

July 26, 2006

City Council Meeting
August 8, 2006

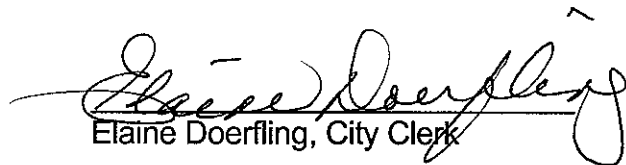
Mayor and Members
of the City Council

ORDINANCE NO. 06-1270 - "AN ORDINANCE OF THE CITY OF HERMOSA BEACH, CALIFORNIA, AMENDING DEVELOPMENT STANDARDS IN THE ZONING ORDINANCE FOR THE R-1 ZONE EXCEPTIONS FOR SMALL LOTS AND AMENDING THE HERMOSA BEACH MUNICIPAL CODE"

Submitted for **adoption** and **waiver of full reading** is Ordinance No. 06-1270 relating to the above subject.

At the meeting of July 25, 2006, the ordinance was presented to the City Council for consideration and introduced by the following vote:

AYES:	Bobko, Keegan, Reviczky, Mayor Tucker
NOES:	None
ABSENT:	Edgerton
ABSTAIN:	None


Elaine Doerfling, City Clerk

Noted:


Stephen R. Burrell, City Manager

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ORDINANCE NO. 06-1270

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

**THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH DOES HEREBY
ORDAIN 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 as recommended by the Planning Commission following its public hearing on the matter.

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 30th 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

1 that fall within the 10% range (i.e. between 2100 and 2310 square feet), which are located in
2 various areas throughout the City. Therefore, a total of approximately 440 properties may qualify
3 as “small lots” in the City.

4 4. A small lot exception for open space in the R-1 zone was added to the code in 1988
5 and amended in 1997 to deal with the hardship of building on small lots. These provisions have
6 the unintended effect of allowing the development of slightly larger homes with unconventional
7 floor plans (i.e. primary living area on upper floors with bedrooms on the first floor) rather than
8 traditional floor plans. Also development pressures on small lots have resulted in an unusual
9 number of variances being requested even with these exceptions.

10 5. The Ordinance allows the front yard to count toward required open space and to
11 increase the allowable lot coverage to provide some additional footage demanded by most
12 homeowners either remodeling or constructing new homes, without compromising neighborhood
13 compatibility, and should reduce the need for variances. The changes should also increase the
14 desirability of conventional floor plans on walk streets where the front yard open space directly
15 connects to the open area available in the encroachment area. Also, these changes may provide
16 enough additional footage so owners do not feel compelled to construct full basements. For those
17 lots fronting on vehicular streets these amendments will reduce the current benefit gained by
18 loading garages on the vehicular street, so owners will be encouraged to continue to use the alley
19 for garage access, and preserve on-street parking.

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

24 **SECTION 4.** Title 17- Zoning, Chapter 17.08, Section 17.08.030 of the Hermosa Beach
25 Municipal Code is amended by repealing the entire Subsection number (1), under Section
26 17.08.030(L), entitled Exceptions for small lots

27 **SECTION 5.** Title 17- Zoning, Chapter 17.08, of the Hermosa Beach Municipal Code is
28 amended by adding thereto a new Section 17.08.040 to read as follows:

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

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

4 A. Open Space. There shall be a minimum of three hundred (300) square feet of usable
5 open space with minimum dimensions of seven feet in length and width, and all of the required
6 usable open space may be provided on balconies or decks provided that at least sixty percent
7 (60%) of usable open space is directly accessible to primary living areas (living rooms, family
8 rooms, and kitchen and living room or family room combinations) and located on the same floor
9 level as the accessible primary living area. The required front yard area may be included in the
10 required amount of open space provided a minimum dimension of seven feet in length and width
11 is provided. When computing open space in conjunction with required side yard areas, only the
12 area that exceeds the minimum required yard dimension may be counted toward open space and
13 only if the overall dimension of the required yard and the excess area together has a dimension of
14 seven feet in length and width.

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

17 C. Lots within ten percent (10%) of the lot size identified above (i.e. lots ranging from
18 2101 - 2310 square feet) may also be considered for some or all of the lot coverage and/or open
19 space exceptions for small lots, pursuant to the above, subject to review and approval by the
20 Planning Commission if warranted by any of the following considerations:

21 1. To achieve a consistent and comparable amount of indoor living space with
22 existing dwelling units in the immediate neighborhood;

23 2. To allow design flexibility in the application of the open space standard in
24 conjunction with the remodeling and expansion of existing structures;

25 3. To allow an innovative design which otherwise is consistent with the goals
26 and intent of the open space and development standards for the R-1 zone;

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1 4. To address unusual lot configurations or topography, as compared with
2 surrounding lot and development patterns.”

3 **SECTION 6.** This Ordinance shall become effective and be in full force and effect from
4 and after thirty (30) days of its final passage and adoption.

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

9 **SECTION 8.** The City Clerk shall certify to the passage and adoption of this Ordinance,
10 shall enter the same in the book of original Ordinances of said city, and shall make minutes of the
11 passage and adoption thereof in the records of the proceedings of the City Council at which the
12 same is passed and adopted.

13
14 **PASSED, APPROVED and ADOPTED** this 8th of August 2006 by the following vote:

15 AYES: Bobko, Keegan, Reviczky, Mayor Tucker
16 NOES: None
17 ABSENT: Edgerton
18 ABSTAIN: None

19
20
21 **PRESIDENT** of the City Council and **MAYOR** of the City of Hermosa Beach, California

22
23 ATTEST:

24 APPROVED AS TO FORM:

25
26 _____
27 City Clerk

28 _____
29 City Attorney