

July 19, 2006

**Honorable Mayor and Members of the  
Hermosa Beach City Council**

**Regular Meeting of  
July 25, 2006**

SUBJECT: TEXT AMENDMENT 06-1 EXCEPTIONS FOR R-1 SMALL LOTS  
INITIATED BY THE CITY COUNCIL

**Recommendation:**

To approve the attached Ordinance amending the R-1 small lot exception standards to:

1. Allow the required front yard to contribute to the opens space requirement; and
2. Increase lot coverage from 65% to 70%.

**Background:**

On April 25, 2006, the City Council directed staff to prepare a Text Amendment to address small lot exceptions to the standards of the R-1 zone, and initiated an amendment to increase lot coverage and allow the front yard to contribute to the open space requirement. The Council also directed staff to review of the potential impacts relative to front yard setbacks along walk streets. The matter was referred to the Planning Commission for report and recommendation. On May 16, 2006 the Planning Commission conducted a hearing to review the text amendment and continued the matter, directing staff to issue a notice to small lot property owners to invite their participation in the hearing. (Attachment No. 1). On June 20, 2006 the Commission approved the subject text amendment.

**Analysis**

Section 17.08.030 of the Zoning Ordinance provides exceptions to the R-1 development standards for small lots. Small lots are defined as lots that are 2,100 square feet or less, and the Commission on a case-by-case basis may also include lots within 10% (i.e. up to 2,310 square feet). The small lots are largely concentrated in the Shakespeare Tract (between 30<sup>th</sup> Street and Longfellow Avenue west of Valley Drive). There are a total of approximately 440 properties that may qualify as "small lots" throughout the City. <sup>1</sup>

A small lot exception for open space in the R-1 zone was added to the code in 1988 and amended in 1997 to deal with the hardship of building on small lots. The exception allows a break on the open space requirement for lots of 2,100 square feet or less in the R-1 zone. Though the exception provides some relief, additional changes are considered necessary to accommodate development of larger homes with conventional floor plans on smaller lots.

The factors affecting the size of new development on small lots include:

- Location of Required Open Space
- Convention vs. Non-conventional Floor Plans
- Access from Street and Alleys
- Location of Required Parking

Please see Attachment No. 2 which illustrates the variation of home size on the same lot due to the above factors.

### **Conventional vs. Non-conventional Floor Plans:**

Many property owners prefer conventional floor plans with the main living area (living room/den, kitchen) on the ground floor and bedrooms above where the living room or den may be directly connected with the yard space. A conventional floor plan will allow a maximum size home of 1,860 square feet on a typical 2,100 square foot small lot where the garage is loaded on the alley (i.e. lots located on a walk street, or lots on vehicular streets where garages are loaded off the alley). Since the garage, turning areas, and open space also have to be on the ground floor this type of plan only allows for a little over 612 square feet in the kitchen/living/dining area on the first floor. In order to slightly increase potential floor area and to provide for a more substantial living/kitchen/dining area, another option is to locate the main living area on the second floor with bedrooms below. The maximum size home on a small lot with this type of "non-conventional" floor plan is approximately 1,920 square feet. Many homeowners are now also opting to construct partial or full basements to accommodate a three level plan that require significant excavation and shoring in order to add floor area, with homes on these projects containing as much as 2,600 square feet.

For lots where the owner chooses to load the garage on a vehicular street rather than an alley it is possible to build a slightly larger conventional home (approximately 2,000 square feet), since the rear yard along the alley can count towards required open space, since it is not being used for a driveway to access a garage. Unfortunately, using the street for access may cause a reduction in the limited amount of on-street parking available in small lot neighborhoods.

