

CALIFORNIA COASTAL COMMISSION

SAN DIEGO DISTRICT OFFICE
7575 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CA 92108-4402
VOICE (619) 767-2370
FAX (619) 767-2384



W15a

Date: March 24, 2022

To: Commissioners and Interested Persons

From: Steve Hudson, Deputy Director, South Coast District
Shannon Vaughn, Coastal Program Manager
Eric Stevens, District Supervisor
Mandy Revell, Coastal Program Analyst

Subject: Amendment Request No. LCP-5-RDB-21-0017-1 (ADU AND JADU Regulations) for Commission Meeting of April 8, 2022.

SUMMARY OF AMENDMENT REQUEST LCP-5-RDB-21-0017-1

The subject LCP implementation plan amendment was submitted and filed as complete on January 29, 2021. A one-year time extension was granted on May 13, 2021. As such, the last date for Commission action on this item is April 27, 2022.

The City of Redondo Beach is proposing to amend its certified LCP Implementation Plan (IP) to incorporate regulations for accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) consistent with recent changes in state law. The amendment would replace provisions for second units in single-family and multi-family residential zones with definitions for ADUs and JADUs and clarify development standards for accessory units including size, height, and setback limits.

The proposed amendment would allow ADUs and JADUs as permitted uses within all areas zoned for single-family or multi-family residential as a primary use, including on lots with either an existing or proposed single family dwelling unit, or existing multi-family uses. It would set standards for "streamlined accessory dwelling units", which would be reviewed within a 60-day timeframe as ministerial approvals and would set standards for "other accessory dwelling units" if certain criteria are met. The amendment would also clarify the total number of JADUs and ADUs allowed on a lot, as well as their configuration and location.

The proposed amendment would set design standards for both ADUs and JADUs, including minimum and maximum size, height, entryway requirements, and setback limitations. The proposed amendment would generally facilitate the construction of ADUs in the City's coastal zone where the City consists of already densely populated developed residential areas with available public services that lend themselves to appropriate ADU development, including where ADUs can be developed without any significant coastal resource concerns.

Dense development along certain sections of the shoreline in Redondo Beach has resulted in parking impacted areas, and as such, on-street parking spaces must be reserved in order to maximize public access to the beach. In an effort to preserve on-street parking for public coastal access as required by the City's LUP access policies, the City's proposed amendment requires one off-street parking space for each ADU and JADU, and replacement off-street parking when a private garage, carport, or covered parking structure is converted into an ADU. Although such parking requirements are generally not allowed under the new state ADU laws, requiring parking for new ADUs and replacement parking is permissible in the coastal zone.

Restrictive parking requirements, including the proposal to require an additional parking space for all new ADU and JADUs, will make development of accessory units more difficult and can only be supported when there is clear evidence the requirements are necessary to protect public access to the coast. The City has limited public shoreline on-street parking due to the surrounding high density residential uses, many of which are legally nonconforming for parking requirements. As a result, spillover parking demand from existing private residential uses onto residential streets already reduces the ability for coastal visitors to find parking near the coast.

The City has provided parking data demonstrating that the demand for on-street parking mainly west of Catalina along the shoreline regularly exceeds the number of parking spaces available, and that many of the multiple-story apartment and condominium complexes along Catalina Avenue are non-conforming for parking requirements, with a quarter of them only providing one space per unit. The area that the City has identified generally coincides with the lots located along and west of Catalina Avenue, including lots fronting the inland side of Catalina Avenue from Knob Hill Avenue to Paseo de la Playa, as shown in the Accessory Dwelling Unit Parking Overlay as depicted in [Exhibit 3](#). The public parking within this area of the City is also extensively used for access to the beach and shoreline. Thus, consistent with the public access policies contained in the certified LUP, it is appropriate for the City to require an extra parking space for new ADUs and JADUs for this area. However, no parking data is available for the remainder of the Coastal Zone to justify the additional space parking requirement. To reflect the available parking information, suggested modifications are included to restrict the area where an additional parking space is required to the lots included in [Exhibit 3](#). As modified, new ADUs and JADUs will not be required to provide an extra parking space outside of this area, provided they meet the general parking exemptions of the state ADU and JADU laws.

The proposed amendment includes several inconsistencies between the City's Ordinance and the state's ADU laws. Commission staff worked closely with the City's staff to address the inconsistencies identified. These include details regarding when JADUs are allowable on a lot, and several other minor changes related to owner occupancy and conveyance.

Finally, the amendment would clarify language exempting certain ADUs from permit requirements. Section 10-5.2208 would exempt from a coastal development permit requirement a JADU that is contained entirely within the existing habitable area of the existing single-family unit and does not involve removal or replacement of major structural components (e.g. roofs, exterior walls, or foundations).

