking spaces are required and provided.*
- 2. In all residential districts, seventy percent (70%) of floor area in a basement that is not entirely below local grade, and up to two hundred (200) square feet of basement area used for storage and mechanical equipment purposes is excluded from the determination of buildable floor area.*

### OPEN SPACE

The zoning code requires a minimum amount of open space to be equal to 15% of the Buildable Floor Area. The project BFA is 9,923 which requires a minimum 1,487sf of open space. As designed, the design provides 1,663sf of open space, or 11.8% more open space than the minimum amount required by code.

*(Diagrams P.1, P.2)*

In addition, the zoning code requires that at least half the required open space be provided on the ground floor, per 10.12.030(M):

*10.12.030(M). Open Space Requirements.*

- 1. For single-family dwellings in Area District III and IV and multifamily dwelling units in all districts, the minimum requirement is fifteen percent (15%) of the buildable floor area per unit, but not less than two hundred twenty (220) square feet. For calculating required open space, basement areas shall be calculated as one hundred percent (100%) buildable floor area, and fifteen percent (15%) open space shall be required for the basement square footage*
- 2. The amount of a dwelling unit's required open space located above the second story (where permitted by height regulations) shall not be more than one-half (1/2) of the total required open space.*

## 1316 the strand . coastal appeal summary + diagrams

The code only describes open space above the second floor, not on the second floor, but despite the project being only 2 stories instead of the allowed 3, 1,159sf (or 69.7% of the provided open space) is provided for on the ground floor.

### HEIGHT

The RH-3 zone limits buildings to a height of 3 stories and 30'. Building Height is regulated by sections 10.60.050(A) to determine the overall height and 10.12.030(F) to minimize the overall bulk of the building. The height of buildings is measured in relation to the established reference elevation, which is an average of the property corners - 86.88', 95.40', 95.19', and 86.24' - or 90.93'. The 30' maximum allowed height is therefore an elevation of 120.93'. (*Diagrams E.1 - E.4*)

As designed, the highest elevation point of the roof is 119.96', or .98' below the max while the majority of the roof is split into two sections - one with an elevation of 116.75' or 4.18' lower, and the other with an elevation of 117.81' or 3.12' lower than the maximum allowed elevation. These two sections, all significantly lower than the maximum allowed height, comprise 90.5% of the entire roof area. The house is also designed with only 2 floors, rather than the 3 allowed by code. (*Diagrams P.3*)

*10.12.030 (F) Building Height and Required Yards. Except as provided below, the width of a required interior side, corner side or rear yard adjoining a building wall exceeding twenty-four (24') in height, excluding any portion of a roof, shall be increased three feet (3') over the basic requirement.*

*10.60.050 (A) Measurement of Height. Height shall be measured from a horizontal plane established by determining the average elevation of existing grade at all four (4) corners of the lot [...]*

PROPERTY LINE

REQUIRED 6.4' SIDEYARD SETBACK

SETBACK LINE

ADD'L 10'  
SETBACK  
PROVIDED

REQUIRED 5'-0" REAR YARD SETBACK

REQUIRED 5'-0" FRONT YARD SETBACK

ADD'L 7'  
SETBACK  
PROVIDED

ADDITIONAL 25'-0"  
SETBACK PROVIDED

ADDITIONAL 10'-0"  
SETBACK PROVIDED

REQUIRED 6.4' SIDEYARD SETBACK

DIAGRAM P.1

**NORELIUS STUDIO**

2807 PICO BLVD | SANTA MONICA CA | 90405

OPEN SPACE REQUIRED PER MBMC 10.12.030(M)  
REQUIRED: 1,487SF  
PROVIDED: 1,663SF



1316 THE STRAND  
FIRST FLOOR SETBACKS & OPEN SPACES  
3/32" = 1'-0"

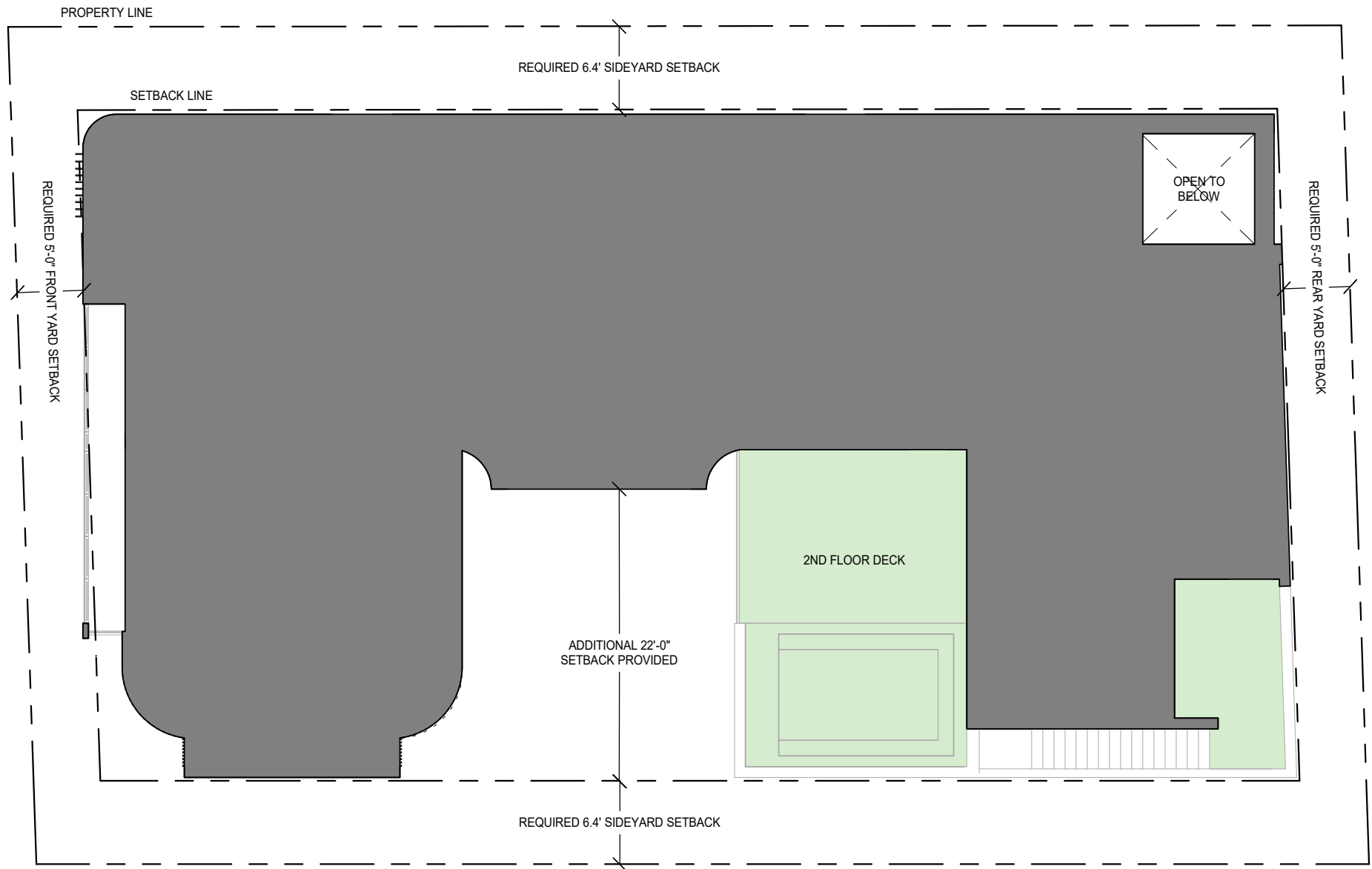


DIAGRAM P.2

**NORELIUS STUDIO**  
 2807 PICO BLVD | SANTA MONICA CA | 90405

OPEN SPACE REQUIRED PER MBMC 10.12.030(M)  
 REQUIRED: 1,487SF  
 PROVIDED: 1,663SF

AREA OF CODE ALLOWED SETBACK ENCROACHMENT

1316 THE STRAND  
 SECOND FLOOR SETBACKS & OPEN SPACES  
 $\frac{3}{32}" = 1'-0"$

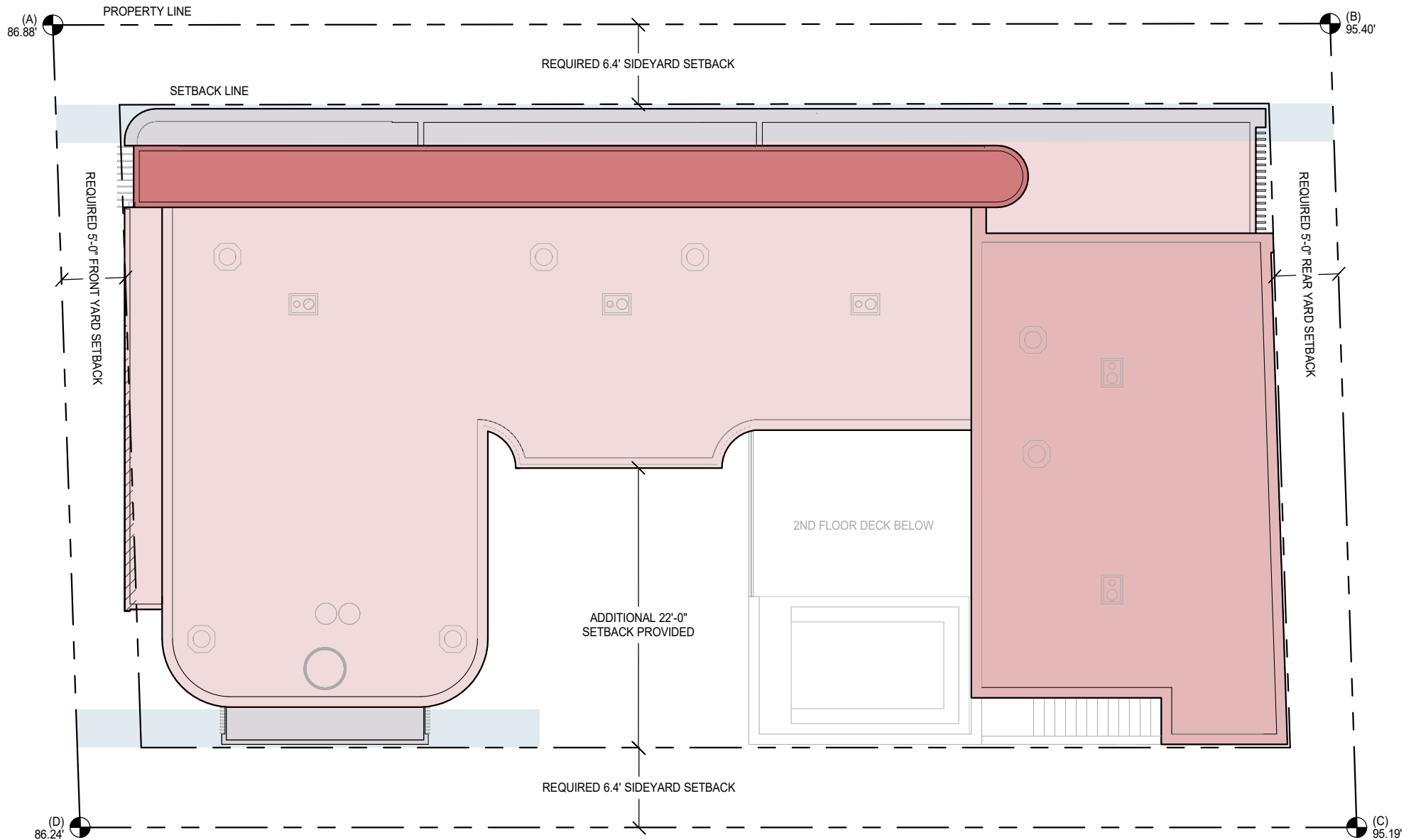


DIAGRAM P.3

**NORELIUS STUDIO**  
 2807 PICO BLVD | SANTA MONICA CA | 90405

REFERENCE ELEVATION: 90.93'  
 MAX. ALLOWED BUILDABLE HEIGHT: 30'  
 MAX. ALLOWED ROOF ELEVATION: 120.93'

- HIGHEST ROOF ELEVATION PROVIDED: 119.96'
- MIDDLE ROOF ELEVATION PROVIDED: 117.81'
- LOWEST ROOF ELEVATIONS PROVIDED: 116.75' OR LOWER
- AREA OF CODE ALLOWED SETBACK ENCROACHMENT
- AREA OF 3' ADD'L SETBACK @ 24' ABOVE LOCAL GRADE

1316 THE STRAND  
 SETBACKS & ROOF ELEVATIONS  
 3/32" = 1'-0"

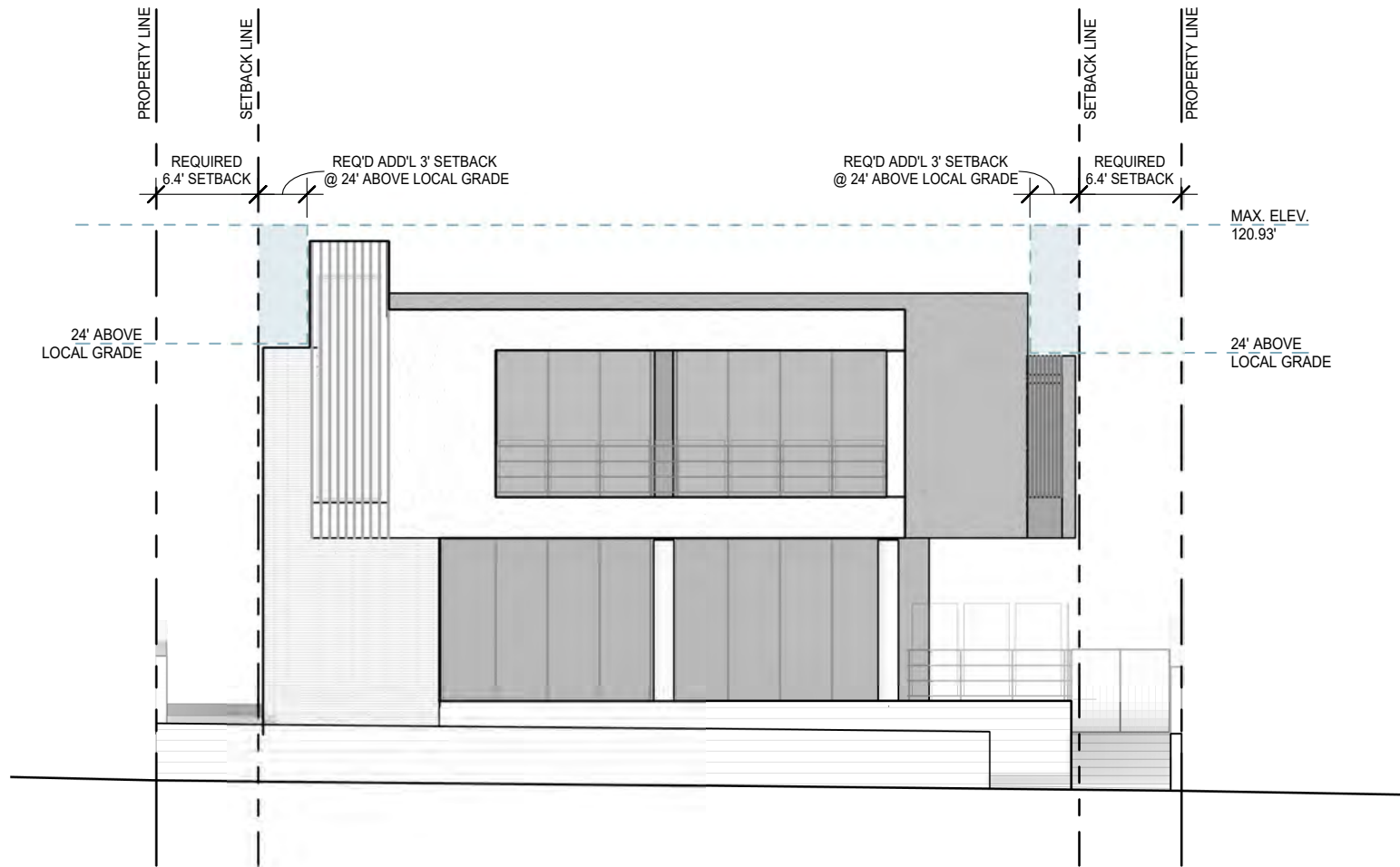


DIAGRAM E.1

**NORELIUS STUDIO**  
2807 PICO BLVD | SANTA MONICA CA | 90405

- AREA OF REQUIRED ADDITIONAL 3' SIDEYARD SETBACK AT 24' ABOVE LOCAL GRADE PER MBMC 10.12.030(F)
- AREAS OF ELEVATION WHERE ADDITIONAL SETBACKS ARE PROVIDED

1316 THE STRAND  
WEST ELEVATION SETBACKS  
3/32" = 1'-0"

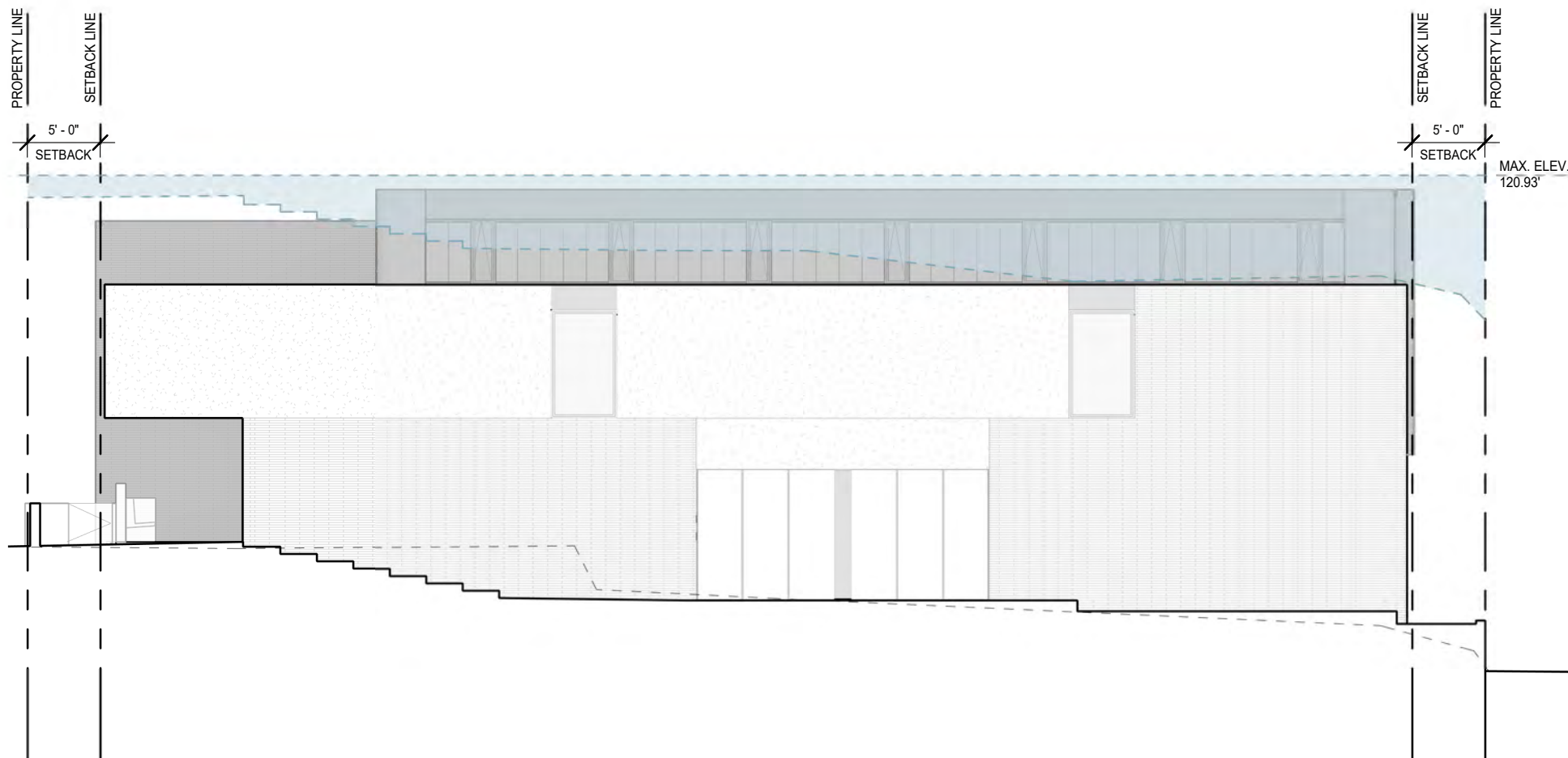


DIAGRAM E.2

**NORELIUS STUDIO**  
2807 PICO BLVD | SANTA MONICA CA | 90405

- AREA OF REQUIRED ADDITIONAL 3' SIDEYARD SETBACK AT 24' ABOVE LOCAL GRADE PER MBMC 10.12.030(F) LOWEST ADJACENT GRADE, EXISTING OR PROPOSED
- LINE OF NEW PROPOSED GRADE ON PROPERTY
- LINE OF EXISTING GRADE ON PROPERTY
- AREAS OF ELEVATION WHERE ADDITIONAL SETBACKS ARE PROVIDED

1316 THE STRAND  
NORTH ELEVATION SETBACKS  
3/32" = 1'-0"



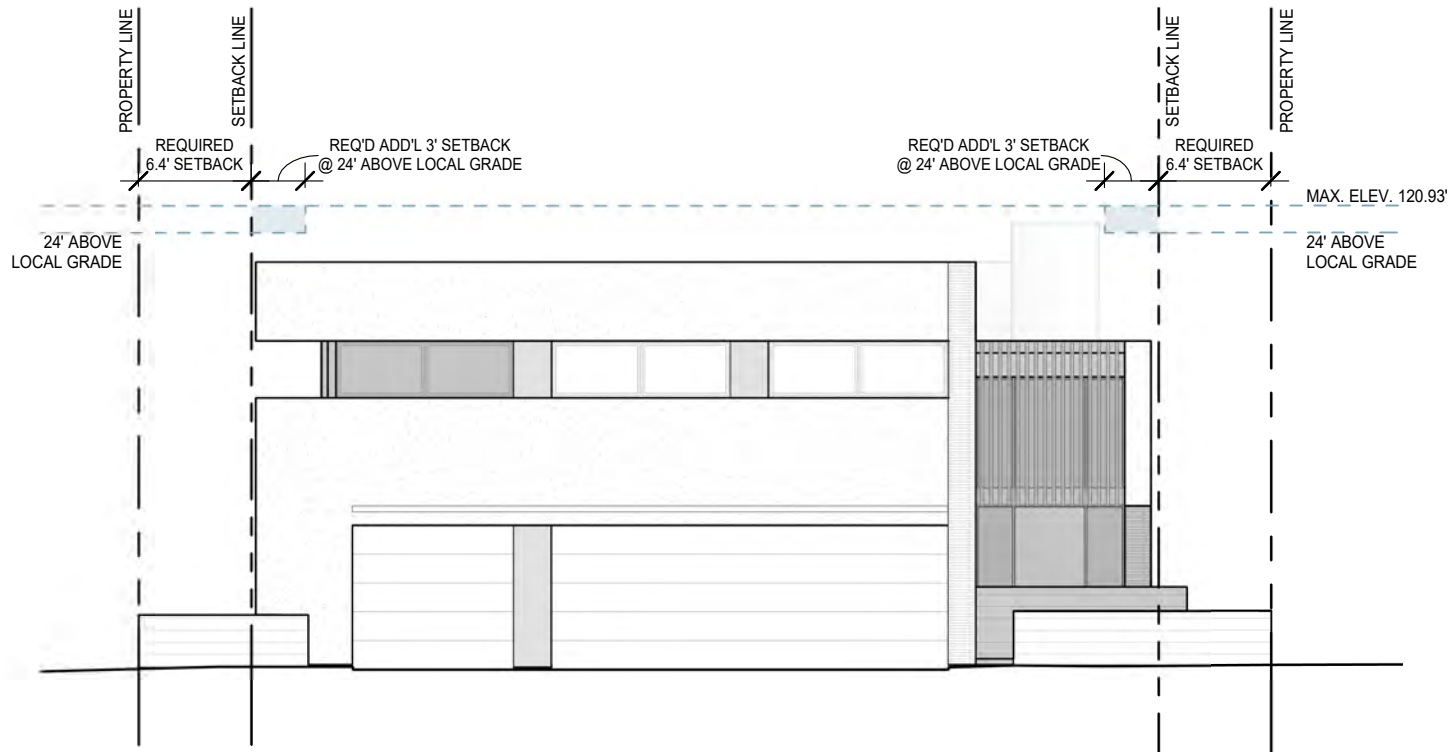


DIAGRAM E.3

**NORELIUS STUDIO**  
2807 PICO BLVD | SANTA MONICA CA | 90405

- AREA OF REQUIRED ADDITIONAL 3' SIDEYARD SETBACK AT 24' ABOVE LOCAL GRADE PER MBMC 10.12.030(F)
- AREAS OF ELEVATION WHERE ADDITIONAL SETBACKS ARE PROVIDED

1316 THE STRAND  
EAST ELEVATION SETBACKS  
3/32" = 1'-0"



DIAGRAM E.4

**NORELIUS STUDIO**  
2807 PICO BLVD | SANTA MONICA CA | 90405

- AREA OF REQUIRED ADDITIONAL 3' SIDEYARD SETBACK AT 24' ABOVE LOCAL GRADE PER MBMC 10.12.030(F) LOWEST ADJACENT GRADE, EXISTING OR PROPOSED
- LINE OF NEW PROPOSED GRADE ON PROPERTY
- LINE OF EXISTING GRADE ON PROPERTY
- AREAS OF ELEVATION WHERE ADDITIONAL SETBACKS ARE PROVIDED

1316 THE STRAND  
SOUTH ELEVATION SETBACKS  
3/32" = 1'-0"

# EXHIBIT C

## City of Manhattan Beach Zoning Map

**Link to map:**

**<https://www.citymb.info/home/showdocument?id=76>**



# CITY OF MANHATTAN BEACH

## ZONING DESIGNATIONS

Area District Boundaries

### Zoning Designations & Overlays

#### Residential Districts

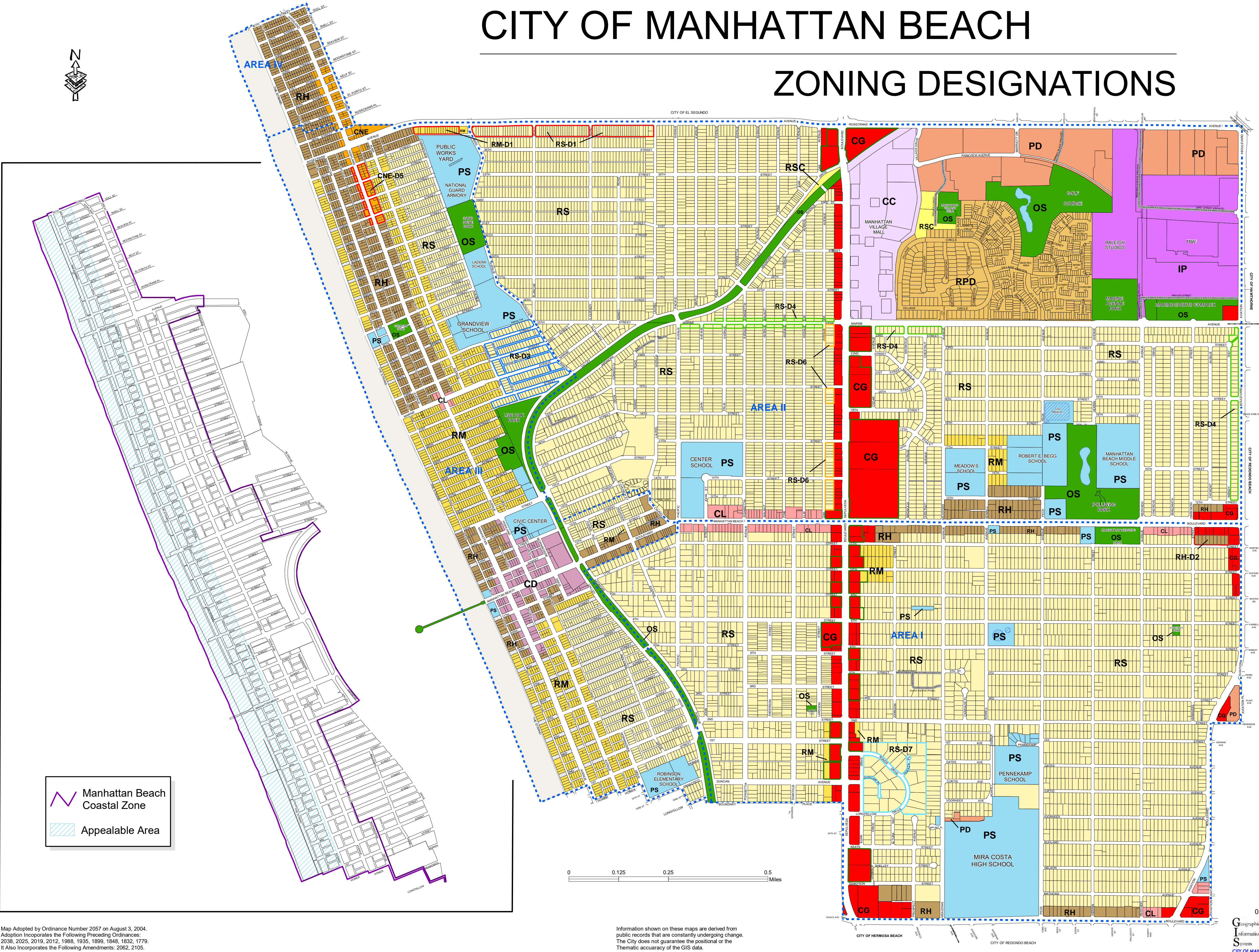
- RS** Residential Single Family
- D1-Design Review  
-Rosecrans Avenue
  - D3-Design Review  
-Gaslamp Neighborhood
  - D4-Design Review  
-Traffic Noise Impact Area
  - D6- Design Review  
-Oak Avenue
  - D7- Design Review  
-Longfellow Drive
  - D8- Design Review  
-Sepulveda Corridor
- RM** Residential Medium Density
- D1- Design Review  
-Rosecrans Avenue
  - D8- Design Review  
-Sepulveda Corridor
- RH** Residential High Density
- D2- Design Review  
-11th Street
- RPD** Residential Planned Development
- RSC** Residential Senior Citizen

#### Commercial Districts

- CL** Local Commercial
- CC** Community Commercial
- CG** General Commercial
- D8- Design Review  
-Sepulveda Corridor
- CD** Downtown Commercial
- CNE** North End Commercial
- D5- Design Review  
-North End Commercial

#### Other Districts

- PD** Planned Development
- IP** Industrial Park
- PS** Public and Semi-Public
- OS** Open Space



Map Adopted by Ordinance Number 2057 on August 3, 2004.  
Adoption Incorporates the Following Preceding Ordinances:  
2038, 2025, 2019, 2012, 1988, 1935, 1899, 1848, 1832, 1779.  
It Also Incorporates the Following Amendments: 2062, 2105.

Information shown on these maps are derived from public records that are constantly undergoing change. The City does not guarantee the positional or the Thematic accuracy of the GIS data.



# EXHIBIT D

## Historical City of Manhattan Beach CDP Information, since 2001

This Exhibit contains information regarding fifty-three (53) coastal development permits issued by the City of Manhattan Beach since 2001 for single-family homes that replaced two or more existing residential units in the RH (Residential High Density) or RM (Residential Medium Density) zone. Five of the 53 projects included lot mergers. Two of the 53 projects were appealed by a third party. Zero of the 53 projects were appealed by the Commission.

**All 53 projects were found to be consistent with the certified Local Coastal Program.**

Location	Zoning	CDPs Issued for SFRs <sup>1</sup>	Lot Merger	Appealed by Coastal Commission	Appealed by 3 <sup>rd</sup> Party	Found Consistent w/LCP
On The Strand	RH or RM	<b>22</b> <i>since 2001</i>	4	0 <sup>2</sup>	0	<b>22</b>
Off The Strand <i>*in appeal jurisdiction</i>	RH or RM	<b>31</b> <i>since 2002</i>	1	0	2 <sup>3</sup>	<b>31</b>
<b>Total</b>	-	<b>53</b>	<b>5</b>	<b>0</b>	<b>2</b>	<b>53</b>

<sup>1</sup> This list only includes CDPs that were issued for single-family residences that replaced two or more existing residential units. This list does not include CDPs that were issued for single-family residences that replaced existing single-family residences.

<sup>2</sup> Excluding the subject Project.

<sup>3</sup> See Appeal No. A-5-MNB-10-272 at 121 8<sup>th</sup> St. (12/2010); Appeal No. A-5-MNB-07-413 at 121 9<sup>th</sup> Street (1/2008).