The Council and Commission decided to focus on two areas of relief based upon the frequency of Variance requests, and in consideration of changes that would have minimum impact on neighborhood character.<sup>2</sup> Thus the following changes for the R-1 zone were considered:

- ***Allow front yard to count toward open space:*** *This would increase potential floor area by 180 square feet per floor, for as much as 360 square feet, and make a conventional floor plan more feasible (allowing to increase by 180 square feet on the ground floor). This is similar to the current exception on the Strand "through" lots, which allow the Strand frontage to be considered towards open space. With this change there will no longer be any benefit with respect to open space and square footage by choosing to load the garage from a street rather than an alley.*
- ***Increase lot coverage:*** *An increase to 70 % will increase the potential floor area only on the second floor (since the garage and turning area requirements in combination with setback requirements allow the ground floor to cover 62% maximum). It potentially would add 105 square feet to the second floor area for a typical 30' x 70' lot. This increased lot coverage is necessary for projects to take full advantage of the additional square footage that will be allowed by the change in open space requirements noted above. This additional floor area allows enough room for an additional bedroom, or larger master suite on the second floor with a conventional floor plan, or may allow the addition of a den or family room with a non-conventional floor plan.*

**Effects of the Proposed Change:**

The modifications will have some effect on the visual appearance and bulk of structures that may impact the neighborhood. For example, by allowing a further reduction in open space, new buildings may appear slightly more bulky, and may extend closer to the front property line. The change is not expected to be very noticeable however, especially on walk streets, since the encroachment area provides a large setback from the walk street. Also, staff examined the prevailing setback in neighborhoods and found from 72% to 79% of the properties currently have non-conforming buildings that encroach into the front yard setback<sup>3</sup>

On vehicular streets with alley access, allowing the front setback to count as open space should encourage the use of the alley for garages rather than facing the garage toward the street. On lots which have street only access, the garage has to face the street and this change will result in slightly increased lot coverage which will have a negligible impact on appearance.

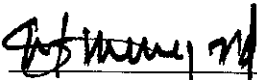
**Impact on "Half Lots":**

The half lots affected by the small lot exception vary in size and are located throughout the City, with the bulk of these lots ranging from about 900 square feet to approximately 1800 square feet, with the most typical sizes around 1,350-1,500 square feet (30' wide by 45' to 50' feet deep). On a 1500 square foot 30' x 50' lot the maximum square footage of a two-story dwelling ranges between approximately 1,120 and 1,320 square feet, or for a three-level building with minimum ceiling heights (if it can be squeezed within the 25-foot height limit) the square footage can increase to between approximately 1,970 and 2170 square feet.


In general, the impact of the proposed changes are much less on half-lots than on 30'x 70' lots that have both alley and street frontage. The use of the front yard for open space will have little or no effect since half-lots typically have driveways in their front yards (since the front yard provides the only possible garage access unless the lot is a corner lot). As such, the proposal to allow the front yard to contribute to the open space requirement has negligible benefit. The benefit of the increased lot coverage varies depending on the lot size and whether the lot fronts on an alley or a street, but will also have very limited effect. The higher lot coverage of 70% cannot be achieved in most cases because of the front, side, and rear yard requirements. For example on a 30'x 45' street fronting lot, the maximum amount of coverage that is possible after complying with the yard requirements is 65.7%, so the only benefit obtained with the increased coverage is 0.7% or approximately 10 square feet. The benefit for a 30' X 50' lot is approximately 33 square feet. The benefits for these half lots is more significant, however, on alley fronting lots (because of the lesser alley setback requirement), and the increase to 70% can be fully realized, equating to approximately 75 square feet (see attached half-lot exhibit)

In summary, staff believes these recommendations provide additional footage for either remodeling or new construction and may reduce the need for Variances. The amendment should also facilitate the construction of conventional floor plans on walk streets where the front yard open space directly connects to the open area available in the encroachment area. Also, these changes may provide enough additional footage so owners do not feel compelled to construct full basements. For those lots fronting on vehicular streets these amendments

will reduce the current benefit gained by loading garages on the vehicular street, so owners will be encouraged to continue to use the alley for garage access, and preserve on-street parking.