LCP-5-RDB-21-0017-1 (ADU and JADU Regulations)

Staff collaborated closely with City staff after the LCP Amendment was submitted, and City staff has indicated agreement with the suggested modifications. With the suggested modifications, the LCP's ADU provisions will be appropriately tailored to protect coastal resources while also encouraging development of ADUs and JADUs, thus helping to increase housing stock in the City's coastal zone. At the same time, more specific parking requirements can avoid critical public access impacts and potential problems that could arise if ADU development were allowed to further impact the already limited public recreational parking stock in a narrowly defined range of areas where on-street parking is critical for maintaining visitor access to the coast. Thus, the proposed amendment, if modified as proposed, will not adversely affect coastal resources and is consistent with and adequate to carry out the certified LUP.

Only with the incorporation of these suggested modifications can the IP amendment be found consistent with the stated goals and policies of the certified LUP while still allowing for the number and types of housing units that constitute an effective land use plan.

Staff recommends that the Commission certify LCP Amendment Request No. LCP-5-RDB-21-0017 with suggested modifications necessary to maximize public access to the coast for all people and make the City's IP amendment consistent with the City's certified LUP. The motions and resolutions to carry out the staff recommendation are on page five. The suggested modifications to the LCP amendment request are included under Section III of this staff report.

Therefore, staff recommends that the Commission, after public hearing:

- 1. Deny LCP Amendment Request No. LCP-5-RDB-21-0017-1, as submitted; and**
 - 2. Certify, only if modified, LCP Amendment Request No. LCP-5-RDB-21-0017-1.**
-

TABLE OF CONTENTS

I. PROCEDURAL HISTORY	5
A. STANDARD OF REVIEW.....	5
B. LOCAL REVIEW AND DEADLINE FOR COMMISSION ACTION.....	5
II. MOTIONS AND RESOLUTIONS.....	5
III. SUGGESTED MODIFICATIONS.....	6
IV. FINDINGS	11
A. AMENDMENT DESCRIPTION.....	11
B. CONSISTENCY WITH THE CERTIFIED LAND USE PLAN	12
C. REJECTION OF LCP AMENDMENT AS SUBMITTED	14
D. APPROVAL OF THE LCP AMENDMENT IF MODIFIED AS SUGGESTED.....	15
E. CALIFORNIA ENVIRONMENTAL QUALITY ACT	18

EXHIBITS

Exhibit 1 – Ordinance

Exhibit 2 – Proposed Text Changes in Strikeout/Underline

Exhibit 3 – Proposed ADU/JADU Parking and Replacement Parking Overlay Zone

I. PROCEDURAL HISTORY

A. STANDARD OF REVIEW

Pursuant to Section 30513 of the Coastal Act, the Commission may only reject zoning ordinances or other implementing actions, as well as their amendments, on the grounds that they do not conform with, or are inadequate to carry out, the provisions of the certified land use plan. The Commission shall take action by a majority vote of the Commissioners present.

B. LOCAL REVIEW AND DEADLINE FOR COMMISSION ACTION

Section 30503 of the Coastal Act requires local governments to provide the public with the maximum opportunities to participate in the development of the LCP amendment prior to submittal to the Commission for review. The City has held Planning Commission and City Council meetings with regard to the subject amendment request. All of those local hearings were duly noticed to the public. Notice of the subject amendment has been distributed to all known interested parties.

II. MOTIONS AND RESOLUTIONS

A. Denial of IP Amendment as Submitted

Motion I:

I move that the Commission reject the Implementation Program Amendment No. LCP-5-RDB-21-0017-1 for the City of Redondo Beach certified LCP as submitted.

Staff recommends a YES vote. Passage of this motion will result in rejection of Implementation Program and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

Resolution to Deny as Submitted:

The Commission hereby denies certification of the Implementation Program Amendment submitted for the City of Redondo Beach certified LCP and adopts the findings set forth below on grounds that the Implementation Program as submitted does not conform with, and is inadequate to carry out, the provisions of the certified Land Use Plan(s). Certification of the Implementation Program would not meet the requirements of the California Environmental Quality Act as there are feasible alternatives and mitigation measures that would substantially lessen the significant adverse impacts on the environment that will result from certification of the Implementation Program as submitted.

B. Approval of IP Amendment with Suggested Modifications

Motion II:

I move that the Commission certify the Implementation Program Amendment No. LCP-5-RDB-21-0017-1 for the City of Redondo Beach if modified in conformance with the suggested changes recommended by staff.

Staff recommends a YES vote. Passage of this motion will result in certification of the Implementation Program Amendment with suggested modifications and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

Resolution to Certify if Modified:

The Commission hereby certifies the Implementation Program Amendment for the City of Redondo Beach certified LCP is it is modified as suggested and adopts the findings set forth below on grounds that the Implementation Program Amendment, with the suggested modifications, conforms with and is adequate to carry out the certified Land Use Plan(s).