**Link to CDP Documentation for All 53 Properties:**

<https://www.dropbox.com/s/vejy7n1pd3rd1a/Exhibits%20for%20CCC%20Submittal.pdf?dl=0>



# CITY OF MANHATTAN BEACH

## ZONING DESIGNATIONS

Area District Boundaries

### Zoning Designations & Overlays

#### Residential Districts

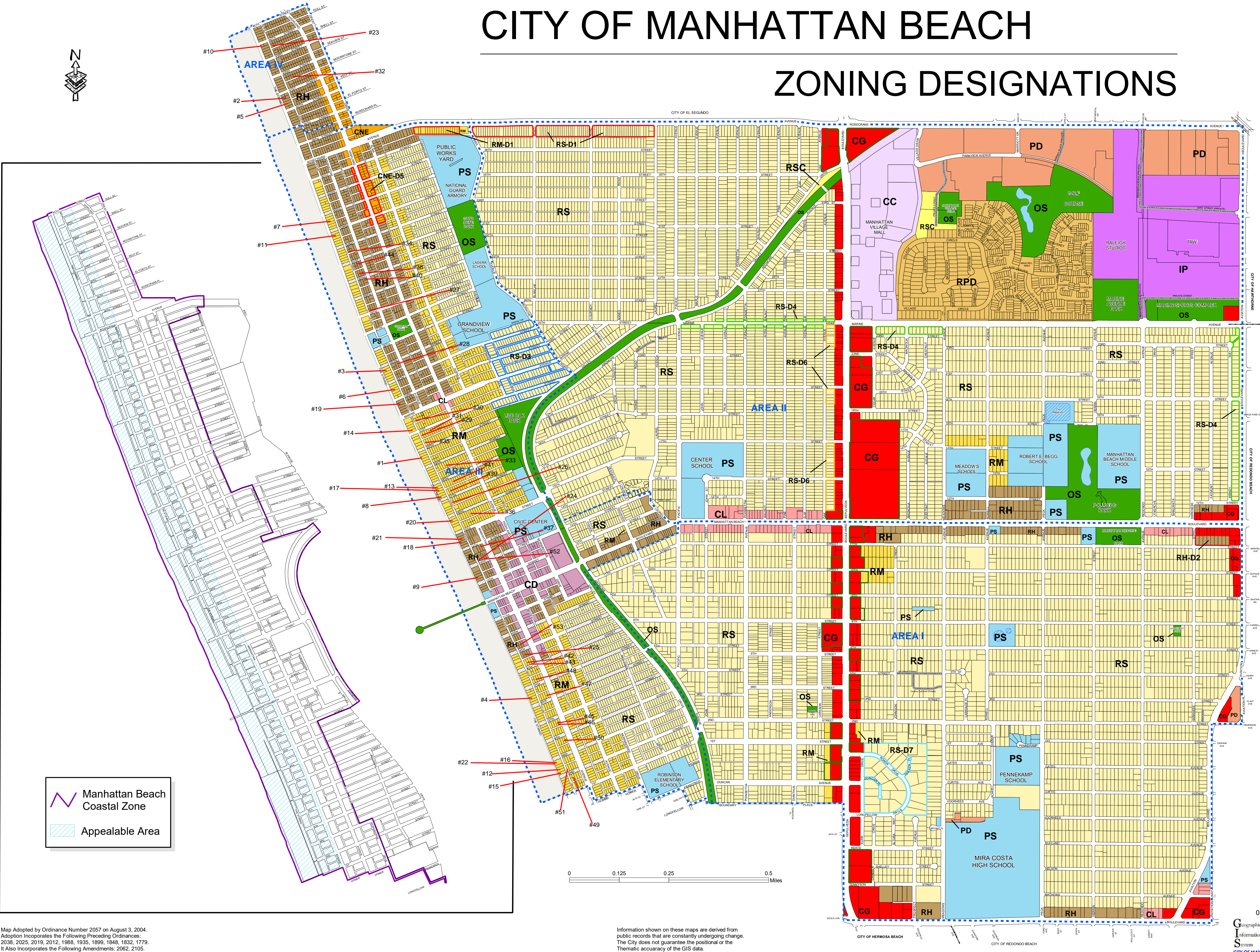
- RS** Residential Single Family
- D1-Design Review  
-Rosecrans Avenue
  - D3-Design Review  
-Gaslamp Neighborhood
  - D4-Design Review  
-Traffic Noise Impact Area
  - D6- Design Review  
-Oak Avenue
  - D7- Design Review  
-Longfellow Drive
  - D8- Design Review  
-Sepulveda Corridor
- RM** Residential Medium Density
- D1- Design Review  
-Rosecrans Avenue
  - D8- Design Review  
-Sepulveda Corridor
- RH** Residential High Density
- D2- Design Review  
-11th Street
- RPD** Residential Planned Development
- RSC** Residential Senior Citizen

#### Commercial Districts

- CL** Local Commercial
- CC** Community Commercial
- CG** General Commercial
- D8- Design Review  
-Sepulveda Corridor
- CD** Downtown Commercial
- CNE** North End Commercial
- D5- Design Review  
-North End Commercial

#### Other Districts

- PD** Planned Development
- IP** Industrial Park
- PS** Public and Semi-Public
- OS** Open Space

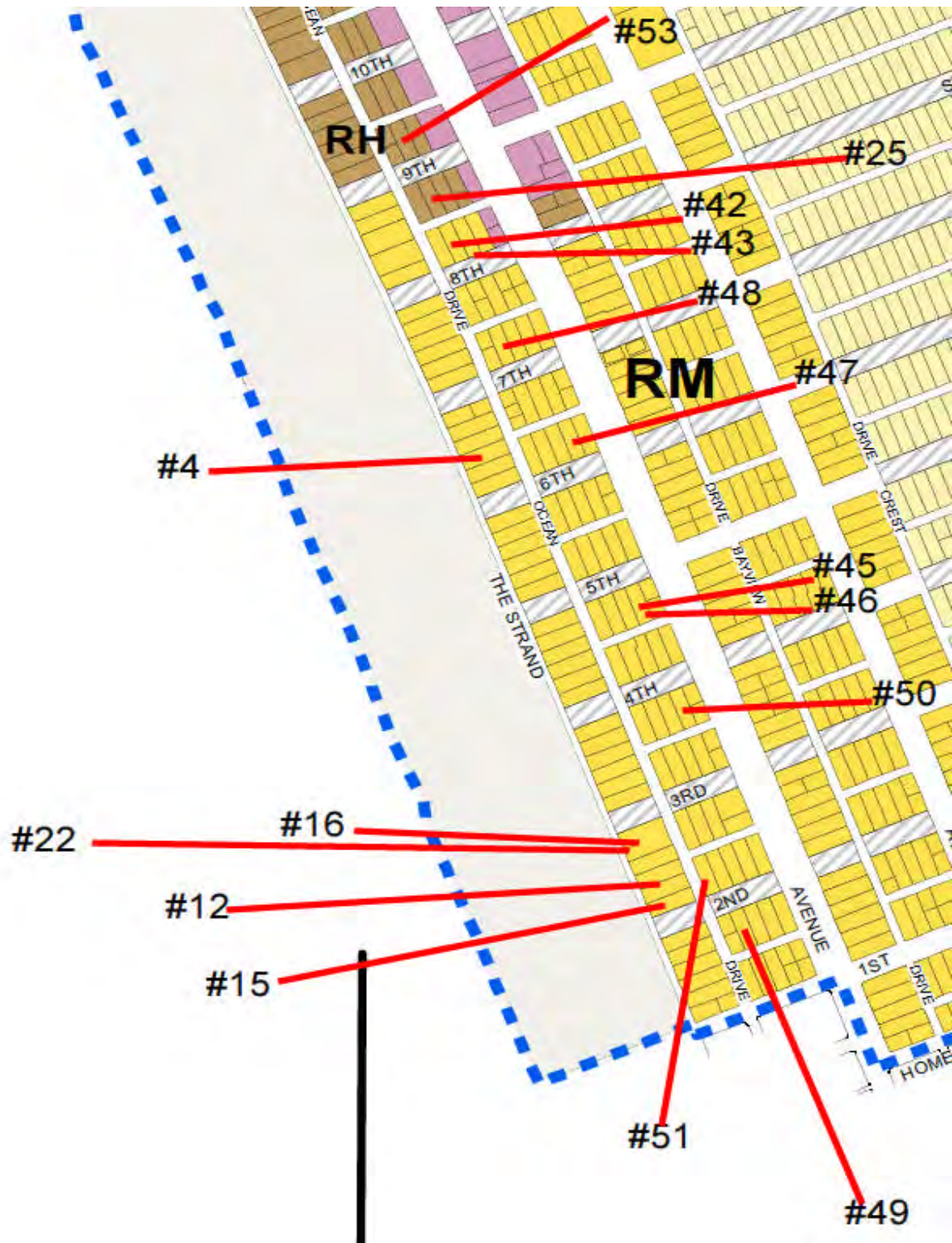


Map Adopted by Ordinance Number 2057 on August 3, 2004.  
Adoption Incorporates the Following Preceding Ordinances:  
2038, 2025, 2019, 2012, 1988, 1935, 1899, 1848, 1832, 1779.  
It Also Incorporates the Following Amendments: 2062, 2105.

Information shown on these maps are derived from  
public records that are constantly undergoing change.  
The City does not guarantee the positional or the  
thematic accuracy of the GIS data.

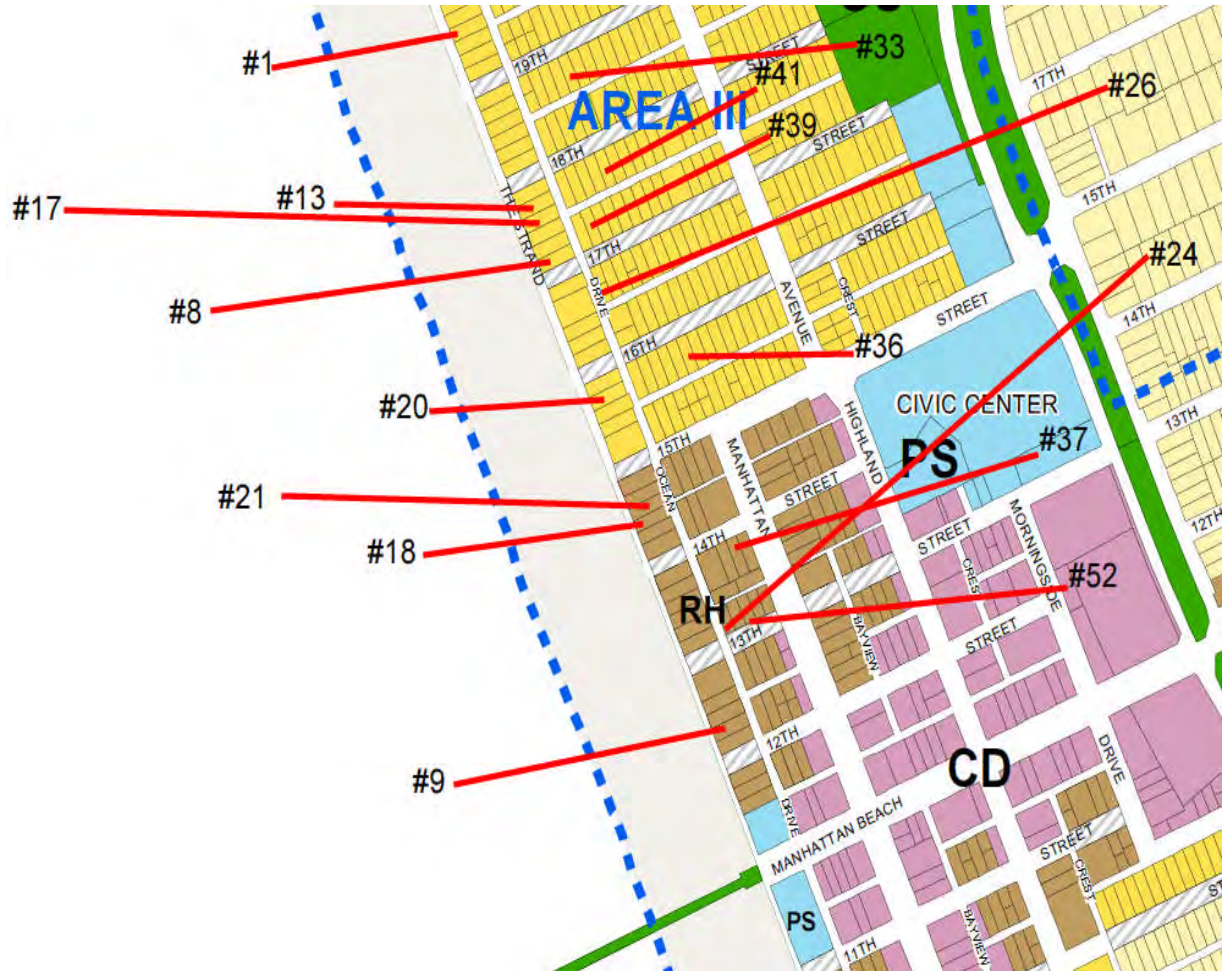


**CDP MAP #1**  
**SOUTH MANHATTAN BEACH**  
**1<sup>ST</sup> STREET – 10<sup>TH</sup> STREET**



*CDP Map Exhibit shows the location of fifty-three (53) coastal development permits issued by the City of Manhattan Beach since 2001 for single family homes that replaced two or more existing residential units in the RH (Residential High Density) or RM (Residential Medium Density) zone. All 53 projects were found to be consistent with the certified LCP.*

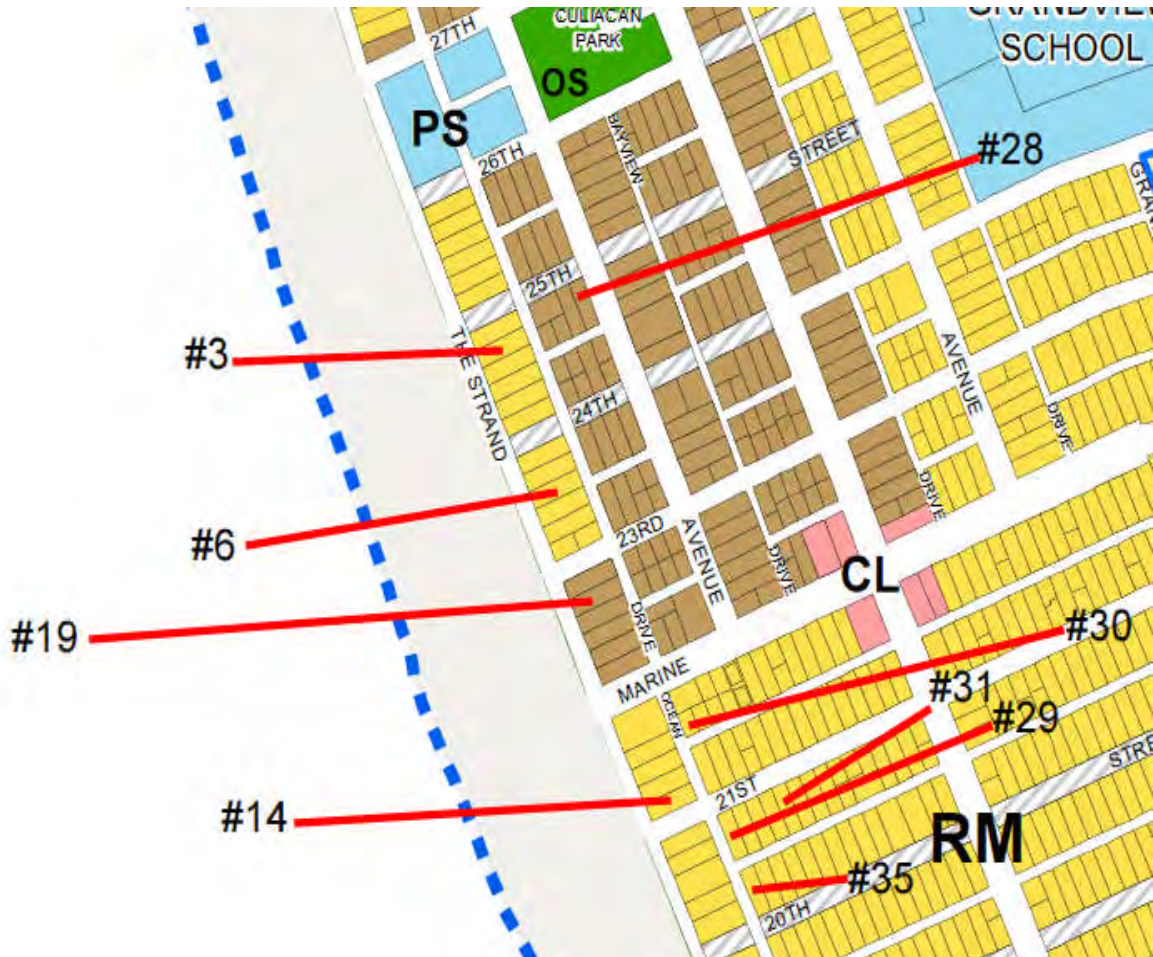
**CDP MAP #2**  
**SOUTH/CENTRAL MANHATTAN BEACH**  
**11<sup>TH</sup> STREET – 19<sup>TH</sup> STREET**



*CDP Map Exhibit shows the location of fifty-three (53) coastal development permits issued by the City of Manhattan Beach since 2001 for single family homes that replaced two or more existing residential units in the RH (Residential High Density) or RM (Residential Medium Density) zone. All 53 projects were found to be consistent with the certified LCP.*



**CDP MAP #3**  
**NORTH/CENTRAL MANHATTAN BEACH**  
**20<sup>TH</sup> STREET – 27<sup>TH</sup> STREET**



*CDP Map Exhibit shows the location of fifty-three (53) coastal development permits issued by the City of Manhattan Beach since 2001 for single family homes that replaced two or more existing residential units in the RH (Residential High Density) or RM (Residential Medium Density) zone. All 53 projects were found to be consistent with the certified LCP.*

**CDP MAP #4**  
**NORTH MANHATTAN BEACH**  
**28<sup>TH</sup> STREET – 45<sup>TH</sup> STREET**



CDP Map Exhibit shows the location of fifty-three (53) coastal development permits issued by the City of Manhattan Beach since 2001 for single family homes that replaced two or more existing residential units in the RH (Residential High Density) or RM (Residential Medium Density) zone. All 53 projects were found to be consistent with the certified LCP.

	ADDRESS	CDP NO.	APPLICANT	AREA/ ZONE	UNITS BEFORE/ UNITS AFTER	SCALE	APPROVED	LOT MERGER
<b>1</b>	1912 The Strand	CA 18-19	1912 The Strand, LLC	ADIII/RM	2 to 1	3 story SFR w/ basement	8/17/2019	
<b>2</b>	4016 The Strand	CA 18-17	4016 The Strand, LLC	ADIV/RH	4 to 2	Two condos 3 story w/ basement & merger of 2 lots	12/12/2018	<b>MERGER</b>
<b>3</b>	2416 The Strand	CA 18-13	Strand 2416, LLC	ADIII/RM	3 to 1	3 story SFR w/basement	9/18/2018	
<b>4</b>	608 The Strand	CA 17-26	Force-BC Strand, LLC	ADIII/RM	2 to 1	3 story SFR w/ basement	5/21/2018	
<b>5</b>	4004 The Strand	CA 17-07	4004 The Strand, LLC	ADIV/RH	5 to 1	4 story SFR w/ basement & merger of 2 lots	9/25/2017	<b>MERGER</b>
<b>6</b>	2312 The Strand	CA 16-23	Steven P. Dermarest	ADIII/RM	2 to 1	3 story SFR	12/16/2016	
<b>7</b>	3312 The Strand	CA 15-33	David & Sarah Stoker	ADIII/RM	2 to 1	3 story SFR w/basement	7/7/2016	
<b>8</b>	1700 The Strand	CA 14-29	Eric & Joanna Jonsson	ADIII/RM	2 to 1	SFR	6/4/2015	
<b>9</b>	1204 The Strand	CA 12-31	William Bloomfield	ADIII/RH	3 to 1	3 story SFR	2/20/2013	
<b>10</b>	4320 The Strand	CA 13-09	Michael Dolen	ADIV/RH	2 to 1	3 story SFR w/ basement & sub-basement	7/3/2013	
<b>11</b>	3216 The Strand	CA 10-06	Cyrus & Michelle Hadidi	ADIII/RH	2 to 1	3 story SFR w/ basement	8/12/2010	
<b>12</b>	204-208 The Strand	CA 09-17	Sunshine Daydream Trust	ADIII/RM	4 to 1	SFR & merger of 2 lots	12/21/2009	<b>MERGER</b>
<b>13</b>	1716 The Strand	CA 09-03	Grant & Lynn Smith	ADIII/RM	2 to 1	SFR	7/1/2009	
<b>14</b>	2100 The Strand	CA 07-31	Albert Marco	ADIII/RM	2 to 1	SFR	10/1/2007	

**Link to CDP Documentation for All 53 Properties:**

<https://www.dropbox.com/s/vejy7n1pd3rd1a/Exhibits%20for%20CCC%20Submittal.pdf?dl=0>

	ADDRESS	CDP NO.	APPLICANT	AREA/ ZONE	UNITS BEFORE/ UNITS AFTER	SCALE	APPROVED	LOT MERGER
15	200 The Strand	CA 07-23	Michael & Wendy Greenberg	ADIII/RM	3 to 1	2 story SFR w/basement & sub-basement	9/1/2007	
16	212-216-220 The Strand	CA 01-18	RJR Investments, LLC	ADIII/RM	1 to 1 (prior CA 99-26 issued for demo of 10-unit building)	SFR & merger of 3 lots (see Property 22 below for prior action)	9/5/2006 (Merger on 3/23/07)	MERGER
17	1712 The Strand	CA 05-26	Harris	ADIII/RM	2 to 1	2 story SFR w/basement	10/15/2005	
18	1408 The Strand	CA 03-44	Sullivan	ADIII/RH	3 to 1	2 story SFR w/basement	2-25-2004	
19	2216 The Strand	CA 04-11	The Strand Development, LLC	ADIII/RH	2 to 1	SFR	7/1/2004	
20	1516 The Strand	CA 04-10	Salim	ADIII/RM	3 to 1	2 story SFR w/basement	5/1/2004	
21	1410 The Strand	CA 03-35	Wall	ADIII/RH	4 to 1	2 story SFR w/basement	1/15/2004	
22	212 The Strand	CA 01-18	RJR Investments, LLC	ADIII/RM	2 to 1	Demo of existing residential structure (see Property 16 above for subsequent action)	5/21/2001	

Link to CDP Documentation for All 53 Properties:

<https://www.dropbox.com/s/veijv7n1pd3rd1a/Exhibits%20for%20CCC%20Submittal.pdf?dl=0>



	ADDRESS	CDP NO.	APPLICANT	AREA/ ZONE	UNITS BEFORE/ UNITS AFTER	SCALE	APPROVED	LOT MERGER
23	4314 Ocean Dr	CA 19 18	Kevin & Mary Huben	ADIV/RH	2 to 1	Demo of existing structure & construct SFR	1/15/2020	
24	117 13 <sup>th</sup> St	CA 19-17	13 <sup>th</sup> Street Partners, MB LLC	ADIII/RH	3 to 1	Demo of triplex & construct SFR ( <i>no description on CDP</i> )	12/12/2019	
25	120 9 <sup>th</sup> St	CA 17-29	Paul J. Lupo	ADIII/RM	4 to 1	3 story SFR	12/3/2019	
26	1612 Ocean Dr	CA 18-12	John & Margaret Langley	ADIII/RM	2 to 1	3 story SFR	7/16/2018	
27	2800 Ocean Dr	CA 18-01	Ocean Drive Apartments, LLC	ADIII/RM	2 to 1	SFR	5/2/2018	
28	124 25 <sup>th</sup> St	CA 17-12	Kevin & Lindy Welk Family Trust	ADIII/RH	3 to 1	SFR	10/25/2017	
29	2016 Ocean Dr	CA 16-33	Azmil Khalid & Nik Fuziah Hussein	ADIII/RM	6 to 1	3 story plus basement SFR	4/3/2017	
30	113 21 <sup>st</sup> Pl	CA 16-26	Joe & Sandy Samberg	ADIII/RM	2 to 1	SFR	2/28/2017	
31	128 21 <sup>st</sup> St	CA 15-41	128 Twenty One Partners, LP	ADIII/RM	2 to 1	3 story SFR w/basement	7/19/2016	
32	125 Moonstone	CA 15-25	Stuart & Dorothy Sullivan	ADIV/RH	2 to 1	3 story SFR w/basement	11/4/2015	
33	130 19 <sup>th</sup> St	CA 15-10	Jay & Debra Refold	ADIII RM	2 to 1	3 story SFR w/basement	6/18/2015	
34	3208 Ocean Dr	CA 12-22	Darrin Freeman	ADIII/RH	3 to 1	SFR	10/16/2012	
35	2008 Ocean Dr	CA 10-05	Brian & Laura Fraher	ADIIIRM	2 to 1	SFR	10/14/2010	
36	132 16 <sup>th</sup> St	CA 12-19	Dennis Maloney	ADIII/RM	2 to 1	SFR	8/24/2012	
37	128 14 <sup>th</sup> St	CA 12-10	Kim Komcik	ADIII/RH	3 to 1	SFR	7/20/2012	
38	117 30 <sup>th</sup> St	CA 12-06	Robert Salim	ADIII/RH	3 to 1	3 story SFR	6/22/2012	
39	117 17 <sup>th</sup> St	CA 10-19	Ruth Ann Poppa	ADIII RM	3 to 1	3 story SFR	3/15/2011	

**Link to CDP Documentation for All 53 Properties:**

<https://www.dropbox.com/s/veijv7n1pd3rd1a/Exhibits%20for%20CCC%20Submittal.pdf?dl=0>

	ADDRESS	CDP NO.	APPLICANT	AREA/ ZONE	UNITS BEFORE/ UNITS AFTER	SCALE	APPROVED	LOT MERGER
40	2921 Manhattan Ave	CA 11-04	Marc & Heather Venegas	ADIII/RH	2 to 1	Remodel of duplex to convert to SFR	4/7/2011	
41	128 18 <sup>th</sup> St	CA 10-15	Bob Salim	ADIII/RM	2 to 1	3 story SFR	11/15/2010	
42	121 8 <sup>th</sup> St	CA 10-16	Caroline Beshke	ADIII/RM	2 to 1	SFR	APPEALED <sup>1</sup> A-5-MNB-10-272 NSI 12/15/10	
43	125 8 <sup>th</sup> St	CA 08-27	Kevin Nealon & Susan Yeagley	ADIII/RM	2 to 1	3 story SFR	10/16/2008	
44	116 31 <sup>st</sup> St	CA 09-16 <sup>2</sup>	Anika & Craig Jackson	ADIII/RM	2 to 1	SFR & merger	9/29/2009	MERGER
45	128 5 <sup>th</sup> St	CA 09-11	Robert Salim	ADIII/RM	2 to 1	SFR	4/20/2009	
46	128 5 <sup>th</sup> St	CA 08-27	Kevin Nealon	ADIII/RM	2 to 1	SFR	10/16/2008	
47	129 6 <sup>th</sup> St	CA 08-38	Michael Vermesh & Natalia Belova	ADIII/RM	2 to 1	3 story SFR	4/2/2009	
48	121 7 <sup>th</sup> St	CA 08-22	Mike Gaines & Margaret Guglielmo	ADIII/RM	2 to 1	SFR	10/14/2008	
49	120 2 <sup>nd</sup> St.	CA 07-39	Kevin & Linda Rosen	ADIII/RM	3 to 1	3 story SFR w/sub-basement	3/7/2008	
50	126 4 <sup>th</sup> St	CA 06-24	Lars & Kelly Viklund	ADIII/RM	3 to 1	SFR	9/1/2006	
51	*117 2 <sup>nd</sup> St	CA 05-15	Jeff & Melissa Orr	ADIII/RM	2 to 1	SFR	8/31/2005	
52	125 13 <sup>th</sup> St	CA 04-36	Steven Robinson	ADIII/RH	2 to 1	SFR	10/28/2004	
53	121 9 <sup>th</sup> St.	CA 07-20	Robert Freedman & Anthony Barberi	ADIII/RH	3 to 1	3 story SFR	APPEALED <sup>3</sup> A-5-MNB-07-413 NSI 1/9/08	

(\*) Indicates that documentation is needed from City and/or CCC.

<sup>1</sup> Appealed by third party.

<sup>2</sup> And subsequent CA 13-16, approved 10/8/13.

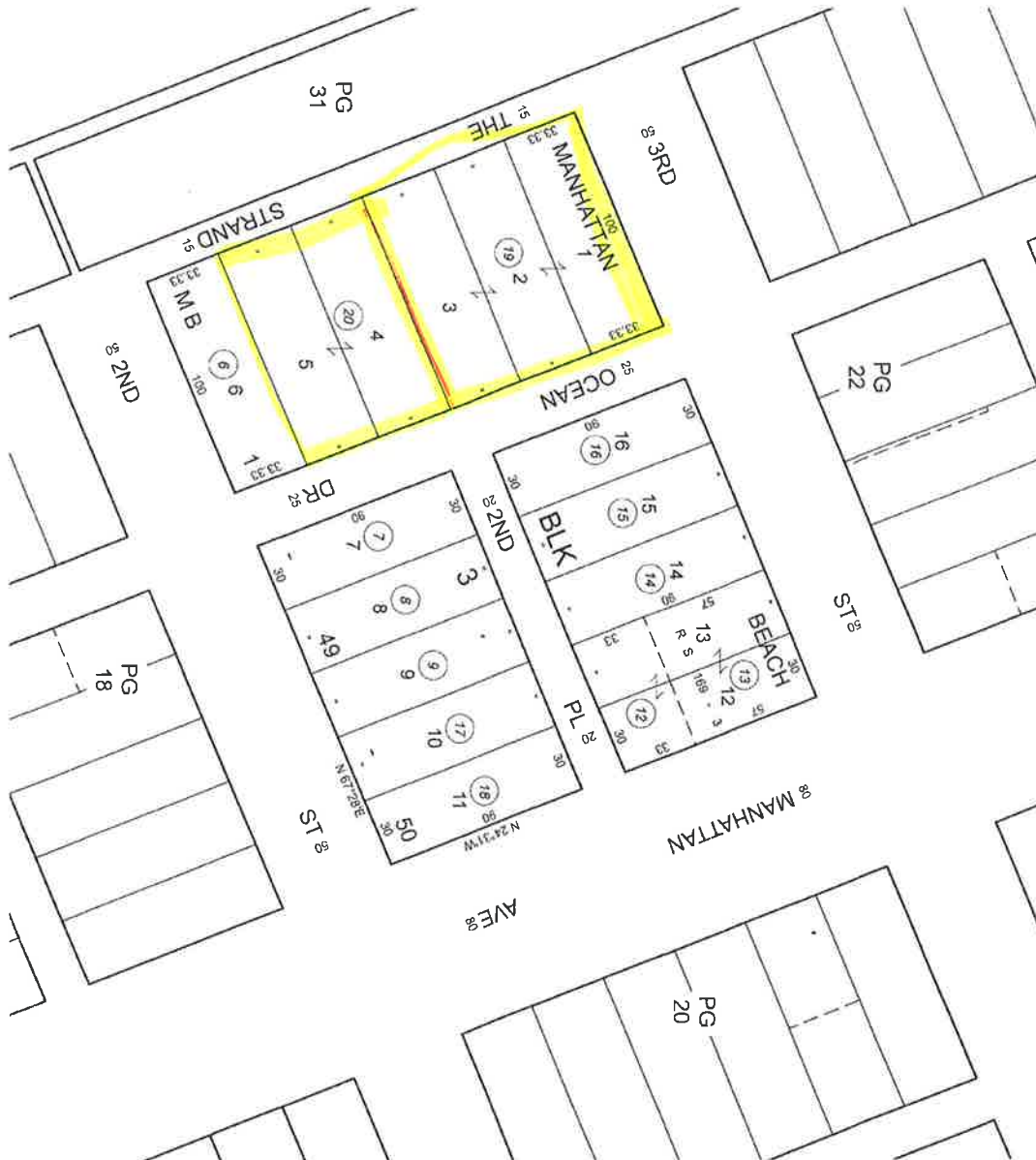
<sup>3</sup> Appealed by third party.

