

February 12, 2003

City Council Meeting  
February 25, 2003

Mayor and Members  
of the City Council

**ORDINANCE NO. 03-1227 - "AN ORDINANCE OF THE CITY OF HERMOSA BEACH, CALIFORNIA, AMENDING THE ZONING MAP FROM GENERAL COMMERCIAL (C-3) TO TWO-FAMILY RESIDENTIAL (R-2) FOR THE PROPERTY LOCATED AT 726 TENTH STREET AND LEGALLY DESCRIBED AS LOT 10, TRACT NO. 223, AND ADOPTION OF A NEGATIVE DELCARATION."**

Submitted for **adoption** and **waiver of full reading** is Ordinance **No. 03-1227**, relating to the above subject.

At the meeting of February 11, 2003, the ordinance was presented to the City Council for consideration and was introduced by the following vote:

AYES:	Keegan, Yoon, Mayor Edgerton
NOES:	Reviczky
ABSENT:	Dunbabin
ABSTAIN:	None

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Elaine Doerfling, City Clerk

Noted:

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Stephen R. Burrell, City Manager

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**ORDINANCE NO. 03-1227**

**AN ORDINANCE OF THE CITY OF HERMOSA BEACH,  
CALIFORNIA, AMENDING THE ZONING MAP FROM  
GENERAL COMMERCIAL (C-3) TO TWO-FAMILY  
RESIDENTIAL (R-2) FOR THE PROPERTY LOCATED AT 726  
TENTH STREET AND LEGALLY DESCRIBED AS LOT 10,  
TRACT NO. 223, AND ADOPTION OF A NEGATIVE  
DECLARATION**

The City Council of the City of Hermosa Beach does hereby ordain as follows:

**SECTION 1.** An application was filed by John Robert and Gloria Kolesar, owners of property at 726 10th Street, seeking to amend the General Plan Map and the Zoning Map for the subject property.

**SECTION 2.** The Planning Commission conducted a duly noticed public hearing to consider the application for a General Plan Amendment and Zone Change on December 4, 2002, at which testimony and evidence, both written and oral, was presented to and considered by the Planning Commission, and based on that evidence and findings as contained in P.C. Resolution, the Planning Commission denied the application.

**SECTION 3** The City Council conducted a duly noticed public hearing to reconsider and review the decision of the Planning Commission on the application for a General Plan Amendment and Zone Change on January 28, 2003, at which testimony and evidence, both written and oral, and the record of decision of the Planning Commission, was presented to and considered by the City Council.

**SECTION 4.** Based on evidence received at the public hearing and the record of decision of the Planning Commission, the City Council makes the following factual findings:

1. The property contains a single-family dwelling and is designated General Commercial on the General Plan Map, and General Commercial (C-3) on the official City Zoning Map. The C-3 zoning

1 for the site allows local commercial uses only. The existing nonconforming residential use on the property  
2 is limited to a 50% expansion pursuant to Chapter 17.52 of the Zoning Ordinance regarding  
3 nonconforming uses.

4 2. The requested change will reduce the depth of the commercial designated property, as  
5 measured from Pacific Coast Highway westward, from 200 to 155 feet, and replace the commercial  
6 designations on the subject property to allow residential development for up to two units consistent with  
7 the Medium Density Residential classification of the General Plan and the R-2 Zoning district in the  
8 Zoning Ordinance.

9 3. The property at 726 10th Street has been in continuing use for residential purposes since  
10 the 1920's.

11 4. Properties to the south and west are designated Medium Density Residential on the  
12 General Plan and zoned R-2, which allows residential development up to a density of 25 units per acre,  
13 and is currently developed with a mix of single and multi-family uses. Across Tenth Street to the north,  
14 the property is designated Medium Density Residential on the General Plan, with an inconsistent zoning  
15 designation of C-3. It is currently developed with a residential trailer park. Adjacent property to the east  
16 along Pacific Coast Highway has the same designations as the subject property, and is currently  
17 developed with a service station.

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19 **SECTION 5** Based on the foregoing factual findings, the City Council makes the following  
20 findings pertaining to the General Plan Amendment and Zone Change:

21 1. The General Plan Amendment and Zone Change will recognize the current land use of  
22 the subject property and current market conditions which have not supported or created an interest in  
23 expanding commercial development to include this location, and will allow the development of a  
24 appropriate residential land use consistent with surrounding properties.

25 2. The subject property to be redesignated is appropriate for residential use as it is  
26 abutted by residential uses to the north, west and south, and located in an area, which is predominantly  
27 residential in character. A residential use of the subject properties will be more compatible to  
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1 surrounding residential uses than a potentially more intensive and intrusive use. The redesignation to  
2 Medium Density Residential on the General Plan Map and R-2 on the Zoning Map will be consistent with  
3 designations to the west and south of the subject property, and will allow two units on the subject  
4 property consistent with surrounding residential development.

5 3. The City Council concurs with the Staff Environmental Review Committee's  
6 recommendation, based on its Environmental Assessment/Initial Study, that this project will result in a less  
7 than significant impact on the environment, and therefore qualifies for a Negative Declaration.

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9 **SECTION 6** Based on the foregoing, the City Council adopted Resolution to amend the  
10 General Plan Map for the subject property.

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12 **SECTION 7.** Based on the foregoing, and in order to make the Zoning Map consistent with the  
13 General Plan Map pursuant to State Law, the City Council hereby amends the City's Official Zoning  
14 Map as follows:

15 1. Amend the Zoning Map by changing the property, as described below and shown on the  
16 attached map, from General Commercial (C-3) to Two-Family Residential (R-2):

17  
18 726 Tenth Street, legally described as Lot 10, Tract No. 223.

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21 **SECTION 8.** This ordinance shall become effective and be in full force and effect from and after  
22 thirty (30) days of its final passage and adoption.

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24 **SECTION 9.** Prior to the expiration of fifteen (15) days after the date of its adoption, the City  
25 Clerk shall cause this ordinance to be published in the Easy Reader, a weekly newspaper of general  
26 circulation published and circulated, in the City of Hermosa Beach in the manner provided by law.

27 **SECTION 10.** The City Clerk shall certify to the passage and adoption of this ordinance, shall  
28 enter the same in the book of original ordinances of said city, and shall make minutes of the passage and

1 adoption thereof in the records of the proceedings of the City Council at which the same is passed and  
2 adopted.

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4 **PASSED, APPROVED and ADOPTED** this 25th day of February, 2003 by the following vote:

5  
6 AYES:  
7 NOES:  
8 ABSENT:  
9 ABSTAIN:

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11 \_\_\_\_\_  
12 **PRESIDENT** of the City Council and **MAYOR** of the City of Hermosa Beach, California

13 ATTEST:

APPROVED AS TO FORM:

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16 \_\_\_\_\_  
17 City Clerk

\_\_\_\_\_  
City Attorney