Certification of the Implementation Program Amendment if modified as suggested complies with the California Environmental Quality Act, because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the Implementation Program Amendment on the environment, or 2) there are no further feasible alternatives and mitigation measures that would substantially lessen any significant adverse impacts on the environment.

III. SUGGESTED MODIFICATIONS

For the following suggested modifications:

Existing certified language is shown in plain text.

The City's proposed additions are shown in underline text.

The City's proposed deletions are shown in ~~strike-out text~~.

The Commission's suggested additions are shown in double underline text.

The Commission's suggested deletions are shown in ~~double strike-out text~~.

The following suggested modifications, prepared in collaboration with City of Redondo Beach staff, are necessary to carry out the provisions of the certified LUP:

Suggested Modification 1. Allow JADUs in multi-family residences as well as single-family residences.

Section 10-5.402(a) DEFINITIONS as follows:

(104.5) "Junior accessory dwelling unit" shall mean a unit that is no more than 500 square feet in size and is contained entirely within a single -family or multi-family residence. A

junior accessory dwelling unit may include separate sanitation facilities or may share sanitation facilities with the existing structure.

Suggested Modification 2. Permit ADUs in proposed multi-family dwellings.

Section 10-5.1506 Accessory dwelling units in single-family and multi-family residential zones:

Accessory dwelling units and junior accessory dwelling units shall be permitted uses in areas zoned to allow single-family or multifamily dwelling residential use on lots that contain a proposed or existing single-family dwelling or ~~an~~ a proposed or existing multifamily dwelling, provided that the unit complies with this Section.

Suggested Modification 3. Clarify that the owner must live primarily in one of the units.

Section 10-5.1506 Accessory dwelling units in single-family and multi-family residential unit (a) Review and Approval.

(10) Owner Occupancy. Any declaration of restrictions regarding owner occupancy previously recorded in conjunction with development of an accessory dwelling unit remains valid and binding on any successor in ownership of the property unless the accessory dwelling unit is removed. For any accessory dwelling unit permitted after January 1, 2025, for single-family residential zones, the primary unit or the accessory dwelling unit shall be occupied by the owner of the property. Prior to the issuance of a building permit for the accessory dwelling unit, a covenant shall be recorded that specifies that the owner must live primarily in one of the units. ~~no more than one of the units may be rented.~~

Suggested Modification 4. Require that new ADUs and JADUs must comply with setbacks established in the LCP where required to protect the coastal resource protection policies of the LCP.

Section 10-5.1506 Accessory dwelling units in single-family and multi-family residential unit (b) Standards for streamlined accessory dwelling units.

(1) Standards applicable to all streamlined accessory dwelling units and junior accessory dwelling units.

a. The accessory dwelling unit or junior accessory dwelling unit complies with applicable building codes and health and safety regulations; however, the accessory dwelling unit or junior accessory dwelling unit is not required to provide fire sprinklers unless fire sprinklers are required for the primary dwelling. All structures, however, including accessory dwelling units and junior accessory dwelling units, shall comply with building codes, including, but not limited to, fire rating requirements or

setbacks established in the LCP where required to comply with the coastal resource protection policies of the LCP.

Suggested Modification 5. Clarify that the primary dwelling and ADU or JADU cannot be conveyed separately unless the requirements for separate conveyance pursuant to Government Code (658552.26) are met.

Section 10-5.1506 Accessory dwelling units in single-family and multi-family residential unit (b) Standards for streamlined accessory dwelling units.

(1) Standards applicable to all streamlined accessory dwelling units and junior accessory dwelling units.

b. The accessory dwelling unit or junior accessory dwelling unit may be rented in full or in part for the purpose of overnight lodging for terms of thirty (30) or more consecutive days, but it shall not be rented for overnight lodging or subleased for shorter terms. Neither the primary dwelling nor the accessory dwelling unit or junior accessory dwelling unit shall be sold or otherwise conveyed separately from the other unit unless the sale or conveyance of the ADU meets the requirements set forth in Government Code Section 65852.26

Suggested Modification 6. Require one off-street parking space per ADU to protect public on-street parking for coastal access in the mapped prime visitor area shown in Figure 1 (Exhibit 3), and for all other areas implement the state exceptions for parking requirements for ADUs. Also, remove the proposed one new parking space requirement for JADUs within the entire coastal zone to encourage JADU construction consistent with state laws.

Section 10-5.1506 Accessory dwelling units in single-family and multi-family residential unit (b) Standards for streamlined accessory dwelling units.