**Link to CDP Documentation for All 53 Properties:**

<https://www.dropbox.com/s/veijv7n1pd3rd1a/Exhibits%20for%20CCC%20Submittal.pdf?dl=0>

# **EXHIBIT E**

## **Los Angeles County Assessor Maps**







LIST 1  
DETAIL

☒ 3 Property Address: 204 THE STRAND MANHATTAN BEACH CA 90266-6447

## Ownership

County: **LOS ANGELES, CA**  
 Assessor: **JEFFREY PRANG, ASSESSOR**  
 Parcel # (APN): **4180-019-020**  
 Parcel Status:  
 Owner Name: **HEPPER JEFFREY K CO TR SUNSHINE DAYDREAM TRUST**  
 Mailing Address: **503 E FRIAR TUCK LN HOUSTON TX 77024**  
 Legal Description: **MANHATTAN BEACH LOTS 4 AND 5 BLK 3**

## Assessment

Total Value:	<b>\$21,524,194</b>	Use Code:	<b>0100</b>	Use Type:	<b>RESID. SINGLE FAMILY</b>
Land Value:	<b>\$15,190,532</b>	Tax Rate Area:	<b>06174</b>	Zoning:	<b>MNRM</b>
Impr Value:	<b>\$6,333,662</b>	Year Assd:	<b>2020</b>	Census Tract:	<b>6209.04/1</b>
Other Value:		Property Tax:		Price/SqFt:	<b>\$634.12</b>
% Improved:	<b>29%</b>	Delinquent Yr:			
Exempt Amt:		HO Exempt:	<b>N</b>		

## Sale History

	Sale 1	Sale 2	Sale 3	Transfer
Document Date:	<b>03/30/2009</b>			<b>03/30/2009</b>
Document Number:	<b>0449186</b>			<b>0449186</b>
Document Type:				
Transfer Amount:	<b>\$6,700,060</b>			
Seller (Grantor):				

## Property Characteristics

Bedrooms:	<b>6</b>	Fireplace:		Units:	<b>1</b>
Baths (Full):	<b>7</b>	A/C:	<b>CENTRAL</b>	Stories:	
Baths (Half):		Heating:	<b>CENTRAL</b>	Quality:	
Total Rooms:		Pool:		Building Class:	<b>D</b>
Bldg/Liv Area:	<b>10,566</b>	Park Type:		Condition:	
Lot Acres:	<b>0.152</b>	Spaces:		Site Influence:	
Lot SqFt:	<b>6,653</b>	Garage SqFt:		Timber Preserve:	
Year Built:	<b>2012</b>			Ag Preserve:	
Effective Year:					



LIST 1

DETAIL

☒ 2 Property Address: 212 THE STRAND MANHATTAN BEACH CA 90266-6447

## Ownership

County: **LOS ANGELES, CA**

Assessor: **JEFFREY PRANG, ASSESSOR**

Parcel # (APN): **4180-019-019**

Parcel Status:

Owner Name: **WALNUT INVESTMENTS LLC**

Mailing Address: **600 TRAVIS ST #7450 HOUSTON TX 77002**

Legal Description: **MANHATTAN BEACH LOTS 1,2 AND 3 BLK 3**

## Assessment

Total Value:	<b>\$25,244,594</b>	Use Code:	<b>0101</b>	Use Type:	<b>RESID. SINGLE FAMILY</b>
Land Value:	<b>\$18,235,367</b>	Tax Rate Area:	<b>06174</b>	Zoning:	<b>MBR2YY</b>
Impr Value:	<b>\$7,009,227</b>	Year Assd:	<b>2020</b>	Census Tract:	<b>6209.04/1</b>
Other Value:		Property Tax:		Price/SqFt:	
% Improved:	<b>27%</b>	Delinquent Yr:			
Exempt Amt:		HO Exempt:	<b>N</b>		

## Sale History

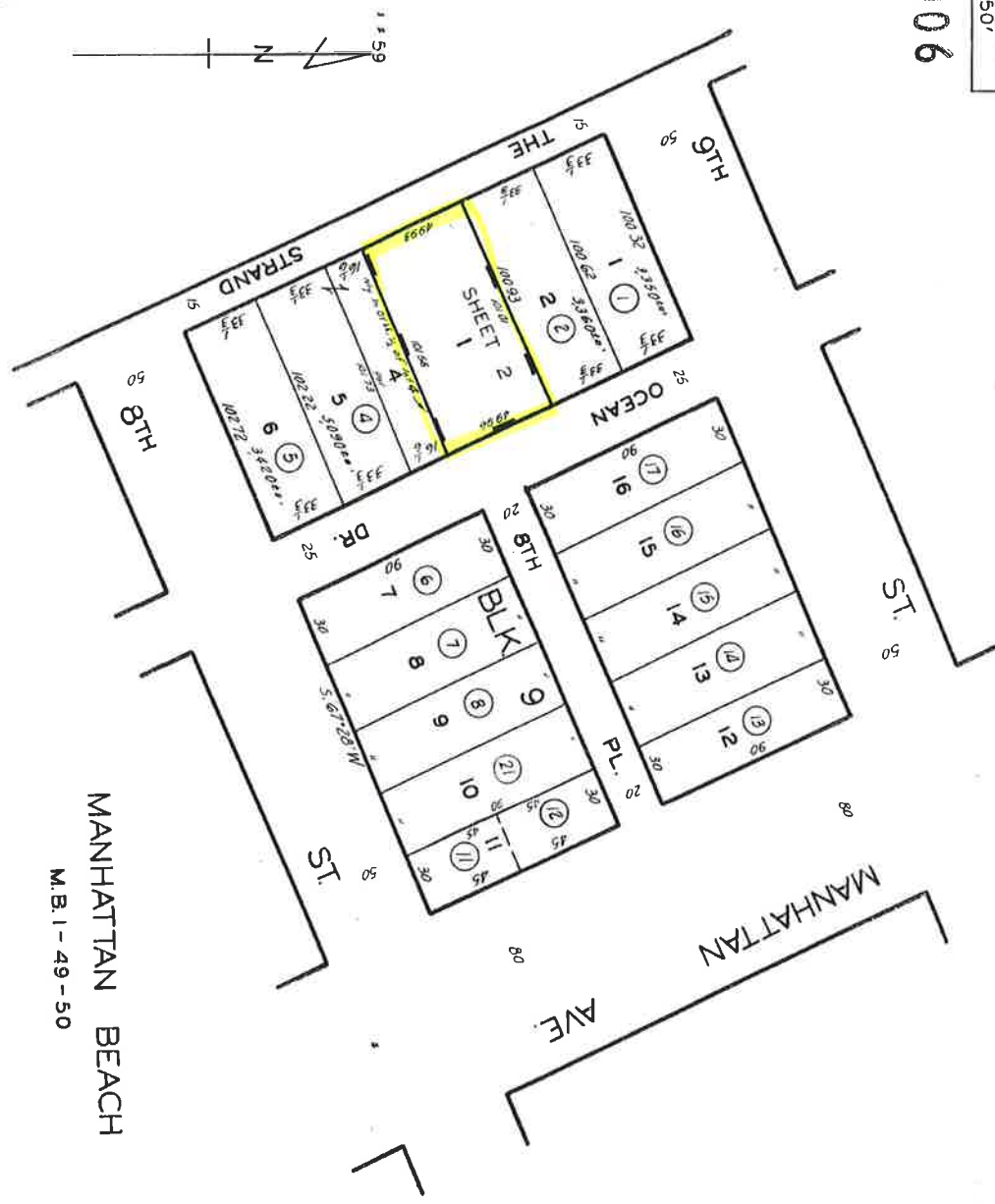
	Sale 1	Sale 2	Sale 3	Transfer
Document Date:	<b>06/30/2009</b>			<b>06/30/2009</b>
Document Number:	<b>0986049</b>			<b>0986049</b>
Document Type:				
Transfer Amount:				
Seller (Grantor):				

## Property Characteristics

Bedrooms:	<b>7</b>	Fireplace:		Units:	<b>1</b>
Baths (Full):	<b>12</b>	A/C:		Stories:	
Baths (Half):		Heating:	<b>SOLAR</b>	Quality:	
Total Rooms:		Pool:	<b>POOL</b>	Building Class:	<b>D</b>
Bldg/Liv Area:	<b>12,640</b>	Park Type:		Condition:	
Lot Acres:	<b>0.229</b>	Spaces:		Site Influence:	
Lot SqFt:	<b>9,996</b>	Garage SqFt:		Timber Preserve:	
Year Built:	<b>2008</b>			Ag Preserve:	
Effective Year:					

2006

810902803  
860930401-87  
2006.01060700.001-14



MANHATTAN BEACH

M.B. 1-49-50

CONDOMINIUM  
TRACT NO. 38987  
M.B. 982-4-5

FOR PREY ASSMT SEE 164-4

CODE  
5174

ASSESSOR'S MAP  
COUNTY OF LOS ANGELES, CALIF.



LIST 1

DETAIL

☒ 1 Property Address: 806 THE STRAND MANHATTAN BEACH CA 90266-5657

## Ownership

County: **LOS ANGELES, CA**  
 Assessor: **JEFFREY PRANG, ASSESSOR**  
 Parcel # (APN): **4179-014-019**  
 Parcel Status:  
 Owner Name: **GIANGUINTA DIANE DIANE J GIAQUINTA TRUST**  
 Mailing Address: **806 THE STRAND MANHATTAN BEACH CA 90266**  
 Legal Description: **TR=38987 LOT 1 CONDOMINIUM\*UNIT 1**

## Assessment

Total Value:	<b>\$2,262,491</b>	Use Code:	<b>010C</b>	Use Type:	<b>RESID. CONDOMINIUM</b>
Land Value:	<b>\$1,863,529</b>	Tax Rate Area:	<b>06174</b>	Zoning:	<b>MNRM</b>
Impr Value:	<b>\$398,962</b>	Year Assd:	<b>2020</b>	Census Tract:	<b>6209.04/1</b>
Other Value:		Property Tax:		Price/SqFt:	
% Improved:	<b>17%</b>	Delinquent Yr:			
Exempt Amt:	<b>\$7,000</b>	HO Exempt:	<b>Y</b>		

## Sale History

	Sale 1	Sale 2	Sale 3	Transfer
Document Date:	<b>06/18/2014</b>	<b>03/23/1999</b>		<b>06/18/2014</b>
Document Number:	<b>0627985</b>	<b>0479821</b>		<b>0627985</b>
Document Type:				
Transfer Amount:		<b>\$665,910</b>		
Seller (Grantor):				

## Property Characteristics

Bedrooms:	<b>5</b>	Fireplace:		Units:	<b>1</b>
Baths (Full):	<b>4</b>	A/C:		Stories:	
Baths (Half):		Heating:	<b>CENTRAL</b>	Quality:	<b>1.0</b>
Total Rooms:		Pool:		Building Class:	<b>D</b>
Bldg/Liv Area:	<b>3,148</b>	Park Type:		Condition:	
Lot Acres:	<b>0.116</b>	Spaces:		Site Influence:	
Lot SqFt:	<b>5,070</b>	Garage SqFt:		Timber Preserve:	
Year Built:	<b>1983</b>			Ag Preserve:	
Effective Year:					



LIST 1  
DETAIL

1 Property Address: 808 THE STRAND MANHATTAN BEACH CA 90266-5657

## Ownership

County: **LOS ANGELES, CA**  
 Assessor: **JEFFREY PRANG, ASSESSOR**  
 Parcel # (APN): **4179-014-020**  
 Parcel Status:  
 Owner Name: **STRAND LIMITED COMPANY**  
 Mailing Address: **15233 VENTURA BLVD #714 SHERMAN OAKS CA 91403**  
 Legal Description: **TR=38987 LOT 1 CONDOMINIUM\*UNIT 2**

## Assessment

Total Value:	<b>\$9,200,671</b>	Use Code:	<b>010C</b>	Use Type:	<b>RESID. CONDOMINIUM</b>
Land Value:	<b>\$6,440,470</b>	Tax Rate Area:	<b>06174</b>	Zoning:	<b>MNRM</b>
Impr Value:	<b>\$2,760,201</b>	Year Assd:	<b>2020</b>	Census Tract:	<b>6209.04/1</b>
Other Value:		Property Tax:		Price/SqFt:	<b>\$2,975.18</b>
% Improved:	<b>29%</b>	Delinquent Yr:			
Exempt Amt:		HO Exempt:	<b>N</b>		

## Sale History

	Sale 1	Sale 2	Sale 3	Transfer
Document Date:	<b>12/29/2015</b>	<b>03/06/2014</b>	<b>12/24/2012</b>	<b>12/29/2015</b>
Document Number:	<b>1633389</b>	<b>0232251</b>	<b>1998802</b>	<b>1633389</b>
Document Type:				
Transfer Amount:	<b>\$8,500,080</b>			
Seller (Grantor):				

## Property Characteristics

Bedrooms:	<b>4</b>	Fireplace:		Units:	<b>1</b>
Baths (Full):	<b>5</b>	A/C:	<b>CENTRAL</b>	Stories:	
Baths (Half):		Heating:	<b>CENTRAL</b>	Quality:	
Total Rooms:		Pool:		Building Class:	<b>D</b>
Bldg/Liv Area:	<b>2,857</b>	Park Type:		Condition:	
Lot Acres:	<b>0.116</b>	Spaces:		Site Influence:	
Lot SqFt:	<b>5,070</b>	Garage SqFt:		Timber Preserve:	
Year Built:	<b>1983</b>			Ag Preserve:	
Effective Year:					

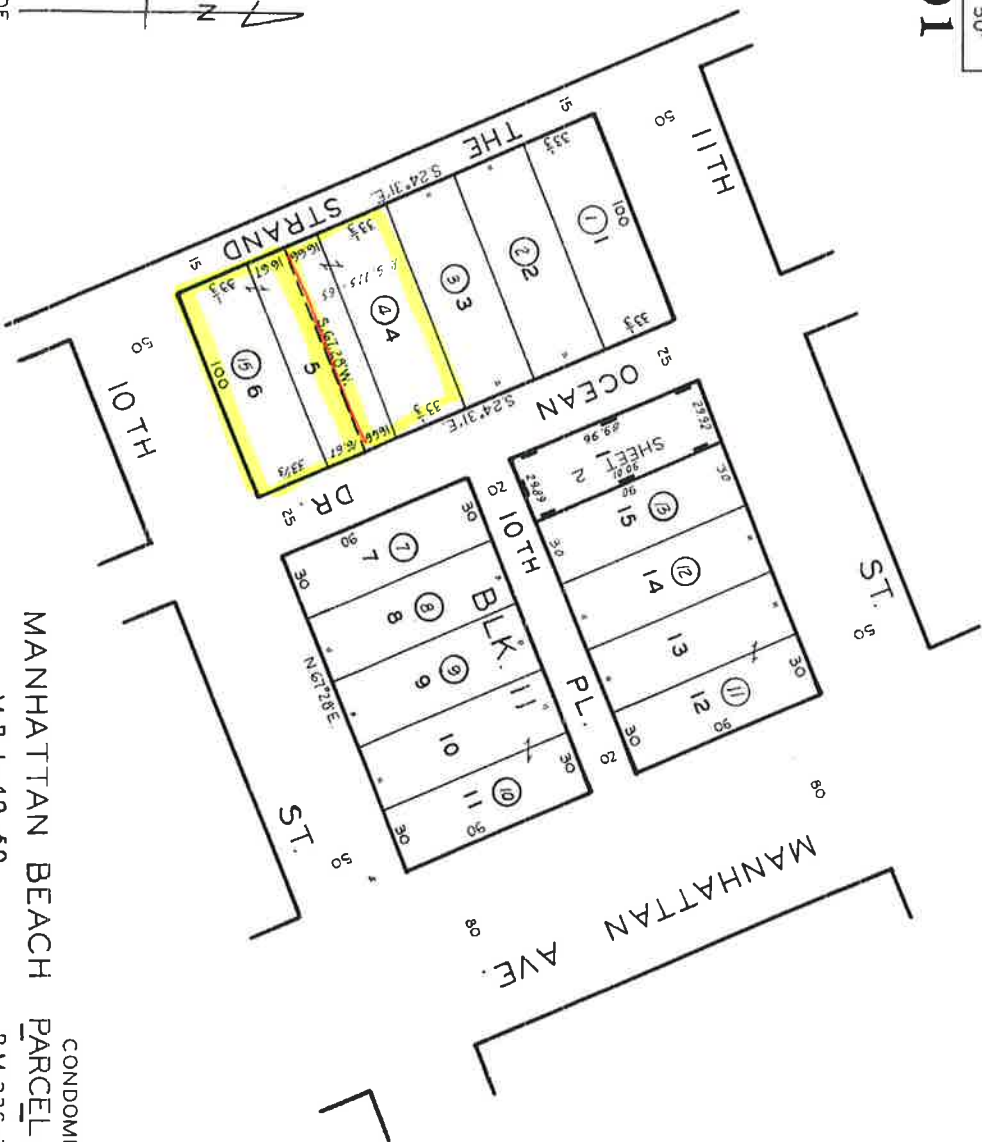
1991

2-1-66  
30/20508.00/200-14  
3/020594.003.001-14

CODE  
6174

FOR PREV. ASSMT. SEE: 164-7

MANHATTAN BEACH  
M.B. 1-49-50  
CONDOMINIUM  
PARCEL MAP  
P.M. 236-72-73



LIST 1  
DETAIL☒ 1 Property Address: 1008 THE STRAND MANHATTAN BEACH CA 90266-5437**Ownership**County: **LOS ANGELES, CA**Assessor: **JEFFREY PRANG, ASSESSOR**Parcel # (APN): **4179-018-004**

Parcel Status:

Owner Name: **1008 THE STRAND LLC**Mailing Address: **1012 PACIFIC AVE MANHATTAN BEACH CA 90266**Legal Description: **MANHATTAN BEACH LOT 4 AND NW 16.66 FT MEASURED ON NE AND SW LINES OF LOT 5 BLK 11****Assessment**

Total Value:	<b>\$5,009,819</b>	Use Code:	<b>0104</b>	Use Type:	<b>RESID. SINGLE FAMILY</b>
Land Value:	<b>\$1,981,304</b>	Tax Rate Area:	<b>06174</b>	Zoning:	<b>MNRH</b>
Impr Value:	<b>\$3,027,715</b>	Year Assd:	<b>2020</b>	Census Tract:	<b>6209.04/1</b>
Other Value:	<b>\$800</b>	Property Tax:		Price/SqFt:	
% Improved:	<b>60%</b>	Delinquent Yr:			
Exempt Amt:		HO Exempt:	<b>N</b>		

**Sale History**

	Sale 1	Sale 2	Sale 3	Transfer
Document Date:	<b>03/22/2013</b>	<b>10/29/2012</b>	<b>05/07/2009</b>	<b>03/22/2013</b>
Document Number:	<b>0433322</b>	<b>1633618</b>	<b>0678394</b>	<b>0433322</b>
Document Type:				
Transfer Amount:				
Seller (Grantor):				

**Property Characteristics**

Bedrooms:	<b>4</b>	Fireplace:		Units:	<b>1</b>
Baths (Full):	<b>7</b>	A/C:		Stories:	
Baths (Half):		Heating:	<b>CENTRAL</b>	Quality:	
Total Rooms:		Pool:	<b>SPA</b>	Building Class:	<b>D</b>
Bldg/Liv Area:	<b>6,846</b>	Park Type:		Condition:	
Lot Acres:	<b>0.114</b>	Spaces:		Site Influence:	
Lot SqFt:	<b>5,001</b>	Garage SqFt:		Timber Preserve:	
Year Built:	<b>2002</b>			Ag Preserve:	
Effective Year:					

LIST 1  
DETAIL☒ 1 Property Address: 1000 THE STRAND #A MANHATTAN BEACH CA 90266-5440**Ownership**County: **LOS ANGELES, CA**Assessor: **JEFFREY PRANG, ASSESSOR**Parcel # (APN): **4179-018-015**

Parcel Status:

Owner Name: **1000 CHERRY OCA LLC**Mailing Address: **21440 VENTURA BLVD WOODLAND HILLS CA 91364**Legal Description: **MANHATTAN BEACH SE 16.67 FT MEASURED ON NE AND SW LINES OF LOT 5 AND ALL OF LOT 6 BLK 11****Assessment**Total Value: **\$22,285,367** Use Code: **0400** Use Type: **RESID. MULTIPLE FAMILY**Land Value: **\$22,179,247** Tax Rate Area: **06174** Zoning: **MNRH**Impr Value: **\$106,120** Year Assd: **2020** Census Tract: **6209.04/1**Other Value: Property Tax: Price/SqFt: **\$3,519.39**% Improved: **0%** Delinquent Yr:Exempt Amt:  HO Exempt: **N****Sale History**

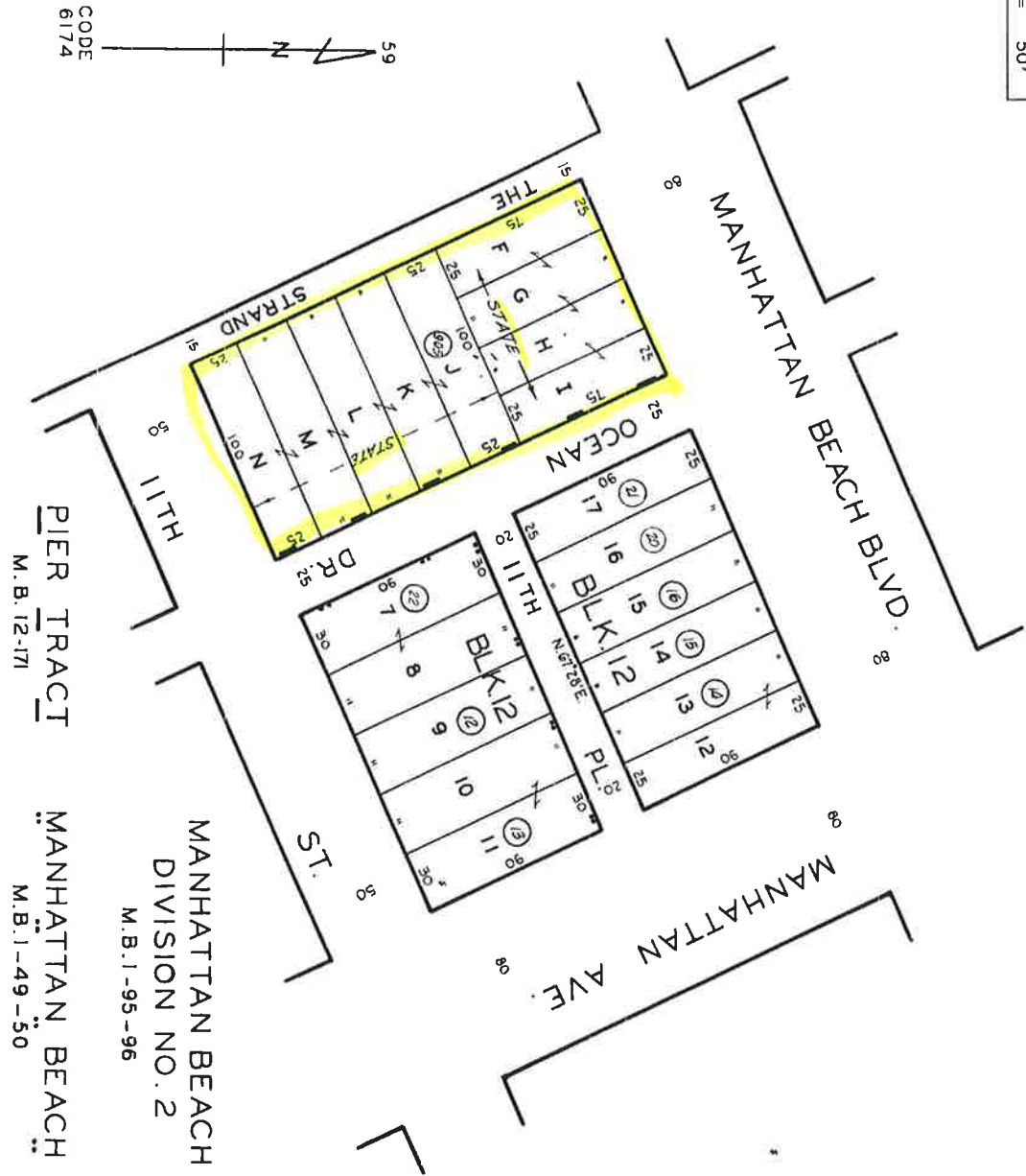
	Sale 1	Sale 2	Sale 3	Transfer
Document Date:	<b>05/31/2017</b>			<b>05/31/2017</b>
Document Number:	<b>0596288</b>			<b>0596288</b>
Document Type:				
Transfer Amount:	<b>\$21,000,210</b>			
Seller (Grantor):				

**Property Characteristics**

Bedrooms:	<b>9</b>	Fireplace:	Units:	<b>4</b>
Baths (Full):	<b>8</b>	A/C:	Stories:	
Baths (Half):		Heating:	Quality:	<b>7.5</b>
Total Rooms:		Pool:	Building Class:	<b>D</b>
Bldg/Liv Area:	<b>5,967</b>	Park Type:	Condition:	
Lot Acres:	<b>0.114</b>	Spaces:	Site Influence:	
Lot SqFt:	<b>4,979</b>	Garage SqFt:	Timber Preserve:	
Year Built:	<b>1922</b>		Ag Preserve:	
Effective Year:				



REVISED  
2-18-59  
3-28-59  
10-8-59  
5-21-62  
76/007801



FOR PREV. ASSMT. SEE: 164-7, 8 & 39

CODE  
6174

PIER TRACT  
M.B. 12-171

MANHATTAN BEACH  
DIVISION NO. 2  
M.B. 1-95-96  
MANHATTAN BEACH  
M.B. 1-49-50



CONDOMINIUM  
TRACT NO. 41640  
CONDOMINIUM  
PARCEL MAP  
CONDOMINIUM  
PARCEL MAP  
CONDOMINIUM  
PARCEL MAP  
CONDOMINIUM  
PARCEL MAP  
CONDOMINIUM  
PARCEL MAP

16-9-39  
4179-23

MANHATTAN BEACH  
DIVISION NO. 2  
PIER TRACT  
CONDOMINIUM  
TRACT NO. 32021

M.B. 1000-53-54  
P.M. 158-90-91  
P.M. 201-17-18  
P.M. 234-72-73  
P.M. 251-97-98

MANHATTAN BEACH  
DIVISION NO. 2  
PIER TRACT  
CONDOMINIUM  
TRACT NO. 32021

CONDOMINIUM  
PARCEL MAP  
P.M. 297-53-84

MANHATTAN BEACH  
DIVISION NO. 2  
PIER TRACT  
CONDOMINIUM  
TRACT NO. 32021



750025021  
761091022  
850221122  
85112103-06  
9012004201001-14  
91022194003001-14  
92022194003001-14  
93022194003001-14  
94022194003001-14  
95022194003001-14  
96022194003001-14  
97022194003001-14  
98022194003001-14  
99022194003001-14  
200542504001001-14



LIST 1  
DETAIL

☒ 1 Property Address: 1220 THE STRAND MANHATTAN BEACH CA 90266-4729

## Ownership

County: **LOS ANGELES, CA**  
 Assessor: **JEFFREY PRANG, ASSESSOR**  
 Parcel # (APN): **4179-022-056**  
 Parcel Status:  
 Owner Name: **BRANNAN WALTER S & MATTHEW C**  
 Mailing Address: **PO BOX 10250 TORRANCE CA 90505**  
 Legal Description: **MANHATTAN BEACH DIV 2 LOTS 1 AND 2 BLK 14**

## Assessment

Total Value:	<b>\$9,249,163</b>	Use Code:	<b>0200</b>	Use Type:	<b>RESID. MULTIPLE FAMILY</b>
Land Value:	<b>\$1,409,295</b>	Tax Rate Area:	<b>06174</b>	Zoning:	<b>MNRH</b>
Impr Value:	<b>\$7,839,868</b>	Year Assd:	<b>2020</b>	Census Tract:	<b>6203.05/6</b>
Other Value:		Property Tax:		Price/SqFt:	<b>\$78.41</b>
% Improved:	<b>84%</b>	Delinquent Yr:			
Exempt Amt:		HO Exempt:	<b>N</b>		

## Sale History

	Sale 1	Sale 2	Sale 3	Transfer
Document Date:	<b>12/09/1999</b>	<b>12/27/1996</b>		<b>12/09/1999</b>
Document Number:	<b>2275991</b>	<b>2091964</b>		<b>2275991</b>
Document Type:	<b>GRANT DEED</b>	<b>GRANT DEED</b>		
Transfer Amount:	<b>\$770,000</b>			
Seller (Grantor):				

## Property Characteristics

Bedrooms:	<b>6</b>	Fireplace:		Units:	<b>2</b>
Baths (Full):	<b>9</b>	A/C:	<b>CENTRAL</b>	Stories:	
Baths (Half):		Heating:		Quality:	
Total Rooms:		Pool:		Building Class:	<b>D</b>
Bldg/Liv Area:	<b>9,820</b>	Park Type:		Condition:	
Lot Acres:	<b>0.152</b>	Spaces:		Site Influence:	
Lot SqFt:	<b>6,651</b>	Garage SqFt:		Timber Preserve:	
Year Built:	<b>2005</b>			Ag Preserve:	
Effective Year:					





LIST 1  
DETAIL

☒ 1 Property Address: 1504 THE STRAND MANHATTAN BEACH CA 90266-4666

## Ownership

County: **LOS ANGELES, CA**  
 Assessor: **JEFFREY PRANG, ASSESSOR**  
 Parcel # (APN): **4179-030-069**  
 Parcel Status:  
 Owner Name: **REZNER JOHN**  
 Mailing Address: **1500 THE STRAND MANHATTAN BEACH CA 90266**  
 Legal Description: **NORTH MANHATTAN BEACH VAC ST ADJ ON SW AND EX OF ST LOTS 20 AND 21**

## Assessment

Total Value:	<b>\$10,329,560</b>	Use Code:	<b>0101</b>	Use Type:	<b>RESID. SINGLE FAMILY</b>
Land Value:	<b>\$2,318,876</b>	Tax Rate Area:	<b>06174</b>	Zoning:	<b>MNRM</b>
Impr Value:	<b>\$8,010,684</b>	Year Assd:	<b>2020</b>	Census Tract:	<b>6203.05/6</b>
Other Value:		Property Tax:		Price/SqFt:	<b>\$772.23</b>
% Improved:	<b>77%</b>	Delinquent Yr:			
Exempt Amt:		HO Exempt:	<b>N</b>		

## Sale History

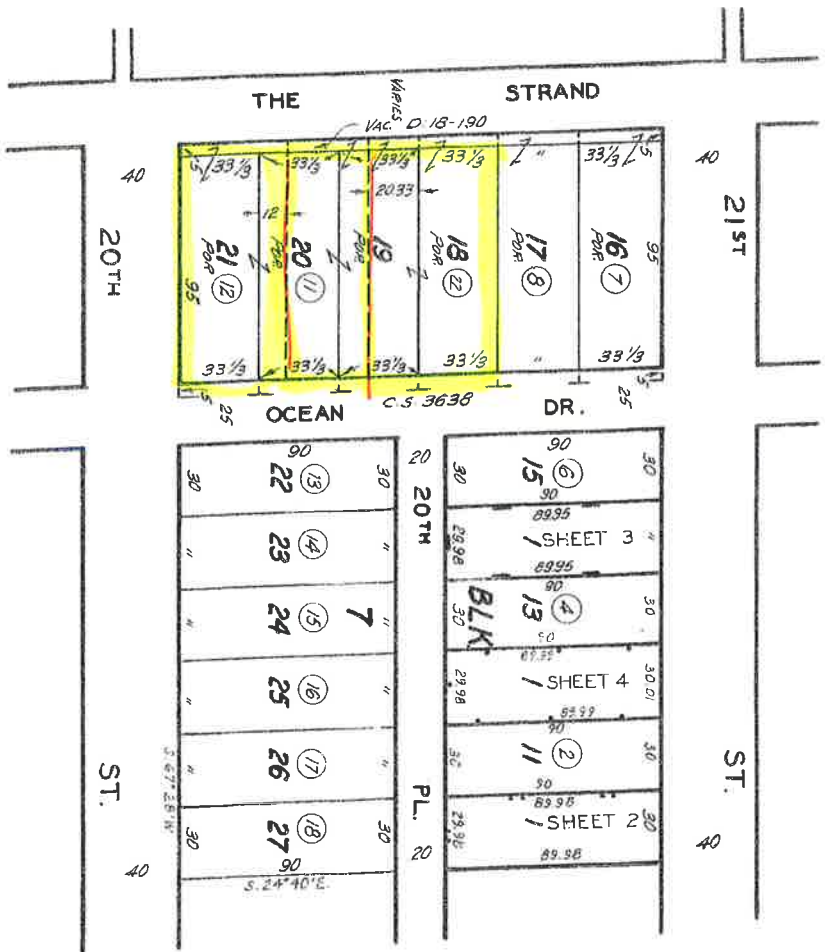
	Sale 1	Sale 2	Sale 3	Transfer
Document Date:	<b>11/24/1999</b>			<b>11/24/1999</b>
Document Number:	<b>2183712</b>			<b>2183712</b>
Document Type:				
Transfer Amount:	<b>\$7,350,070</b>			
Seller (Grantor):				

