

**AGENDA – REGULAR MEETING
PLANNING COMMISSION
CITY OF REDONDO BEACH
THURSDAY FEBRUARY 18, 2016 – 7:00 P.M.
CITY COUNCIL CHAMBERS
415 DIAMOND STREET**

I. OPENING SESSION

1. Call Meeting to Order
2. Roll Call
3. Salute to the Flag

II. APPROVAL OF ORDER OF AGENDA

III. CONSENT CALENDAR

Routine business items, except those formally noticed for public hearing (agendized as either a “Routine Public Hearing” or “Public Hearing”), or those items agendized as “Old Business” or “New Business” are assigned to the Consent Calendar. The Commission Members may request that any Consent Calendar item(s) be removed, discussed, and acted upon separately. Items removed from the Consent Calendar will be taken up immediately following approval of remaining Consent Calendar items. Remaining Consent Calendar items will be approved in one motion.

4. Approval of Affidavit of Posting for the Planning Commission meeting of February 18, 2016.
5. Approval of the following minutes: Regular Meeting of January 21, 2016.
6. Receive and file the Strategic Plan Update of January 19, 2016.
7. Receive and file written communications.

IV. AUDIENCE OATH

V. EX PARTE COMMUNICATIONS

This section is intended to allow all officials the opportunity to reveal any disclosure or ex parte communication about the following public hearings.

VI. EXCLUDED CONSENT CALENDAR ITEMS

VII. PUBLIC HEARINGS

8. A Public Hearing for consideration of an Exemption Declaration and Conditional Use Permit to allow the operation of a body art studio within an existing commercial building on property located within a Commercial (C-2) zone.

APPLICANT:	Envy Inc, c/o Daniel C. Quintana
PROPERTY OWNER:	Cardinal Equities LLC
LOCATION:	2615 190th Street, #107
CASE NO.:	2016-02-PC-003
RECOMMENDATION:	Approve with conditions

9. A Public Hearing for consideration of an Exemption Declaration and Conditional Use Permit to allow the operation of a body art studio within an existing commercial building on property located within a Commercial (C-3) zone.

APPLICANT: David Allen Nelson
PROPERTY OWNER: Dorothy Corwin
LOCATION: **417 Torrance Boulevard**
CASE NO.: 2016-02-PC-004
RECOMMENDATION: Approve with conditions

10. A Public Hearing for consideration of an Exemption Declaration and Amendment to a Conditional Use Permit to allow an extension of the hours of operation for an existing restaurant within a commercial building on property located within a Commercial (C-2) zone.

APPLICANT: Avenue A Bar & Grill
PROPERTY OWNER: Kabushikikaisha Chokoudo
LOCATION: **800 S. Pacific Coast Highway, #9**
CASE NO.: 2016-02-PC-005
RECOMMENDATION: Approve with conditions

11. A Public Hearing for consideration of an ordinance containing amendments and/or additional regulations related to medical marijuana facilities, including but not limited to prohibitions on the delivery and cultivation of medical marijuana. Planning Commission will consider adopting a resolution which recommends that City Council adopt amendments and/or additional regulations related to medical marijuana facilities. The Planning Commission will also review and consider proposed findings/exemptions under the California Environmental Quality Act (CEQA), including but not limited to findings that the amendments and/or additional regulations described in this notice are not subject to CEQA pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment), 15060(c)(3) (the activity is not a project as defined in Section 15378(a) of the CEQA Guidelines because it has no potential for resulting in physical change to the environment, directly or indirectly), and 15061(b)(3) (the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment). The Planning Commission will also consider recommending that City Council rely upon the Categorical Exemptions adopted by City Council in 2008 related to the City's Medical Marijuana regulations (Resolution No. CC-0805-51). Consider adopting the following resolutions:

APPLICANT: City of Redondo Beach
PROPERTY OWNER: Same as Applicant
LOCATION: **City-wide**
CASE NO.: 2016-02-PC-006
RECOMMENDATION:

1. RECOMMEND THAT THE CITY COUNCIL ADOPT AN EXEMPTION DECLARATION PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA); And
2. ADOPT A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF REDONDO BEACH RECOMMENDING THAT THE CITY COUNCIL; (1) AMEND TITLE 10, CHAPTER 2, ARTICLE 4 TO AMEND THE ZONING ORDINANCE TO ADD AND AMEND DEFINITIONS AND ADD NEW REGULATIONS ON THE CULTIVATION AND DELIVERY OF MEDICAL MARIJUANA; and

3. ADOPT A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF REDONDO BEACH RECOMMENDING THAT THE CITY COUNCIL; (1) AMEND TITLE 10, CHAPTER 5, ARTICLE 4 TO AMEND THE COASTAL ZONING ORDINANCE TO ADD AND AMEND DEFINITIONS AND ADD NEW REGULATIONS ON THE CULTIVATION AND DELIVERY OF MEDICAL MARIJUANA.

VIII. OLD BUSINESS

Items continued from previous agendas.

12. A Public Hearing for consideration of an Exemption Declaration and Planning Commission consideration of an Administrative Design Review, Vesting Tentative Parcel Map No. 73918 and Variance to allow fill of the finished elevation in excess of the 30-inch maximum allowed by code within a portion of the east side yard to provide for usable driveway slope and adequate drainage for the construction of a 2-unit residential condominium development on property located within a Low-Density Multiple-Family Residential (R-2) zone.

APPLICANT:	Nora Ey Nadlan, LLC
PROPERTY OWNER:	George and Kelli Redmond
LOCATION:	1912 Marshallfield Lane
CASE NO.:	2016-01-PC-001
RECOMMENDATION:	Approve with conditions

IX. NEW BUSINESS

Items for discussion prior to action.

13. Mixed-Use Zoning and Development Discussion

Recommendation: Receive and file report and provide direction on the amendments

X. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

This section is intended to provide members of the public with the opportunity to comment on any subject that does not appear on this agenda for action. This section is limited to 30 minutes. Each speaker will be afforded three minutes to address the Commission. Each speaker will be permitted to speak only once. Written requests, if any, will be considered first under this section.

XI. COMMISSION ITEMS AND REFERRALS TO STAFF

Referrals to staff are service requests that will be entered in the City's Customer Service Center for action.

XII. ITEMS FROM STAFF

14. Application Review Checklist

Recommendation: Receive and file

XIII. COUNCIL ACTION ON PLANNING COMMISSION MATTERS

XIV. ADJOURNMENT

The next meeting of the Planning Commission of the City of Redondo Beach will be a Regular Meeting to be held at 7:00 p.m. on Thursday, March 17, 2016 in the Redondo Beach City Council Chambers, 415 Diamond Street, Redondo Beach, California.

Any writings or documents provided to a majority of the Planning Commission regarding any item on this agenda will be made available for public inspection at the City Clerk's Counter at City Hall located at 415 Diamond Street, Door C, Redondo Beach, Ca. during normal business hours. In addition, such writings and documents will be posted, time permitting, on the City's website at www.redondo.org.

It is the intention of the City of Redondo Beach to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this meeting you will need special assistance beyond what is normally provided, the City will attempt to accommodate you in every reasonable manner. Please contact the City Clerk's Office at (310) 318-0656 at least forty-eight (48) hours prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible. Please advise us at that time if you will need accommodations to attend or participate in meetings on a regular basis.

An agenda packet is available 24 hours at www.redondo.org under the City Clerk and during City Hall hours, agenda items are also available for review in the Planning Department.

CONSENT CALENDAR

The Planning Commission has placed cases, which have been recommended for approval by the Planning Department staff, and which have no anticipated opposition, on the Consent Calendar section of the agenda. Any member of the Planning Commission may request that any item on the Consent Calendar be removed and heard, subject to a formal public hearing procedure, following the procedures adopted by the Planning Commission.