(1) Standards applicable to all streamlined accessory dwelling units and junior accessory dwelling units.

d. The applicant shall provide one off-street parking space per accessory dwelling unit ~~or junior accessory dwelling unit~~ that complies with the requirements of Section 10-5.1704 on the same lot as the accessory dwelling unit ~~or junior accessory dwelling unit~~ and dedicated for non-exclusive use by the occupant(s) of the accessory dwelling unit on lots located along and west of Catalina Avenue, including lots fronting the inland side of Catalina Avenue from Knob Hill Avenue to Paseo de la Playa, as shown in the Accessory Dwelling Unit Parking Overlay as depicted in Figure 1. For all other areas, the applicant shall provide one parking space, except if one of the

following parking exemptions applies, in which case no parking is required:

1. The ADU would be located within the existing primary dwelling or all or part of an existing accessory structure.
2. The ADU would be located within a half mile of public transit.
3. The ADU would be located in an architecturally or historically significant district.
4. The ADU would be located on a property within one block of a designated car share parking location.

Notwithstanding any other provisions of this Code, the required parking space may be located as a tandem space in an existing driveway or in the required setbacks, and may have a permeable, all-weather surface, unless specific findings are made that parking in setback areas or tandem parking is not feasible based on specific site or regional topographical or fire and life safety conditions. The parking space for the primary dwelling and the accessory dwelling unit ~~or junior accessory dwelling unit~~ may be located in any configuration on the same lot as the accessory dwelling unit ~~or junior accessory dwelling unit~~, including, but not limited to, enclosed spaces, unenclosed spaces, or tandem spaces, or by the use of mechanical automobile parking lifts; provided that the spaces and driveway comply with the requirements of Section 10-5.1704.

Suggested Modification 7. A new Figure 1 shall be added into the certified Implementation Plan component of the Local Coastal Program. Figure 1 shall depict the boundaries of the Overlay Zone where off-street parking will be required for new ADUs and for replacement parking for garage conversions as depicted in Exhibit 3 to this staff report and shall include lots located along and west of Catalina Avenue, including lots fronting the inland side of Catalina Avenue from Knob Hill Avenue to Paseo de la Playa.

Suggested Modification 8. Clarify that the owner must live primarily in one of the units, and change “livable” to “habitable” to be consistent with the ordinance in its entirety.

Section 10-5.1506 Accessory dwelling units in single-family and multi-family residential unit (b) Standards for streamlined accessory dwelling units.

(1) Standards applicable to all streamlined accessory dwelling units and junior accessory dwelling units.

(h) (2). This includes the requirement that either the primary unit or the junior accessory dwelling unit shall be occupied by the owner of the property. Prior to the issuance of a building permit for the junior accessory dwelling unit, a covenant shall be recorded that specifies that no more than one of the units may be rented. The owner ~~may reside in either the remaining portion of the structure or the newly created junior accessory dwelling unit~~ must live primarily in one of the units. Owner

occupancy shall not be required if the owner is another governmental agency, land trust, or housing organization.

4. c. The accessory dwelling unit is located within a portion of the existing two-family or multifamily dwelling structure that is not used as habitable ~~livable~~ space.

Suggested Modification 9. Require one off-street parking space per ADU to protect public on-street parking for coastal access in the mapped prime visitor area shown in Figure 1 (Exhibit 3), and for all other areas implement the state exceptions for parking requirements for ADUs. Also require replacement off-street parking when a private garage, carport, or covered parking space is converted to an ADU, unless existing uncovered offstreet parking exists that provides the minimum number of required offstreet parking spaces for the primary structure(s).

Section 10-5.1506 (c) Standards for the other accessory dwelling units

(8) Parking.

a. The applicant shall provide one off-street parking space for each accessory dwelling unit that complies with the requirements of Section 10-5.1704 on the same lot as the accessory dwelling unit and dedicated for non-exclusive use by the occupant(s) of the accessory dwelling unit on lots located along the west of Catalina Avenue, including lots fronting the inland side of Catalina Avenue from Knob Hill Avenue to Paseo de la Playa, as shown in the Accessory Dwelling Unit Parking Overlay depicted in Figure 1. For all other areas, the applicant shall provide one parking space, except if one of the following parking exemptions applies, in which case no parking is required:

1. The ADU would be located within the existing primary dwelling or all or part of an existing accessory structure.
2. The ADU would be located within a half mile of public transit.
3. The ADU would be located in an architecturally or historically significant district.
4. The ADU would be located on a property within one block of a designated car share parking location.

When a private garage, carport, or covered parking structure is demolished or converted in conjunction with the construction of an accessory dwelling unit or converted to an accessory dwelling unit, replacement off street parking spaces is required unless existing uncovered off-street parking exists that provides the minimum number of required off-street parking spaces for the primary structure(s).

Suggested Modification 10. Clarify that JADUs contained entirely within existing habitable area of an existing single-family dwelling that will not involve removal or replacement of major structural components are exempt from coastal development permit requirements as improvements to existing single-family residences.

Section 10-5.2208 Exemptions and Categorical Exclusions. (a) Exemptions.