## Property Characteristics

Bedrooms:	<b>6</b>	Fireplace:		Units:	<b>1</b>
Baths (Full):	<b>9</b>	A/C:		Stories:	
Baths (Half):		Heating:	<b>CENTRAL</b>	Quality:	
Total Rooms:		Pool:	<b>POOL</b>	Building Class:	<b>D</b>
Bldg/Liv Area:	<b>9,518</b>	Park Type:		Condition:	
Lot Acres:	<b>0.153</b>	Spaces:		Site Influence:	
Lot SqFt:	<b>6,665</b>	Garage SqFt:		Timber Preserve:	
Year Built:	<b>1993</b>			Ag Preserve:	
Effective Year:					



FOR PREV. ASSMT. SEE: 1713-11



SUBDIVISION NO.2 OF CONDOMINIUM  
NORTH MANHATTAN BEACH PARCEL MAP  
M.B. 2-1 P.M. 304-34-35  
CONDOMINIUM  
TRACT NO. 37917  
CONDOMINIUM  
PARCEL MAP  
M.B. 952-73-74 P.M. 296-92-93



LIST 1  
DETAIL

1 Property Address: 2000 THE STRAND MANHATTAN BEACH CA 90266-4559

## Ownership

County: **LOS ANGELES, CA**

Assessor: **JEFFREY PRANG, ASSESSOR**

Parcel #  
(APN): **4178-011-012**

Parcel  
Status:

Owner  
Name: **HAWKEN JEFFREY AND MELINDA TRS LBM TRUST**

Mailing  
Address: **1904 THE STRAND MANHATTAN BEACH CA 90266**

Legal Description: **NORTH MANHATTAN BEACH SUB NO 2 VAC ST ADJ ON SW AND SE 12 FT EX OF ST OF LOT 20 MEASURED AT R/A TO SE  
LINE OF SD LOT AND VAC ST ADJ ON SW AND EX OF ST LOT 21 BLK 7**

## Assessment

Total Value:	<b>\$11,463,577</b>	Use Code:	<b>0100</b>	Use Type:	<b>RESID. SINGLE FAMILY</b>
Land Value:	<b>\$11,099,123</b>	Tax Rate Area:	<b>06174</b>	Zoning:	<b>MNRM</b>
Impr Value:	<b>\$364,454</b>	Year Assd:	<b>2020</b>	Census Tract:	<b>6203.05/2</b>
Other Value:		Property Tax:		Price/SqFt:	
% Improved:	<b>3%</b>	Delinquent Yr:			
Exempt Amt:		HO Exempt:	<b>N</b>		

## Sale History

	Sale 1	Sale 2	Sale 3	Transfer
Document Date:	<b>04/11/2014</b>	<b>11/14/2006</b>		<b>04/11/2014</b>
Document Number:	<b>0373128</b>	<b>2512989</b>		<b>0373128</b>
Document Type:				
Transfer Amount:		<b>\$9,357,590</b>		
Seller (Grantor):				

## Property Characteristics

Bedrooms:	<b>3</b>	Fireplace:		Units:	<b>1</b>
Baths (Full):	<b>2</b>	A/C:		Stories:	
Baths (Half):		Heating:	<b>CENTRAL</b>	Quality:	<b>7.0</b>
Total Rooms:		Pool:		Building Class:	<b>D</b>
Bldg/Liv Area:	<b>2,027</b>	Park Type:		Condition:	
Lot Acres:	<b>0.103</b>	Spaces:		Site Influence:	
Lot SqFt:	<b>4,530</b>	Garage SqFt:		Timber Preserve:	
Year Built:	<b>1938</b>			Ag Preserve:	
Effective Year:					



LIST 1

DETAIL

☒ 1 Property Address: 2012 THE STRAND MANHATTAN BEACH CA 90266-4559

## Ownership

County: **LOS ANGELES, CA**Assessor: **JEFFREY PRANG, ASSESSOR**Parcel #  
(APN): **4178-011-022**Parcel  
Status:Owner  
Name: **POWERS CAROLYN C CAROLYN C POWERS TRUST**Mailing  
Address: **610 NEWPORT CENTER DR #500 NEWPORT BEACH CA 92660**Legal  
Description: **\*TR=NORTH MANHATTAN BEACH SUB NO 2\*VAC ST ADJ ON SW AND (EX OF ST) LOT 18 AND VAC ST ADJ ON SW AND NW 20.33 FT (MEASURED AT R/A TO NW LINE) (EX OF ST) OF LOT 19 BLK 7**

## Assessment

Total Value:	<b>\$8,745,005</b>	Use Code:	<b>0101</b>	Use Type:	<b>RESID. SINGLE FAMILY</b>
Land Value:	<b>\$3,583,722</b>	Tax Rate Area:	<b>06174</b>	Zoning:	<b>MNRM</b>
Impr Value:	<b>\$5,160,563</b>	Year Assd:	<b>2020</b>	Census Tract:	<b>6203.05/2</b>
Other Value:	<b>\$720</b>	Property Tax:		Price/SqFt:	
% Improved:	<b>59%</b>	Delinquent Yr:			
Exempt Amt:	<b>\$7,000</b>	HO Exempt:	<b>Y</b>		

## Sale History

	Sale 1	Sale 2	Sale 3	Transfer
Document Date:	<b>08/19/2019</b>	<b>09/01/2015</b>	<b>10/28/2013</b>	<b>08/19/2019</b>
Document Number:	<b>0000000</b>	<b>1081796</b>	<b>1535198</b>	<b>0000000</b>
Document Type:	<b>GRANT DEED</b>			
Transfer Amount:				
Seller (Grantor):				

## Property Characteristics

Bedrooms:	<b>4</b>	Fireplace:		Units:	<b>1</b>
Baths (Full):	<b>8</b>	A/C:		Stories:	
Baths (Half):		Heating:	<b>CENTRAL</b>	Quality:	
Total Rooms:		Pool:	<b>POOL</b>	Building Class:	<b>D</b>
Bldg/Liv Area:	<b>6,459</b>	Park Type:		Condition:	
Lot Acres:	<b>0.123</b>	Spaces:		Site Influence:	
Lot SqFt:	<b>5,361</b>	Garage SqFt:		Timber Preserve:	
Year Built:	<b>1982</b>			Ag Preserve:	
Effective Year:					



4177 24  
SCALE 1" = 50'

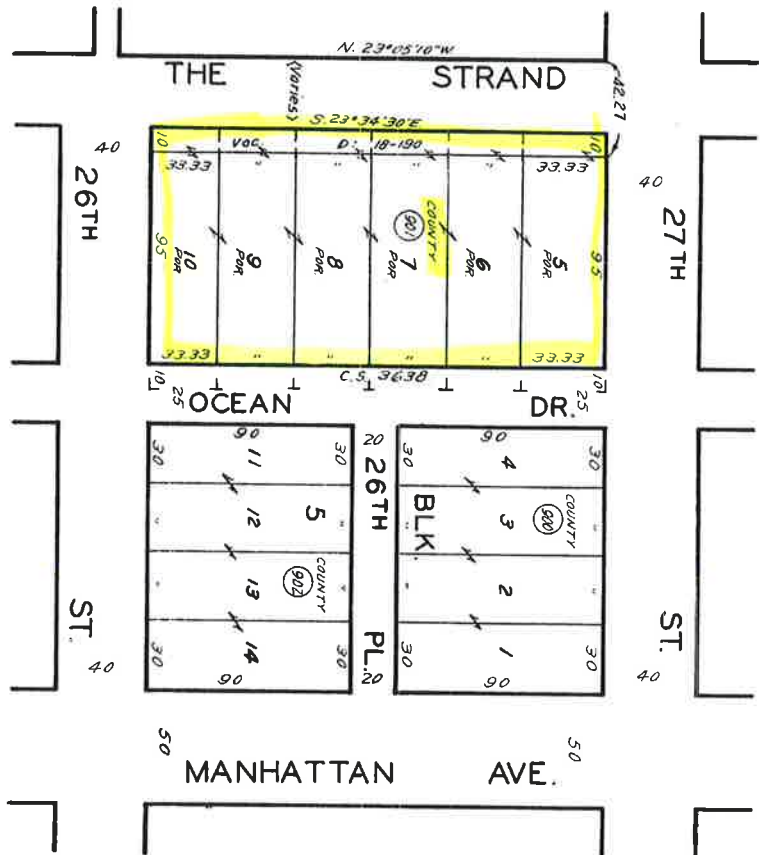
1996

951222

CODE  
6174

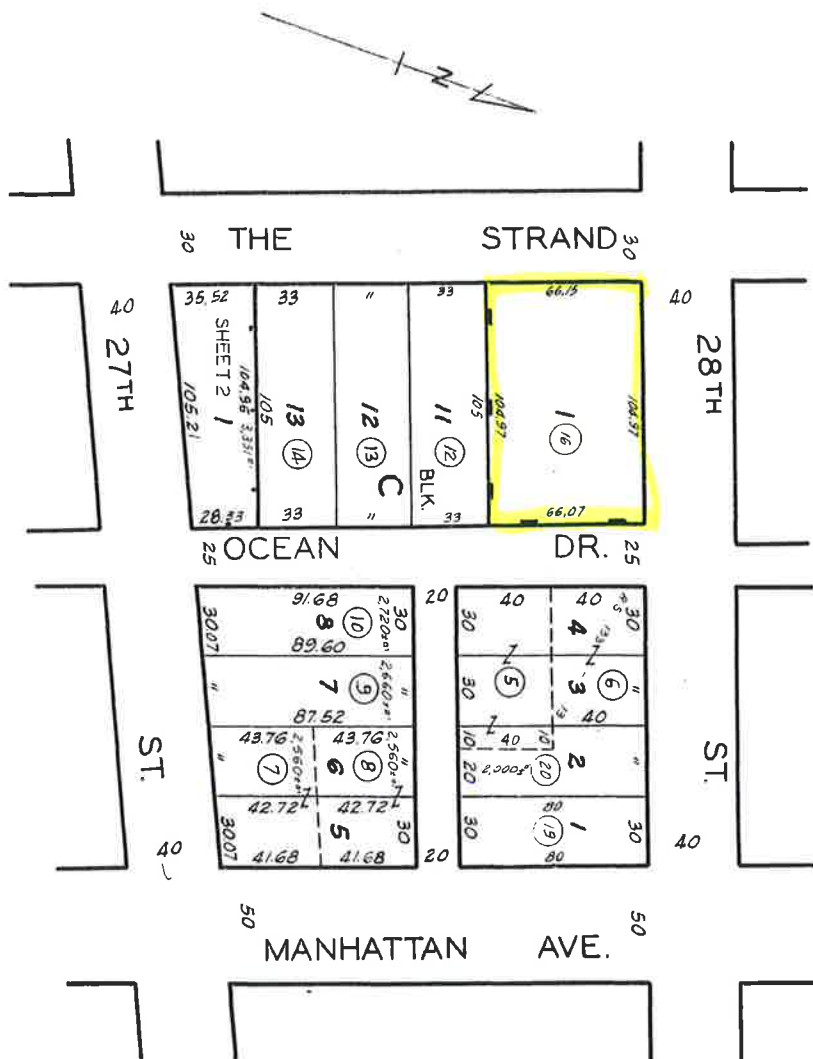
FOR PREY. ASSMT. SEE: 1712-24

PECK'S MANHATTAN BEACH TRACT  
M.B. 7-34



2008

REVISED  
3-16-57  
801020601  
2001091906012001-14  
200205102004001-14  
2006100306005001-14  
2007072410001001-14



TRACT NO. 3451

M.B. 37-70

TRACT NO. 35914

M.B. 954-41-42

CODE  
6174

CONDOMINIUM  
PARCEL MAP

P.M. 341-24-25

FOR PREV. ASSEMT. SEE: 1711-30

ASSESSOR'S MAP  
COUNTY OF LOS ANGELES, CALIF.



LIST 1  
DETAIL

1 Property Address: 2722 THE STRAND MANHATTAN BEACH CA 90266-2154

## Ownership

County: **LOS ANGELES, CA**  
 Assessor: **JEFFREY PRANG, ASSESSOR**  
 Parcel # (APN): **4176-030-016**  
 Parcel Status:  
 Owner Name: **ZIMMERMAN STANLEY AND MYRNA TRS INVESTMENT INCOME GROUP TRUST**  
 Mailing Address: **610 LAIRPORT ST EL SEGUNDO CA 90245**  
 Legal Description: **\*TR=35914 LOT 1**

## Assessment

Total Value:	<b>\$3,497,110</b>	Use Code:	<b>0200</b>	Use Type:	<b>RESID. MULTIPLE FAMILY</b>
Land Value:	<b>\$3,038,070</b>	Tax Rate Area:	<b>06174</b>	Zoning:	<b>MNRM</b>
Impr Value:	<b>\$459,040</b>	Year Assd:	<b>2020</b>	Census Tract:	<b>6203.05/7</b>
Other Value:		Property Tax:		Price/SqFt:	
% Improved:	<b>13%</b>	Delinquent Yr:			
Exempt Amt:		HO Exempt:	<b>N</b>		

## Sale History

	Sale 1	Sale 2	Sale 3	Transfer
Document Date:	<b>12/30/2015</b>	<b>06/03/2013</b>	<b>10/17/2011</b>	<b>12/30/2015</b>
Document Number:	<b>1642951</b>	<b>0822428</b>	<b>1401163</b>	<b>1642951</b>
Document Type:				
Transfer Amount:				
Seller (Grantor):				

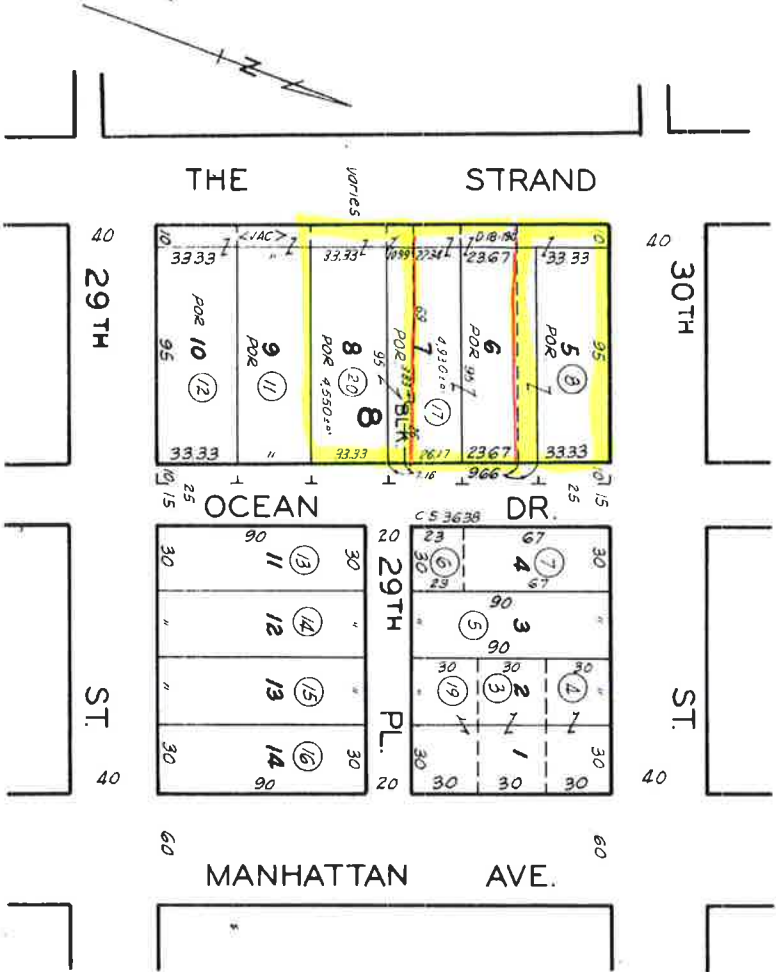
## Property Characteristics

Bedrooms:	<b>5</b>	Fireplace:		Units:	<b>2</b>
Baths (Full):	<b>8</b>	A/C:	<b>CENTRAL</b>	Stories:	
Baths (Half):		Heating:		Quality:	<b>1.0</b>
Total Rooms:		Pool:		Building Class:	<b>D</b>
Bldg/Liv Area:	<b>6,025</b>	Park Type:		Condition:	
Lot Acres:	<b>0.159</b>	Spaces:		Site Influence:	
Lot SqFt:	<b>6,927</b>	Garage SqFt:		Timber Preserve:	
Year Built:	<b>1951</b>			Ag Preserve:	
Effective Year:					

CODE  
6174

FOR PREV. ASSMT. SEE 1711-28

PECK'S MANHATTAN BEACH TRACT  
M.B. 7-34





LIST 1  
DETAIL

☒ 1 Property Address: 2920 THE STRAND MANHATTAN BEACH CA 90266-2053

## Ownership

County: **LOS ANGELES, CA**

Assessor: **JEFFREY PRANG, ASSESSOR**

Parcel #  
(APN): **4176-028-008**

Parcel Status:

Owner Name: **ALVAREZ ANTONIO C & ABIGAIL C**

Mailing  
Address: **21677 SHEFFIELD DR FARMINGTON HILLS MI 48335**

Legal  
Description: **PECK'S MANHATTAN BEACH TRACT VAC ST ADJ ON SW AND EX OF ST LOT 5 AND VAC ST ADJ ON SW AND NW 9.66 FT EX OF ST OF LOT 6 BLK 8**

## Assessment

Total Value:	<b>\$12,482,418</b>	Use Code:	<b>0103</b>	Use Type:	<b>RESID. SINGLE FAMILY</b>
Land Value:	<b>\$6,891,023</b>	Tax Rate Area:	<b>06174</b>	Zoning:	<b>MNRM</b>
Impr Value:	<b>\$5,591,395</b>	Year Assd:	<b>2020</b>	Census Tract:	<b>6203.05/7</b>
Other Value:		Property Tax:		Price/SqFt:	<b>\$1,563.84</b>
% Improved:	<b>44%</b>	Delinquent Yr:			
Exempt Amt:		HO Exempt:	<b>N</b>		

## Sale History

	Sale 1	Sale 2	Sale 3	Transfer
Document Date:	<b>01/24/2012</b>	<b>07/27/2006</b>		<b>01/24/2012</b>
Document Number:	<b>0123652</b>	<b>1661586</b>		<b>0123652</b>
Document Type:				
Transfer Amount:	<b>\$9,250,090</b>	<b>\$9,000,090</b>		
Seller (Grantor):				

## Property Characteristics

Bedrooms:	<b>8</b>	Fireplace:		Units:	<b>1</b>
Baths (Full):	<b>8</b>	A/C:		Stories:	
Baths (Half):		Heating:	<b>CENTRAL</b>	Quality:	
Total Rooms:		Pool:	<b>POOL</b>	Building Class:	<b>D</b>
Bldg/Liv Area:	<b>5,915</b>	Park Type:		Condition:	
Lot Acres:	<b>0.103</b>	Spaces:		Site Influence:	
Lot SqFt:	<b>4,513</b>	Garage SqFt:		Timber Preserve:	
Year Built:	<b>1988</b>			Ag Preserve:	
Effective Year:					



LIST 1

DETAIL

☒ 1 Property Address: 2912 THE STRAND MANHATTAN BEACH CA 90266-2053

## Ownership

County: **LOS ANGELES, CA**Assessor: **JEFFREY PRANG, ASSESSOR**Parcel #  
(APN): **4176-028-017**Parcel  
Status:Owner  
Name: **FRYSINGER EDWARD B E AND V FRYINGER TRUST**Mailing  
Address: **2912 THE STRAND MANHATTAN BEACH CA 90266**Legal  
Description: **PECK'S MANHATTAN BEACH TRACT VAC ST ADJ ON SW AND LOT COM SE ON SW LINE OF LOT 6BLK 8,9.66 FT FROM  
MOST W COR OF SD LOT TH NE PARALLEL WITH NW LINE OF SD LOT SEE ASSESSOR MAPBOOK FOR MISSING  
PORTION LOT 7 BLK 8**

## Assessment

Total Value:	<b>\$426,580</b>	Use Code:	<b>0200</b>	Use Type:	<b>RESID. MULTIPLE FAMILY</b>
Land Value:	<b>\$300,388</b>	Tax Rate Area:	<b>06174</b>	Zoning:	<b>MNRM</b>
Impr Value:	<b>\$126,192</b>	Year Assd:	<b>2020</b>	Census Tract:	<b>6203.05/7</b>
Other Value:		Property Tax:		Price/SqFt:	
% Improved:	<b>29%</b>	Delinquent Yr:			
Exempt Amt:	<b>\$7,000</b>	HO Exempt:	<b>Y</b>		

## Sale History

	Sale 1	Sale 2	Sale 3	Transfer
Document Date:	<b>10/18/2018</b>	<b>07/23/2008</b>		<b>10/18/2018</b>
Document Number:	<b>1060112</b>	<b>1316303</b>		<b>1060112</b>
Document Type:				
Transfer Amount:				
Seller (Grantor):				

## Property Characteristics

Bedrooms:	<b>5</b>	Fireplace:	Units:	<b>2</b>
Baths (Full):	<b>3</b>	A/C:	Stories:	
Baths (Half):		Heating:	Quality:	<b>7.5</b>
Total Rooms:		Pool:	Building Class:	<b>D</b>
Bldg/Liv Area:	<b>3,640</b>	Park Type:	Condition:	
Lot Acres:	<b>0.112</b>	Spaces:	Site Influence:	
Lot SqFt:	<b>4,918</b>	Garage SqFt:	Timber Preserve:	
Year Built:	<b>1955</b>		Ag Preserve:	
Effective Year:				



LIST 1  
DETAIL

1 Property Address: 2908 THE STRAND MANHATTAN BEACH CA 90266-2053

## Ownership

County: **LOS ANGELES, CA**

Assessor: **JEFFREY PRANG, ASSESSOR**

Parcel #  
(APN): **4176-028-020**

Parcel  
Status:

Owner  
Name: **WALD RYAN & BRITA**

Mailing  
Address: **2908 THE STRAND MANHATTAN BEACH CA 90266**

Legal Description: **PECK'S MANHATTAN BEACH TRACT LOT COM AT INTERSECTION OF SE LINE OF LOT 8 BLK 8 WITH SW LINE OF OCEAN AVE (PER C S 3638) TH NW ON SD SW SEE ASSESSOR MAPBOOK FOR MISSING PORTION LOT 8 BLK 8**

## Assessment

Total Value:	<b>\$17,474,462</b>	Use Code:	<b>0101</b>	Use Type:	<b>RESID. SINGLE FAMILY</b>
Land Value:	<b>\$8,958,332</b>	Tax Rate Area:	<b>06174</b>	Zoning:	<b>MNRM</b>
Impr Value:	<b>\$8,516,130</b>	Year Assd:	<b>2020</b>	Census Tract:	<b>6203.05/7</b>
Other Value:		Property Tax:		Price/SqFt:	
% Improved:	<b>48%</b>	Delinquent Yr:			
Exempt Amt:		HO Exempt:	<b>N</b>		

## Sale History

	Sale 1	Sale 2	Sale 3	Transfer
Document Date:	<b>11/15/2019</b>	<b>08/26/2011</b>	<b>11/22/2004</b>	<b>11/15/2019</b>
Document Number:	<b>0000000</b>	<b>1159265</b>	<b>3018839</b>	<b>0000000</b>
Document Type:	<b>GRANT DEED</b>			
Transfer Amount:		<b>\$7,800,070</b>		
Seller (Grantor):				

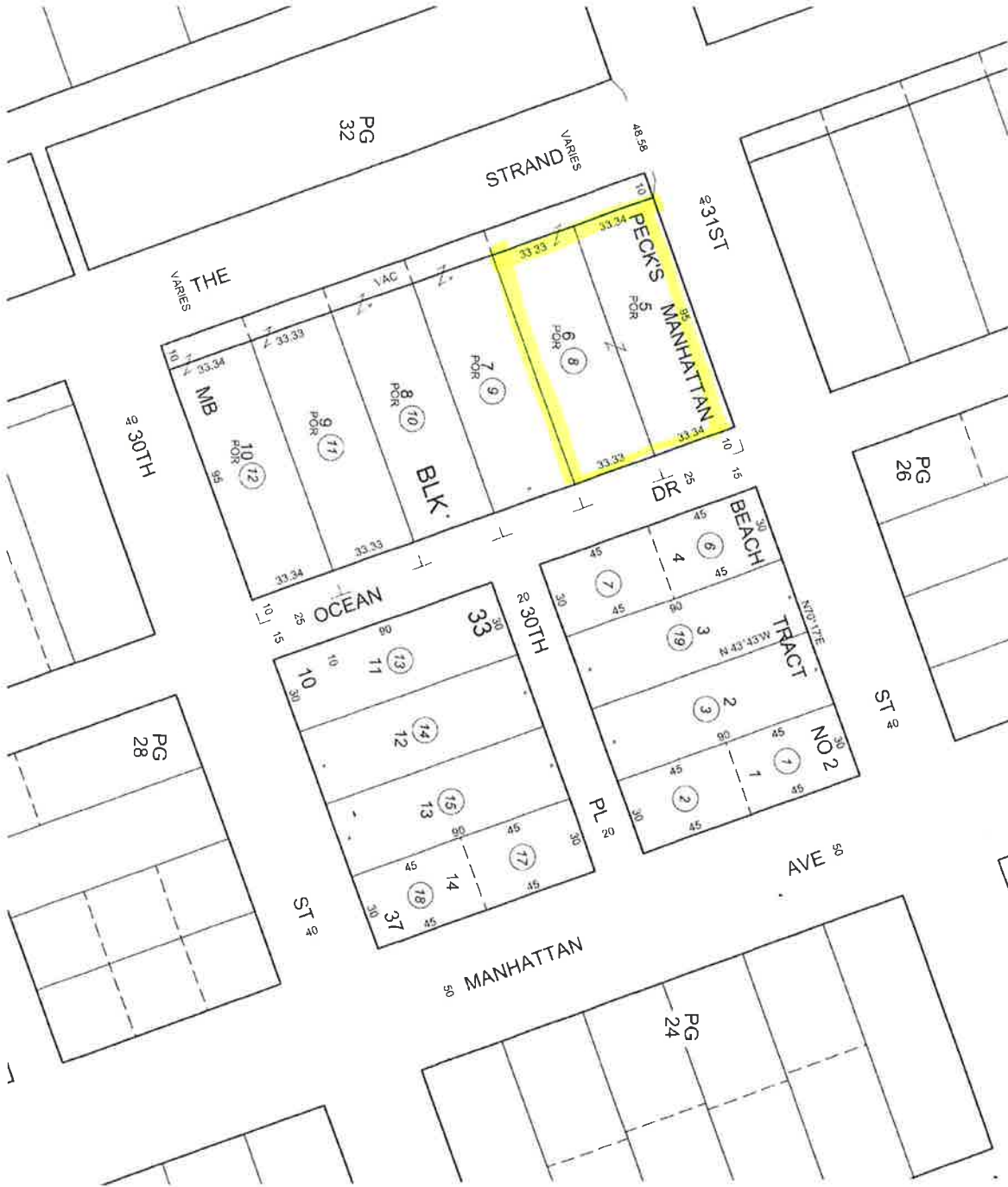
## Property Characteristics

Bedrooms:	<b>5</b>	Fireplace:		Units:	<b>1</b>
Baths (Full):	<b>9</b>	A/C:	<b>CENTRAL</b>	Stories:	
Baths (Half):		Heating:	<b>CENTRAL</b>	Quality:	
Total Rooms:		Pool:	<b>POOL</b>	Building Class:	<b>D</b>
Bldg/Liv Area:	<b>7,968</b>	Park Type:		Condition:	
Lot Acres:	<b>0.104</b>	Spaces:		Site Influence:	
Lot SqFt:	<b>4,564</b>	Garage SqFt:		Timber Preserve:	
Year Built:	<b>2016</b>			Ag Preserve:	
Effective Year:					

MAPPING AND GIS  
SERVICES  
SCALE 1" = 40'



2010







LIST 1  
DETAIL

1 Property Address: 3020 THE STRAND MANHATTAN BEACH CA 90266-3952

## Ownership

County: **LOS ANGELES, CA**  
 Assessor: **JEFFREY PRANG, ASSESSOR**  
 Parcel # (APN): **4176-027-008**  
 Parcel Status:  
 Owner Name: **BLAKE ROBERT B ROBERT B BLAKE TRUST**  
 Mailing Address: **3020 THE STRAND MANHATTAN BEACH CA 90266**  
 Legal Description: **PECK'S MANHATTAN BEACH TRACT # 2 VAC ST ADJ ON SW AND EX OF ST LOTS 5 AND LOT 6 BLK 33**

## Assessment

Total Value:	<b>\$8,296,886</b>	Use Code:	<b>0101</b>	Use Type:	<b>RESID. SINGLE FAMILY</b>
Land Value:	<b>\$4,988,542</b>	Tax Rate Area:	<b>06174</b>	Zoning:	<b>MNRM</b>
Impr Value:	<b>\$3,308,344</b>	Year Assd:	<b>2020</b>	Census Tract:	<b>6203.05/7</b>
Other Value:		Property Tax:		Price/SqFt:	<b>\$811.43</b>
% Improved:	<b>39%</b>	Delinquent Yr:			
Exempt Amt:		HO Exempt:	<b>N</b>		

## Sale History

	Sale 1	Sale 2	Sale 3	Transfer
Document Date:	<b>08/28/1998</b>			<b>08/28/1998</b>
Document Number:	<b>1541654</b>			<b>1541654</b>
Document Type:				
Transfer Amount:	<b>\$5,000,050</b>			
Seller (Grantor):				

## Property Characteristics

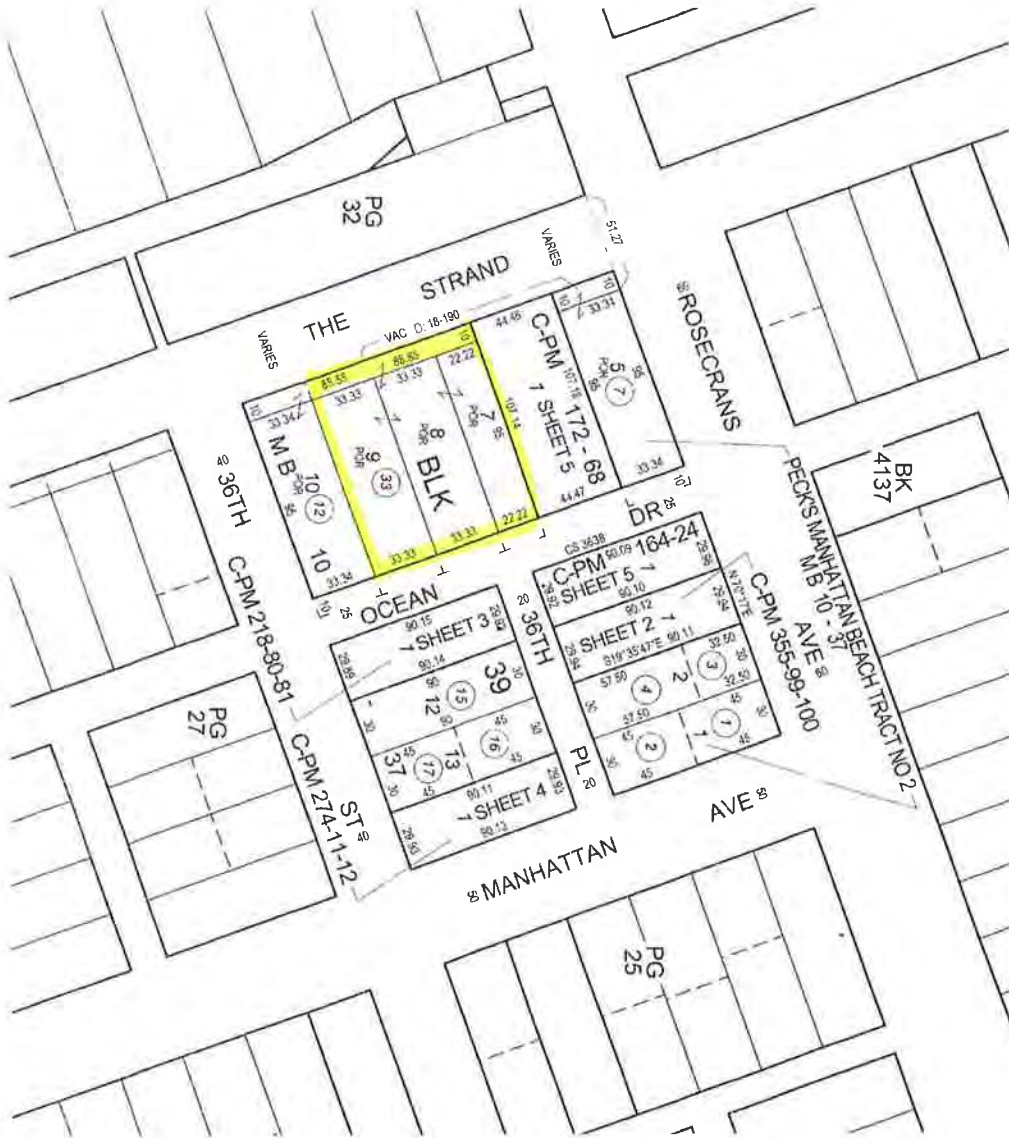
Bedrooms:	<b>4</b>	Fireplace:		Units:	<b>1</b>
Baths (Full):	<b>5</b>	A/C:		Stories:	
Baths (Half):		Heating:	<b>CENTRAL</b>	Quality:	
Total Rooms:		Pool:	<b>POOL</b>	Building Class:	<b>D</b>
Bldg/Liv Area:	<b>6,162</b>	Park Type:		Condition:	
Lot Acres:	<b>0.161</b>	Spaces:		Site Influence:	
Lot SqFt:	<b>7,014</b>	Garage SqFt:		Timber Preserve:	
Year Built:	<b>1997</b>			Ag Preserve:	
Effective Year:					