All cases remaining on the Consent Calendar will be approved by the Planning Commission by adopting the findings and conclusions in the staff report, adopting the Exemption Declaration or certifying the Negative Declaration, if applicable to that case, and granting the permit or entitlement requested, subject to the conditions contained within the staff report.

Cases which have been removed from the Consent Calendar will be heard immediately following approval of the remaining Consent items, in the ascending order of case number.

RULES PERTAINING TO ALL PUBLIC TESTIMONY

(Section 6.1, Article 6, Rules of Conduct)

1. No person shall address the Commission without first securing the permission of the Chairperson; provided, however, that permission shall not be refused except for a good cause.
2. Speakers may be sworn in by the Chairperson.
3. After a motion is passed or a hearing closed, no person shall address the Commission on the matter without first securing permission of the Chairperson.
4. Each person addressing the Commission shall step up to the lectern and clearly state his/her name and city for the record, the subject he/she wishes to discuss, and proceed with his/her remarks.
5. Unless otherwise designated, remarks shall be limited to three (3) minutes on any one agenda item. The time may be extended for a speaker(s) by the majority vote of the Commission.
6. In situations where an unusual number of people wish to speak on an item, the Chairperson may reasonably limit the aggregate time of hearing or discussion, and/or time for each individual speaker, and/or the number of speakers. Such time limits shall allow for full discussion of the item by interested parties or their representative(s). Groups are encouraged to designate a spokesperson who may be granted additional time to speak.
7. No person shall speak twice on the same agenda item unless permission is granted by a majority of the Commission.
8. Speakers are encouraged to present new evidence and points of view not previously considered, and avoid repetition of statements made by previous speakers.

9. All remarks shall be addressed to the Planning Commission as a whole and not to any member thereof. No questions shall be directed to a member of the Planning Commission or the City staff except through, and with the permission of, the Chairperson.
10. Speakers shall confine their remarks to those which are relevant to the subject of the hearing. Attacks against the character or motives of any person shall be out of order. The Chairperson, subject to appeal to the Commission, shall be the judge of relevancy and whether character or motives are being impugned.
11. The public participation portion of the agenda shall be reserved for the public to address the Planning Commission regarding problems, question, or complaints within the jurisdiction of the Planning Commission.
12. Any person making personal, impertinent, or slanderous remarks, or who shall become boisterous while addressing the Commission, shall be forthwith barred from future audience before the Commission, unless permission to continue be granted by the Chairperson.
13. The Chairperson, or majority of the members present, may at any time request that a police officer be present to enforce order and decorum. The Chairperson or such majority may request that the police officer eject from the place of meeting or place under arrest, any person who violates the order and decorum of the meeting.
14. In the event that any meeting is willfully interrupted so as to render the orderly conduct of such meeting unfeasible and order cannot be restored by the removal of individuals willfully interrupting the meeting, the Commission may order the meeting room cleared and continue its session in accordance with the provisions of Government Code subsection 54957.9 and any amendments.

APPEALS OF PLANNING COMMISSION DECISIONS:

All decisions of the Planning Commission may be appealed to the City Council. Appeals must be filed, in writing, with the City Clerk's Office within ten (10) days following the date of action of the Planning Commission. The appeal period commences on the day following the Commission's action and concludes on the tenth calendar day following that date. If the closing date for appeals falls on a weekend or holiday, the closing date shall be the following business day. All appeals must be accompanied by an appeal fee of 25% of original application fee up to a maximum of \$500.00 and must be received by the City Clerk's Office by 5:00 p.m. on the closing date.

Planning Commission decisions on applications which do not automatically require City Council review (e.g. Zoning Map Amendments and General Plan Amendments), become final following conclusion of the appeal period, if a written appeal has not been filed in accordance with the appeal procedure outline above.

No appeal fee shall be required for an appeal of a decision on a Coastal Development Permit application.

February 12, 2016

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF REDONDO BEACH)

AFFIDAVIT OF POSTING

Pursuant to the requirements of Government Code Section 54955, agendas for a regular Planning Commission meeting must be posted at least seventy-two (72) hours in advance and in a location that is freely accessible to members of the public. As Planning Analyst of the City of Redondo Beach, I declare, under penalty of perjury, that in compliance with the requirements of Government Code Section 54955, I caused to have posted on Friday February 12, 2016, the agenda for the February 18, 2016 Regular Meeting of the City of Redondo Beach Planning Commission in the following locations:

City Hall, Door "A", 415 Diamond Street, Redondo Beach
City Clerk's Counter, Door "C", 415 Diamond Street, Redondo Beach



Lina Portolese
Planning Analyst

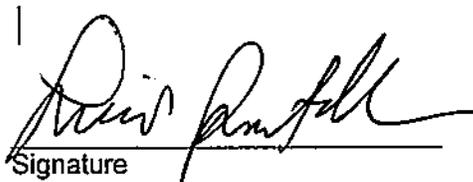


I, Lina Portolese, hereby declare, under penalty of perjury, that I am over the age of 18 years and am employed by the City of Redondo Beach, and that the following document: Planning Commission Regular Meeting Agenda of February 18, 2016 was posted by me at the following location(s) on the date and hour noted below:

Posted on: 2/12/2016 at 4:30 pm
(date) (time)

Posted at: City Hall, Door "A", 415 Diamond Street, Redondo Beach

City Clerk's Counter, Door "C", 415 Diamond Street, Redondo Beach

1

Signature

2/12/16
Date

CALL TO ORDER

The Regular Meeting of the Planning Commission was called to order by Chairperson Rodriguez at 7:00 p.m. in the City Hall Council Chambers, 415 Diamond Street.

ROLL CALL

Commissioners Present: Biro, Gaian, Sanchez, Goodman, Mitchell, Ung, Rodriguez
Commissioners Absent: None
Officials Present: Aaron Jones, Community Development Director
Sean Scully, Planning Manager
Stacey Kinsella, Associate Planner
Marianne Gastelum, Assistant Planner
Genny Ochoa, Recording Secretary

SALUTE TO THE FLAG

Commissioner Goodman led the Commissioners and audience in a Salute to the Flag.

APPROVAL OF ORDER OF AGENDA

Motion by Commissioner Mitchell, seconded by Commissioner Sanchez, to approve the order of agenda as presented. Motion carried unanimously.

CONSENT CALENDAR ITEMS

Motion by Commissioner Sanchez, seconded by Commissioner Mitchell, to approve the following Consent Calendar Items, and by its concurrence, the Commission:

4. Approved Affidavit of Posting for the Planning Commission meeting of January 21, 2016.
5. Approved the following minutes: Regular Meeting of December 17, 2015.
6. Received and filed the Strategic Plan Update of December 15, 2015
7. Received and filed written communications.

The motion carried unanimously.

AUDIENCE OATH

Chairperson Rodriguez asked that those people in the audience who wished to address the Commission on any of the hearing issues stand and take the following oath:

Do each of you swear or affirm that the testimony you shall give shall be the truth, the whole truth, and nothing but the truth?

Audience members stood and answered, "I do."

EX PARTE COMMUNICATIONS - NONE

EXCLUDED CONSENT CALENDAR - NONE

PUBLIC HEARINGS

**8. Approve Administrative Design Review, Vesting Tentative Parcel Map, and Variance
1912 Marshallfield Lane
Case No. 2016-01-PC-001**

Motion by Commissioner Sanchez, seconded by Commissioner Mitchell, to open the Public Hearing and receive and file all documents regarding Case No. 2016-01-PC-001, the applicant being Nora Ey Nadlan, LLC, to consider approval of an Exemption Declaration, Administrative Design Review, Vesting Tentative Parcel Map No. 73918 and Variance to allow fill of the finished elevation in excess of the 30-inch maximum allowed by code within a portion of the east side yard to provide for usable driveway slope and adequate drainage for the construction of a 2-unit residential condominium development on property located within a Low-Density Multiple-Family Residential (R-2) zone. Motion carried unanimously.