- (1) Improvements to existing single-family residences. Improvements to existing single-family residences (including: (a) all fixtures and other exterior structures directly attached to the residence; (b) ancillary structures normally associated with a single-family residence such as garages, swimming pools, fences, storage sheds; (c) landscaping; and (d) accessory dwelling units, including JADUs, contained entirely within existing habitable area of the existing single-family dwelling unit that will not involve removal or replacement of major structural components (e.g. roofs, exterior walls, or foundations)) shall be exempt from the requirement for a Coastal Development Permit with the exception of the following:
- a. Improvements resulting in additional dwelling unit(s) on the property, whether detached or attached, except for accessory dwelling units as referenced in (d) above.

IV. FINDINGS

A. AMENDMENT DESCRIPTION

The proposed City of Redondo Beach LCP amendment would implement accessory dwelling unit (ADU) provisions in the LCP's Implementation Plan (IP) to comply with recent changes to State housing law, including changes established by Assembly Bills 68 and 881, and Senate Bill 13, which all took effect on January 1, 2020 (referred to herein as "ADU laws"). As most recently updated in 2021 the ADU laws authorize local governments to establish ordinances regulating ADUs and to establish minimum requirements for local government ADU regulations that, in general, are designed to streamline the process of review and approval of ADUs in order to help alleviate severe housing shortages throughout California.

On February 18, 2004, the Commission certified Title 10, Chapter 5 of the Redondo Beach Municipal Code for Second-Dwelling Units (City of Redondo Beach LCP Major Amendment Request No. 1-2003). On April 16, 2019, the City amended Title 10, Chapter 5 to add provisions for ADUs in the coastal zone, (LCP-5-RDB-19-0015-1), which was later withdrawn in order to incorporate pending changes to statewide ADU laws. The City now proposes to rescind the Second Dwelling Unit provisions of Chapter 10-5.1506 and replace it with the new ADU regulations to bring the LCP into compliance with the most recent ADU laws [\(Exhibit 1 & 2\)](#).

The most significant proposed IP amendment would identify development standards for ADUs (e.g., in terms of square footage, setbacks, building envelope, height, size, parking, owner occupancy, etc.); incorporate new Junior ADUs (JADU) provisions; allow ADUs on

parcels with existing multi-family dwellings; clarify that an ADU “wholly within” a single family residence may not require a CDP as exempt development as defined in the Coastal Act; and identify where ADUs are allowed. Finally, all ADUs would be required to obtain a CDP, except for ADUs wholly within existing single-family residences that do not involve the removal or replacement of major structural components (e.g. roofs, exterior walls, or foundations).

Specifically, the proposed amendment would:

- Eliminate the requirement of discretionary review and public hearings for new ADUs and JADUs.
- Allow JADUs to be permitted in conjunction with a proposed single-family residence.
- Allow ADUs as a permitted use in all areas zoned to allow single-family or multifamily residential use.
- Allow an attached or detached ADU with a living area of up to 800 sq. ft., a maximum height of 16-feet, and four-foot side and rear setbacks, regardless of the living area of the primary dwelling unit.
- Require that when a garage, carport, or covered parking structure is demolished in conjunction with the construction of an ADU or converted to an ADU, that those off-street parking spaces be replaced in any configuration on the lot (tandem, within existing driveway, or within required setbacks, etc.).
- Require one off-street parking space per ADU or JADU on the same lot as the ADU or JADU
- Establish other ADU streamlining measures.

B. CONSISTENCY WITH THE CERTIFIED LAND USE PLAN

The standard of review for LCP IP submittals or amendments is their consistency with and ability to carry out the provisions of the certified LUP(s). The certified LUP has a number of goals and policies relevant to the proposed amendment; the most applicable LUP standards are as follows:

Redondo Beach LCP Land Use Plan

Public Access Policies

Policy 3: The City will continue to diligently enforce existing parking standards for new development.

Policy 4: The total supply of on-street parking within the Coastal Zone will be retained to assure adequate parking access to the beach and Harbor-Pier Area.

LCP-5-RDB-21-0017-1 (ADU and JADU Regulations)

Policy 8: As new development occurs or as leases are renegotiated in the Harbor-Pier area the City will to the extent practical and feasible, require access for the public.

Policy 9: Existing public parking spaces in the Harbor-Pier Area will not be reduced as a result of further development in the area.

Shoreline Access, Subsection D. Parking: Multiple family dwellings must provide 2 parking spaces per unit as well as 1 guest space per every 4 residential units. Units built prior 1971, however, provide 1 to 1.5 spaces per unit.

Recreation Policies

Policy 1: All existing public recreational and visitor-serving activities will be maintained, enhanced and preserved and, where possible, expanded.

Policy 2: Lower-cost visitor-serving and recreational facilities will be protected, encouraged, and where possible, provided.