4175	26	P A	TRA	REVISED	SEARCH NO	OFFICE OF THE ASSESSOR
SHEET 1	1710-26	6174	2007031405001001-14	2008062705003001-14		COUNTY OF LOS ANGELES
						COPYRIGHT © 2002

2009



MAPPING AND GIS  
SERVICES  
SCALE 1" = 60'





LIST 1  
DETAIL

☒ 1 Property Address: 3608 THE STRAND MANHATTAN BEACH CA 90266-3266

### Ownership

County: **LOS ANGELES, CA**  
 Assessor: **JEFFREY PRANG, ASSESSOR**  
 Parcel # (APN): **4175-026-033**  
 Parcel Status:  
 Owner Name: **MANHATTAN STRANDHOMES LLC**  
 Mailing Address: **905 MANHATTAN BEACH BLVD MANHATTAN BEACH CA 90266**  
 Legal Description: **M B 10-37 VAC ST ADJ ON SW AND EX OF ST LOTS 8,9 AND SE 22.22 FT EX OF ST LOT 7**

### Assessment

Total Value:	<b>\$8,060,314</b>	Use Code:	<b>0500</b>	Use Type:	<b>RESID. APARTMENTS</b>
Land Value:	<b>\$6,969,577</b>	Tax Rate Area:	<b>06174</b>	Zoning:	<b>MNRH</b>
Impr Value:	<b>\$1,090,737</b>	Year Assd:	<b>2020</b>	Census Tract:	<b>6203.05/1</b>
Other Value:		Property Tax:		Price/SqFt:	<b>\$455.21</b>
% Improved:	<b>13%</b>	Delinquent Yr:			
Exempt Amt:		HO Exempt:	<b>N</b>		

### Sale History

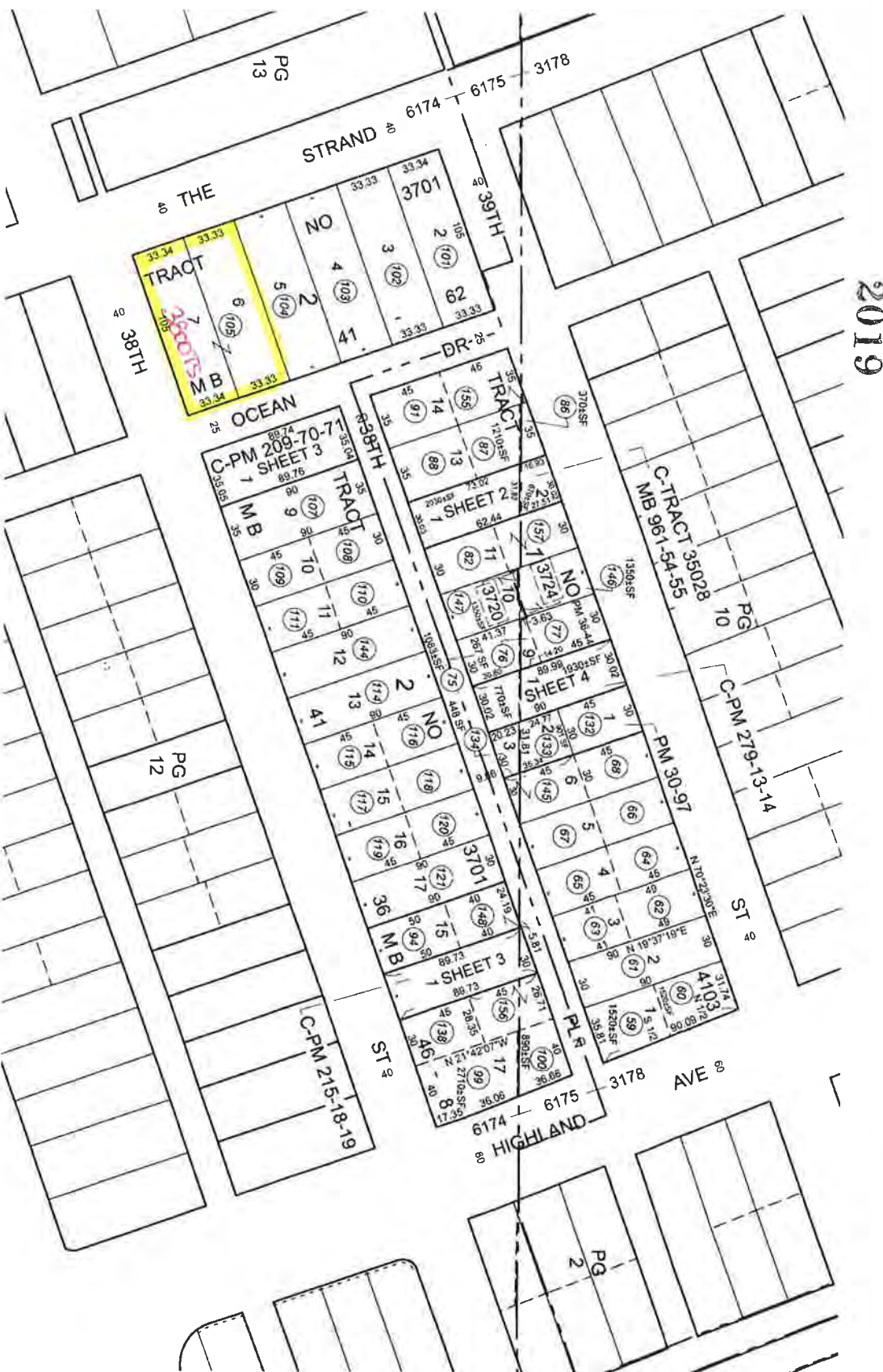
	Sale 1	Sale 2	Sale 3	Transfer
Document Date:	<b>03/22/2004</b>	<b>06/27/2000</b>		<b>03/22/2004</b>
Document Number:	<b>0669096</b>	<b>0980422</b>		<b>0669096</b>
Document Type:	<b>GRANT DEED</b>	<b>GRANT DEED</b>		
Transfer Amount:	<b>\$6,200,000</b>	<b>\$850,000</b>		
Seller (Grantor):				

### Property Characteristics

Bedrooms:	<b>16</b>	Fireplace:	Units:	<b>11</b>
Baths (Full):	<b>14</b>	A/C:	Stories:	
Baths (Half):		Heating:	Quality:	<b>7.0</b>
Total Rooms:		Pool:	Building Class:	<b>D</b>
Bldg/Liv Area:	<b>13,620</b>	Park Type:	Condition:	
Lot Acres:	<b>0.214</b>	Spaces:	Site Influence:	
Lot SqFt:	<b>9,334</b>	Garage SqFt:	Timber Preserve:	
Year Built:	<b>1952</b>		Ag Preserve:	
Effective Year:				



MAKING AND GIS  
SERVICES  
SCALE 1" = 80'





LIST 1  
DETAIL

☒ 1 Property Address: 3800 THE STRAND NO1 MANHATTAN BEACH CA 90266-3136

## Ownership

County: **LOS ANGELES, CA**  
 Assessor: **JEFFREY PRANG, ASSESSOR**  
 Parcel # (APN): **4137-011-105**  
 Parcel Status:  
 Owner Name: **THOMAS RICHARD L RICHARD L THOMAS TRUST**  
 Mailing Address: **3800 THE STRAND MANHATTAN BEACH CA 90266**  
 Legal Description: **TRACT NO 3701 LOTS 6 AND LOT 7 BLK 2**

## Assessment

Total Value:	<b>\$1,820,667</b>	Use Code:	<b>0500</b>	Use Type:	<b>RESID. APARTMENTS</b>
Land Value:	<b>\$1,470,198</b>	Tax Rate Area:	<b>06174</b>	Zoning:	<b>MNRH</b>
Impr Value:	<b>\$350,030</b>	Year Assd:	<b>2020</b>	Census Tract:	<b>6202.01/2</b>
Other Value:	<b>\$439</b>	Property Tax:		Price/SqFt:	<b>\$207.27</b>
% Improved:	<b>19%</b>	Delinquent Yr:			
Exempt Amt:	<b>\$7,000</b>	HO Exempt:	<b>Y</b>		

## Sale History

	Sale 1	Sale 2	Sale 3	Transfer
Document Date:	<b>07/21/1987</b>			<b>07/22/1997</b>
Document Number:	<b>1152405</b>			<b>1097754</b>
Document Type:	<b>GRANT DEED</b>			
Transfer Amount:	<b>\$1,100,000</b>			
Seller (Grantor):				

## Property Characteristics

Bedrooms:	<b>6</b>	Fireplace:	Units:	<b>4</b>
Baths (Full):	<b>7</b>	A/C:	Stories:	
Baths (Half):		Heating:	Quality:	<b>6.5</b>
Total Rooms:		Pool:	Building Class:	<b>D</b>
Bldg/Liv Area:	<b>5,307</b>	Park Type:	Condition:	
Lot Acres:	<b>0.160</b>	Spaces:	Site Influence:	
Lot SqFt:	<b>7,005</b>	Garage SqFt:	Timber Preserve:	
Year Built:	<b>1953</b>		Ag Preserve:	
Effective Year:				







LIST 1  
DETAIL

**1** Property Address: **4009 OCEAN DR MANHATTAN BEACH CA 90266-3162**

## Ownership

County: **LOS ANGELES, CA**  
 Assessor: **JEFFREY PRANG, ASSESSOR**  
 Parcel # (APN): **4137-009-069**  
 Parcel Status:  
 Owner Name: **4004 THE STRAND LLC**  
 Mailing Address: **2321 ROSECRANS AVE #3245 EL SEGUNDO CA 90245**  
 Legal Description: **TR=4103 LOTS 18 AND 19 BLK 3**

## Assessment

Total Value:	<b>\$12,912,533</b>	Use Code:	<b>0300</b>	Use Type:	<b>RESID. MULTIPLE FAMILY- SFR</b>
Land Value:	<b>\$12,912,533</b>	Tax Rate Area:	<b>03718</b>	Zoning:	<b>MNRH</b>
Impr Value:		Year Assd:	<b>2020</b>	Census Tract:	<b>6202.01/2</b>
Other Value:		Property Tax:		Price/SqFt:	
% Improved:	<b>0%</b>	Delinquent Yr:			
Exempt Amt:		HO Exempt:	<b>N</b>		

## Sale History

	Sale 1	Sale 2	Sale 3	Transfer
Document Date:				<b>06/12/2015</b>
Document Number:				<b>0694576</b>
Document Type:				
Transfer Amount:				
Seller (Grantor):				

## Property Characteristics

Bedrooms:	<b>7</b>	Fireplace:		Units:	<b>5</b>
Baths (Full):	<b>6</b>	A/C:		Stories:	
Baths (Half):		Heating:		Quality:	<b>7.0</b>
Total Rooms:		Pool:		Building Class:	<b>D</b>
Bldg/Liv Area:	<b>4,224</b>	Park Type:		Condition:	
Lot Acres:	<b>0.159</b>	Spaces:		Site Influence:	
Lot SqFt:	<b>6,966</b>	Garage SqFt:		Timber Preserve:	
Year Built:	<b>1959</b>			Ag Preserve:	
Effective Year:					

*currently under construction*

# **EXHIBIT F**

**Los Angeles County Assessor Information  
808 The Strand #2**



### Ownership

County: LOS ANGELES, CA  
 Assessor: JEFFREY PRANG, ASSESSOR  
 Parcel # (APN): 4179-014-020  
 Parcel Status:  
 Owner Name: STRAND LIMITED COMPANY  
 Mailing Address: 15233 VENTURA BLVD #714 SHERMAN OAKS CA 91403  
 Legal Description: TR=38987 LOT 1 CONDOMINIUM\*UNIT 2

### Assessment

Total Value:	\$9,200,671	Use Code:	010C	Use Type:	RESID. CONDOMINIUM
Land Value:	\$6,440,470	Tax Rate Area:	06174	Zoning:	MNRM
Impr Value:	\$2,760,201	Year Assd:	2020	Census Tract:	6209.04/1
Other Value:		Property Tax:		Price/SqFt:	\$2,975.18
% Improved:	29%	Delinquent Yr:			
Exempt Amt:		HO Exempt:	N		

### Sale History

	Sale 1	Sale 2	Sale 3	Transfer
Document Date:	12/29/2015	03/06/2014	12/24/2012	12/29/2015
Document Number:	<a href="#">1633389</a>	<a href="#">0232251</a>	<a href="#">1998802</a>	<a href="#">1633389</a>
Document Type:				
Transfer Amount:	\$8,500,080			
Seller (Grantor):				

These and other documents may be available from the [DOCS & SALES HISTORY](#) tab. >

### Property Characteristics

Bedrooms:	4	Fireplace:		Units:	1
Baths (Full):	5	A/C:	CENTRAL	Stories:	
Baths (Half):		Heating:	CENTRAL	Quality:	
Total Rooms:		Pool:		Building Class:	D
Bldg/Liv Area:	2,857	Park Type:		Condition:	
Lot Acres:	0.116	Spaces:		Site Influence:	
Lot SqFt:	5,070	Garage SqFt:		Timber Preserve:	
Year Built:	1983			Ag Preserve:	
Effective Year:					

# **EXHIBIT G**

**NorCal Engineering Soils Investigation,  
dated 7/10/2019**

**SOILS INVESTIGATION**  
Proposed Residential Development  
1316 The Strand  
Manhattan Beach, California

Corinna Cotsen  
1316 The Strand  
Manhattan Beach, California 90266

Project Number 21215-19  
July 10, 2019

**NorCal Engineering**

## TABLE OF CONTENTS

Section	Page
<b>1.0 STRUCTURAL CONSIDERATIONS.....</b>	<b>1</b>
1.1 Proposed Development.....	1
<b>2.0 SITE DESCRIPTION.....</b>	<b>2</b>
2.1 Location.....	2
2.2 Existing Improvements.....	2
2.3 Drainage/Topography.....	2
<b>3.0 SEISMICITY EVALUATION.....</b>	<b>2</b>
<b>4.0 LIQUEFACTION EVALUATION.....</b>	<b>3</b>
<b>5.0 FIELD INVESTIGATION.....</b>	<b>3</b>
5.1 Site Exploration.....	3
5.2 Groundwater.....	4
<b>6.0 LABORATORY TESTS.....</b>	<b>4</b>
6.1 Field Moisture Content.....	5
6.2 Maximum Density Tests.....	5
6.3 Expansion Index Tests.....	5
6.4 Direct Shear Tests.....	5
6.5 Consolidation Tests.....	6
6.6 Soluble Sulfate Tests.....	6
<b>7.0 CONCLUSIONS AND RECOMMENDATIONS.....</b>	<b>6</b>
7.1 Site Grading Recommendations.....	7
7.1.1 Removal and Recompaction Recommendations.....	7
7.2 Temporary Excavations and Shoring Design.....	8
7.3 Foundation Design.....	9
7.4 Settlement Analysis.....	10
7.5 Lateral Resistance.....	10
7.6 Retaining Wall Design Parameters.....	10
7.7 Slab Design.....	11
7.8 Expansive Soil.....	12
7.9 Utility Trench and Excavation Backfill.....	13
7.10 Corrosion Design Criteria.....	13
<b>8.0 Closure.....</b>	<b>13</b>

**NorCal Engineering**  
SOILS AND GEOTECHNICAL CONSULTANTS  
10641 HUMBOLT STREET LOS ALAMITOS, CA 90720  
(562)799-9469 FAX (562)799-9459

July 10, 2019

Project Number 21215-19

Corinna Cotsen  
1316 The Strand  
Manhattan Beach, California 90266

RE: **SOILS INVESTIGATION** - Proposed Residential Development -  
Located at 1316 The Strand, in the City of Manhattan Beach,  
California

Dear Ms. Cotsen:

Pursuant to your request, this firm has performed a Soils Investigation for the above referenced project. The purpose of this investigation is to evaluate the geotechnical conditions of the subject site and to provide recommendations for the proposed residential development. This soils engineering report presents the findings of our study along with conclusions and recommendations for development.

**1.0 STRUCTURAL CONSIDERATIONS**

**1.1 Proposed Development**

It is proposed to construct a new residential development on the property. Construction will be woodframe and 3-stories over basement level. Other improvements may include concrete pavement areas and landscaping. The proposed grading for the development will include cut and fill procedures.

Final building plans shall be reviewed by this firm prior to submittal for city approval to determine the need for any additional study and revised recommendations pertinent to the proposed development, if necessary.

## **2.0 SITE DESCRIPTION**

- 2.1 Location:** The rectangular shaped parcel is located east of The Strand, in the City of Manhattan Beach. Ocean Drive is located to the east.
- 2.2 Existing Improvements:** The parcel is currently occupied by two residential structures, wooden deck and concrete pavement.
- 2.3 Drainage/Topography:** Site topography descends gently from east to west and drainage is via sheetflow in this direction.

## **3.0 SEISMICITY EVALUATION**

The proposed development lies outside of any Alquist Priolo Special Studies Zone and the potential for damage due to direct fault rupture is considered unlikely.

The following seismic design parameters are provided and are in accordance with the 2016 California Building Code (CBC) as determined using the ASCE 7 Hazard Tool (<https://asce7hazardtool.online/>) for the referenced project.

### **Seismic Design Parameters**

Site Location – Region 1	Latitude 33.8861°
	Longitude -118.4126°
Site Class	D
Risk Category	I/II/III
Maximum Spectral Response Acceleration	S <sub>s</sub> 1.627g
	S <sub>1</sub> 0.615g
Adjusted Maximum Acceleration	S <sub>MS</sub> 1.627g
	S <sub>M1</sub> 0.922g
Design Spectral Response Acceleration Parameters	S <sub>DS</sub> 1.085g
	S <sub>D1</sub> 0.615g

**NorCal Engineering**

The Palos Verdes Fault zone is located within 2 kilometers of the site and is capable of producing a Magnitude 7.1 earthquake. Ground shaking originating from earthquakes along other active faults in the region is expected to induce lower horizontal accelerations due to smaller anticipated earthquakes and/or greater distances to other faults.

#### **4.0 LIQUEFACTION EVALUATION**

The site lies outside of areas mapped by the State of California Seismic Hazards Mapping Act as potentially liquefiable. Thus, the design of the proposed construction in conformance with the latest Building Code provisions for earthquake design is expected to provide mitigation of ground shaking hazards that are typical to Southern California.

#### **5.0 FIELD INVESTIGATION**

##### **5.1 Site Exploration**

The investigation consisted of the placement of three subsurface exploratory borings by hand auger to a maximum depth of 22.5 feet below current ground elevations. The borings were placed at accessible locations throughout the site. Existing improvements limited the placement of the borings. Existing concrete at all three boring locations was cored in order to access subgrade soils.

The explorations were visually classified and logged by a field engineer with locations of the subsurface explorations shown on the attached plan. The exploratory borings revealed the existing earth materials to consist of fill and natural soil zones. Detailed descriptions of the subsurface conditions are listed on the boring logs in Appendix A. It should be noted that the transition from one soil type to another as shown on the borings logs is approximate and may in fact be a gradual transition. The soils encountered are described as follows:

**Fill Soils:** Fill soils classifying as slightly silty SAND with some gravel and concrete pieces were encountered across the site to depths ranging from 18 to 36 inches below existing grade. These soils were noted to be medium dense and damp.

**Natural:** Native, undisturbed soils classifying as slightly silty to silty SAND were encountered beneath the upper fill soils. The native soils as encountered were observed to be medium dense and damp.

## 5.2 Groundwater

Groundwater was not encountered in any of the subsurface borings.

## 6.0 LABORATORY TESTS

Relatively undisturbed samples of the subsurface soils were obtained to perform laboratory testing and analysis for direct shear, consolidation tests, and to determine in-place moisture/densities. These relatively undisturbed ring samples were obtained by driving a thin-walled steel sampler lined with one-inch long brass rings with an inside diameter of 2.42 inches into the undisturbed soils. The sampler was driven a total of 6 inches into undisturbed soils.



Bulk bag samples were obtained in the upper soils for expansion index tests and maximum density tests. Wall loadings on the order of 3,000 lbs./lin.ft. and maximum compression loads on the order of 30 kips were utilized for testing and design purposes. All test results are included in Appendix B, unless otherwise noted.

- 6.1 **Field moisture content** (ASTM:D 2216-10) and the dry density of the ring samples were determined in the laboratory. This data is listed on the logs of explorations.
- 6.2 **Maximum density tests** (ASTM: D-1557-12) were performed on typical samples of the upper soils. Results of these tests are shown on Table I.
- 6.3 **Expansion index tests** (ASTM: D-4829-11) were performed on remolded samples of the upper soils to determine the expansive characteristics and to provide any necessary recommendations for reinforcement of the slabs-on-grade and the foundations. Results of these tests are provided on Table II and are discussed later in this report.
- 6.4 **Direct shear tests** (ASTM: D-3080-11) were performed on undisturbed and/or remolded samples of the subsurface soils. These tests were performed to determine parameters for the calculation of the allowable soil bearing capacity. The test is performed under saturated conditions at loads of 1,000 lbs./sq.ft., 2,000 lbs./sq.ft., and 3,000 lbs./sq.ft. with results shown on Plates A and B.

6.5 **Consolidation tests** (ASTM: D-2435-11) were performed on undisturbed samples to determine the differential and total settlement which may be anticipated based upon the proposed loads. Water was added to the samples at a surcharge of one KSF and the settlement curves are plotted on Plates C and D.

6.6 **Soluble sulfate tests** to determine potential corrosive effects of soils on concrete structures were performed in the laboratory. Test results are given in Table III and discussed later in this report.

## 7.0 **CONCLUSIONS AND RECOMMENDATIONS**

Based upon our evaluations, the proposed development is acceptable from a geotechnical engineering standpoint. By following the recommendations and guidelines set forth in our report, the structures will be safe from excessive settlements under the anticipated design loadings and conditions. The proposed development shall meet all requirements of the City Building Ordinance and will not impose any adverse effect on existing adjacent structures.

The following recommendations are based upon soil conditions encountered in our field investigation; these near-surface soil conditions could vary across the site. Variations in the soil conditions may not become evident until the commencement of grading operations for the proposed development and revised recommendations from the soils engineer may be necessary based upon the conditions encountered.

## **7.1 Site Grading Recommendations**

It is recommended that site inspections be performed by a representative of this firm during all grading and construction of the development to verify the findings and recommendations documented in this report. Any unusual conditions which may be encountered in the course of the project development may require the need for additional study and revised recommendations.

Any vegetation shall be removed and hauled from proposed grading areas prior to the start of grading operations. Existing vegetation shall not be mixed or disced into the soils. Any removed soils may be reutilized as compacted fill once any deleterious material or oversized materials (in excess of eight inches) is removed. Grading operations shall be performed in accordance with the attached *Specifications for Placement of Compacted Fill*.

### **7.1.1 Removal and Recomposition Recommendations**

All existing fill soils (upper 18 to 36 inches) and any low-density soils remaining after excavation of any basement area shall be removed to competent native material, the exposed surface scarified to a depth of 12 inches, brought to within 2% of optimum moisture content and compacted to a minimum of 90% of the laboratory standard (ASTM: D-1557-12) prior to placement of any additional compacted fill soils, foundations, slabs-on-grade and pavement. Grading shall extend a minimum of 5 horizontal feet outside the edges of foundations or equidistant to the depth of fill placed, whichever is greater, except in basement areas.

Care should be taken to provide or maintain adequate lateral support for all adjacent improvements and structures at all times during the grading operations and construction phase. Adequate drainage away from the structures, pavement and slopes should be provided at all times.

It is possible that isolated areas of undiscovered fill not described in this report are present on site; if found, these areas should be treated as discussed earlier. A diligent search shall also be conducted during grading operations in an effort to uncover any underground structures, irrigation or utility lines. If encountered, these structures and lines shall be either removed or properly abandoned prior to the proposed construction.

If placement of slabs-on-grade and pavement is not completed immediately upon completion of grading operations, additional testing and grading of the areas may be necessary prior to continuation of construction operations. Likewise, if adverse weather conditions occur which may damage the subgrade soils, additional assessment by the soils engineer as to the suitability of the supporting soils may be needed.

## **7.2 Preliminary Temporary Excavations and Shoring Design**

Temporary unsurcharged excavations in the existing site materials may be made at vertical inclinations up to 3 feet in height. Excavations over 3 feet shall be trimmed at a 1 to 1 (horizontal to vertical) gradient up to a maximum of 8 feet in height for the entire height of cut; excavations over 8 feet shall be reviewed by the soil engineer prior to work. In areas where soils with little or no binder are encountered, where adverse geological conditions are exposed, or where excavations are adjacent to existing structures, shoring or flatter excavations may be required.

The temporary cut slope gradients given above do not preclude local raveling and sloughing. All excavations shall be made in accordance with the requirements of the soils engineer, CAL-OSHA and other public agencies having jurisdiction.

Preliminary temporary shoring design may utilize an active earth pressure of 25 pcf without any surcharge due to adjacent traffic, equipment or structures. The passive fluid pressures of 250 pcf may be doubled to 500 pcf for temporary design. *Shoring members should not be vibrated or driven due to the potential for damage to nearby improvements. All existing adjacent improvements should be surveyed prior to and during the installation of shoring to assure no excessive movements are caused.*

### **7.3 Foundation Design**

All foundations may be designed utilizing an allowable soil bearing capacity of 2200 psf for footings embedded a minimum of 24 inches and into approved compacted fill materials or competent native soils. Reinforcement due to soil expansion or proposed loadings may be necessary and shall be determined by the project engineers and/or architect. Foundations for at-grade screen walls or other minor improvements may be designed using an allowable soil bearing capacity of 1500 psf with a minimum embedment depth of 18 inches and into compacted fill or competent native soils.

A one-third increase may be used when considering short-term loading and seismic forces. Foundations along property lines may require additional depth due to grading restrictions. A representative of this firm shall inspect all foundation excavations prior to pouring concrete.

#### 7.4 Settlement Analysis

Resultant pressure curves for the consolidation tests are shown on Plates C and D. Computations utilizing these curves and the recommended allowable soil bearing capacities reveal that the foundations will experience settlements on the order of  $\frac{3}{4}$  inch and differential settlements of less than  $\frac{1}{4}$  inch.

#### 7.5 Lateral Resistance

The following values may be utilized in resisting lateral loads imposed on the structure. Requirements of the California Building Code should be adhered to when the coefficient of friction and passive pressures are combined.

Coefficient of Friction - 0.40  
Equivalent Passive Fluid Pressure = 250 lbs./cu.ft.  
Maximum Passive Pressure = 2,500 lbs./cu.ft.

The passive pressure recommendations are valid only for approved compacted fill soils or competent native materials.

#### 7.6 Retaining Wall Design Parameters

Active earth pressures against retaining walls will be equal to the pressures developed by the following fluid densities. These values are for **granular backfill material** placed behind the walls at various ground slopes above the walls.

<u>Surface Slope of Retained Materials</u> <u>(Horizontal to Vertical)</u>	<u>Equivalent Fluid</u> <u>Density (lb./cu.ft.)</u>
Level	30
5 to 1	35
4 to 1	38
3 to 1	40
2 to 1	45

**NorCal Engineering**



During a local Magnitude 7.1 along the Palos Verdes fault zone, additional lateral pressures will occur along the back of retaining walls. The seismic-induced lateral soil pressure may be computed using a triangular pressure distribution with the maximum value at the top of the wall. The maximum lateral pressure of  $(20 \text{ pcf}) H$  where  $H$  is the height of the retained soils (6 feet or more) above the wall footing should be used in final design of retaining walls.

Sliding resistance values and passive fluid pressure values may be increased by  $1/3$  during short-term wind and seismic loading conditions.

Any applicable short-term construction surcharges and seismic forces should be added to the above lateral pressure values. All walls shall be waterproofed as needed and protected from hydrostatic pressure by a reliable permanent subdrain system.

#### **7.7 Slab Design**

Concrete floor slabs-on-grade shall be a minimum of 4 inches in thickness and may be placed upon fill soils compacted to a minimum of 90% relative compaction. Additional reinforcement requirements and an increase in thickness of the slabs-on-grade may be necessary based upon soils expansion potential and proposed loading conditions in the structures and should be evaluated further by the project engineers and/or architect.

A vapor retarder should be utilized in areas which would be sensitive to the infiltration of moisture. This retarder shall meet requirements of ASTM E 96, *Water Vapor Transmission of Materials* and ASTM E 1745, *Standard Specification for Water Vapor Retarders used in Contact with Soil or Granular Fill Under Concrete Slabs*. The vapor retarder shall be installed in accordance with procedures stated in ASTM E 1643, *Standard practice for Installation of Water Vapor Retarders used in Contact with Earth or Granular Fill Under Concrete Slabs*.

The moisture retarder may be placed directly upon compacted subgrade soils conditioned to near optimum moisture levels, although 1 to 2 inches of sand beneath the membrane is desirable. The subgrade upon which the retarder is placed shall be smooth and free of rocks, gravel or other protrusions which may damage the retarder. Use of sand above the retarder is under the purview of the structural engineer; if sand is used over the retarder, it should be placed in a dry condition.

#### **7.8 Expansive Soil**

The upper on-site soils are non-expansive ( $EI < 20$ ). When soils have an expansion index (EI) of 20 or more, special attention should be given to the project design and maintenance. The attached *Expansive Soil Guidelines* should be reviewed by the engineers, architects, owner, maintenance personnel and other interested parties and considered during the design of the project and future property maintenance.

### **7.9 Utility Trench and Excavation Backfill**

Trenches from installation of utility lines and other excavations may be backfilled with on-site soils or approved imported soils compacted to a minimum of 90% relative compaction. All utility lines shall be properly bedded with clean sand having a sand equivalency rating of 30 or more. This bedding material shall be thoroughly water jetted around the pipe structure prior to placement of compacted backfill soils.

### **7.10 Corrosion Design Criteria**

Representative samples of the surficial soils revealed negligible sulfate concentrations and no special concrete design recommendations are deemed necessary at this time. Sulfate test results may be found on the attached Table III.

## **8.0 CLOSURE**

The recommendations and conclusions contained in this report are based upon the soil conditions uncovered in our test excavations. No warranty of the soil condition between our excavations is implied. NorCal Engineering should be notified for possible further recommendations if unexpected to unfavorable conditions are encountered during construction phase. It is the responsibility of the owner to ensure that all information within this report is submitted to the Architect and appropriate Engineers for the project.

This firm should have the opportunity to review the final plans (72 hours required) to verify that all our recommendations are incorporated. This report and all conclusions are subject to the review of the controlling authorities for the project.


**NorCal Engineering**

A preconstruction conference should be held between the developer, general contractor, grading contractor, city inspector, architect, and soil engineer to clarify any questions relating to the grading operations and subsequent construction. Our representative should be present during the grading operations and construction phase to certify that such recommendations are complied within the field.

This geotechnical investigation has been conducted in a manner consistent with the level of care and skill exercised by members of our profession currently practicing under similar conditions in the Southern California area. No other warranty, expressed or implied is made.

We appreciate this opportunity to be of service to you. If you have any further questions, please do not hesitate to contact the undersigned.

Respectfully submitted,  
NORCAL ENGINEERING

  
Keith D. Tucker  
Project Engineer  
R.G.E. 841



  
Mark A. Burkholder  
Project Manager

**NorCal Engineering**

### **SPECIFICATIONS FOR PLACEMENT OF COMPACTED FILL**

#### **Excavation**

Any existing low-density soils and/or saturated soils shall be removed to competent natural soil under the inspection of the Soils Engineering Firm. After the exposed surface has been cleansed of debris and/or vegetation, it shall be scarified until it is uniform in consistency, brought to the proper moisture content and compacted to a minimum of 90% relative compaction (in accordance with ASTM: D-1557-12).