Assistant Planner Marianne Gastelum referred to a letter received from the owner/occupant of 1911 Marshallfield Lane regarding concerns with loss of street parking and a suggestion to change Marshallfield Lane to a one-way street. Ms. Gastelum stated that the development met all parking standards; and that per the City's Traffic Engineer, changing the street from two-way to one-way could significantly impact the neighborhood by increased traffic, confusion with street direction, and increase in traffic speeds.

Ms. Gastelum reviewed staff's report and discussed:

BACKGROUND AND REQUEST

- Zoned R-2 – Low Density Multiple-Family Residential Zone
- Approximately 7,500 square feet in area
- Variance to raise the grade 21" above the maximum fill of 30" for a total of 54" to allow for a safer, compliant driveway
- Planning Commission consideration for Administrative Design Review – Modern Style of Architecture
- Vesting Parcel Map

REQUEST FOR VARIANCE

- Substantial grade difference from the front of the lot to the rear of the lot
- Either the slope of the driveway will exceed the allowable 15% or the lot needs to be raised
- Development of this lot cannot be achieved unless the applicant obtains a Variance from either the 30" fill or exceeding the maximum 15% slope for the driveway

ELEVATIONS UNIT B

PROPOSED DEVELOPMENT (rendering)

RECOMMENDATION

Assistant Planner Gastelum stated that staff recommended Planning Commission approval of the Variance and Administrative Design Review, Vesting Tentative Parcel

Map No. 73918 and Exemption Declaration for the 2-unit condominium project subject to the plans, staff report and conditions of approval.

Commissioner Biro commented regarding the Commission's previous requests for photographs of the existing and proposed site developments which could show how proposed projects could impact adjacent properties. Mr. Biro asked how the adjacent properties would be affected and if dirt would be imported to the site.

Community Development Director Jones stated that staff had requested site photographs, however none were submitted by the applicant.

In response to Commissioner Mitchell regarding intersection safety, Assistant Planner Gastelum stated that Traffic Engineering and Building Department had reviewed the proposed project plans and the project's conceptual plan requirements were met.

Commissioner Gaian asked if street parking would be affected.

Mr. Manuel George, applicant, stated that the driveway and driveway apron would be the same width and the curb face would not be reduced, and added that street parking would not be lost.

In response to Commissioner Ung, Mr. George discussed the height calculations and slope and stated that only a small area adjacent to the guest parking space would be filled.

In response to Chairperson Rodriguez, Mr. George explained that the adjacent property's elevation was approximately the same as the subject site's elevation.

In response to Commissioner Sanchez, Mr. George stated that the project would have a typical (sized) guest parking space.

Assistant Planner Gastelum added that the guest parking space would not impact the back-up area of the proposed garage.

In response to Commissioner Biro, Mr. George stated that a basement would be added, therefore only export of soil would be necessary.

Director of Community Development Jones clarified that the construction working drawings would have calculations for soil import/export as well as fill placement, in addition to a soils report, and compaction and permit for soil removal.

Commissioner Biro commented that photographs of the site and adjacent properties would be helpful to determine if there were any impacts to the properties and the relationship between the properties.

Mr. George responded that he submitted photographs, however was unaware that specific photographs of the adjacent properties were required.

In response to Commissioner Biro, Director of Community Development Jones stated that photographs were part of the application submittal checklist.

In response to Commissioner Sanchez regarding potential problems with the soils report, Director of Community Development Jones stated if the final design could not work within the maximum fill as approved, the item could potentially come back to the Planning Commission.

Chairperson Rodriguez called for anyone in the audience wishing to comment on Case No. 2016-01-PC-001.

Mr. Kevin Rey, 1912 Marshallfield Lane, came forward and stated that he was the tenant of the subject property, and he had not been notified of the development plans for the property. Mr. Rey expressed concern for his potential need to vacate the property, the time he would be given to vacate, and for his rental deposit.

Community Development Director Jones stated that the City offers housing rights assistance to tenants and property owners and recommended to Mr. Rey that he contact the City's Housing Authority.

Chairperson Rodriguez called for anyone else wishing to speak on Case No. 2016-01-PC-001.

Hearing no one, Commissioner Sanchez motioned, seconded by Commissioner Mitchell, to close the Public Hearing. Motion carried unanimously.

Commissioner Gaian asked that the applicant (property owner's representative) work with the existing tenants as soon as possible in a fair and equitable way.

Commissioner Gaian commented on the need for consistency regarding complete applications in order to move forward in considering approval of projects. Mr. Gaian questioned how the Commission could vote if the required application materials are incomplete.

Commissioner Sanchez concurred with Commissioner Gaian regarding applicants meeting application submittal requirements.

Chairperson Rodriguez suggested that submitted materials be included in the staff's PowerPoint presentations so that they can be viewed by the public. Mr. Rodriguez asked if it was possible for staff to not accept an incomplete application.

Director of Community Development Jones stated that the Commission could continue the Public Hearing in order to receive additional information or could take action tonight.

In response to Commissioner Sanchez's inquiry regarding notification requirements to the tenant (Mr. Rey), Director of Community Development Jones stated that public hearing notices were posted in front of the subject property and locations within 300 feet, and legal notices were mailed out.

Motion by Commissioner Sanchez, seconded by Commissioner Mitchell, to reopen the Public Hearing. Motion carried unanimously.

Mr. Manuel George stated that he has only dealt with the property owner and was unsure of the owner's policy regarding landlord/tenant communication.

Commissioner Sanchez commented that details of the project were missing and added that the Commission wanted to be fair and equitable with everyone involved.

Mr. George stated that photographs were submitted to staff, and understood that staff needed a completed application.

Motion by Commissioner Gaian, seconded by Commissioner Mitchell, to close the Public Hearing. Motion carried unanimously.

Commissioner Gaian expressed concern for rejecting a request based on an incomplete application, and that it was difficult to make a decision without having a clear view of impacts.

Motion by Commissioner Biro, seconded by Commissioner Mitchell, to continue the Public Hearing to February 18, 2016, so the applicant can submit a complete application, including photographs, and do outreach to existing owners.

Mr. Manuel George requested to address the Commission.

Motion by Commissioner Biro, seconded by Commissioner Sanchez, to reopen the Public Hearing. Motion carried unanimously.

Mr. Manuel George asked how many Commissioners had visited the site, and what specific type of pictures and information of adjacent properties were required.

Commissioner Gaian stated that Mr. George's question was not relevant to other applicants, and requested that staff provide submittal requirements to the Commissioners.

Commissioner Biro invited Mr. George to reach out to the Commissioners, and stated he had reviewed the report and was prepared to consider the request.

Chairperson Rodriguez stated that he drives by 80% of the projects presented to the Commission.

Director of Community Development Jones stated that the applicant was familiar with the preliminary application review checklist which contains photograph and adjacent property information requirements.

Motion by Commissioner Sanchez, seconded by Commissioner Mitchell, to close the Public Hearing. Motion carried unanimously.

The motion by Commissioner Biro, seconded by Commissioner Mitchell, to continue the Public Hearing for Case No. 2016-01-PC-001 to the regular meeting of February 18, 2016, carried unanimously.

In response to Commissioner Goodman, Director of Community Development Jones stated that staff would provide him with a copy of the application review checklist.

**9. Approve Vesting Tentative Parcel Map
1743, 1745, and 1747 Spreckels Lane
Case No. 2016-01-PC-002**

Public Hearing to consider a request by and receive and file all documents regarding Case No. 2016-01-PC-002, the applicant being Barcelona Investment, Inc., to consider approval of an Exemption Declaration and Vesting Tentative Parcel Map No. 73847 to realign the property lines between three (3) adjacent parcels to reconfigure each parcel to the lot size consistent with the original area subdivision of 25'x100' for the construction of new single-family residences on each lot, on properties located within a Single-Family Residential (R-1A) zone.