  
\_\_\_\_\_  
Sol Blumenfeld, Director  
Community Development Department

Concur:

  
\_\_\_\_\_  
Stephen R. Burrell  
City Manager

Attachments:

1. Community Meeting Notice
2. Ordinance
3. Illustration of Development Factors

Notes:

1. There are approximately 150 lots zoned R-1 located in the Shakespeare tract with lot dimensions of 30' x 70' feet. 60 of the 150 lots are on "walk-streets" (i.e. only access for alley), while the remainder (89 lots) front on a vehicular street but also have alley access. Additionally, there are approximately 140 other smaller parcels of less than 2100 square feet, of which about 70 are "half-lots" located throughout the City. Also there are approximately another 150 smaller parcels that fall within the 10% range (i.e. between 2100 and 2310 square feet), which are located in various areas throughout the City.

2. Staff tabulated the type and frequency of Variance requests for small lots in City Council report dated April 25, 2006. The report indicates that most Variances were requested for front, side and rear yards, lot coverage and open space and most have been requested in conjunction with additions and remodels. Staff did not recommend reducing the already small side and rear setback requirements because of the direct impact upon neighboring homes and the potential conflict with minimum property line clearance requirements of the Building Code. Similarly, changes to garage or parking related standards were not recommended.

3. 30<sup>th</sup> Street between Manhattan Avenue and Morningside Drive: Of the 38 lots 30 homes (79%) encroach into the required setback. 31<sup>st</sup> Street between Manhattan Avenue and Morningside Drive: Of the 39 lots, 28 homes (72%) encroach into the required setback. The R-1 development standards are as follows:

- 25-foot height limit
- Two standard parking spaces plus one guest (for alley garages typically 20 X 20 garage, with 9-foot garage setback to allow guest parking in parallel and 19-foot turning radius. For street fronting garages 17X20 garage with 17-foot setback required.)
- 65% maximum lot coverage
- 10% front setback maximum 10-feet required (typically 7 feet)
- 10% side setback (typically 3 feet)
- 3-foot rear setback (1-foot on second floor)
- 400 square feet of open space (10X10 dimension with 300 square feet on grade) in addition to required front and side yards.
- Open space exception for small lots 300 square feet of open space, with 60% (180 square feet) adjacent to main living area) minimum 7X 7 dimensions and all can be required on decks.



# City of Hermosa Beach

Civic Center, 1315 Valley Drive, Hermosa Beach, California 90254-3884

## **Public Meeting to Review Small Lot R-1 Development Standards for Your Neighborhood**

You are invited to participate in a focused discussion regarding the development standards in your neighborhood related to small lots (defined as lots of 2,100 square feet or less). The City Council of the City of Hermosa Beach has directed the Planning Commission to review the current residential development standards for small lots in the City and recommend changes in order to reduce the number of Variance applications related to them.

**Location: Planning Commission Meeting  
City Hall, Council Chambers  
1315 Valley Drive  
Hermosa Beach, CA 90254**

**Time: 7:00 P.M.**

**Date: June 20, 2006**

**Please plan to attend and provide your input. We will discuss this matter as the first item on our agenda. Background information may be obtained on-line at the City of Hermosa Beach web site at [www.hermosabch.org](http://www.hermosabch.org) "Agendas/Minutes" for the Planning Commission – May and June meetings.**

**Thank you**

ORDINANCE 06-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, AMENDING DEVELOPMENT STANDARDS IN THE ZONING ORDINANCE FOR THE R-1 ZONE EXCEPTIONS FOR SMALL LOTS

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

Section 1. The Planning Commission held a duly noticed public hearing on May 16, and June 20, 2006, based on initial direction from the City Council, to consider amending the development standards of the R-1 zone, as set forth in Section 17.08.030, as they pertain to the exceptions for small lots.

Section 2. The City Council held a duly noticed public hearing on July 25, 2006 to consider amending the development standards of the R-1 zone, as set forth in Section 17.08.030, as they pertain to the exceptions for small lots.