In any area where a transition between fill and native soil or between bedrock and soil are encountered, additional excavation beneath foundations and slabs will be necessary in order to provide uniform support and avoid differential settlement of the structure.

#### **Material For Fill**

The on-site soils or approved import soils may be utilized for the compacted fill provided they are free of any deleterious materials and shall not contain any rocks, brick, asphaltic concrete, concrete or other hard materials greater than eight inches in maximum dimensions. Any import soil must be approved by the Soils Engineering firm a minimum of 72 hours prior to importation of site.

#### **Placement of Compacted Fill Soils**

The approved fill soils shall be placed in layers not excess of six inches in thickness. Each lift shall be uniform in thickness and thoroughly blended. The fill soils shall be brought to within 2% of the optimum moisture content, unless otherwise specified by the Soils Engineering firm. Each lift shall be compacted to a minimum of 90% relative compaction (in accordance with ASTM: D-1557-12) and approved prior to the placement of the next layer of soil. Compaction tests shall be obtained at the discretion of the Soils Engineering firm but to a minimum of one test for every 500 cubic yards placed and/or for every 2 feet of compacted fill placed.

The minimum relative compaction shall be obtained in accordance with accepted methods in the construction industry. The final grade of the structural areas shall be in a dense and smooth condition prior to placement of slabs-on-grade or pavement areas. No fill soils shall be placed, spread or compacted during unfavorable weather conditions. When the grading is interrupted by heavy rains, compaction operations shall not be resumed until approved by the Soils Engineering firm.

### **Grading Observations**

The controlling governmental agencies should be notified prior to commencement of any grading operations. This firm recommends that the grading operations be conducted under the observation of a Soils Engineering firm as deemed necessary. A 24-hour notice must be provided to this firm prior to the time of our initial inspection.

Observation shall include the clearing and grubbing operations to assure that all unsuitable materials have been properly removed; approve the exposed subgrade in areas to receive fill and in areas where excavation has resulted in the desired finished grade and designate areas of overexcavation; and perform field compaction tests to determine relative compaction achieved during fill placement. In addition, all foundation excavations shall be observed by the Soils Engineering firm to confirm that appropriate bearing materials are present at the design grades and recommend any modifications to construct footings.



### **EXPANSIVE SOIL GUIDELINES**

The following expansive soil guidelines are provided for your project. The intent of these guidelines is to inform you, the client, of the importance of proper design and maintenance of projects supported on expansive soils. ***You, as the owner or other interested party, should be warned that you have a duty to provide the information contained in the soil report including these guidelines to your design engineers, architects, landscapers and other design parties in order to enable them to provide a design that takes into consideration expansive soils.***

*In addition, you should provide the soil report with these guidelines to any property manager, lessee, property purchaser or other interested party that will have or assume the responsibility of maintaining the development in the future.*

Expansive soils are fine-grained silts and clays which are subject to swelling and contracting. The amount of this swelling and contracting is subject to the amount of fine-grained clay materials present in the soils and the amount of moisture either introduced or extracted from the soils. Expansive soils are divided into five categories ranging from "very low" to "very high". Expansion indices are assigned to each classification and are included in the laboratory testing section of this report. *If the expansion index of the soils on your site, as stated in this report, is 21 or higher, you have expansive soils.* The classifications of expansive soils are as follows:

**Classification of Expansive Soil\***

Expansion Index	Potential Expansion
0-20	Very Low
21-50	Low
51-90	Medium
91-130	High
Above 130	Very High

\*From Table 18A-I-B of California Building Code (1988)

When expansive soils are compacted during site grading operations, care is taken to place the materials at or slightly above optimum moisture levels and perform proper compaction operations. Any subsequent excessive wetting and/or drying of expansive soils will cause the soil materials to expand and/or contract. These actions are likely to cause distress of foundations, structures, slabs-on-grade, sidewalks and pavement over the life of the structure. ***It is therefore imperative that even after construction of improvements, the moisture contents are maintained at relatively constant levels, allowing neither excessive wetting or drying of soils.***

**NorCal Engineering**

Evidence of excessive wetting of expansive soils may be seen in concrete slabs, both interior and exterior. Slabs may lift at construction joints producing a trip hazard or may crack from the pressure of soil expansion. Wet clays in foundation areas may result in lifting of the structure causing difficulty in the opening and closing of doors and windows, as well as cracking in exterior and interior wall surfaces. In extreme wetting of soils to depth, settlement of the structure may eventually result. Excessive wetting of soils in landscape areas adjacent to concrete or asphaltic pavement areas may also result in expansion of soils beneath pavement and resultant distress to the pavement surface.

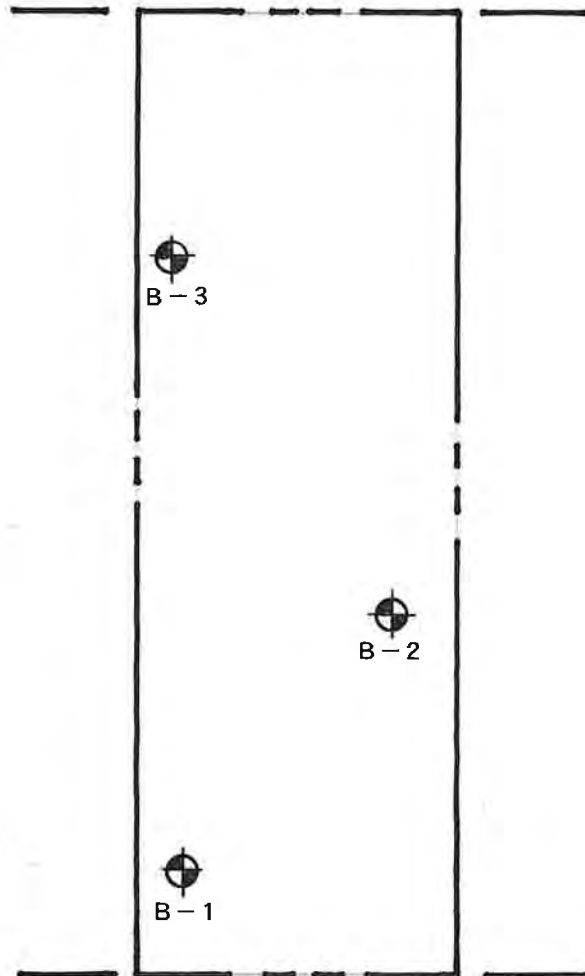
Excessive drying of expansive soils is initially evidenced by cracking in the surface of the soils due to contraction. Settlement of structures and on-grade slabs may also eventually result along with problems in the operation of doors and windows.

*Projects located in areas of expansive clay soils will be subject to more movement and "hairline" cracking of walls and slabs than similar projects situated on non-expansive sandy soils.* There are, however, measures that developers and property owners may take to reduce the amount of movement over the life the development. The following guidelines are provided to assist you in both design and maintenance of projects on expansive soils:

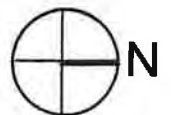
- Drainage away from structures and pavement is essential to prevent excessive wetting of expansive soils. Grades of at least 3% should be designed and maintained to allow flow of irrigation and rain water to approved drainage devices or to the street. Any "ponding" of water adjacent to buildings, slabs and pavement after rains is evidence of poor drainage; the installation of drainage devices or regrading of the area may be required to assure proper drainage. Installation of rain gutters is also recommended to control the introduction of moisture next to buildings. Gutters should discharge into a drainage device or onto pavement which drains to roadways.
- Irrigation should be strictly controlled around building foundations, slabs and pavement and may need to be adjusted depending upon season. This control is essential to maintain a relatively uniform moisture content in the expansive soils and to prevent swelling and contracting. Over-watering adjacent to improvements may result in damage to those improvements. NorCal Engineering makes no specific recommendations regarding landscape irrigation schedules.

- Planting schemes for landscaping around structures and pavement should be analyzed carefully. Plants (including sod) requiring high amounts of water may result in excessive wetting of soils. Trees and large shrubs may actually extract moisture from the expansive soils, thus causing contraction of the fine-grained soils.
- Thickened edges on exterior slabs will assist in keeping excessive moisture from entering directly beneath the concrete. A six-inch thick or greater deepened edge on slabs may be considered. Underlying interior and exterior slabs with 6 to 12 inches or more of non-expansive soils and providing presaturation of the underlying clayey soils as recommended in the soil report will improve the overall performance of on-grade slabs.
- Increase the amount of steel reinforcing in concrete slabs, foundations and other structures to resist the forces of expansive soils. The precise amount of reinforcing should be determined by the appropriate design engineers and/or architects.
- Recommendations of the soil report should always be followed in the development of the project. Any recommendations regarding presaturation of the upper subgrade soils in slab areas should be performed in the field and verified by the Soil Engineer.

THE STRAND



OCEAN DR.



1" = 20'

**NorCal Engineering**  
SOILS AND GEOTECHNICAL CONSULTANTS

APPROXIMATE LOCATIONS OF  
TEST EXPLORATIONS

PROJECT 21215-19 | DATE 7/2019

## **APPENDICES**

(In order of appearance)

### **Appendix A - Logs of Borings**

**\*Logs of Test Borings B-1 to B-3**

### **Appendix B - Laboratory Analysis**

**\*Table I - Maximum Dry Density Tests**

**\*Table II - Expansion Index Tests**

**\*Table III - Soluble Sulfate Tests**

**\*Plates A-B - Direct Shear Tests**

**\*Plates C-D - Consolidation Tests**

## **APPENDIX A**



MAJOR DIVISION			GRAPHIC SYMBOL	LETTER SYMBOL	TYPICAL DESCRIPTIONS
COARSE GRAINED SOILS	GRAVEL AND GRAVELLY SOILS	CLEAN GRAVELS (LITTLE OR NO FINES)		GW	WELL-GRADED GRAVELS, GRAVEL-SAND MIXTURES, LITTLE OR NO FINES
				GP	POORLY-GRADED GRAVELS, GRAVEL-SAND MIXTURES, LITTLE OR NO FINES
		GRAVELS WITH FINES (APPRECIABLE AMOUNT OF FINES)		GM	SILTY GRAVELS, GRAVEL-SAND-SILT MIXTURES
				GC	CLAYEY GRAVELS, GRAVEL-SAND-CLAY MIXTURES
	SAND AND SANDY SOILS	CLEAN SAND (LITTLE OR NO FINES)		SW	WELL-GRADED SANDS, GRAVELLY SANDS, LITTLE OR NO FINES
				SP	POORLY-GRADED SANDS, GRAVELLY SANDS, LITTLE OR NO FINES
		SANDS WITH FINE (APPRECIABLE AMOUNT OF FINES)		SM	SILTY SANDS, SAND-SILT MIXTURES
				SC	CLAYEY SANDS, SAND-CLAY MIXTURES
FINE GRAINED SOILS	SILTS AND CLAYS	LIQUID LIMIT LESS THAN 50		ML	INORGANIC SILTS AND VERY FINE SANDS, ROCK FLOUR, SILTY OR CLAYEY FINE SANDS OR CLAYEY SILTS WITH SLIGHT PLASTICITY
				CL	INORGANIC CLAYS OF LOW TO MEDIUM PLASTICITY, GRAVELLY CLAYS, SANDY CLAYS, SILTY CLAYS, LEAN CLAYS
				OL	ORGANIC SILTS AND ORGANIC SILTY CLAYS OF LOW PLASTICITY
	SILTS AND CLAYS	LIQUID LIMIT GREATER THAN 50		MH	INORGANIC SILTS, MICACEOUS OR DIATOMACEOUS FINE SAND OR SILTY SOILS
				CH	INORGANIC CLAYS OF HIGH PLASTICITY, FAT CLAYS
				OH	ORGANIC CLAYS OF MEDIUM TO HIGH PLASTICITY, ORGANIC SILTS
HIGHLY ORGANIC SOILS				PT	PEAT, HUMUS, SWAMP SOILS WITH HIGH ORGANIC CONTENTS

NOTE: DUAL SYMBOLS ARE USED TO INDICATE BORDERLINE SOIL CLASSIFICATIONS

## UNIFIED SOIL CLASSIFICATION SYSTEM

## KEY:

- Indicates 2.5-inch Inside Diameter, Ring Sample.
- ☒ Indicates 2-inch OD Split Spoon Sample (SPT).
- ☐ Indicates Shelby Tube Sample.
- Indicates No Recovery.
- ▣ Indicates SPT with 140# Hammer 30 in. Drop.
- ☑ Indicates Bulk Sample.
- ▤ Indicates Small Bag Sample.
- ▢ Indicates Non-Standard
- ⊠ Indicates Core Run.

## COMPONENT DEFINITIONS

COMPONENT	SIZE RANGE
Boulders	Larger than 12 in
Cobbles	3 in to 12 in
Gravel	3 in to No 4 (4.5mm)
Coarse gravel	3 in to 3/4 in
Fine gravel	3/4 in to No 4 (4.5mm)
Sand	No. 4 (4.5mm) to No. 200 (0.074mm)
Coarse sand	No. 4 (4.5 mm) to No. 10 (2.0 mm)
Medium sand	No. 10 (2.0 mm) to No. 40 (0.42 mm)
Fine sand	No. 40 (0.42 mm) to No. 200 (0.074 mm)
Silt and Clay	Smaller than No. 200 (0.074 mm)

## COMPONENT PROPORTIONS

DESCRIPTIVE TERMS	RANGE OF PROPORTION
Trace	1 - 5%
Few	5 - 10%
Little	10 - 20%
Some	20 - 35%
And	35 - 50%

## MOISTURE CONTENT

DRY	Absence of moisture, dusty, dry to the touch.
DAMP	Some perceptible moisture; below optimum
MOIST	No visible water; near optimum moisture content
WET	Visible free water, usually soil is below water table.

## RELATIVE DENSITY OR CONSISTENCY VERSUS SPT N -VALUE

COHESIONLESS SOILS		COHESIVE SOILS		
Density	N (blows/ft)	Consistency	N (blows/ft)	Approximate Undrained Shear Strength (psf)
Very Loose	0 to 4	Very Soft	0 to 2	< 250
Loose	4 to 10	Soft	2 to 4	250 - 500
Medium Dense	10 to 30	Medium Stiff	4 to 8	500 - 1000
Dense	30 to 50	Stiff	8 to 15	1000 - 2000
Very Dense	over 50	Very Stiff	15 to 30	2000 - 4000
		Hard	over 30	> 4000

**Corinna Cotsen**  
21215-19

# Log of Boring B-1

Boring Location: 1316 The Strand, Manhattan Bch

Date of Drilling: 6/22/19

Groundwater Depth: None Encountered

Drilling Method: Hand Auger

Hammer Weight:

Drop:

Surface Elevation: Not Measured

Depth (feet)	Lith- ology	Material Description	Samples		Laboratory		
			Type	Blow Counts	Moisture	Dry Density	Fines Content %
0		4" Concrete					
		FILL SOILS					
		Silty SAND with occasional gravel, concrete pieces					
		Brown, medium dense, damp			2.7	101.8	
		NATURAL SOILS					
5		Silty to slightly silty SAND					
		Light brown, medium dense, damp			3.6	101.3	
10					6.7	112.4	
15					5.4	102.3	
20					4.0	105.0	
					4.5	103.5	
25							
30							
35							

GWT not encountered

Boring completed at depth of 22.5'

**NorCal Engineering**

1

**Corinna Cotsen**  
21215-19

## Log of Boring B-2

Boring Location: 1316 The Strand, Manhattan Bch

Date of Drilling: 6/22/19

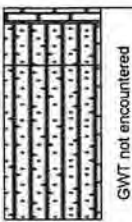
Groundwater Depth: None Encountered

Drilling Method: Hand Auger

Hammer Weight:

Drop:

Surface Elevation: Not Measured

Depth (feet)	Lith- ology	Material Description	Samples		Laboratory		
			Type	Blow Counts	Moisture	Dry Density	Fines Content %
0		3.5" Concrete	■		2.0	98.9	
		FILL SOILS					
		Silty SAND with occasional gravel					
		Brown, medium dense, damp					
		NATURAL SOILS					
5		Silty to slightly silty SAND					
		Brown, medium dense, damp					
		Boring completed at depth of 5.5'					
10							
15							
20							
25							
30							
35							
<b>NorCal Engineering</b>			2				

**Corinna Cotsen**  
21215-19

**Log of Boring B-3**

Boring Location: 1316 The Strand, Manhattan Bch

Date of Drilling: 6/22/19

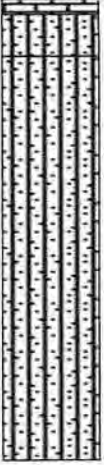
Groundwater Depth: None Encountered

Drilling Method: Hand Auger

Hammer Weight:

Drop:

Surface Elevation: Not Measured

Depth (feet)	Lith- ology	Material Description	Samples		Laboratory		
			Type	Blow Counts	Moisture	Dry Density	Fines Content %
0		3.5" Concrete					
		FILL SOILS					
		Silty SAND with occasional gravel, concrete pieces	■		1.7	101.4	
		Brown, medium dense, damp					
		NATURAL SOILS					
5		Silty to slightly silty SAND	■		2.2	103.6	
		Brown, medium dense, damp					
10			■		3.6	109.7	
			■		4.1	105.1	
15							
20							
25							
30							
35							
Boring completed at depth of 12'							
<b>NorCal Engineering</b>					3		

## **APPENDIX B**



**TABLE I**  
**MAXIMUM DENSITY TESTS**  
**(ASTM: D-1557-12)**

<u>Sample</u>	<u>Classification</u>	<u>Optimum Moisture</u>	<u>Maximum Dry Density (lbs./cu.ft.)</u>
B-1 @ 3-5'	silty SAND	10.0	111.5

**TABLE II**  
**EXPANSION INDEX TESTS**  
**(ASTM: D-4829-11)**

<u>Sample</u>	<u>Classification</u>	<u>Expansion Index</u>
B-1 @ 3-5'	silty SAND	00

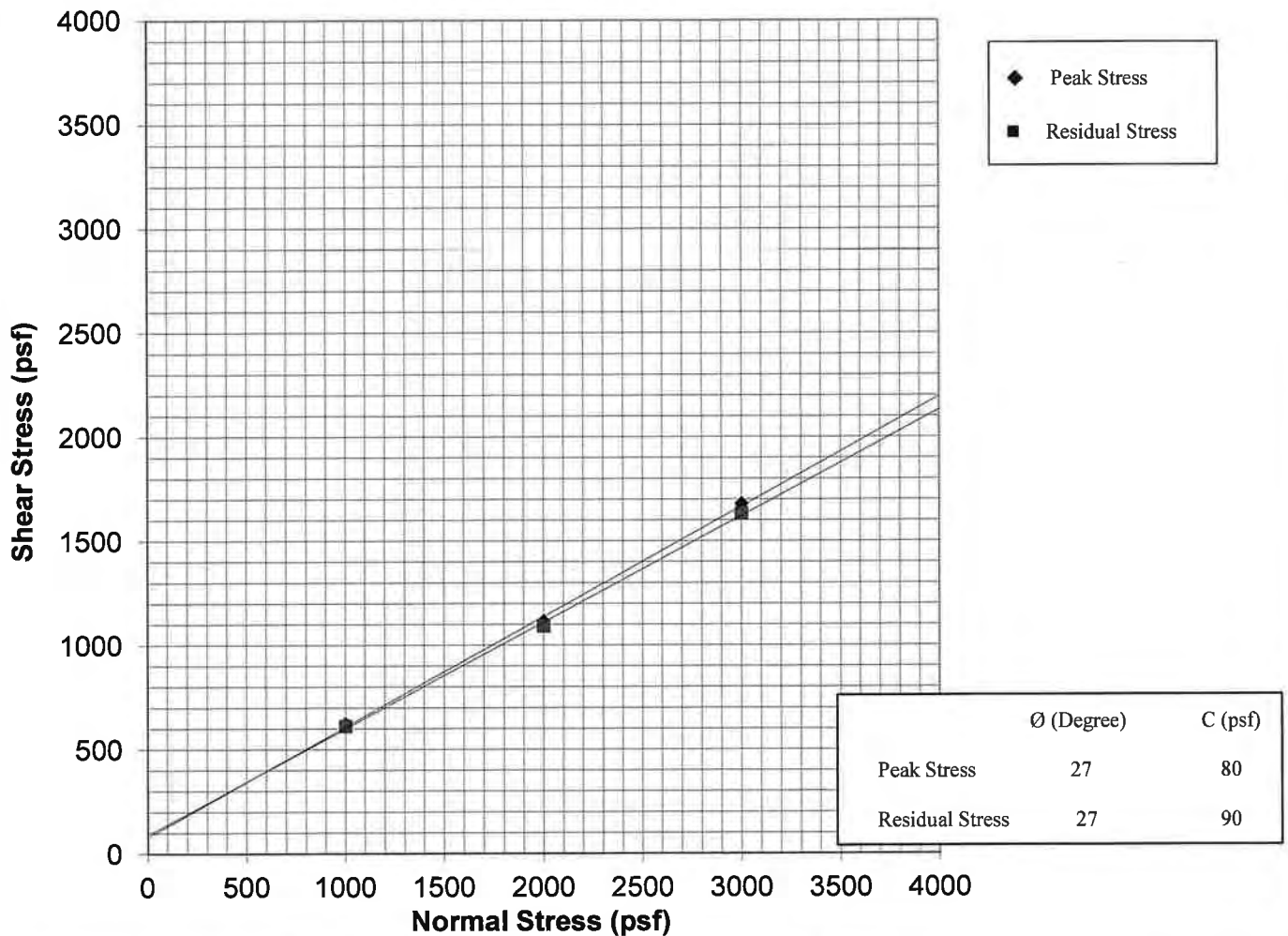
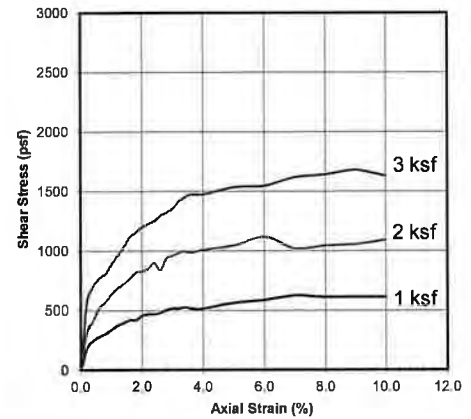
**TABLE III**  
**SOLUBLE SULFATE TESTS**  
**(CT 417)**

<u>Sample</u>	<u>Sulfate Concentration (%)</u>
B-1 @ 1-2'	.0002
*Non-detectable	

**NorCal Engineering**

Sample No. B1@10'  
Sample Type: Undisturbed/Saturated  
Soil Description: Fine-Medium Grained Sand w/ Some Silt

		1	2	3
Normal Stress	(psf)	1000	2000	3000
Peak Stress	(psf)	624	1116	1680
Displacement	(in)	0.175	0.150	0.225
Residual Stress	(psf)	612	1092	1632
Displacement	(in.)	0.250	0.250	0.250
In Situ Dry Density	(pcf)	112.4	112.4	112.4
In Situ Water Content	(%)	6.7	6.7	6.7
Saturated Water Content	(%)	18.4	18.4	18.4
Strain Rate	(in/min)	0.020	0.020	0.020



**NorCal Engineering**  
SOILS AND GEOTECHNICAL CONSULTANTS

**Cotsen**

PROJECT NUMBER: 21215-19

DATE: 7/9/2019

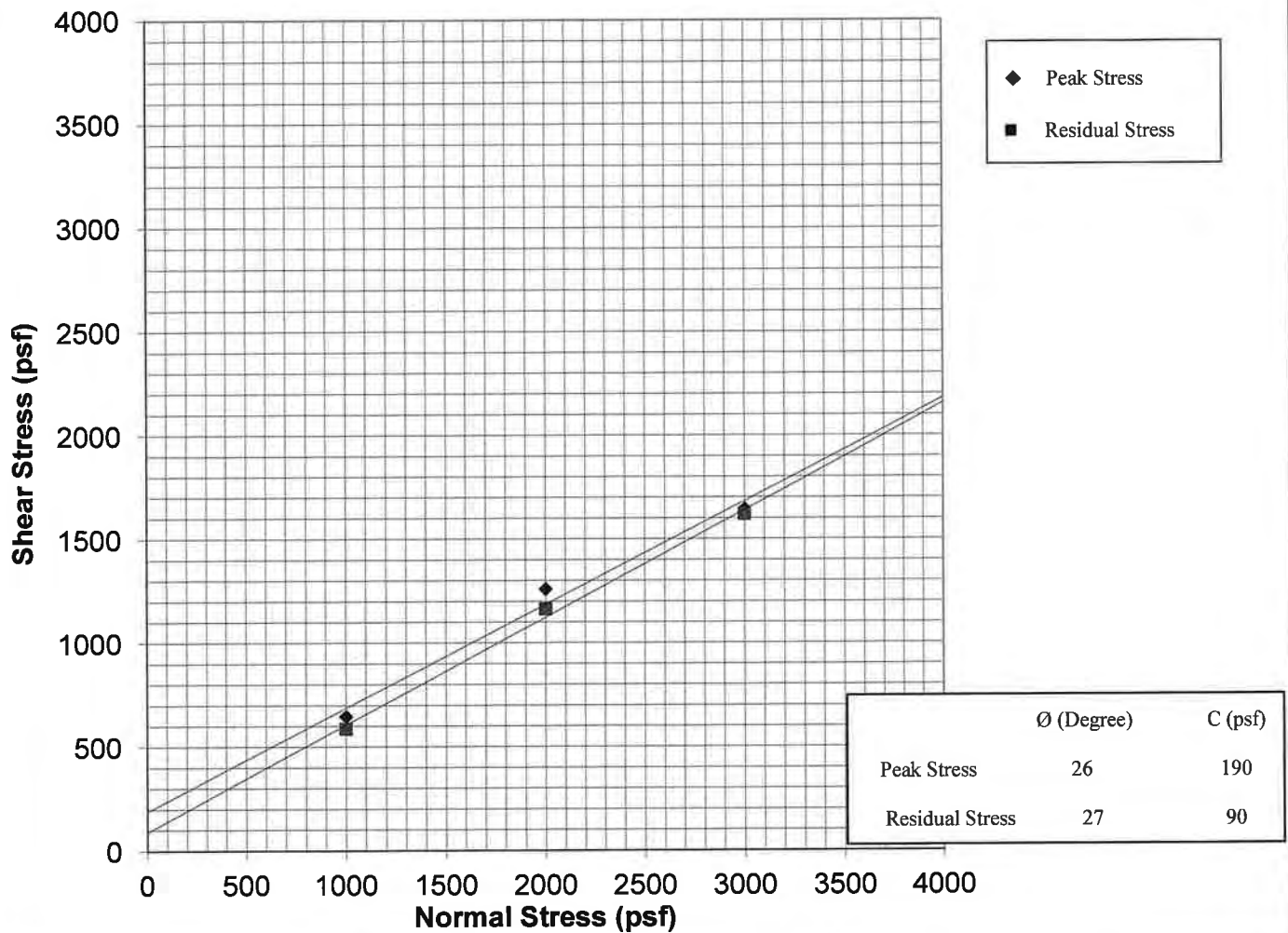
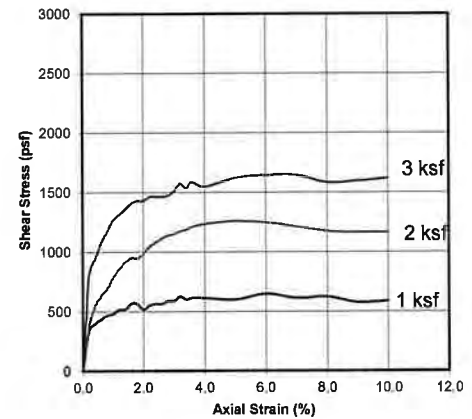
**DIRECT SHEAR TEST**

**ASTM D3080**

**Plate A**

Sample No. B2@4'  
Sample Type: Undisturbed/Saturated  
Soil Description: Fine-Medium Grained Sand w/ Trace Silt

		1	2	3
Normal Stress	(psf)	1000	2000	3000
Peak Stress	(psf)	648	1260	1644
Displacement	(in.)	0.150	0.125	0.150
Residual Stress	(psf)	588	1164	1620
Displacement	(in.)	0.250	0.250	0.250
In Situ Dry Density	(pcf)	98.9	98.9	98.9
In Situ Water Content	(%)	2.0	2.0	2.0
Saturated Water Content	(%)	26.0	26.0	26.0
Strain Rate	(in/min)	0.020	0.020	0.020