Associate Planner Stacey Kinsella reviewed staff's report and discussed:

SUBJECT SITE

- Three original lots – 46, 47, & 48
- Original lot configurations – 25 ft. wide by 100 ft. deep
- Standard for this R-1A neighborhood

EXISTING CONDITIONS

- Two existing building sites
- 1743 Spreckels – 40 ft. wide, Lot 46 tied with portions of Lot 45 and 47
- 1747 Spreckels – 40 ft. wide, Lot 48 tied with portion of 47
- Allowed for slightly larger homes

TENTATIVE PARCEL MAP

- Return the lots to 3 separate parcels
- New lots will not be the original 25-foot width
- Proposed to be approx. 26.6 ft. wide
- 5 ft. of Lot 45 split between all 3 lots

SUBDIVISIONS

- RBMC – Subdivisions involving more than 2 lots require Planning Commission review
- Purpose of review:
 1. Assure compliance with Zoning Ordinance/General Plan
 2. Maintain lots sufficient size, properly developed
 3. Assure lots compatible in size with neighborhood
 4. Preserve property values

EVALUATION OF THE REQUEST

- Meets R-1A Zone Lot Standards
 - Min. size 2,500 sq. ft., width 25 ft., depth 100 ft.
 - Proposed 2,660 sq. ft., width 26.6 ft., depth 100 ft.
 - Closer to standard width and size
- Sufficient size for development
 - Proposed lots slightly larger than standard
- Compatible size
 - Lots range 2,500 sq. ft. to 5,100 sq. ft., Ave. = 3,102 sq. ft.
- Preserve/Increase property value – slightly wider lots

RECOMMENDATION

- Make findings in Resolution No. 2016-01-PCR-002
- Approve Vesting Tentative Parcel Map No. 73847
- Adopt the Exemption Declaration

Motion by Commissioner Sanchez, seconded by Commissioner Biro, to open the Public Hearing and receive and file all documents regarding Case No. 2016-01-PC-002, carried unanimously.

Chairperson Rodriguez called for those wishing to comment on Case No. 2016-01-PC-002.

Ms. Kristin Flannery, 1731 Spreckels Lane, came forward and expressed parking and safety concerns due to view obstruction on the one-way street. Ms. Flannery stated that Spreckels Lane was a very difficult street to get out of, and added that Harkness Lane was a very busy thoroughfare with significant amount of speeding traffic. Ms. Flannery referenced a mirror that had been placed for traffic view on Spreckels Lane.

In response to Commissioner Biro, Community Development Director Jones stated that there was a 3-foot setback on each side of Lot 1 along Harkness. Mr. Jones added that the corner had various restrictions for site visibility and that the home on Lot 1 would have the full front setback and any fencing or walls would be limited to 36". In response to Ms. Flannery's comment regarding the placement of the mirror, Mr. Jones stated that a mirror is not an approved traffic control device and clarified that the mirror was not installed by the City. Mr. Jones explained that the project would have three driveways with access from Spreckels Lane.

In response to Commissioner Sanchez, Community Development Director Jones stated that Traffic Engineering would review the plans and provide traffic improvement requirements, and added that the Commission would be approving the lot sizes.

(Commissioner Mitchell stepped out of the meeting at approximately 7:47 p.m.)

Commissioner Gaian commented on the lot line changes to allow development and expressed concern that the Commission was being asked to make lot line changes without seeing how the buildings will look like when developed.

Jody McGee, 1726 Harkness Lane, stated that she concurred with the comments made by Ms. Kristin Flannery, and expressed her concern for children and people driving from Spreckels to Harkness. Ms. McGee stated that there were always near traffic collisions due to the poor visibility and suggested placement of a three-way stop sign.

Community Development Director Jones referred Ms. McGee to the City Engineer to obtain feedback regarding a requested stop sign and added that the City has a petition process through the Public Works Commission.

Ms. McGee thanked staff for the Public Hearing notice.

Commissioner Biro asked if the applicant would consider 25' for Lots 2 and 3 and adding 3' on Lot 1 to provide additional setback.

Mr. Manuel George, applicant, stated that he would have to speak to the property owner before he could concur. Mr. George stated that there would be a better visibility corridor than what currently exists. He stated that the building sites would go back to the original three separate lots, which was more in line with the City's standards and guidelines.

In response to Commissioner Biro, Community Development Director Jones stated that the existing parkway setback was two feet and an additional three feet landscaped parkway would be required.

Commissioner Biro expressed concern that this item could come back to the Commission for a Variance request at the time of development due to the lot size limitations.

Commissioner Goodman stated he agreed with Commissioner Sanchez regarding the request to make the subject properties more like surrounding properties. He stated that the visibility would probably be better and did not think it would be problem.

Community Development Director Jones clarified that the Commission would be approving the map that will create the three lots.

Commissioner Biro stated that it was the Commission's responsibility to adhere to the City's municipal code and enhance the neighborhood.

After continued discussion regarding the lot size, Mr. George commented regarding the maintenance of the proposed corner landscaping.

In response to Chairperson Rodriguez, Community Development Director Jones explained the height restrictions and landscaping restrictions for the front yard area at the corner of Harkness and Spreckels.

Commissioner Sanchez stated that this was a good opportunity for the applicant to get feedback from the neighbors through outreach. He stated that he agreed with Commissioner Goodman regarding the investment made by the property owner to develop the property.

Mr. George concurred with working with the neighbors on the property improvements.

Kristin Flannery came forward reiterated that it was a safety issue for pedestrians, and spoke of the active schools and church in the area.

Commissioner Goodman stated he understood, and added that there were ways of dealing with the concerns without giving up a percentage of the lot.

Michelle Garcia, resident, expressed concern for pedestrian safety, vehicle traffic, lack of parking, and preservation of sense of community and original landscaping. Ms. Garcia spoke of the limited visibility for vehicles and added that the development of larger homes would compromise the visibility at the intersection and impact the limited street parking. Ms. Garcia asked the Commission for consideration of her concerns and that proper authorities bring smart solutions to the process.

In response to Commissioner Gaian, Community Development Director Jones that the project plans are reviewed by the Traffic and Engineering Department and staff includes the specific recommendations in the staff report. Mr. Jones noted notations on the plans made by the Engineering Department regarding additional driveway dedications as required by ADA. Mr. Jones stated that the three properties will be required to dedicate land to walk around the driveway depressions. He added that the project is reviewed by all City departments and that no particular issues were called out by Engineering or Public Works.

Associate Planner Kinsella added that the Engineering Department did not cite any safety concerns for the subject properties in the routed staff report.

In response to Commissioner Biro, Community Development Director Jones stated that driveway locations on Spreckels would have a two percent slope for the 2-foot area.

Commissioner Goodman suggested that the community get involved to solve traffic problems.

Mr. Nils Nehrenheim, resident, commented on continued housing development creating additional people/density without infrastructure upgrades, continued traffic problems, and loss of community character.

Motion by Commissioner Sanchez, seconded by Commissioner Goodman, to close the Public Hearing. With Commissioner Mitchell absent for the vote, the motion carried unanimously.

Commissioner Sanchez stated that the Commission cares about the community and the Commission is bound by laws, regulations, or ordinances, and works with fairness for both the applicants and the community. He stated that the public's comments are heard and the Commission has to balance both sides.

Commissioner Gaian commented that the public hearing process helps the Commission form ideas to change policy.

Chairperson Rodriguez stated that the Commission looks at both sides and does what is best for the City.

Motion by Commissioner Goodman, seconded by Commissioner Sanchez, to approve Vesting Tentative Parcel Map No. 73847 and Findings 1-9, and adopt Resolution No. 2016-01-PCR-002. With Commissioner Mitchell absent for the vote, the motion carried unanimously.

Commissioner Sanchez encouraged the developer and neighbors to work together.

(Commissioner Mitchell returned to the dais at 8:37 p.m.)