Section 3. Based on the evidence considered at the public hearing and the recommendation of the Planning Commission, the City Council makes the following findings:

1. Section 17.08.030 of the Zoning Ordinance currently provides exceptions to the R-1 development standards for small lots with respect to open space requirements.
2. Small lots are defined as lots that are 2100 square feet or less, and the Planning Commission on a case-by-case basis may also include lots within 10% (i.e. up to 2,310 square feet).
3. The small lots are largely concentrated in the Shakespeare Tract (between 30<sup>th</sup> Street and Longfellow Avenue west of Valley Drive). There are approximately 150 lots zoned R-1 located in the Shakespeare tract with lot dimensions of 30' x 70' feet. Additionally, there are approximately 140 other smaller parcels of less than 2100 square feet, of which about 70 are "half-lots" located throughout the City. Also there are approximately another 150 smaller parcels that fall within the 10% range (i.e. between 2100 and 2310 square feet), which are located in various areas throughout the City. Therefore, a total of approximately 440 properties may qualify as "small lots" in the City.
4. A small lot exception for open space in the R-1 zone was added to the code in 1988 and amended in 1997 to deal with the hardship of building on small lots. These provisions have the unintended effect of allowing the development of slightly larger homes with unconventional floor plans (i.e. primary living area on upper floors with bedrooms on the first floor) rather than traditional floor plans. Also development pressures on small lots have resulted in an unusual number of Variances being requested even with these exceptions.
5. These recommendations to allow the front yard to count toward required open space and to increase the allowable lot coverage provide some additional footage demanded by most homeowners either remodeling or constructing new homes, without compromising neighborhood compatibility, and should reduce the need for Variances. The changes should also increase the desirability of conventional floor plans on walk streets where the front yard open space directly connects to the open area available in the encroachment area. Also, these

1 changes may provide enough additional footage so owners do not feel compelled to construct  
2 full basements. For those lots fronting on vehicular streets these amendments will reduce the  
3 current benefit gained by loading garages on the vehicular street, so owners will be  
4 encouraged to continue to use the alley for garage access, and preserve on-street parking.

- 5 6. The subject text amendment is exempt from the requirements of the California Environment  
6 Quality Act (CEQA), pursuant to the general rule set forth in Section 15061(3) of the CEQA  
7 Guidelines, as there is no possibility that this text amendment may have a significant effect on  
8 the environment.

9 Section 4. Based on the foregoing, the City Council hereby amends the Hermosa Beach  
10 Municipal Code, Title 17-Zoning, Chapter 17.08, Section 17.08.030 sub-sections be amended as  
11 follows:

- 12 1. Eliminate the entire subsection number (1), under Section 17.08.030(L), entitled  
13 Exceptions for small lots  
14 2. Add a new Section 17.08.040 to read as follows:

15 **“Section 17.08.040 Development Standards for Small Lots.**

16 Lots that are 2100 square feet or less in area shall be subject to the development standards as  
17 contained in Section 17.08.030, with the exception of the following standards:

18 A. Open Space. There shall be a minimum of three hundred (300) square feet of usable open  
19 space with minimum dimensions of seven feet in length and width, and all of the required usable  
20 open space may be provided on balconies or decks provided that at least sixty percent (60%) of  
21 usable open space is directly accessible to primary living areas (living rooms, family rooms, and  
22 kitchen and living room or family room combinations) and located on the same floor level as the  
23 accessible primary living area. The required front yard area may be included in the required amount  
24 of open space provided a minimum dimension of seven feet in length and width is provided. When  
25 computing open space in conjunction with required side yard areas, only the area that exceeds the  
26 minimum required yard dimension may be counted toward open space and only if the overall  
27 dimension of the required yard and the excess area together has a dimension of seven feet in length  
28 and width.