Housing Policies

The General Plan Housing Element provides that the City should enhance the availability of suitable sites for housing development which can accommodate a range of housing by type, size, location, price, and tenure;

Policy 3: The City of Redondo Beach will pursue with diligence proposed housing programs as they become available to the City for the Coastal Zone, including Federal and State Housing Programs.

The Commission is aware that the state has an affordable housing crisis, and this issue is only more acute in the state's coastal zone. To address this critical need, the state legislature has enacted a number of housing laws in the last several years designed to eliminate barriers to the provision of housing, and to help foster additional housing units—particularly critically needed affordable units—where they can be appropriately accommodated by adequate public services and where, in the coastal zone, they will not adversely affect coastal resources. Toward this end, the 2019-2020 legislative session included a series of changes to state housing law designed to facilitate more ADUs and affordable housing units. Those changes have triggered the need for jurisdictions in the coastal zone to update their LCPs to address requirements affecting the development of ADUs. Importantly, state law continues to explicitly require that the Coastal Act's (and by extension LCPs') coastal resource protections be incorporated into the process when considering ADUs, and thus, updated local government ADU provisions must continue to ensure coastal resource protections. In short, the goal of updating LCPs related to ADUs and JADUs is to harmonize the state ADU/JADU housing law changes with the Coastal Act in a way that continues to protect coastal resources while also reducing and eliminating barriers to the development of ADUs.

The majority of the Redondo Beach coastal zone consists of already-developed residential areas with adequate public services that may be appropriate for in-fill ADU development. Within the coastal zone, there are also substantial areas within the City where ADUs could likely be developed with no impacts to coastal resources. Thus, at a broad level, the proposed IP amendment should help achieve the streamlining objectives of the state ADU and housing legislation while also furthering the City's own housing goals as specified in the LCP.

C. REJECTION OF LCP AMENDMENT AS SUBMITTED

Parking Required for ADUs/JADUs and Replacement Parking for Garage Conversions

Located in the South Bay region of the greater Los Angeles area, the City of Redondo Beach is bounded by Hermosa Beach to the north and the City of Torrance to the south and encompasses about six square miles of land area. The City's coastal zone extends about 2.3 miles in length and is about one square mile in area. Approximately 41 percent of the City's residential land is designated for single-family compared to 59 percent for multi-family housing. Two state beaches are located along the western boundary of the City: Torrance Beach and Redondo Beach State Park. The northern end of Redondo Beach includes the Pier-Harbor area, which has a variety of public parking lots; however the remaining southern portion of the coastal zone relies on street parking for public access to the beach.

There are approximately 30,892 housing units as reported in the City's 2022 Draft Housing Element, and the 2020 population of the City of Redondo Beach is estimated at 66,994, which only increased 0.4 percent since the 2010 Census, reflecting the built-out character of the community. Thus, the proposed amendment would potentially encourage the provision of a substantial amount of new relatively lower cost residential units, consistent with the goals of the LCP. However, with regard to the proposed changes to parking requirements, the City of Redondo Beach's existing certified LCP, like most LCPs, includes requirements that residential properties account for their parking needs on their own properties, often referred to as "off-street" parking requirements (e.g., typically in garages, carports, covered parking, driveways, etc.). Under the City's proposed LCP amendment, a new off-street parking space is required for all new ADUs and JADUs, and off-street replacement parking is required when a garage, carport, or covered parking structure is demolished in conjunction with the construction of an ADU or JADU, or when an existing garage or off-street parking structure is converted into an ADU or JADU.

Restrictive parking requirements, including the proposal to require an additional parking space for all new ADU and JADUs, will make development of accessory units more difficult and can only be supported when there is clear evidence the requirements are necessary to protect public access to the coast. Along this portion of the coastal zone the City has limited public shoreline on-street parking due to the surrounding high density residential uses, many of which are legally nonconforming for parking requirements. As a result, spillover parking demand from existing private residential uses onto residential streets already reduce the ability for coastal visitors to find parking near the coast.

Clarification Regarding Where JADUs can be Constructed, Owner Occupancy, and Sale/Conveyance of ADUs.

In reviewing the proposed amendment, staff identified several inconsistencies between the City’s Ordinance and the state’s ADU laws, some of which were identified by the Department of Housing and Community Development’s Division of Housing Policy Development (HCD) during their review process. Commission staff worked closely with City staff to address the inconsistencies identified. These include details regarding when JADUs are allowable on a lot, issues related to ADUs on multi-family zoned lots and several other minor changes related to owner occupancy and conveyance. While these particular issues do not present coastal resource protection issues, they are integral changes to be made in order to achieve the streamlining objectives of the state ADU and housing legislation while helping further the City’s own housing goals, consistent with the goals of the LCP.