OLD BUSINESS – NONE

NEW BUSINESS

10. MIXED-USE ZONING DISCUSSION

Community Development Director Jones stated that staff would present a progress report to the Mayor and City Council in February on the discussions of potential amendments to mixed-use zoning districts and development regulations/standards. He stated that tonight's goal was to reach a consensus on the various amendments. Mr. Jones added that as part of staff's outreach, architects and members of the community provided input at a policy meeting in January.

Planning Manager Sean Scully reviewed staff's Administrative Report and discussed the following:

STRATEGIC PLAN OBJECTIVE: POTENTIAL AMENDMENTS TO THE MIXED USE SECTION OF THE MUNICIPAL CODE.

- October 14, 2015-
- The Mayor and City Council adopted a Strategic Plan Objective to investigate and report on existing Mixed Use policies and development regulations/standards.
- This "investigation" of Mixed Use regulations is part of the Mayor and Council's larger effort to consider either a "comprehensive" or "living" (incremental) update of the General Plan.

- Purpose-
- To determine if the need exists to make changes/modify current Mixed Use policies and development regulations/standards.
- If so- "What" would be the objectives of any changes and "How" might we change the regulations to achieve any new objectives?

- Goal-
- The goal of this second public meeting is to have the Planning Commission identify/confirm recommended changes/modifications to the existing MU Development Standards and bring back specific amendments at a public hearing on February 18, 2016.

BACKGROUND

- December 17, 2015 Planning Commission public meeting.
- Staff presented a comprehensive overview of the City's Mixed-Use policies and development regulations/standards, which included:
 - Definitions and examples of MU development;
 - History of the MU both generally and here in Redondo Beach;
 - Rationales for existing MU locations, policies, and ordinances;
 - Recap of the 2010-2011 amendments to the MU development regulations/standards.
- Ensuing Mixed Use discussions identified further investigations were warranted concerning:
 - Floor Area Ratios (FAR) and % mix of residential/commercial retail-office;
 - Small Lot MU Developments and Incentives for Smaller Unit Sizes;
 - Public Open Space Standards;
 - Residential Density;
 - Height/Stories and Scale/Massing;
 - Election Triggers RHNA Impacts.

INPUT/COMMENTS/GUIDANCE FROM MU INDUSTRY PROFESSIONALS

Policy Meeting (January 12, 2016):

- Nine (9) Local MU Industry Professionals:
 - Parking;
 - Building Height;
 - Public Open Space;
 - Minimum Lot Size;
 - Setbacks;
 - Quantifiable Massing/Design Standards;
 - Live-Work Product; and
 - FAR/Density.
- Parking;
 - Existing regulations:
 - § 10-2.1706 (d) Overlap parking requirements, nonresidential uses;
 - Allows for different uses to share parking under certain circumstances and not provide the combined total of required parking.
 - Does provide opportunity to work through potential parking impediments/ provides flexibility.
 - Consensus of attendees:
 - Parking typically considered by industry professionals as major development constraint.
 - Reduce parking and visitor parking standards for small lot/scale and small unit size MU developments.
- Building Height;
 - Existing regulations:
 - 38' to 45'
 - Consensus of attendees:
 - Current height limits were appropriate and allowed for creative design options;
 - Staff request:

- What is the lowest building height that could still accommodate 3 story development (ground floor commercial with residential above)?
 - 36' – Flat Roof Design.
 - 38' – Pitched Roof Design.

- Public Open Space;
 - Existing regulations:
 - 10% of FAR;
 - Plazas and walkways;
 - Not fenced or gated, contiguous if feasible, minimum 10' width, PC can modify for projects on < 20,000 sf lots.
 - Consensus of attendees:
 - Commercial focus (internal facing courtyards/plazas) rather than residential focus;
 - Common within vibrant MU communities i.e. State Street Santa Barbara.
 - Current setbacks could accommodate as the max front yard setback is only for 50% of the frontage;

- Minimum Lot Size;
 - Existing regulations:
 - 15,000 sf lots or larger;
 - Large-scale scenario;
 - Encourages the assembly of properties.
 - Consensus from attendees:
 - Prohibitive;
 - Should be eliminated to allow smaller scale MU projects (“boutique”).

- Setbacks;
 - Existing regulations:
 - Additional setbacks for second (15') and third (5' from face of second story) stories;
 - Consensus from attendees:
 - Eliminate additional street setback for second story and reduce the required third story street yard setback.
 - Mass of a 2 story building was not particularly overbearing;
 - Severe constraint for smaller MU projects.

- Quantifiable Massing/Design Standards;
 - Existing regulations:
 - None.
 - Consensus from attendees:
 - No conclusions;
 - Staff's position:
 - If upper story setbacks are eliminated/reduced some standards should be developed to ensure building mass is regulated appropriately.

- Live – Work;
 - Existing regulations:
 - None;

- Consensus from attendees:
 - “Live – Work” good option for small lot/scale MU development;
 - Sited City of Santa Monica Live – Work development standards.
- FAR/Density;
 - Existing regulations:
 - Commercial only FAR: .5 – 1.0
 - MU FAR: 1.5
 - >0.7 Shall be Residential,
 - Minimum Commercial FAR of 0.3
 - Residential Density: 35 DU/AC
 - Consensus from attendees:
 - The existing FAR/Density standards and “mix” were received as appropriate;
 - Staff’s position:
 - Reduce residential density to 30 DU/AC.

City of Santa Monica “Live-Work” Development Standards

- Purpose
- Applicability
- Development Standards
- Design Guidelines
- Additional Requirements

Existing Zoning Ordinance Development Standards for Mixed Use development (Table)

(Commission Gaian stepped out of the meeting at 8:50 p.m.)

Planning Commissioner Considerations (Table)

- MU Zoning Development Standards/Recommendations
 - FAR Commercial
 - FAR Mixed Use
 - FAR Residential
 - Residential Density/Consider amending to a density to 30 DU/AC
(Community Development Director Jones stated that the Commission has previously made this recommendation to the City Council.)
 - Minimum Lot Size/Consider the elimination of 15,000 sf lot size minimum. No lot size minimum required.
(Community Development Director Jones stated that the Commission had recommended the change but was not implemented by the City Council due to election requirements.)
 - Building Height Commercial
 - Building Height Mixed Use
 - Second Story Setback
 - Third Story Setback
 - Outdoor Living Space
 - Usable Public Open Space

- General Regulations
- Parking Regulations
- Sign Regulations
- Landscaping Regulations
- Procedures
- Coastal Development Permit

Recommendation

- That the Planning Commission provide staff with specific direction on any recommended zoning and land use plan amendments.
- Staff will then advertise a public hearing and draft amendments to be considered at a public hearing before the Planning Commission on February 18, 2016.

(Commissioner Gaian returned to the dais at 8:58 p.m.)

Commissioner Biro inquired on the total land (and land percentage) zoned Mixed Use, commented on 2nd and 3rd floor setbacks, the recommended reduction to 30 DU/AC, and outside economic impact view of mixed-use development in the City.

Community Development Director Jones clarified that staff was not recommending amendments to the CR zone; only to the Mixed-Use zone. Mr. Jones added that the City could request feedback from the Larry Kosmont, City's financial consultant, on mixed-use zone economic impacts.

In response to Commissioner Ung, Director of Community Development Jones stated that there were certain type of architectural designs where it would be wrong to require setbacks on second stories. Mr. Jones further explained that the City would meet State affordable housing requirements with the reduction of 35 to 30 DU/AC. Mr. Jones added that there are underlying smaller lots in all mixed-use areas.

In response to Chairperson Rodriguez, Community Development Director Jones stated that all minimum lot size requests trigger Planning Commission review, and staff would investigate if allowing small lots in mixed-use areas would trigger a vote requirement.

Chairperson Rodriguez commented that he was in favor of requiring additional visitor parking spaces in mixed-use developments, which could potentially reduce traffic.

In response to Commissioner Biro, Community Development Director Jones stated that staff would provide information on total area of land use for mixed-use projects as well allowance of small lot land use developments.