29 B. Lot Coverage. All buildings including accessory buildings shall not cover more than seventy  
(70) percent of the area of the lot

C Lots within ten percent (10%) of the lot size identified above (i.e. lots ranging from 2101 -  
2310 square feet) may also be considered for some or all of the lot coverage and/or open space  
exceptions for small lots, pursuant to the above, subject to review and approval by the Planning  
Commission if found justifiable based on any of the following reasons:

1. To achieve a consistent and comparable amount of indoor living space with  
existing dwelling units in the immediate neighborhood;  
2. To allow design flexibility in the application of the open space standard in  
conjunction with the remodeling and expansion of existing structures

- 1 3. To allow an innovative design which otherwise is consistent with the goals and intent of  
2 the open space and development standards for the R-1 zone;  
3 4. To address unusual lot configurations or topography, as compared with  
4 surrounding lot and development patterns"

5 Section 5. This ordinance shall become effective and be in full force and effect from and after  
6 thirty (30) days of its final passage and adoption.

7 Section 6. Prior to the expiration of fifteen (15) days after the date of its adoption, the City  
8 Clerk shall cause this ordinance to be published in the Easy Reader, a weekly newspaper of general  
9 circulation published and circulated, in the City of Hermosa Beach in the manner provided by law.

10 Section 7. The City Clerk shall certify to the passage and adoption of this ordinance, shall  
11 enter the same in the book of original ordinances of said city, and shall make minutes of the passage  
12 and adoption thereof in the records of the proceedings of the City Council at which the same is  
13 passed and adopted.

14 **PASSED, APPROVED and ADOPTED** this      day of      , 2006, by the following vote:

15 AYES:

16 NOES:

17 ABSTAIN:

18 ABSENT:

19 \_\_\_\_\_  
20 PRESIDENT of the City Council and MAYOR of the City of Hermosa Beach, California

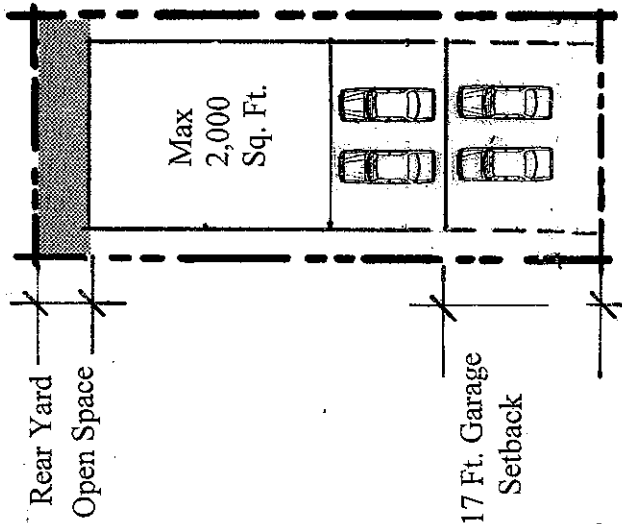
21 ATTEST: \_\_\_\_\_ APPROVED AS TO FORM: \_\_\_\_\_  
22 City Clerk City Attorney