Conformity with LCP Setbacks

As proposed, the amendment eliminates or reduces many of the existing setback requirements to accommodate and maximize opportunities for ADUs. However, the amendment does not address the need to protect coastal resources, such as views, coastal bluffs, or habitat policies of the LCP that may need to be considered when constructing a new ADU. Thus, not requiring the unit to comply with setbacks established in the LCP where required to comply with the coastal resource policies of the LCP could create a potential conflict with the coastal resource protection and public access policies of the certified LUP, regarding public access, coastal bluff habitat and coastal views.

Exemptions from Coastal Development Permit Requirements

Finally, the amendment would clarify language exempting certain ADUs from permit requirements. As proposed, Section 10-5.2208 would exempt from a coastal development permit requirement an ADU that is contained entirely within the existing habitable area of the existing single-family unit and does not involve removal or replacement of major structural components (e.g. roofs, exterior walls, or foundations). Without clarifying that JADUs should also be included in the exemption language could deter JADU construction, which is contrary to the housing policies of the LCP.

Thus, the proposed amendment creates potential conflicts with coastal resource protection and public access policies of the certified LUP, regarding housing.

D. APPROVAL OF THE LCP AMENDMENT IF MODIFIED AS SUGGESTED

To address these issues, the Commission has included several suggested modifications to the proposed amendment. Staff collaborated closely with City staff after the LCP Amendment was submitted, and the two staff are in agreement on the suggested modifications. With the suggested modifications, the LCP’s ADU provisions will be appropriately tailored to protect coastal resources while also encouraging development of ADUs and JADUs, thus helping to increase housing stock in the City’s coastal zone. At the

same time, more specific parking requirements can avoid critical public access impacts and potential problems that could arise if ADU development were allowed to further impact the already limited public recreational parking stock in a narrowly defined range of areas where on-street parking is critical for maintaining visitor access to the coast. Thus, the proposed amendment, if modified as proposed, will not adversely affect coastal resources and is consistent with and adequate to carry out the certified LUP.

Only with the incorporation of these suggested modifications can the IP amendment be found consistent with the stated goals and policies of the certified LUP while still allowing for the number and types of housing units that constitute an effective land use plan.

Parking Required for ADUs/JADUs and Replacement Parking for Garage Conversions

The Redondo Beach LUP requires that coastal access be provided and protected, including specifically in terms of on-street public parking and lower-cost visitor opportunities. Specifically, LUP provisions speak to protecting on-street public parking, prohibiting restrictions on public parking that would adversely affect public access to the beach, and minimizing barriers to public coastal access to the maximum extent feasible. In addition, the LUP explicitly requires that on-street public parking be protected (enhanced even) and requires that new development provide for its own parking needs off-street. As a result, any proposed IP provisions that do not meet these requirements would be inconsistent with the LUP.

As a general rule, residential development generates parking needs, including when existing garages, carports, or other designated parking locations are converted into habitable space (which can increase site parking demand while simultaneously decreasing site parking supply). Where a site does not accommodate all of its parking demand on-site and off-street, such parking demand is pushed onto adjacent public streets and rights-of-way. That in turn reduces the availability of on-street parking for coastal visitors, including most importantly in areas of the coast at or near significant public accessways. Recent updates to the ADU laws restrict the circumstances when local governments can require that parking demand associated with ADU-generated parking needs be accommodated onsite, but these laws explicitly do not supersede the Coastal Act, and by extension the LUP that implements it locally, and is the standard of review here. The LUP is clear that public on-street coastal parking is a critical coastal resource in the City.

To address this issue, through its ADU ordinance, the City undertook an effort to require that all ADU and JADU projects in the coastal zone account for their parking needs on-site, including when a garage, carport or covered parking structure is demolished or converted in conjunction with the construction of an ADU. This is because most of the coastal zone in the City of Redondo beach, from the City of Hermosa Beach to the City of Torrance is densely developed and is located along highly utilized beach and shoreline visitor destinations. When analyzing the potential impacts to public beach parking that could result from implementation of the new ADU laws, the City generally found there was a high potential for adverse impacts to the public's ability to access the beach if ADU projects did not properly account for their parking needs on-site. Additionally, because all of the City's residential areas in the coastal zone are located within a half-mile of public transportation,

the ordinance did not incorporate the state's exceptions to requiring parking for ADUs (i.e., if the subject ADU is less than a half-mile from public transportation, is located within an architecturally and historically significant district, is part of the proposed or existing primary residence, when on-street permits are required but not offered to the ADU occupant, and/or when located within one block of a car share).