Commissioner Gaian stated that 1) other than architects, he would like input from specialists (livability/environmental); 2) he would support elimination of lot size; 3) (we) should have clear definition between commercial office space and retail; and 4) he supported the 30 DU/AC.

Commissioner Sanchez concurred with Commissioner Gaian regarding getting feedback from livability experts.

In response to Commissioner Sanchez regarding staff references to the City of Santa Monica and support of a particular demographic, Planning Manager Sculley stated that economic input from consultant Kosmont would be appropriate to determine the City's direction and its target and if there's a live-work environment to pursue.

Director of Community Development Jones commented about ground floor retail and office uses and stated that the intent of mixed-use was to find replacements for uses no longer viable in commercial strips.

Commissioner Gaian stated that an end result was needed to resolve the problem on Pacific Coast Highway, calling it a "dead zone," and added that ideas should be put to work in these areas.

In response to Commissioner Gaian, Community Development Director Jones stated that live-work (units) go with specific building type and design, and that (we) need to look at subzones in the community.

Commissioner Goodman stated that it was important to differentiate between retail and office and to decide what can be done in the areas (in need of improvement.)

Director of Community Development Jones commented that in the Strategic Plan, the City Council asked that the Planning Commission discuss and report back on recommended amendments and comprehensive update of the General Plan, specifically where and what mixed-uses could be allowed. He added that by March 15 staff would be recommending a budget for the General Plan update.

Commissioner Mitchell commented that (we) need to move toward solidification of the General Plan expediently and be transparent with the community. He stated that discussions need to continue regarding traffic and how quality of life will improve in the City.

Director of Community Development Jones commented on an analysis in the Traffic Circulation Element of the General Plan, 2010, regarding a 25% reduction in traffic and stated that reducing trip length, commuting, and providing housing, employment and other services in close proximity to homes could greatly contribute to that goal.

Commissioner Mitchell stated that 25% reduction in traffic would improve the City's air quality.

Chairperson Rodriguez called for those in the audience wishing to comment.

Amy Josefek commented on the following: 1) the need to revitalize many areas in the City; 2) increase of square footage of the CalCenter plan; 3) Waterfront and Galleria projects; 4) overdevelopment along PCH; 5) involvement of Community groups. Ms. Josefek asked the Commission to direct staff to make needed changes to maintain a vibrant community, listen to constituents, and "fix the broken General Plan and mixed-use zoning in Redondo Beach."

Holly Osborne, North Redondo Beach, stated she was concerned with mixed-use and commented on 1) “massive” senior housing building on Artesia; 2) building compatibility; and 3) the Commission’s approval of two “big” projects. Ms. Osborn added that mixed-use is an excuse for developers to go higher (building height) and put a strip mall in front.

Pete Verenkoff thanked the Commission and staff for the discussion regarding mixed-use development and commented on 1) his concern with FAR and density; 2) smaller properties; and 3) needed correction of language differences between ordinances and General Plan re DU/AC.

In response to Chairperson Rodriguez, Director of Community Development Jones stated that specifics on unit count and mixed-use area would be provided at the next Commission meeting.

Andy Shelby, resident, suggested getting feedback from not only developers, but from people who live and work in mixed-use areas. He stated that he supported the density reduction from 35 to 30 DU/AC and that FAR should be reduced. Mr. Shelby stated that office uses might be better and that “big” development is bad. He added that he agreed that the General Plan should be a “living document.”

Nils Nehrenheim, Save the Riviera, expressed that he was not happy that they only get three minutes to speak and not two hours like developers and architects at the January 12 meeting and commented on parking and traffic; population growth; Santa Monica transit; announced a 9-part education initiative series on mixed use zoning in SaveRiviera.Org.

Pam Combar commented on setbacks, City of Torrance, Riviera Village, and stated she would like to keep the character and design style in particular areas.

Arinna Shelby thanked the Commission for the thoughtful discussion and stated she was in favor of reducing density from 35 to 30 DU/AC and reducing building height, and spoke against the proposal for a density bonus for open space. Ms. Shelby added that small live-work units were a step in the right direction and agreed that “big is bad.”

Community Development Director Jones stated that the PowerPoint slide referencing the density bonus consideration was inadvertently left in the report, and that it was not a recommendation by staff. Mr. Jones added that staff would respond to the Commissioners’ questions and draft language for amendments in the next staff report for the February Planning Commission meeting.

Motion by Chairperson Rodriguez, seconded by Commissioner Sanchez, to receive and file staff’s report. Motion carried unanimously.

PUBLIC PARTICIPATION ON NON-AGENDA ITEMS - NONE

COMMISSION ITEMS AND REFERRALS TO STAFF

Commissioner Biro announced that he would be absent at the Planning Commission meeting of February 18, 2016.

Commissioner Mitchell wished everyone a Happy New Year and Happy Valentine's Day.

ITEMS FROM STAFF – NONE

COUNCIL ACTION ON PLANNING COMMISSION MATTERS

Community Development Director Jones reported at the meeting of January 19, 2016, the City Council approved the Kensington (residential care for elderly) project which will be presented Council for Second Reading and final adoption on the second Tuesday in February.

ADJOURNMENT: 9:49 PM

There being no further business to come before the Commission, motion by Commissioner Sanchez, seconded by Commissioner Goodman, to adjourn the meeting at 9:49 p.m. to a regular meeting to be held at 7:00 p.m. on Thursday, February 18, 2016, in the Redondo Beach City Council Chambers, 415 Diamond Street, Redondo Beach, California.

Respectfully submitted,

Aaron Jones
Community Development Director



Administrative Report

Council Action Date: January 19, 2016

To: MAYOR AND CITY COUNCIL

From: JOE HOEFGEN, CITY MANAGER

Subject: STRATEGIC PLAN UPDATE ON SIX-MONTH OBJECTIVES

RECOMMENDATION

Receive and file the monthly updates to the six-month strategic objectives established at the Strategic Planning Retreat held on October 14, 2015.

EXECUTIVE SUMMARY

On October 14, 2015, the City Council held a Strategic Planning Workshop to establish six-month objectives. The objectives set were adopted by the City Council at the October 14, 2015 Council Meeting. Monthly updates are provided to the Mayor and Council to enable them to monitor the City's progress. This current update is the second of the October 14, 2015 Strategic Planning session's six-month objectives. The next Strategic Planning Retreat will be held on March, 29, 2016 .

BACKGROUND

The City Council's Strategic Plan directs the development of the City budget, program objectives, and performance measures. The goals provide the basis for improving services, and preserving a high quality of life in the City.

The City began strategic planning in 1998 with the creation of the first three-year strategic plan covering the period of 1998-2001. In October 2001, a second three-year plan was developed for 2001-2004. At the February 25, 2003 retreat, these Core Values were added: Openness and Honesty, Integrity and Ethics, Accountability, Outstanding Customer Service, Teamwork, Excellence, Environmental Responsibility, and Fiscal Responsibility. A third three-year plan was developed in March 2004, covering the period of 2004-2007, and including a vision statement. In September 2007, the fourth three-year plan was developed with new goals and objectives. A fifth three-year plan was developed on March 3, 2010. Finally, the sixth three-year strategic plan was developed on September 12, 2013. The following are the six strategic plan goals for 2013-2016. They are not in priority order:

- Vitalize the waterfront, Artesia Corridor, Riviera Village and North Redondo Beach Industrial complex
- Improve public infrastructure and facilities in an environmentally responsible manner
- Increase organizational effectiveness and efficiency
- Build an economically vital and financially sustainable city
- Maintain a high level of public safety with public engagement
- Review and identify a process for updating the City's General Plan

The City Manager provides monthly updates to the adopted six-month objectives to enable the Mayor and City Council to monitor the City's progress on the Strategic Plan.

COORDINATION

All departments participated in the development of the Strategic Plan and in providing the attached update.

FISCAL IMPACT

The total cost for this activity is included in the Mayor and City Council's portion of the FY 2015-2016 Adopted Annual Budget.