23 SmLotOrd  
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Conventional Floor Plan

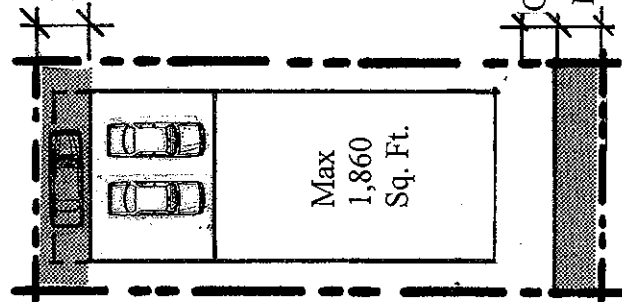
Alley



Street

Conventional Floor Plan

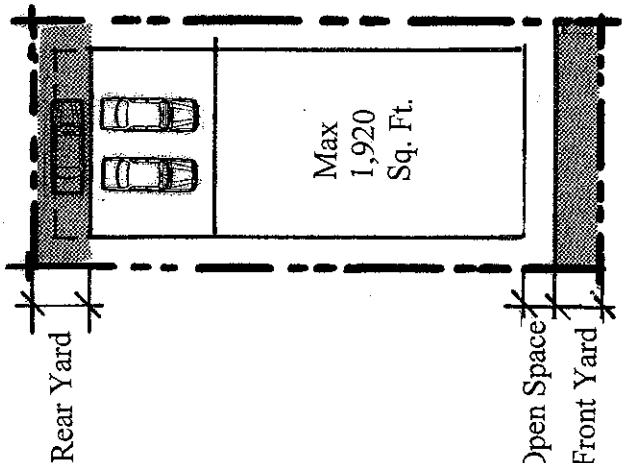
Alley



Street

Unconventional Floor Plan

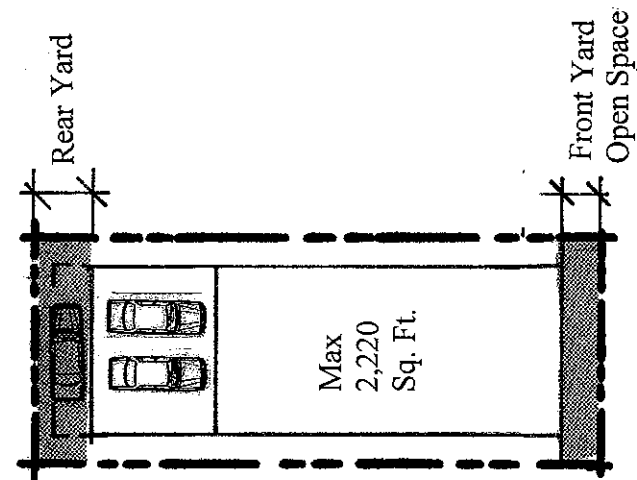
Alley



Street

Conventional Floor Plan

Alley



Street

**TYPICAL 30' X 70' SMALL LOT DEVELOPMENT FACTORS**

**Garage Setback:**

When accessed from a street, a 17 garage setback is required. When accessed from an alley the garage setback may be reduced to 3' or 9'.

**Building Setback:**

When accessed from a street a front yard setback of 7' is required but incorporated within the 17 foot setback and required open space is located at the rear of the property adjacent the rear yard.

**Convention Floor Plan:**

Does not allow maximum building footprint since required open space must be located adjacent primary living area on ground floor (eliminating any building area above)

**Unconventional Floor Plan:**

Maximizes building footprint since open space may be counted on decks adjacent to living rooms/dens on 2<sup>nd</sup> floor levels (allowing building area below)

**Open Space:**

Conventional Floor Plan requires open space at grade minimum 180 sq. ft.

Unconventional floor plan allows open space on decks above built area.

**Proposed Change**

**7. TEXT 05-3 -- Text amendment regarding small lot exception (continued from May 16, 2006 meeting).**

Staff Recommended Action: To recommend amendment to the R-1 small lot exception standards to: 1) Allow the required front yard to contribute to the open space requirement; and 2) Increase lot coverage from 65% to 70%.

Commissioner Perrotti recused himself from consideration of this matter because his property is considered a small lot.

Director Blumenfeld stated this is a text amendment which originated because of City Council's concern about a significant number of variances that had been granted for the Shakespeare tract for small lots, and consequently, staff was directed to amend the code to address the problem. He stated there are 440 small lots in the City, lots that qualify for the small lot exception; explained that the maximum size home on a small lot with a conventional floor plan is approximately 1,800 square feet; that a conventional floor plan basically has the bedrooms on the upper floor and the living room, kitchen and dining areas on the lower floor – noting this is the generally preferred method for designing a house. He stated that the less desired option is to have an unconventional floor plan where the bedrooms are below and the living room, kitchen and dining rooms are on the second floor; and advised that when this is done, it's possible to maximize the developable area of the lot. He stated that the maximum size home on a small lot with a nonconventional floor plan is approximately 2,000 square feet; that when a homeowner wants to get more developable area on a lot, they pursue a nontraditional floor plan to get more developable area; and that if they want a conventional plan, their only other option is to obtain a variance.