While this approach is consistent with the LUP's public access policies because it ensures that on-street public parking spaces are protected for public use as required by the LUP, it could have a chilling effect on the creation of ADUs, which contradicts the purpose of the ADU laws. Therefore, Suggested Modifications 6, 7 and 9 establish that one off-street parking place is required with new ADUs in the Accessory Dwelling Unit Parking Overlay when it is located within the area depicted in Figure 1 (see [Exhibit 3](#) to this staff report) and that replacement parking is also required in that area for projects that demolish or convert an off-street parking structure in conjunction with the construction of an ADU. This area is generally described as the area west of the landward side of Catalina Avenue between Knob Hill Avenue and Paseo de la Playa, as those streets are used for public beach parking. This area was selected based on data submitted by the City demonstrating that the demand for free on-street parking within this overlay regularly exceeds the number of parking spaces available which is evidenced by the fact that the number of people applying for parking permits in this area far exceeds the number of parking permits that the City can issue by several hundred applications. Furthermore, many of the multiple-story apartment and condominium complexes along Catalina Avenue are non-conforming for parking requirements, with a quarter of them only providing one space per unit.

With the Suggested Modifications, the proposed LCP amendment is consistent with the public access and recreation policies of the LUP, as well as with the coastal resource protection policies of the LUP. The proposed amendment, if modified as suggested, conforms to the certified Land Use Plan, and the proposed ordinance can be found in conformance with and adequate to implement the certified LUP.

Clarification Regarding where JADUs can be Constructed, Owner Occupancy, Sale/Conveyance of ADUs.

As noted above, suggested modifications were brought to the City's attention in order to rectify inconsistencies between the currently proposed LCPA and changes needed by the City in order to harmonize this proposed language with guidance received from HCD and new laws enacted after the LCPA was submitted. Suggested Modification 1 and 2 would allow for JADUs to be constructed in a multi-family residence, and on lots that contain a proposed or existing multifamily dwelling provided it otherwise complies with that section. With regard to owner occupancy, Suggested Modification 3 clarifies that the owner must live primarily in one of the units. Suggested Modification 5 incorporates recent legislation that allow for the sale or conveyance of accessory dwelling units in certain circumstances. These clarifications rectify inconsistencies with the state ADU laws or were at the direction of HCD and raise no LCP issues.

Setbacks for Protection of Coastal Resources

As proposed by the City, an ADU or JADU that is all new construction, or is a conversion of a portion or all of an existing structure, or expands the square footage of an existing

structure, shall be consistent with all setbacks where required in the certified LCP. Suggested Modification 4 requires that all setbacks established in the LCP shall be complied with where required to be consistent with the coastal resource protection policies of the LCP as well.

Exemptions from CDP Requirements

Finally, the amendment would clarify language exempting certain ADUs from permit requirements. As proposed, Section 10-5.2208 would exempt from a coastal development permit requirement an ADU that is contained entirely within the existing habitable area of the existing single-family unit and does not involve removal or replacement of major structural components (e.g. roofs, exterior walls, or foundations). Suggested Modification 10 clarifies that JADUs should also be included in the exemption language so as to be consistent with the housing policies of the LUP, and to harmonize with the state's ADU laws and regulations.

With the Suggested Modifications, the proposed LCP amendment is consistent with the public access and recreation and housing protection policies of the certified LUP. The proposed amendment, if modified as suggested, conforms to the certified Land Use Plans and the proposed ordinance can be found in conformance with and adequate to implement the certified LUP.

E. CALIFORNIA ENVIRONMENTAL QUALITY ACT

Section 21080.9 of the California Environmental Quality Act (CEQA) exempts local government from the requirement of preparing an environmental impact report (EIR) in connection with its local coastal program. The Commission's LCP review and approval program has been found by the Resources Agency to be functionally equivalent to the EIR process. Thus, under CEQA Section 21080.5, the Commission is relieved of the responsibility to prepare an EIR for each LCP submission.

The City determined that the subject LCP amendment is exempt from environmental review pursuant to CEQA Guidelines Section 15061(b)(3) [no potential for causing a significant effect on the environment] and Section 15282(h) [adoption of ordinance regarding ADUs]. (Cal. Code of Regs., tit. 14.) As discussed above, the IP amendment as originally submitted does not conform with, and is not adequate to carry out, the policies of the LUP. The Commission has, therefore, suggested modifications to the proposed IP to include all feasible measures to ensure that potentially significant environmental impacts of new development are minimized to the maximum extent feasible consistent with the requirements of the Coastal Act. These modifications represent the Commission's analysis and thoughtful consideration of all significant environmental issues raised, including with regard to potential direct, indirect, and cumulative impacts of the proposed IP amendment, as well as potential alternatives to the proposed amendment.

As discussed in the preceding sections, the Commission's suggested modifications represent the most environmentally protective alternative to bring the proposed IP

LCP-5-RDB-21-0017-1 (ADU and JADU Regulations)

amendment into conformity with the LUP consistent with the requirements of the Coastal Act. Therefore, the Commission finds that there are no other feasible alternatives or mitigation measures under the meaning of CEQA which would further reduce the potential for significant adverse environmental impacts, either individually or cumulatively, and that the proposed IP amendment, as modified, conforms with CEQA.