Submitted by:

Joe Hoefgen, City Manager

Attachment:

- Strategic Plan Update - Six-Month Objectives dated January 19, 2016

CITY OF REDONDO BEACH  **SIX-MONTH STRATEGIC OBJECTIVES**
October 14, 2015 – March 15, 2016

ACM=Assistant City Mgr CD=Community Development PW=Public Works WED=Waterfront and Economic Development CS=Community Services

<i>THREE-YEAR GOAL: VITALIZE THE WATERFRONT, ARTESIA CORRIDOR, RIVIERA VILLAGE AND NORTH REDONDO INDUSTRIAL COMPLEX</i>						
WHEN	WHO	WHAT	STATUS			COMMENTS
			DONE	ON TARGET	REVISED	
1. By March 15, 2016	ACM and WED Director	Conduct Public Outreach meetings (Feb – March 2016) regarding alternative locations for installation of a new boat ramp including a meeting with Harbor Commission and present the results to the City Council.		X		
2. At the March 1, 2016 City Council meeting	WED and PW Director, working with regional agencies	Report on the status of the analysis of sea level rise and its potential impact on the Redondo Beach waterfront.		X		
3. At the February 16, 2016 City Council Meeting	PW Director	Present to the City Council for review the cost of fully implementing the Riviera Village sidewalk landscaping improvement plan along Catalina Avenue from Palos Verdes Boulevard to Avenue I.		X		
4. At the March 1, 2016 City Council Meeting	CD Director working with WED Director	Present to the City Council for consideration options for further modification of parking requirements Citywide to help encourage economic development.		X		
5. At the November 17, 2015 Council Meeting	City Manager	Agendize a report on the appointment of a Mayor/City Council Subcommittee to work with staff on issues that may arise during the time that AES is marketing the AES site for non-industrial uses.	X			
5.a. FUTURE OBJECTIVE between April 4, 2016 and June 15, 2016	City Manager with the CD Director and City Attorney	City and AES representatives to meet and confer as necessary and discuss implementation of the AES Task Force, its purpose, organization, and membership, and other details relevant to the formation of the AES Task Force prior to a City Council Report on July 5, 2016 for appointment of the Task Force		X		
5.b. FUTURE OBJECTIVE	City Manager with City Attorney and CD Director	City Council to select consulting services firms needed to support the Task Force following the RFP Process.				

5.c. FUTURE OBJECTIVE	Task Force, working with Consultants	Task Force/Consultants present findings and recommendations to the City Council.				
6. FUTURE OBJECTIVE	WED working with CD Director	Explore the feasibility and recommend to the City Council whether or not to create a Storefront Improvement Program in key business areas.				

THREE-YEAR GOAL: *IMPROVE PUBLIC INFRASTRUCTURE AND FACILITIES IN AN ENVIRONMENTALLY RESPONSIBLE MANNER*

WHEN	WHO	WHAT	STATUS			COMMENTS
			DONE	ON TARGET	REVISED	
1. By the January 19, 2016 City Council meeting	WED Director working with PW Director	Present to the City Council for review the fiscal impact for financing the construction of a replacement pier parking structure and other Harbor Area public infrastructure.		X		
2. By the March 15, 2016 City Council meeting	PW Director	Present to the City Council a report on the status of the Tri-City Aviation Boulevard Bikeability Plan Grant.		X		
3. At the March 1, 2016 City Council meeting	ACM working with PW Director, Finance Director, Police Chief and Fire Chief	Report on the status of the Major Facilities Repair Fund and the City's long-term major facilities needs list.		X		
4. At the February 2, 2016 City Council meeting	PW Director	Present to the City Council for consideration a Conceptual Plan for improvement of Anderson Park restrooms and the demolition of the Park's vacant Annex Building.		X		
5. By March 15, 2016	CS Director working with PW, Finance and CD Directors	Review and report to the City Council the City's park and open space inventory and funding sources for acquisition and rehabilitation of parks and open space.		X		

THREE-YEAR GOAL: *INCREASE ORGANIZATIONAL EFFECTIVENESS AND EFFICIENCY*

WHEN	WHO	WHAT	STATUS			COMMENTS
			DONE	ON TARGET	REVISED	
1. By March 15, 2016	City Attorney, working with the CD Director	Present to the City Council for direction options for the restructuring of the Redondo Beach Sister City Committee as a separate non-profit 501(c)(3) and/or an official city committee or commission.		X		
2. By March 15, 2016	IT Director working with City Manager, City Attorney and other Department Heads	Report the results to the City Council of a social media pilot project that explores additional methods of public outreach (social media e.g., Facebook, Twitter) through launch of the City's new webpage.		X		Waiting for CA approval of Social Media Pilot Program Guidelines
3. At the January 5, 2016 City Council meeting	PW Director	Review the Administrative Policy and Procedure (APP) regarding purchase and replacement of zero emission vehicles and present the results to the City Council.	X			APP to be updated in the coming weeks
4. By March 15, 2016	PW Director working with IT Director	Explore and recommend to the City Council for consideration the potential use of technology to better regulate pedestrian and bicycle traffic crossing where the beach bike path meets the south end of the pier for improved safety and traffic flow.		X		
5. Prior to March 1, 2016	City Manager, HR Director and all City Departments	Implement a Customer Service Training Program for applicable City employees on a city-wide basis.		X		Training scheduled for City staff from Jan 21st through February 9 th , 2016

THREE-YEAR GOAL: *BUILD AN ECONOMICALLY VITAL AND FINANCIALLY SUSTAINABLE CITY*

WHEN	WHO	WHAT	STATUS			COMMENTS
			DONE	ON TARGET	REVISED	
1. By the January 19, 2016 City Council meeting	WED Director	Research and report to the City Council on the new State tax increment financing law to fund public infrastructure and other projects.		X		
2. By the February 1, 2016 City Council meeting	CD Director working with Finance Director	Present a report to the City Council on current regulation of short-term rental activity and obtain direction, if any, from the City Council.		X		
3. At the March 15 2016 City Council meeting	Finance Director working with HR Director and all involved Departments	As part of the Mid-Year Budget Review, recommend to the City Council for consideration a budget modification to be able to hire or contract with a Grant Specialist to identify and apply for grants and coordinate with departments to facilitate implementation.		X		

THREE-YEAR GOAL: *MAINTAIN A HIGH LEVEL OF PUBLIC SAFETY WITH PUBLIC ENGAGEMENT*

WHEN	WHO	WHAT	STATUS			COMMENTS
			DONE	ON TARGET	REVISED	
1. By February 16, 2016	PW Director and Police Chief	Develop plans and specifications for security fencing around the police station.		X		
2. By March 15, 2016	Police Chief, working with the PW Director and CS Director	Research and present to the City Council for direction options for construction of a canine training facility on an existing unused city parcel.		X		
3. By January 1, 2016	HR Director working with Police and Fire Chiefs	Create hiring and promotional lists to fill all vacancies as they arise within the Fire and Police Departments.	X			Ongoing recruitment process and eligibility lists in place for all PD and FD vacancies
4. At the March 15, 2016 City Council meeting	City Manager working with Fire Chief, ACM and Finance Director	As part of the Mid-Year Budget Review, explore and make a recommendation to the City Council for consideration the possible restoration of two Fire Prevention Inspectors and one Fire Training Officer in the Fire Department.		X		
5. By March 15, 2016	Police Chief	Increase Neighborhood Watch participation by 30%, and improve assistance from homeowners associations.		X		