Director Blumenfeld advised that staff is recommending the Commission consider allowing an increase in lot coverage from 65 percent to 70 percent, noting this would apply only to small lots of 2,100 square feet or lots up to 2,310 square feet if deemed to be a small lot; and that if lot coverage were increased, an additional 105 square feet of developable area would be possible on a small lot. With respect to front yard setback, he noted that staff is recommending counting the front yard toward the open space requirement, which would contribute another 180 square feet at grade or 360 square feet total to the amount of developable area; and that in total, approximately 460 square feet of floor area is added under these two recommended amendments. He stated that if these changes are enacted, the look of the buildings is going to change, basically bulkier buildings on small lots; and that if the intent is simply to get more developable area, the buildings will be pushed closer to the front yard setback with more coverage on the lot. He advised there are approximately 70 half lots out of the 440 small lots that exist in the City; that if the Commission approves these recommendations, it would have a marginal effect on half lots, mostly because half lots take access off the street side, unless there is a corner lot; and that there won't be a major benefit to half-lot properties with these two recommendations. He highlighted the exhibits that show how these changes could appear on various lots.

Addressing Vice-Chairman Allen's inquiry, Director Blumenfeld explained that many properties currently intrude into the front yard setbacks; and that many of the properties currently are nonconforming and will not gain much change.

Chairman Hoffman opened the public hearing.

Janice Brittain, resident of the Shakespeare tract, expressed her understanding that this meeting was to be a community meeting for the residents of the Shakespeare tract to discuss this issue; and she asked that the Commission hold off on its consideration until the residents of this tract have time to meet and confer on this item.

Mike Flaherty, resident, expressed his belief that adequate notice was given to the residents in his neighborhood and noted that those residents did take the opportunity to address this proposal and alleviate any concerns.

Mr. Zondiros, resident, noted his support of this proposed text amendment.

Robert Crottie, resident of the Shakespeare tract, encouraged the Commission to support this text amendment; and urged the City to address the height limit, noting his support for an increase in height.

There being no further input, Chairman Hoffman closed the public hearing.

Director Blumenfeld noted that staff will meet with the residents to address any questions they have regarding the draft code amendment.

Director Blumenfeld clarified for Commissioner Kersenboom that this text amendment does not change the height, only lot coverage; and that it allows one to build a more conventional home because there is more flexibility with open space requirements.

Chairman Hoffman encouraged the residents to contact staff with their questions; noted that staff has adequately addressed his concern with respect to half-lot properties; that he is now persuaded this will have no negative impact on half lots; that this will provide an opportunity for people that live on smaller lots/homes to have an opportunity to expand in a modest manner; and noted his approval and intent to move this matter onto Council for final approval. He added that the City Council meeting will give the residents another opportunity to address this issue.

**MOTION** by Vice-Chairman Allen, seconded by Commissioner Kersenboom, to **RECOMMEND APPROVAL** of TEXT 05-3 -- Text amendment regarding small lot exception, allowing the required front yard to contribute to the open space requirement and increase lot coverage from 65 percent to 70 percent. The motion carried as follows:

AYES: Allen, Hoffman, Kersenboom  
NOES: None  
ABSTAIN: None  
ABSENT: Perrotti, Pizer

Director Blumenfeld advised that staff will return with a resolution at the next meeting.

~~8. **CUP 06-4 -- Conditional Use Permit for on-sale alcohol in conjunction with a restaurant, Still Water Contemporary American Bistro, and Parking Plan amendment to modify the allocation of uses within the Hermosa Pavilion at 1601 Pacific Coast Highway #170, AKA 1605 Pacific Coast Highway.**~~

~~Staff Recommended Action: To approve said request.~~

~~Director Blumenfeld advised that the property owner was issued a public notice that was to be~~