**NorCal Engineering**  
SOILS AND GEOTECHNICAL CONSULTANTS

**Cotsen**

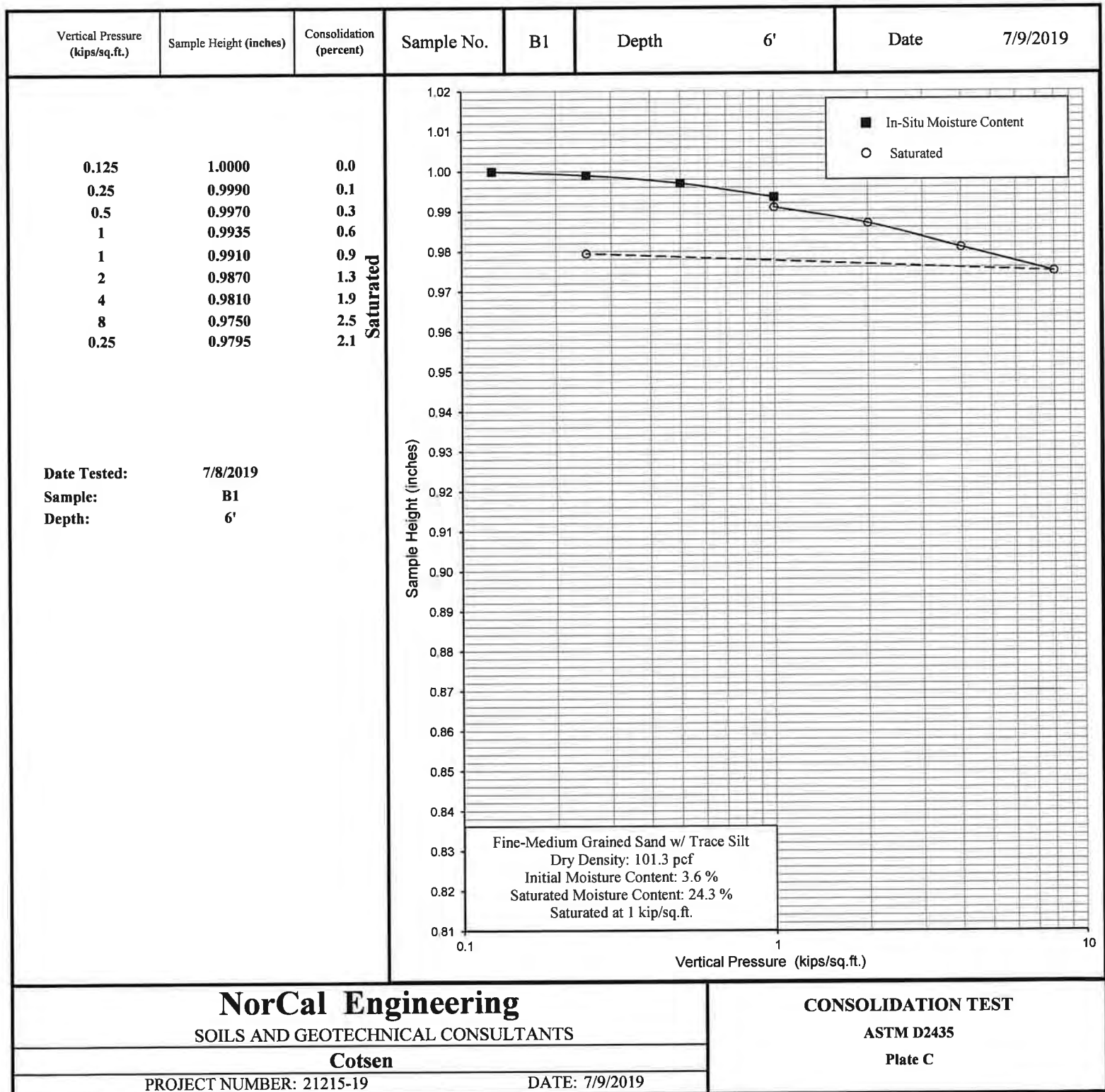
PROJECT NUMBER: 21215-19

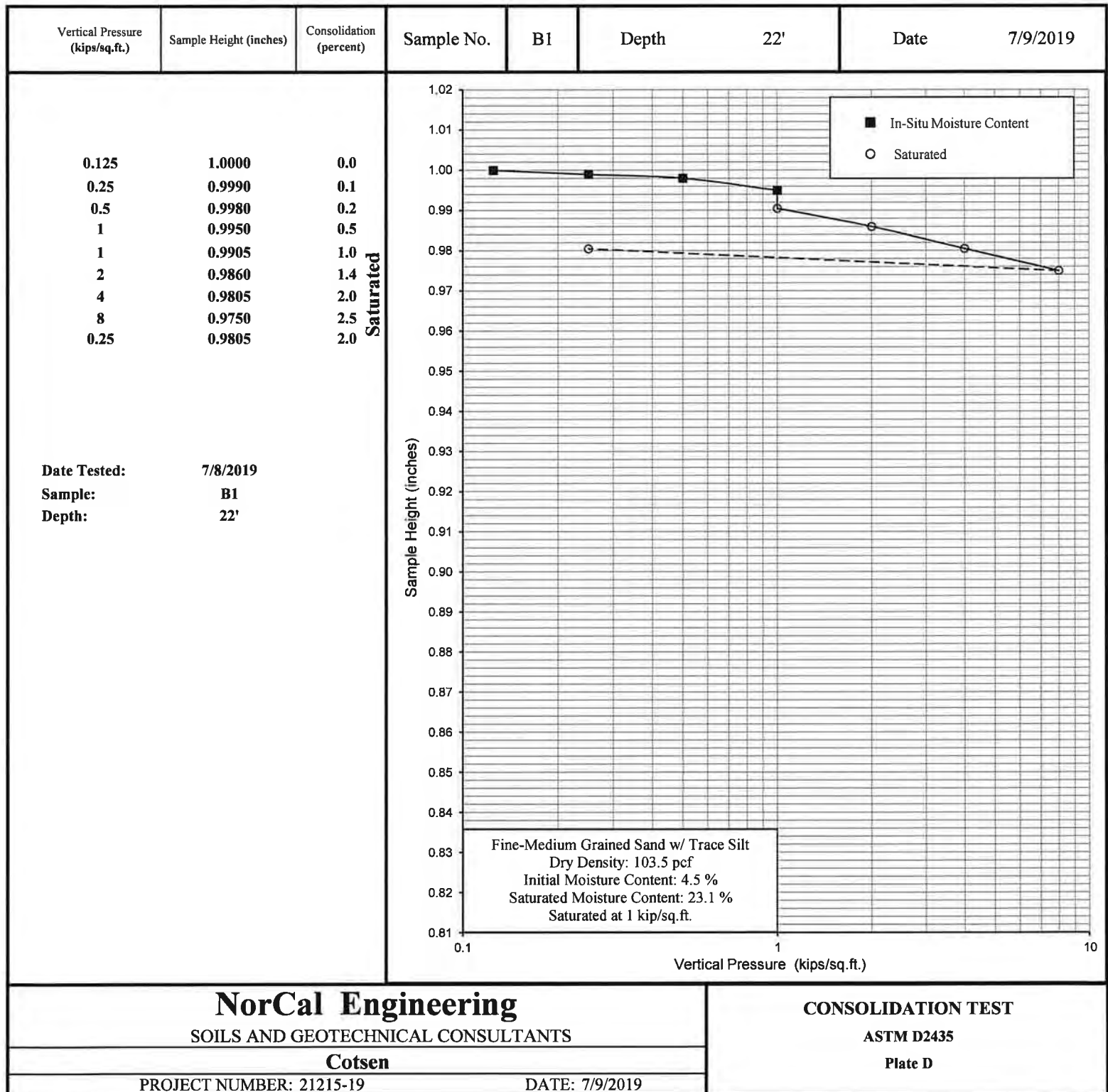
DATE: 7/9/2019

**DIRECT SHEAR TEST**

**ASTM D3080**

**Plate B**





**NorCal Engineering**  
SOILS AND GEOTECHNICAL CONSULTANTS

**Cotsen**

PROJECT NUMBER: 21215-19

DATE: 7/9/2019

**CONSOLIDATION TEST**

ASTM D2435

Plate D

# **EXHIBIT H**

## **California Dept. of Conservation Venice Quadrangle Ground Water Evaluation**



**SEISMIC HAZARD EVALUATION OF THE  
VENICE 7.5-MINUTE QUADRANGLE,  
LOS ANGELES COUNTY, CALIFORNIA**

**1998**

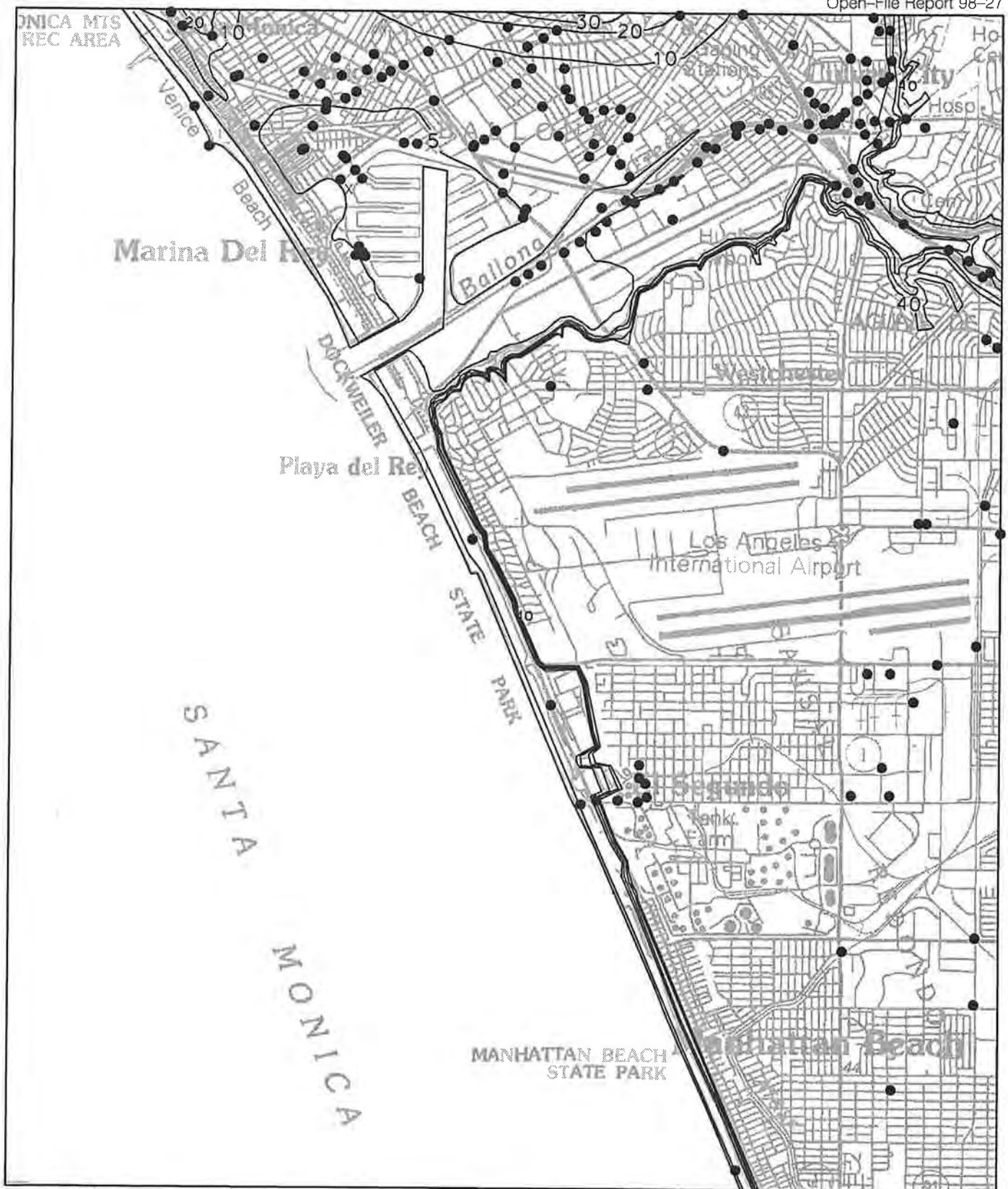


**DEPARTMENT OF CONSERVATION**  
*Division of Mines and Geology*

**THE RESOURCES AGENCY**  
MARY D. NICHOLS  
SECRETARY FOR RESOURCES

**STATE OF CALIFORNIA**  
GRAY DAVIS  
GOVERNOR

**DEPARTMENT OF CONSERVATION**  
DARRYL YOUNG  
DIRECTOR



Base map enlarged from U.S.G.S. 30 x 60-minute series

Plate 1.2 Historically Highest Ground Water Contours and Borehole Log Data Locations, Venice Quadrangle.

• Borehole Site

30

Depth to ground water in feet

X Site of historical earthquake-generated liquefaction. See "Areas of Past Liquefaction" discussion in text.

ONE MILE

SCALE

**CDP A-5-MNB-20-0020; A-5-MNB-20-0041, W15c - 11/4/2020****Sherman Stacey <sstacey@gaineslaw.com>**

Mon 11/2/2020 4:49 PM

**To:** Padilla, Stephen@Coastal <Stephen.Padilla@coastal.ca.gov>; Brownsey, Donne@Coastal <donne.brownsey@coastal.ca.gov>; Bochco, Dayna@Coastal <dayna.bochco@coastal.ca.gov>; Turnbull-Sanders, Effie@Coastal <effie.turnbull-sanders@coastal.ca.gov>; Groom, Carole@Coastal <carole.groom@coastal.ca.gov>; Howell, Erik@Coastal <erik.howell@coastal.ca.gov>; Wilson, Mike@Coastal <mike.wilson@coastal.ca.gov>; Aminzadeh, Sara@Coastal <sara.aminzadeh@coastal.ca.gov>; Escalante, Linda@Coastal <linda.escalante@coastal.ca.gov>; Uranga, Roberto@Coastal <roberto.uranga@coastal.ca.gov>; Hart, Caryl@Coastal <caryl.hart@coastal.ca.gov>; Rice, Katie@Coastal <katie.rice@coastal.ca.gov>

**Cc:** Revell, Mandy@Coastal <Mandy.Revell@coastal.ca.gov>; Dobson, Amber@Coastal <Amber.Dobson@coastal.ca.gov>; Hudson, Steve@Coastal <Steve.Hudson@coastal.ca.gov>; Ainsworth, John@Coastal <John.Ainsworth@coastal.ca.gov>; Corinna Cotsen <corinnacotsen@icloud.com>; Lee Rosenbaum <leerosenbaum@me.com>; Stacy Straus <stacy@esrou.com>; Kimberly Rible <kribble@gaineslaw.com>

 4 attachments (6 MB)

Follow-Up Letter to Coastal Commission for W 15c on Nov. 4.pdf; SB330 Refs to Deemed Complete and Coastal Act.pdf; mb ordinance 20-0004.pdf; Denn elev conversion 18-516.pdf;

Chair Padilla and Commissioners:

I have attached a supplemental letter to address a few issues that may not have been addressed as well in my letter of October 23, 2020. I have also attached three exhibits to support this letter.

We continue to believe that the application of the certified Manhattan Beach LCP supports approval of this CDP Appeal. The Staff Report relies neither upon the Coastal Act or upon the certified LCP. I know that the evidence we have submitted is voluminous, but I hope you each have an opportunity to review it. I look forward to the hearing on November 4, Item 15c.

Sherman L. Stacey  
Gaines & Stacey, LLP  
1101 Dove Street, Suite 240  
Newport Beach, California 92660  
Telephone: (949)640-8999  
Fax: (949)640-8330  
sstacey@gaineslaw.com | website

**A-5-MNB-20-0020 & -0041  
Attachment 2**

FRED GAINES  
SHERMAN L. STACEY  
LISA A. WEINBERG  
REBECCA A. THOMPSON  
NANCI S. STACEY  
KIMBERLY RIBLE  
ALICIA B. BARTLEY

LAW OFFICES OF  
**GAINES & STACEY LLP**  
1101 DOVE STREET, SUITE 240  
NEWPORT BEACH, CALIFORNIA 92660

TELEPHONE  
(949)640-8999  
FAX  
(949)640-8330

November 2, 2020

ORIGINAL VIA U.S. MAIL

VIA EMAIL: [mandy.revell@coastal.ca.gov](mailto:mandy.revell@coastal.ca.gov)

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

**W15c**

Re: Appeal Nos. A-5-MNB-20-0020 & A-5-MNB-20-0041  
1312 and 1316 The Strand, Manhattan Beach  
Meeting Date: November 4, 2020; Agenda Item No. W15c  
**Project Support**

Dear Honorable Commissioners:

This office represents Corinna Cotsen as Trustee of the Corinna Cotsen 1991 Trust<sup>1</sup> (“Cotsen”), the owner of property located at 1312 and 1316 The Strand in Manhattan Beach (the “Property”). This correspondence is intended to supplement our October 23, 2020 letter to the Coastal Commission in anticipation of the Commission’s November 4, 2020 meeting.

**A. SB 330 SPECIFICALLY EXEMPTS THE PROJECT BECAUSE THE APPLICATION WAS DEEMED COMPLETE IN 2019**

Cotsen’s application with the City of Manhattan Beach (the “City”) was complete on October 21, 2019. The “Housing Crisis Act” (or SB 330) Government Code Section 66300(d)(4) states clearly that “[t]his subdivision shall only apply to a housing development project that submits a complete application pursuant to Section 65943 on or after January 1, 2020.” Attached hereto, please find a copy of SB 330 with the “deemed complete” language highlighted in yellow **26 times**, emphasizing the Legislature’s clear intent to exempt applications deemed complete before January 1, 2020. *Even the Staff Report concedes that “the new state law does not apply to this project” and that “the Housing Crisis Act does not amend the Coastal Act and is not the standard of review for the subject property.”*

---

<sup>1</sup> Appeal No. A-5-MNB-20-0020 named Coral Courts, LLC as the Applicant. Coral Courts, LLC joins in this letter.

In addition, SB 330 Section 65913.10 (c)(2) states that “[n]othing in this section supersedes, limits, or otherwise modifies the requirements of the California Coastal Act of 1976 (Division 20 commencing with Section 30000) of the Public Resources Code).”

This Project is a 2019 project, complies with 2019 laws, and cannot be held to different standards that were not in effect until 2020. The Legislature chose the January 1, 2020 date by which this project could be insulated from the change in law. The Coastal Commission lacks any authority to ignore the Legislature’s determination. I would also emphasize that the standard for review for Manhattan Beach is its certified LCP, not Chapter 3 of the Coastal Act.

**B. THE CITY’S LOCAL ORDINANCE DOES NOT ALLOW AN ADU IN AREA DISTRICT III**

The City’s Accessory Dwelling Unit (“ADU”) ordinance does not permit an ADU to be constructed on the Property because it is located in Area District III (Beach Area). Urgency Ordinance No. 20-0004-U states that Section 10.74.040 “ADU Standards” specifies “[o]ne ADU shall be allowed on a lot with a proposed or existing single-family dwelling that is zoned RS, RM, RH, or RPD within Area District I and Area District II. *For fire safety purposes, no ADUs shall be permitted in Area District III or Area District IV.*”<sup>2</sup> [Emphasis added.] (Please see Urgency Ordinance No. 20-0004-U attached hereto.) The Applicant is aware that the Commission has sought the construction of ADUs in connection with recent decisions. The certified LCP does not contain any obligation to include an ADU as a part of a single family residence plan which is otherwise permitted as a matter of right. The Applicant respectfully declines to design into her project an element she does not want and which is not required.

**C. THE PROPERTY ELEVATION REFERENCED IN THE SURVEY WAS FROM AN ASSUMED ELEVATION**

Unknown to the Applicants, the surveyor for the Property used assumed elevations to identify the relative elevations of the corners of the Property. This is not an uncommon practice in surveying where the relevant question is the relative elevations of a sloping property, not elevation above sea level. An assumed elevation is usually noted on the survey itself, but was not in this case. Gary Roehl, the project civil engineer with Denn Engineers, reports that the assumed elevation is 44.5 feet higher than the actual elevation above sea level. I have attached a communication from Denn Engineers explaining this difference.

In my letter of October 23, 2020, I stated that the elevation of the Property was between 86.24 feet and 95.40 feet above sea level. This is not accurate. The accurate numbers are between 41 feet and 51 feet above sea level. This does not affect the conclusion that the water table will not be encountered by the basement of the proposed house, even if there is six feet of sea level rise. No water was encountered in borings 22.5 feet below the Property surface. The water table lies lower than the beach sand, otherwise water would be flowing from the sandy

---

<sup>2</sup> The City is in the process of updating its ADU ordinance, however, no new ordinance has been approved by the City as of the date of this letter.

slope between The Strand, the bikepath, and the beach. There remains no physical mechanism where the water table would reach an elevation of more than 30 feet above sea level (the level of the basement).

Once again, the Commission is legally obligated to follow the laws that were in effect at the time the application was complete, adhere to an unbroken 20-year chain of precedent, and to approve de novo Coastal Development Permit No. A-5-MNB-20-0041.

Sincerely,

GAINES & STACEY LLP

*Sherman L. Stacey*

By

SHERMAN L. STACEY

Enclosures

cc: All Coastal Commissioners  
Amber Dobson  
Lee Rosenbaum  
Corinna Cotsen  
Stacy Straus  
Kimberly A. Rible, Esq.

RE: 1316 The Strand, MB/Norelius/Cotsen

11-02-2020

DENN ENGINEERS Prepared the original topographic surveys for the above-mentioned property and used an assumed bench mark of 100.00 on the well monument at 15<sup>th</sup> street and ocean drive. This benchmark is for construction and relative elevations.

The navd 1988 benchmark at 16<sup>th</sup> and the strand is elevation 44.953.

To convert any elevation shown on our survey to navd 1988 is approximately - 44.5'

Gary J Roehl RCE 30826



URGENCY ORDINANCE NO. 20-0004-U

AN INTERIM ORDINANCE OF THE CITY OF MANHATTAN BEACH EXTENDING AND AMENDING INTERIM ORDINANCE NO. 19-0021-U AMENDING THE MANHATTAN BEACH MUNICIPAL CODE TO REGULATE ACCESSORY DWELLING UNITS AND OTHER ACCESSORY STRUCTURES, AND MAKING A DETERMINATION OF EXEMPTION UNDER CEQA

THE MANHATTAN BEACH CITY COUNCIL HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Ordinance No. 19-0021-U, adopted on December 17, 2019, amends Manhattan Beach Municipal Code Chapter 10.74 to allow accessory dwelling units and junior accessory dwelling units consistent with state law. Ordinance No. 19-0021-U is hereby extended in full force and effect, as amended herein, for 10 months and 15 days to and including December 15, 2020.

SECTION 2. Manhattan Beach Municipal Code Chapter 10.74 is hereby amended to read as follows:

"Chapter 10.74 - Accessory Dwelling Units

Section 10.74.010 – Purpose and Applicability  
Section 10.74.020 – Definitions  
Section 10.74.030 – General Requirements and Application Procedure  
Section 10.74.040 – ADU Standards  
Section 10.74.050 – JADU Standards  
Section 10.74.060 – Fees and Utility Connections  
Section 10.74.070 – Appeals

**Section 10.74.010 - Purpose and Applicability.**

The purpose of this Chapter is to implement the requirements of Government Code Sections 65852.2 and 65852.22 to allow Accessory Dwelling Units and Junior Accessory Dwelling Units consistent with state law.

**Section 10.74.020 - Definitions.**

"Accessory Dwelling Unit" or "ADU" has the meaning ascribed in Government Code Section 65852.2, as the same may be amended from time to time. Notwithstanding the foregoing, the term "ADU" does not include a Guest House (or Accessory Living Quarters), as defined in Municipal Code Section 10.04.030.

"Attached ADU" means an ADU that is constructed as a physical expansion (i.e. addition) of the Primary Dwelling, or the remodeling of the Primary Dwelling, and shares a common wall with the Primary Dwelling.

"Detached ADU" means an ADU that is constructed as a separate structure from the Primary Dwelling, which does not share any walls with the Primary Dwelling.

"Existing Structure" means an existing single-family dwelling, multi-family dwelling, or other accessory structure that can be safely converted into habitable space under the California Building Standards Code, as amended by the City, and any other applicable laws.

"Junior Accessory Dwelling Unit" or "JADU" has the meaning ascribed in Government Code Section 65852.22, as the same may be amended from time to time.

"Primary Dwelling", for purposes of this chapter, means the existing or proposed single-family dwelling on the lot where an ADU would be located.

"Public Transit", for purposes of this chapter, has the meaning ascribed in Government Code Section 65852.2(j), as the same may be amended from time to time.

**Section 10.74.030 - General Requirements and Application Procedure.**

- A. Before constructing an ADU or a JADU or converting an Existing Structure or portion of a structure to an ADU or JADU, the applicant shall obtain permits in accordance with the requirements of this section.
- B. All ADUs and JADUs shall satisfy the requirements of the California Building Standards Code, as amended by the City, and any other applicable laws.
- C. Projects Exempt from Obtaining an ADU Permit. An applicant shall not be required to submit an application for an ADU permit under subsection D of this section, and may instead seek building permit approval for an ADU or JADU that satisfies the requirements of Government Code Section 65852.2(e)(1), as the same may be amended from time to time, and the California Building Standards Code, as amended by the City, and any other applicable laws. An ADU or JADU approved pursuant to this subsection shall be rented only for terms of 30 days or longer.
- D. Projects Subject to ADU Permit Review and Timelines.

1. The Director of Community Development or his/her designee shall ministerially review and approve an ADU permit application and shall not require a public hearing, provided that the submitted application is complete and demonstrates that the ADU or JADU complies with the requirements contained in this chapter and any other applicable law.
  2. ADU permit applications subject to ministerial approval shall be processed within the timelines established by California Government Code Section 65852.2.
  3. Where an ADU permit application is submitted with an application for a single-family dwelling or multi-family dwelling that is subject to discretionary review under this Code, the ADU permit application will be considered separately without discretionary review or a public hearing, following action on the portion of the project subject to discretionary review.
  4. In addition to obtaining an ADU permit, the applicant shall be required to obtain a building permit and any other applicable construction or related permits prior to the construction of the ADU or JADU.
- E. Minor Exception: An applicant may apply for a Minor Exception, pursuant to Section 10.84.120, for the establishment of an ADU or JADU in an existing legal structure that does not comply with the ADU or JADU standards provided in this chapter. A Minor Exception may not be requested for site or lot conditions.

**Section 10.74.040 - ADU Standards.**

Excepting those ADUs approved pursuant to Subsection 10.74.030(C), ADUs shall comply with the following standards:

- A. Location Restrictions: One ADU shall be allowed on a lot with a proposed or existing single-family dwelling that is zoned RS, RM, RH, or RPD within Area District I and Area District II. For fire safety purposes, no ADUs shall be permitted in Area District III or Area District IV.
- B. Development Standards:
  1. Size, General: An ADU is limited to a maximum of two bedrooms. Studio and one bedroom ADUs shall not exceed 850 square feet of gross floor area. Two bedroom ADUs shall not exceed 1,000 square feet of gross floor area.

2. Additional Size Limitations for Attached ADUs: If there is an existing or proposed Primary Dwelling, an Attached ADU shall not exceed fifty percent of the gross floor area for the Primary Dwelling.
  3. Height for Detached ADUs: A Detached ADU shall not exceed 16 feet in height; or, when located above a garage, shall not exceed 25 feet in height subject to applicable standards provided in this Title.
  4. Setbacks: No setback shall be required for an ADU that is within an Existing Structure or within a structure constructed in the same location and dimensions as an Existing Structure. For all other ADUs, the required setback from side and rear lot lines shall be four feet.
  5. Standards: An ADU shall conform to all open space, buildable floor area, minimum lot size, and front and corner side yard setback regulations applicable to the zoning district in which the property is located, except in the following cases:
    - a. ADUs that are not required to obtain an ADU permit as provided in Section 10.74.030(C).
    - b. Where the application of such standards would not permit construction of an 800 square foot ADU that is 16 feet in height with four-foot side and rear yard setbacks, the regulation(s) at issue shall be waived to permit such an ADU.
  6. Except as provided in subsection 5.b, an ADU shall count toward the maximum total buildable floor area applicable to the lot.
- C. Guest Houses: If an ADU is located on a lot with a Guest House, either, but not both, the Guest House or the ADU shall be attached to the Primary Dwelling.
- D. Design and Features:
1. An ADU shall not have any outdoor deck at a height greater than 30 inches above local grade if the deck is located in the Primary Dwelling's required yards.
  2. If the property abuts an alley, any new driveway access for an ADU must be provided through the alley.

3. If an automatic fire sprinkler system is required for the Primary Dwelling, the ADU must also have an automatic fire sprinkler system.
4. An ADU shall have a separate exterior access.
5. For any second-story Detached ADU, all exterior openings, including windows and doors, that face less than 15 feet away from a rear non-alley or side interior property line shall be fitted with translucent glazing and satisfy one of the following: (i) be fixed (i.e., inoperable) or (ii) be located at least five feet above the finished floor level at the window's lowest point.
6. A permanent foundation shall be required for all ADUs.
7. Refuse containers shall comply with Municipal Code Section 5.24.030.

E. **Covenant Required:** The property owner shall record a declaration of restrictions, in a form approved by the City Attorney, placing the following restrictions on the property, the property owner, and all successors in interest: (i) the ADU is to be rented only for terms of 30 days or longer; (ii) the ADU is not to be sold or conveyed separately from the Primary Dwelling; (iii) the property owner and all successors in interest shall maintain the ADU and the property in accordance with all applicable ADU requirements and standards; and (iv) that any violation will be subject to penalties as provided in Municipal Code Chapter 1.04. Proof of recordation of the covenant shall be provided to the City at a time deemed appropriate by the Director of Community Development.

F. **Parking Requirements (ADU):**

1. In addition to the off-street parking space(s) required for the Primary Dwelling, one off-street parking space shall be provided for each ADU, except when:
  - a. The ADU is located within one-half mile walking distance of Public Transit;
  - b. The ADU is located within an architecturally and historically significant historic district;
  - c. The ADU is part of the existing Primary Dwelling or all or part of an existing accessory structure or building;

- d. The ADU is located in an area where on-street parking permits are required but not offered to an ADU occupant; or
  - e. The ADU is located within one block of a city-approved and dedicated parking space for a car share vehicle.
- 2. Required setbacks, yards and open space shall not be used for parking except that:
  - a. Parking may be located within an enclosed accessory building as permitted by Municipal Code Section 10.52.050; and
  - b. Parking may be located outside of the front yard setback on existing driveways existing prior to January 1, 2019, that are conforming in width and clearance.
- 3. The dimensions of all parking spaces, driveways, vehicular access, turning radius and similar parking standards shall comply with the requirements set forth in Municipal Code Chapter 10.64.
- 4. When the ADU is created by converting or demolishing a garage, carport or covered parking structure, replacement of parking space(s) eliminated by the construction of the ADU shall not be required as long as the ADU remains in use as a legal ADU.

**Section 10.74.050 - JADU Standards.**

JADUs shall comply with the following requirements:

- A. A JADU shall be a maximum of 500 square feet of buildable floor area. The buildable floor area of a shared sanitation facility shall not be included in the maximum buildable floor area of a JADU.
- B. A JADU must be contained entirely within the walls of the existing or proposed single-family dwelling.
- C. A separate exterior entry from the main entrance to the single-family dwelling shall be provided to serve a JADU.
- D. A JADU may include separate sanitation facilities, or may share sanitation facilities with the existing or proposed single-family dwelling.

- E. A JADU shall include an efficiency kitchen meeting the requirements of Government Code Section 65852.22.
- F. **Covenant Required:** The property owner shall record a declaration of restrictions, in a form approved by the City Attorney, placing the following restrictions on the property, the property owner, and all successors in interest: (i) the property owner shall be an owner-occupant of either the Primary Dwelling or the JADU, unless the owner is a government agency, land trust, or housing organization; (ii) the JADU is to be rented only for terms of 30 days or longer; (iii) the JADU is not to be sold or conveyed separately from the single-family dwelling; (iv) the property owner and all successors in interest shall maintain the JADU and the property in accordance with all applicable JADU requirements and standards, including the restrictions on the size and attributes of the JADU provided in Government Code Section 65852.22; and (v) that any violation will be subject to penalties as provided in Municipal Code Chapter 1.04. Proof of recordation of the covenant shall be provided to the City at a time deemed appropriate by the Director of Community Development.
- G. No additional parking is required for a JADU.

**Section 10.74.060 - Fees and Utility Connections.**

- A. The owner of an ADU or JADU shall be subject to the payment of all sewer, water and other applicable fees except as specifically provided in California Government Code Sections 65852.2 and 65852.22.
- B. With the submittal of the ADU Permit or prior to receiving a building permit if no ADU Permit is required, the owner of an ADU or JADU must submit letters of service availability for water and sewer disposal to the Building Official.

**Section 10.74.070 - Appeals.**

The applicant may appeal City decisions pursuant to Municipal Code Chapter 10.100."

SECTION 3. Alleviation Measures Report. In accordance with California Government Code Section 65858(d), the City Council has issued a written report describing the measures taken to alleviate the condition that led to the adoption of Ordinance No. 19-0021-U.

SECTION 4. Term. This Ordinance is an urgency ordinance for the immediate preservation of the public peace, health and safety within the meaning of Government Code Sections 65858 and 36937(b) and therefore shall be effective



immediately upon its adoption. This Ordinance shall expire on December 15, 2020, unless extended by the City Council at a regularly noticed public hearing, pursuant to Government Code Section 65858.

**SECTION 5. Legislative Findings.** In adopting Urgency Ordinance No. 19-0021-U, the City Council made a number of legislative findings to support to adoption on an urgency basis. The Council hereby extends Ordinance No. 19-0021-U based upon those findings, and the following findings.

The City continues to study the potential land use, public services, parking, traffic, and infrastructure effects of allowing ADUs and JADUs to be built on lots in various areas of Manhattan Beach. Effective January 1, 2020, Senate Bill 13 ("SB 13"), Assembly Bill 68 ("AB 68"), and Assembly Bill 881 ("AB 881") amend Government Code Sections 65852.2 and 65852.22 to further limit the standards cities may impose on ADUs and JADUs. In the absence of a State-compliant ordinance on January 1, 2020, the City's existing ADU regulations may be considered null and void pursuant to Government Code Section 65852.2(a)(4), and the City would then be required to approve any ADU that meets minimal State criteria. Areas of Manhattan Beach vary significantly in lot size, lot coverage, density, traffic, parking, and seasonal population fluctuations. Unless the City adopts this interim urgency ordinance, the City would be required to either approve ADUs in locations and under standards that may have severe negative impacts on the surrounding community or adopt permanent standards without the benefit of an inquiry and study on the appropriate locations and standards for ADUs and JADUs in the City and in particular areas. The City is also studying the safety risks, including the risk of fire, posed by an increase in the construction of ADUs and JADUs on lots in various areas of Manhattan Beach.

Staff continues to study, revise, and draft proposed permanent regulations, which both the Planning Commission and City Council must then consider after receiving input from residents at public hearings. The new ADU and JADU regulations will also require an amendment to the City's Local Coastal Plan. The City Council finds that property owners are likely to submit applications for ADUs and JADUs before new regulations become effective. These applications would cause confusion and ambiguity regarding the applicability of provisions in the City's current ADU regulations, at least some of which are compliant with the new legislation, and the State standards, with potentially inconsistent and unfair results for City residents. The establishment of these ADUs has the potential to conflict with the City's permanent ADU and JADU regulations, which will be adopted in compliance with Government Code Sections 65852.2 and 65852.22 after further study of the appropriate standards and locations for ADUs and JADUs in Manhattan Beach. Based upon the foregoing, the City Council hereby finds that there is a current and immediate threat to the public health, safety, or welfare if the City is required to either approve ADUs in locations and under standards that may have severe negative impacts on the surrounding community or adopt permanent standards without the benefit of an inquiry and study on the appropriate locations

and standards for ADUs and JADUs in the City and in particular areas, and that the approval of ADUs and JADUs under existing standards would result in that threat to public health, safety, or welfare. Due to the foregoing circumstances, it is necessary for the preservation of the public health, safety, and welfare for this Ordinance to take effect immediately.

The City intends to consider the adoption of permanent regulations within a reasonable time. The Planning Commission, the City Council and the people of Manhattan Beach require a reasonably limited, yet sufficient period of time to establish permanent regulations for ADUs and JADUs. Given the time required to schedule and conduct duly noticed public hearings before the Planning Commission and the City Council, the City Council finds that this Ordinance is necessary to prevent the establishment of ADUs and JADUs with a reasonable potential to conflict with the City's permanent regulations. The City Council has the authority to adopt an interim ordinance pursuant to Government Code Sections 65858 and 36937(b) in order to protect the public health, safety, or welfare.

SECTION 6. California Environmental Quality Act Exemption. The City Council determines that this Ordinance is exempt from environmental review under the California Environmental Quality Act, (California Public Resources Code section 21000, et seq., ("CEQA") and the CEQA Guidelines (14 California Code of Regulations section 15000, et seq.) because this zoning ordinance implements the provisions of Government Code Section 65852.2 and is therefore exempt from CEQA pursuant to Public Resources Code Section 21080.17 and California Code of Regulations Section 15282(h). To the extent that any provisions of this Ordinance are not exempt pursuant to Section 15282(h), the amendments are not subject to CEQA pursuant to CEQA Guidelines Section 15061(b)(3), because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

SECTION 7. Internal Consistency. Any provisions of the Municipal Code, or any other resolution or ordinance of the City, to the extent that they are inconsistent with this Ordinance are hereby repealed, and the City Clerk shall make any necessary changes to the Municipal Code for internal consistency.

SECTION 8. Severability. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of any competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the Ordinance would be subsequently declared invalid or unconstitutional.

SECTION 9. Savings Clause. Neither the adoption of this Ordinance nor the repeal or amendment by this Ordinance of any ordinance or part or portion of

Ord. 20-0004-U

any ordinance previously in effect in the City, or within the territory comprising the City, shall constitute a waiver of any license, fee or penalty or the penal provisions applicable to any violation of such ordinance.

ADOPTED on January 21, 2020.

AYES: Napolitano, Stern, Hadley, Montgomery and Mayor Hersman.  
NOES: None.  
ABSENT: None.  
ABSTAIN: None.

  
\_\_\_\_\_  
NANCY HERSMAN  
Mayor

ATTEST:

  
\_\_\_\_\_  
LIZA TAMURA  
City Clerk

## Senate Bill No. 330

### CHAPTER 654

An act to amend Section 65589.5 of, to amend, repeal, and add Sections 65940, 65943, and 65950 of, to add and repeal Sections 65905.5, 65913.10, and 65941.1 of, and to add and repeal Chapter 12 (commencing with Section 66300) of Division 1 of Title 7 of, the Government Code, relating to housing.

[Approved by Governor October 9, 2019. Filed with Secretary  
of State October 9, 2019.]

#### LEGISLATIVE COUNSEL'S DIGEST

SB 330, Skinner. Housing Crisis Act of 2019.

(1) The Housing Accountability Act, which is part of the Planning and Zoning Law, prohibits a local agency from disapproving, or conditioning approval in a manner that renders infeasible, a housing development project for very low, low-, or moderate-income households or an emergency shelter unless the local agency makes specified written findings based on a preponderance of the evidence in the record. The act specifies that one way to satisfy that requirement is to make findings that the housing development project or emergency shelter is inconsistent with both the jurisdiction's zoning ordinance and general plan land use designation as specified in any element of the general plan as it existed on the date the application was deemed complete. The act requires a local agency that proposes to disapprove a housing development project that complies with applicable, objective general plan and zoning standards and criteria that were in effect at the time the application was deemed to be complete, or to approve it on the condition that it be developed at a lower density, to base its decision upon written findings supported by substantial evidence on the record that specified conditions exist, and places the burden of proof on the local agency to that effect. The act requires a court to impose a fine on a local agency under certain circumstances and requires that the fine be at least \$10,000 per housing unit in the housing development project on the date the application was deemed complete.

This bill, until January 1, 2025, would specify that an application is deemed complete for these purposes if a preliminary application was submitted, as described below.

Existing law authorizes the applicant, a person who would be eligible to apply for residency in the development or emergency shelter, or a housing organization to bring an action to enforce the Housing Accountability Act. If, in that action, a court finds that a local agency failed to satisfy the requirement to make the specified findings described above, existing law requires the court to issue an order or judgment compelling compliance with the act within 60 days, as specified.

This bill, until January 1, 2025, would additionally require a court to issue the order or judgment previously described if the local agency required or attempted to require certain housing development projects to comply with an ordinance, policy, or standard not adopted and in effect when a preliminary application was submitted.

Existing law authorizes a local agency to require a housing development project to comply with objective, quantifiable, written development standards, conditions, and policies appropriate to, and consistent with, meeting the jurisdiction's share of the regional housing need, as specified.

This bill, until January 1, 2025, would, notwithstanding those provisions or any other law and with certain exceptions, require that a housing development project only be subject to the ordinances, policies, and standards adopted and in effect when a preliminary application is submitted, except as specified.

(2) The Planning and Zoning Law, except as provided, requires that a public hearing be held on an application for a variance from the requirements of a zoning ordinance, an application for a conditional use permit or equivalent development permit, a proposed revocation or modification of a variance or use permit or equivalent development permit, or an appeal from the action taken on any of those applications. That law requires that notice of a public hearing be provided in accordance with specified procedures.

This bill, until January 1, 2025, would prohibit a city or county from conducting more than 5 hearings, as defined, held pursuant to these provisions, or any other law, ordinance, or regulation requiring a public hearing, if a proposed housing development project complies with the applicable, objective general plan and zoning standards in effect at the time an application is deemed complete, as defined. The bill would require the city or county to consider and either approve or disapprove the housing development project at any of the 5 hearings consistent with the applicable timelines under the Permit Streamlining Act.

(3) The Permit Streamlining Act, which is part of the Planning and Zoning Law, requires each state agency and each local agency to compile one or more lists that specify in detail the information that will be required from any applicant for a development project. That law requires the state or local agency to make copies of this information available to all applicants for development projects and to any persons who request the information.

The bill, until January 1, 2025, for purposes of any state or local law, ordinance, or regulation that requires a city or county to determine whether the site of a proposed housing development project is a historic site, would require the city or county to make that determination, which would remain valid for the pendency of the housing development, at the time the application is deemed complete, except as provided. The bill, until January 1, 2025, would also require that each local agency make copies of any above-described list with respect to information required from an applicant for a housing development project available both (A) in writing to those



calculated consistently with the forms and definitions that may be adopted by the Department of Housing and Community Development pursuant to Section 65400. In the case of an emergency shelter, the jurisdiction shall have met or exceeded the need for emergency shelter, as identified pursuant to paragraph (7) of subdivision (a) of Section 65583. Any disapproval or conditional approval pursuant to this paragraph shall be in accordance with applicable law, rule, or standards.

(2) The housing development project or emergency shelter as proposed would have a specific, adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low- and moderate-income households or rendering the development of the emergency shelter financially infeasible. As used in this paragraph, a “specific, adverse impact” means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete. Inconsistency with the zoning ordinance or general plan land use designation shall not constitute a specific, adverse impact upon the public health or safety.

(3) The denial of the housing development project or imposition of conditions is required in order to comply with specific state or federal law, and there is no feasible method to comply without rendering the development unaffordable to low- and moderate-income households or rendering the development of the emergency shelter financially infeasible.

(4) The housing development project or emergency shelter is proposed on land zoned for agriculture or resource preservation that is surrounded on at least two sides by land being used for agricultural or resource preservation purposes, or which does not have adequate water or wastewater facilities to serve the project.

(5) The housing development project or emergency shelter is inconsistent with both the jurisdiction’s zoning ordinance and general plan land use designation as specified in any element of the general plan as it existed on the date the application was deemed complete, and the jurisdiction has adopted a revised housing element in accordance with Section 65588 that is in substantial compliance with this article. For purposes of this section, a change to the zoning ordinance or general plan land use designation subsequent to the date the application was deemed complete shall not constitute a valid basis to disapprove or condition approval of the housing development project or emergency shelter.

(A) This paragraph cannot be utilized to disapprove or conditionally approve a housing development project if the housing development project is proposed on a site that is identified as suitable or available for very low, low-, or moderate-income households in the jurisdiction’s housing element, and consistent with the density specified in the housing element, even though it is inconsistent with both the jurisdiction’s zoning ordinance and general plan land use designation.

(B) If the local agency has failed to identify in the inventory of land in its housing element sites that can be developed for housing within the planning period and are sufficient to provide for the jurisdiction's share of the regional housing need for all income levels pursuant to Section 65584, then this paragraph shall not be utilized to disapprove or conditionally approve a housing development project proposed for a site designated in any element of the general plan for residential uses or designated in any element of the general plan for commercial uses if residential uses are permitted or conditionally permitted within commercial designations. In any action in court, the burden of proof shall be on the local agency to show that its housing element does identify adequate sites with appropriate zoning and development standards and with services and facilities to accommodate the local agency's share of the regional housing need for the very low, low-, and moderate-income categories.

(C) If the local agency has failed to identify a zone or zones where emergency shelters are allowed as a permitted use without a conditional use or other discretionary permit, has failed to demonstrate that the identified zone or zones include sufficient capacity to accommodate the need for emergency shelter identified in paragraph (7) of subdivision (a) of Section 65583, or has failed to demonstrate that the identified zone or zones can accommodate at least one emergency shelter, as required by paragraph (4) of subdivision (a) of Section 65583, then this paragraph shall not be utilized to disapprove or conditionally approve an emergency shelter proposed for a site designated in any element of the general plan for industrial, commercial, or multifamily residential uses. In any action in court, the burden of proof shall be on the local agency to show that its housing element does satisfy the requirements of paragraph (4) of subdivision (a) of Section 65583.

(e) Nothing in this section shall be construed to relieve the local agency from complying with the congestion management program required by Chapter 2.6 (commencing with Section 65088) of Division 1 of Title 7 or the California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code). Neither shall anything in this section be construed to relieve the local agency from making one or more of the findings required pursuant to Section 21081 of the Public Resources Code or otherwise complying with the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code).

(f) (1) Except as provided in subdivision (o), nothing in this section shall be construed to prohibit a local agency from requiring the housing development project to comply with objective, quantifiable, written development standards, conditions, and policies appropriate to, and consistent with, meeting the jurisdiction's share of the regional housing need pursuant to Section 65584. However, the development standards, conditions, and policies shall be applied to facilitate and accommodate development at the density permitted on the site and proposed by the development.



monthly housing cost that does not exceed 30 percent of 100 percent of area median income with adjustments for household size made in accordance with the adjustment factors on which the moderate-income eligibility limits are based.

(4) “Area median income” means area median income as periodically established by the Department of Housing and Community Development pursuant to Section 50093 of the Health and Safety Code. The developer shall provide sufficient legal commitments to ensure continued availability of units for very low or low-income households in accordance with the provisions of this subdivision for 30 years.

(5) Notwithstanding any other law, until January 1, 2025, “deemed complete” means that the applicant has submitted a preliminary application pursuant to Section 65941.1.

(6) “Disapprove the housing development project” includes any instance in which a local agency does either of the following:

(A) Votes on a proposed housing development project application and the application is disapproved, including any required land use approvals or entitlements necessary for the issuance of a building permit.

(B) Fails to comply with the time periods specified in subdivision (a) of Section 65950. An extension of time pursuant to Article 5 (commencing with Section 65950) shall be deemed to be an extension of time pursuant to this paragraph.

(7) “Lower density” includes any conditions that have the same effect or impact on the ability of the project to provide housing.

(8) Until January 1, 2025, “objective” means involving no personal or subjective judgment by a public official and being uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official.

(9) Notwithstanding any other law, until January 1, 2025, “determined to be complete” means that the applicant has submitted a complete application pursuant to Section 65943.

(i) If any city, county, or city and county denies approval or imposes conditions, including design changes, lower density, or a reduction of the percentage of a lot that may be occupied by a building or structure under the applicable planning and zoning in force at the time the housing development project’s application is deemed complete, that have a substantial adverse effect on the viability or affordability of a housing development for very low, low-, or moderate-income households, and the denial of the development or the imposition of conditions on the development is the subject of a court action which challenges the denial or the imposition of conditions, then the burden of proof shall be on the local legislative body to show that its decision is consistent with the findings as described in subdivision (d), and that the findings are supported by a preponderance of the evidence in the record, and with the requirements of subdivision (o).

(j) (1) When a proposed housing development project complies with applicable, objective general plan, zoning, and subdivision standards and

criteria, including design review standards, in effect at the time that the application was deemed complete, but the local agency proposes to disapprove the project or to impose a condition that the project be developed at a lower density, the local agency shall base its decision regarding the proposed housing development project upon written findings supported by a preponderance of the evidence on the record that both of the following conditions exist:

(A) The housing development project would have a specific, adverse impact upon the public health or safety unless the project is disapproved or approved upon the condition that the project be developed at a lower density. As used in this paragraph, a “specific, adverse impact” means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.

(B) There is no feasible method to satisfactorily mitigate or avoid the adverse impact identified pursuant to paragraph (1), other than the disapproval of the housing development project or the approval of the project upon the condition that it be developed at a lower density.

(2) (A) If the local agency considers a proposed housing development project to be inconsistent, not in compliance, or not in conformity with an applicable plan, program, policy, ordinance, standard, requirement, or other similar provision as specified in this subdivision, it shall provide the applicant with written documentation identifying the provision or provisions, and an explanation of the reason or reasons it considers the housing development to be inconsistent, not in compliance, or not in conformity as follows:

(i) Within 30 days of the date that the application for the housing development project is determined to be complete, if the housing development project contains 150 or fewer housing units.

(ii) Within 60 days of the date that the application for the housing development project is determined to be complete, if the housing development project contains more than 150 units.

(B) If the local agency fails to provide the required documentation pursuant to subparagraph (A), the housing development project shall be deemed consistent, compliant, and in conformity with the applicable plan, program, policy, ordinance, standard, requirement, or other similar provision.

(3) For purposes of this section, the receipt of a density bonus pursuant to Section 65915 shall not constitute a valid basis on which to find a proposed housing development project is inconsistent, not in compliance, or not in conformity, with an applicable plan, program, policy, ordinance, standard, requirement, or other similar provision specified in this subdivision.

(4) For purposes of this section, a proposed housing development project is not inconsistent with the applicable zoning standards and criteria, and shall not require a rezoning, if the housing development project is consistent with the objective general plan standards and criteria but the zoning for the project site is inconsistent with the general plan. If the local agency has complied with paragraph (2), the local agency may require the proposed

Session is enacted, or otherwise in the Housing Rehabilitation Loan Fund. The fine shall be in a minimum amount of ten thousand dollars (\$10,000) per housing unit in the housing development project on the date the application was deemed complete pursuant to Section 65943. In determining the amount of fine to impose, the court shall consider the local agency's progress in attaining its target allocation of the regional housing need pursuant to Section 65584 and any prior violations of this section. Fines shall not be paid out of funds already dedicated to affordable housing, including, but not limited to, Low and Moderate Income Housing Asset Funds, funds dedicated to housing for very low, low-, and moderate-income households, and federal HOME Investment Partnerships Program and Community Development Block Grant Program funds. The local agency shall commit and expend the money in the local housing trust fund within five years for the sole purpose of financing newly constructed housing units affordable to extremely low, very low, or low-income households. After five years, if the funds have not been expended, the money shall revert to the state and be deposited in the Building Homes and Jobs Fund, if Senate Bill 2 of the 2017–18 Regular Session is enacted, or otherwise in the Housing Rehabilitation Loan Fund, for the sole purpose of financing newly constructed housing units affordable to extremely low, very low, or low-income households.

(ii) If any money derived from a fine imposed pursuant to this subparagraph is deposited in the Housing Rehabilitation Loan Fund, then, notwithstanding Section 50661 of the Health and Safety Code, that money shall be available only upon appropriation by the Legislature.

(C) If the court determines that its order or judgment has not been carried out within 60 days, the court may issue further orders as provided by law to ensure that the purposes and policies of this section are fulfilled, including, but not limited to, an order to vacate the decision of the local agency and to approve the housing development project, in which case the application for the housing development project, as proposed by the applicant at the time the local agency took the initial action determined to be in violation of this section, along with any standard conditions determined by the court to be generally imposed by the local agency on similar projects, shall be deemed to be approved unless the applicant consents to a different decision or action by the local agency.

(2) For purposes of this subdivision, "housing organization" means a trade or industry group whose local members are primarily engaged in the construction or management of housing units or a nonprofit organization whose mission includes providing or advocating for increased access to housing for low-income households and have filed written or oral comments with the local agency prior to action on the housing development project. A housing organization may only file an action pursuant to this section to challenge the disapproval of a housing development by a local agency. A housing organization shall be entitled to reasonable attorney's fees and costs if it is the prevailing party in an action to enforce this section.

rules, regulations, requirements, and policies of a local agency, as defined in Section 66000, including those relating to development impact fees, capacity or connection fees or charges, permit or processing fees, and other exactions.

(5) This subdivision shall not be construed in a manner that would lessen the restrictions imposed on a local agency, or lessen the protections afforded to a housing development project, that are established by any other law, including any other part of this section.

(6) This subdivision shall not restrict the authority of a public agency or local agency to require mitigation measures to lessen the impacts of a housing development project under the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code).

(7) With respect to completed residential units for which the project approval process is complete and a certificate of occupancy has been issued, nothing in this subdivision shall limit the application of later enacted ordinances, policies, and standards that regulate the use and occupancy of those residential units, such as ordinances relating to rental housing inspection, rent stabilization, restrictions on short-term renting, and business licensing requirements for owners of rental housing.

(8) This subdivision shall become inoperative on January 1, 2025.

(p) This section shall be known, and may be cited, as the Housing Accountability Act.

SEC. 4. Section 65905.5 is added to the Government Code, to read:

65905.5. (a) Notwithstanding any other law, if a proposed housing development project complies with the applicable, objective general plan and zoning standards in effect at the time an application is deemed complete, after the application is deemed complete, a city, county, or city and county shall not conduct more than five hearings pursuant to Section 65905, or any other law, ordinance, or regulation requiring a public hearing in connection with the approval of that housing development project. If the city, county, or city and county continues a hearing subject to this section to another date, the continued hearing shall count as one of the five hearings allowed under this section. The city, county, or city and county shall consider and either approve or disapprove the application at any of the five hearings allowed under this section consistent with the applicable timelines under the Permit Streamlining Act (Chapter 4.5 (commencing with Section 65920)).

(b) For purposes of this section:

(1) “Deemed complete” means that the application has met all of the requirements specified in the relevant list compiled pursuant to Section 65940 that was available at the time when the application was submitted.

(2) “Hearing” includes any public hearing, workshop, or similar meeting conducted by the city or county with respect to the housing development project, whether by the legislative body of the city or county, the planning agency established pursuant to Section 65100, or any other agency, department, board, commission, or any other designated hearing officer or body of the city or county, or any committee or subcommittee thereof.

“Hearing” does not include a hearing to review a legislative approval required for a proposed housing development project, including, but not limited to, a general plan amendment, a specific plan adoption or amendment, or a zoning amendment, or any hearing arising from a timely appeal of the approval or disapproval of a legislative approval.

(3) “Housing development project” has the same meaning as defined in paragraph (2) of subdivision (h) of Section 65589.5.

(c) (1) For purposes of this section, a housing development project shall be deemed consistent, compliant, and in conformity with an applicable plan, program, policy, ordinance, standard, requirement, or other similar provision if there is substantial evidence that would allow a reasonable person to conclude that the housing development project is consistent, compliant, or in conformity.

(2) A proposed housing development project is not inconsistent with the applicable zoning standards and criteria, and shall not require a rezoning, if the housing development project is consistent with the objective general plan standards and criteria, but the zoning for the project site is inconsistent with the general plan. If the local agency complies with the written documentation requirements of paragraph (2) of subdivision (j) of Section 65589.5, the local agency may require the proposed housing development project to comply with the objective standards and criteria of the zoning that is consistent with the general plan; however, the standards and criteria shall be applied to facilitate and accommodate development at the density allowed on the site by the general plan and proposed by the proposed housing development project.

(d) Nothing in this section supersedes, limits, or otherwise modifies the requirements of, or the standards of review pursuant to, Division 13 (commencing with Section 21000) of the Public Resources Code.

(e) This section shall remain in effect only until January 1, 2025, and as of that date is repealed.

SEC. 5. Section 65913.10 is added to the Government Code, to read:

65913.10. (a) For purposes of any state or local law, ordinance, or regulation that requires the city or county to determine whether the site of a proposed housing development project is a historic site, the city or county shall make that determination at the time the application for the housing development project is deemed complete. A determination as to whether a parcel of property is a historic site shall remain valid during the pendency of the housing development project for which the application was made unless any archaeological, paleontological, or tribal cultural resources are encountered during any grading, site disturbance, or building alteration activities.

(b) For purposes of this section:

(1) “Deemed complete” means that the application has met all of the requirements specified in the relevant list compiled pursuant to Section 65940 that was available at the time when the application was submitted.

(2) “Housing development project” has the same meaning as defined in paragraph (2) of subdivision (h) of Section 65589.5.



(c) (1) Nothing in this section supersedes, limits, or otherwise modifies the requirements of, or the standards of review pursuant to, Division 13 (commencing with Section 21000) of the Public Resources Code.

(2) Nothing in this section supersedes, limits, or otherwise modifies the requirements of the California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code).

(d) This section shall remain in effect only until January 1, 2025, and as of that date is repealed.

SEC. 6. Section 65940 of the Government Code is amended to read:

65940. (a) (1) Each public agency shall compile one or more lists that shall specify in detail the information that will be required from any applicant for a development project. Each public agency shall revise the list of information required from an applicant to include a certification of compliance with Section 65962.5, and the statement of application required by Section 65943. Copies of the information, including the statement of application required by Section 65943, shall be made available to all applicants for development projects and to any person who requests the information.

(2) An affected city or affected county, as defined in Section 66300, shall include the information necessary to determine compliance with the requirements of subdivision (d) of Section 66300 in the list compiled pursuant to paragraph (1).

(b) The list of information required from any applicant shall include, where applicable, identification of whether the proposed project is located within 1,000 feet of a military installation, beneath a low-level flight path or within special use airspace as defined in Section 21098 of the Public Resources Code, and within an urbanized area as defined in Section 65944.

(c) (1) A public agency that is not beneath a low-level flight path or not within special use airspace and does not contain a military installation is not required to change its list of information required from applicants to comply with subdivision (b).

(2) A public agency that is entirely urbanized, as defined in subdivision (e) of Section 65944, with the exception of a jurisdiction that contains a military installation, is not required to change its list of information required from applicants to comply with subdivision (b).

(d) This section shall remain in effect only until January 1, 2025, and as of that date is repealed.

SEC. 7. Section 65940 is added to the Government Code, to read:

65940. (a) Each public agency shall compile one or more lists that shall specify in detail the information that will be required from any applicant for a development project. Each public agency shall revise the list of information required from an applicant to include a certification of compliance with Section 65962.5, and the statement of application required by Section 65943. Copies of the information, including the statement of application required by Section 65943, shall be made available to all applicants for development projects and to any person who requests the information.

days after receipt of the application, and the application includes a statement that it is an application for a development permit, the application shall be deemed complete for purposes of this chapter. Upon receipt of any resubmittal of the application, a new 30-day period shall begin, during which the public agency shall determine the completeness of the application. If the application is determined not to be complete, the agency's determination shall specify those parts of the application which are incomplete and shall indicate the manner in which they can be made complete, including a list and thorough description of the specific information needed to complete the application. The applicant shall submit materials to the public agency in response to the list and description.

(b) Not later than 30 calendar days after receipt of the submitted materials described in subdivision (a), the public agency shall determine in writing whether the application as supplemented or amended by the submitted materials is complete and shall immediately transmit that determination to the applicant. In making this determination, the public agency is limited to determining whether the application as supplemented or amended includes the information required by the list and a thorough description of the specific information needed to complete the application required by subdivision (a). If the written determination is not made within that 30-day period, the application together with the submitted materials shall be deemed complete for purposes of this chapter.

(c) If the application together with the submitted materials are determined not to be complete pursuant to subdivision (b), the public agency shall provide a process for the applicant to appeal that decision in writing to the governing body of the agency or, if there is no governing body, to the director of the agency, as provided by that agency. A city or county shall provide that the right of appeal is to the governing body or, at their option, the planning commission, or both.

There shall be a final written determination by the agency on the appeal not later than 60 calendar days after receipt of the applicant's written appeal. The fact that an appeal is permitted to both the planning commission and to the governing body does not extend the 60-day period. Notwithstanding a decision pursuant to subdivision (b) that the application and submitted materials are not complete, if the final written determination on the appeal is not made within that 60-day period, the application with the submitted materials shall be deemed complete for the purposes of this chapter.

(d) Nothing in this section precludes an applicant and a public agency from mutually agreeing to an extension of any time limit provided by this section.

(e) A public agency may charge applicants a fee not to exceed the amount reasonably necessary to provide the service required by this section. If a fee is charged pursuant to this section, the fee shall be collected as part of the application fee charged for the development permit.

(f) Each city and each county shall make copies of any list compiled pursuant to Section 65940 with respect to information required from an applicant for a housing development project, as that term is defined in



paragraph (2) of subdivision (h) of Section 65589.5, available both (1) in writing to those persons to whom the agency is required to make information available under subdivision (a) of that section, and (2) publicly available on the internet website of the city or county.

(g) This section shall remain in effect only until January 1, 2025, and as of that date is repealed.

SEC. 10. Section 65943 is added to the Government Code, to read:

65943. (a) Not later than 30 calendar days after any public agency has received an application for a development project, the agency shall determine in writing whether the application is complete and shall immediately transmit the determination to the applicant for the development project. If the written determination is not made within 30 days after receipt of the application, and the application includes a statement that it is an application for a development permit, the application shall be deemed complete for purposes of this chapter. Upon receipt of any resubmittal of the application, a new 30-day period shall begin, during which the public agency shall determine the completeness of the application. If the application is determined not to be complete, the agency's determination shall specify those parts of the application which are incomplete and shall indicate the manner in which they can be made complete, including a list and thorough description of the specific information needed to complete the application. The applicant shall submit materials to the public agency in response to the list and description.

(b) Not later than 30 calendar days after receipt of the submitted materials, the public agency shall determine in writing whether they are complete and shall immediately transmit that determination to the applicant. If the written determination is not made within that 30-day period, the application together with the submitted materials shall be deemed complete for purposes of this chapter.

(c) If the application together with the submitted materials are determined not to be complete pursuant to subdivision (b), the public agency shall provide a process for the applicant to appeal that decision in writing to the governing body of the agency or, if there is no governing body, to the director of the agency, as provided by that agency. A city or county shall provide that the right of appeal is to the governing body or, at their option, the planning commission, or both.

There shall be a final written determination by the agency on the appeal not later than 60 calendar days after receipt of the applicant's written appeal. The fact that an appeal is permitted to both the planning commission and to the governing body does not extend the 60-day period. Notwithstanding a decision pursuant to subdivision (b) that the application and submitted materials are not complete, if the final written determination on the appeal is not made within that 60-day period, the application with the submitted materials shall be deemed complete for the purposes of this chapter.

(d) Nothing in this section precludes an applicant and a public agency from mutually agreeing to an extension of any time limit provided by this section.

(e) A public agency may charge applicants a fee not to exceed the amount reasonably necessary to provide the service required by this section. If a fee is charged pursuant to this section, the fee shall be collected as part of the application fee charged for the development permit.

(f) This section shall become operative on January 1, 2025.

SEC. 11. Section 65950 of the Government Code is amended to read:

65950. (a) A public agency that is the lead agency for a development project shall approve or disapprove the project within whichever of the following periods is applicable:

(1) One hundred eighty days from the date of certification by the lead agency of the environmental impact report, if an environmental impact report is prepared pursuant to Section 21100 or 21151 of the Public Resources Code for the development project.

(2) Ninety days from the date of certification by the lead agency of the environmental impact report, if an environmental impact report is prepared pursuant to Section 21100 or 21151 of the Public Resources Code for a development project defined in subdivision (c).

(3) Sixty days from the date of certification by the lead agency of the environmental impact report, if an environmental impact report is prepared pursuant to Section 21100 or 21151 of the Public Resources Code for a development project defined in subdivision (c) and all of the following conditions are met:

(A) At least 49 percent of the units in the development project are affordable to very low or low-income households, as defined by Sections 50105 and 50079.5 of the Health and Safety Code, respectively. Rents for the lower income units shall be set at an affordable rent, as that term is defined in Section 50053 of the Health and Safety Code, for at least 30 years. Owner-occupied units shall be available at an affordable housing cost, as that term is defined in Section 50052.5 of the Health and Safety Code.

(B) Prior to the application being deemed complete for the development project pursuant to Article 3 (commencing with Section 65940), the lead agency received written notice from the project applicant that an application has been made or will be made for an allocation or commitment of financing, tax credits, bond authority, or other financial assistance from a public agency or federal agency, and the notice specifies the financial assistance that has been applied for or will be applied for and the deadline for application for that assistance, the requirement that one of the approvals of the development project by the lead agency is a prerequisite to the application for or approval of the application for financial assistance, and that the financial assistance is necessary for the project to be affordable as required pursuant to subparagraph (A).

(C) There is confirmation that the application has been made to the public agency or federal agency prior to certification of the environmental impact report.

(4) Sixty days from the date of adoption by the lead agency of the negative declaration, if a negative declaration is completed and adopted for the development project.

(5) Sixty days from the determination by the lead agency that the project is exempt from the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code), if the project is exempt from that act.

(b) This section does not preclude a project applicant and a public agency from mutually agreeing in writing to an extension of any time limit provided by this section pursuant to Section 65957.

(c) For purposes of paragraphs (2) and (3) of subdivision (a) and Section 65952, “development project” means a housing development project, as that term is defined in paragraph (2) of subdivision (h) of Section 65589.5.

(d) For purposes of this section, “lead agency” and “negative declaration” have the same meaning as defined in Sections 21067 and 21064 of the Public Resources Code, respectively.

(e) This section shall remain in effect only until January 1, 2025, and as of that date is repealed.

SEC. 12. Section 65950 is added to the Government Code, to read:

65950. (a) A public agency that is the lead agency for a development project shall approve or disapprove the project within whichever of the following periods is applicable:

(1) One hundred eighty days from the date of certification by the lead agency of the environmental impact report, if an environmental impact report is prepared pursuant to Section 21100 or 21151 of the Public Resources Code for the development project.

(2) One hundred twenty days from the date of certification by the lead agency of the environmental impact report, if an environmental impact report is prepared pursuant to Section 21100 or 21151 of the Public Resources Code for a development project defined in subdivision (c).

(3) Ninety days from the date of certification by the lead agency of the environmental impact report, if an environmental impact report is prepared pursuant to Section 21100 or 21151 of the Public Resources Code for a development project defined in subdivision (c) and all of the following conditions are met:

(A) At least 49 percent of the units in the development project are affordable to very low or low-income households, as defined by Sections 50105 and 50079.5 of the Health and Safety Code, respectively. Rents for the lower income units shall be set at an affordable rent, as that term is defined in Section 50053 of the Health and Safety Code, for at least 30 years. Owner-occupied units shall be available at an affordable housing cost, as that term is defined in Section 50052.5 of the Health and Safety Code.

(B) Prior to the application being deemed complete for the development project pursuant to Article 3 (commencing with Section 65940), the lead agency received written notice from the project applicant that an application has been made or will be made for an allocation or commitment of financing,

(C) Reduces the costs to a housing development project.

(D) Imposes or implements mitigation measures as necessary to comply with the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code).

(4) This section shall not apply to a housing development project located within a very high fire hazard severity zone. For purposes of this paragraph, "very high fire hazard severity zone" has the same meaning as provided in Section 51177.

(g) This section shall not be construed to void a height limit, urban growth boundary, or urban limit established by the electorate of an affected county or an affected city, provided that the height limit, urban growth boundary, or urban limit complies with subparagraph (A) of paragraph (1) of subdivision (b).

(h) (1) Nothing in this section supersedes, limits, or otherwise modifies the requirements of, or the standards of review pursuant to, Division 13 (commencing with Section 21000) of the Public Resources Code.

(2) Nothing in this section supersedes, limits, or otherwise modifies the requirements of the California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code). For a housing development project proposed within the coastal zone, nothing in this section shall be construed to prohibit an affected county or an affected city from enacting a development policy, standard, or condition necessary to implement or amend a certified local coastal program consistent with the California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code).

(i) (1) This section does not prohibit an affected county or an affected city from changing a land use designation or zoning ordinance to a less intensive use if the city or county concurrently changes the development standards, policies, and conditions applicable to other parcels within the jurisdiction to ensure that there is no net loss in residential capacity.

(2) This section does not prohibit an affected county or an affected city from changing a land use designation or zoning ordinance to a less intensive use on a site that is a mobilehome park, as defined in Section 18214 of the Health and Safety Code, as of the effective date of this section, and the no net loss requirement in paragraph (1) shall not apply.

(j) Notwithstanding subdivisions (b) and (f), this section does not prohibit an affected city or an affected county from enacting a development policy, standard, or condition that is intended to preserve or facilitate the production of housing for lower income households, as defined in Section 50079.5 of the Health and Safety Code, or housing types that traditionally serve lower income households, including mobilehome parks, single-room occupancy units, or units subject to any form of rent or price control through a public entity's valid exercise of its police power.

66301. This chapter shall remain in effect only until January 1, 2025, and as of that date is repealed.

SEC. 14. The Legislature finds and declares that the provision of adequate housing, in light of the severe shortage of housing at all income