THREE-YEAR GOAL: *REVIEW AND IDENTIFY A PROCESS FOR UPDATING THE CITY'S GENERAL PLAN*

WHEN	WHO	WHAT	STATUS			COMMENTS
			DONE	ON TARGET	REVISED	
1. At the February 16, 2016 City Council meeting	CD Director working with ACM and City Manager	Present to the City Council and community a General Plan 101 workshop(s) overview on the General Plan's current status and content including potential amendments to the mixed use zoning section of the municipal code.		X		
2. At the March 1, 2016 City Council meeting	CD Director working with ACM and City Manager	Present to the City Council a budget process and timeline for either a comprehensive or "living" (incremental) update of the General Plan.		X		
3. Consider in context of FY 2015-2016 Mid-Year Budget Review	CD Director working with Finance Director, ACM and City Manager	Present to the City Council for action a budget appropriation to conduct a community assessment and engagement process for updating the General Plan.		X		



Administrative Report

Planning Commission Hearing Date:

February 18, 2016

AGENDA ITEM: 8 (PUBLIC HEARING)

PROJECT LOCATION: 2615 W. 190th STREET, # 107

APPLICATION TYPE: CONDITIONAL USE PERMIT AND AN EXEMPTION DECLARATION

CASE NUMBER: 2016-02-PC-003

APPLICANT'S NAME: ENVY INC. C/O DANIEL QUINTANA

APPLICANT'S REQUEST AS ADVERTISED:

Consideration of an Exemption Declaration and Conditional Use Permit to allow the operation of a Body Art Studio in an existing commercial building on property located within a Commercial (C-2) zone.

DEPARTMENT'S RECOMMENDATION:

The Community Development Department recommends that the Planning Commission make the findings as set forth in the staff report and the attached resolution, adopt the Exemption Declaration and approve the Conditional Use Permit, subject to the plans and applications submitted, and the conditions contained in the staff report and the attached resolution.

BACKGROUND INFORMATION:

Body Art Studios are a new allowed use within the City. Cities cannot legally prohibit tattoo and body piercing businesses from operating as this type of service is a "purely expressive activity fully protected by the First Amendment." As such the City Council adopted Ordinance No. 3143-15 on November 17, 2015 amending the Zoning Code to allow body art businesses within the Commercial zones. The ordinance establishes standards for such businesses and requires that each body art business obtain a Conditional Use Permit. The review of body art businesses and conditions placed on such businesses are subject only to reasonable "time, place, or manner" restrictions.

The property at 2615 190th Street is a multi-tenant commercial building developed in 1987 on the northwest corner of Inglewood Avenue and 190th Street. The existing

building is approximately 13,960 square feet and includes various businesses such as retail, beauty salons, and professional offices. The property is zoned Commercial (C-2) as is the property on the eastern side of Inglewood Avenue facing 190th Street. Properties to the south of the site are in the City of Torrance and include a neighborhood shopping center. Vehicle access is off of 190th Street with an existing 24-foot wide driveway and there is also secondary access off of Inglewood Avenue through a 20-foot wide rear driveway. There are 51 parking spaces that are shared by all of the tenants located on the site.

The proposed body art studio will occupy a 1,000 square foot tenant space that was previously leased by a florist. The tenant space is on the eastern corner of the first floor building with frontage on 190th Street.

CURRENT REQUEST:

The applicant, Envy Inc., is requesting a Conditional Use Permit (CUP) to operate a body art studio.

Per Code Section 10-2.1630, a CUP is required for all new body art businesses. Body art includes permanent tattooing as well as piercing of the body with decorative objects such as jewelry. The proposed business will provide both tattoo and piercing services. There will also be a retail component selling tattoo and piercing accessories to customers. The proposed hours of operation are 10:00 a.m. to 10:00 p.m., seven days a week.

The floor plan reflects that the first half of the space will be dedicated to the retail component with four (4) display cases and a front desk. Towards the back of the tenant space, there will be a piercing/tattoo room, a restroom, rooms for sterilizing equipment, and a storage closet. No new square footage is proposed.

DEPARTMENT'S ANALYSIS OF REQUEST:

Body art businesses have become increasingly sophisticated over the recent years. The City of Hermosa Beach has several existing modern studios that resemble high quality retail establishments. The business of body art services has become much more mainstream and because of that, business operations have become more refined to cater to a wide range of customers. Moreover, through California Assembly Bill 300, the Safe Body Art Act, operations of such facilities must be conducted in a safe and clean manner. Records of training and equipment sterilization must be regularly maintained. Body art facilities are subject to annual inspections by County regulators to verify compliance, ensuring the safety of both practitioners and clients.

Per Section 10-2.1630, the purpose for the review of body art businesses is to “ensure compliance with state and city requirements regarding health and safety, and maintain the compatibility of this particularly sensitive land use with surrounding land uses.”

The Code outlines the following criteria for body art studios: 1) Body art studios shall not operate between the hours of 10:00 p.m. and 10:00 a.m.; 2) The operator of the body art studio shall be responsible for ensuring that all body art employees have obtained all necessary training, certification and permits to perform Body art services; 3) All requirements set forth in California Assembly Bill 300, the Safe Body Art Act are incorporated by reference in this Chapter and all operators of body art studios shall comply with all requirements included therein; 4) Live animals, except for service animals, shall not be allowed on the premises; 5) Temporary or mobile studios or events are not authorized; 6) Under no circumstance shall alcohol be sold, consumed or purchased in any body art studio; and 7) The minimum separation between site boundaries of properties containing body art businesses shall be 1,000 feet, except that this standard may be waived by the decision making body upon a finding that the addition of the body art business will not contribute to or create a blighting influence in its vicinity.

The proposed body art studio will only operate during the allowable hours of 10:00 a.m. to 10:00 p.m. The applicant indicates within his project materials that there will be no live animals, no temporary or mobile events, and no consumption or sale of alcohol on the premises. He also notes that he will be responsible for ensuring that all employees have obtained all necessary training and certifications as well as meet all the requirements of the Safe Body Art Act.

Because this is the first body art studio in Redondo Beach, the site is well beyond the 1,000-foot separation from any neighboring body art business. The subject commercial building was recently refurbished and appears to be in excellent condition. As such, it seems unlikely that this use would create a blighting influence.

The CUP review process is designed to ensure “that the establishment or significant alteration of those uses will not adversely affect surrounding uses and properties nor disrupt the orderly development of the community”.

The following criteria are outlined by Section 10-2.2506 to help determine if the proposed use is appropriate for the site: 1) The site for the proposed use shall be in conformity with the General Plan and shall be adequate in size and shape to accommodate such use and all setbacks, spaces, walls and fences, parking, loading, landscaping, and other features required by this chapter to adjust such use with the land and uses in the neighborhood; 2) The site for the proposed use shall have adequate access to a public street or highway of adequate width and pavement to carry the quantity and kind of traffic generated by the proposed use; 3) The proposed use shall have no adverse effect on abutting property or the permitted use thereof; and 4) The

conditions stated in the resolution or design considerations integrated into the project shall be deemed necessary to protect the public health, safety, and general welfare.

The subject property is approximately 26,600 square feet and the existing commercial building is approximately 13,960 square feet. To the north is an R-1 single family residential zone and to the west is an R-3 multi-family residential zone. There is an existing block wall along the rear northerly side of the lot, immediately adjacent to the existing rear driveway. Both the block wall and the 20-foot rear driveway provide horizontal relief between the northerly residential neighbors and the existing commercial building. Along the westerly side of the parking lot, there is existing mature vegetation and a 10-space parking area providing a horizontal buffer between the residential neighbors and the commercial building. Similar commercial shopping centers are located to the east across Inglewood Avenue and to the south across 190th Street (City of Torrance).

The site has adequate access to both 190th Street as well as Inglewood Avenue with existing driveways located on each street. The tenant space in question faces 190th Street, thus, the majority of business activity will be facing the major arterial. Because the existing second floor extends beyond the first floor, the first floor tenants are tucked behind a promenade with heavy columns. Thus, the subject space is not readily visible from the street. There are no windows facing the rear residential properties and no signage is proposed along this elevation.

The exact signage for this business has not yet been determined, however, the signage will need meet the criteria and standards set forth in Sections 10-2.1802 and 10-2.1810. The applicant is aware that all signs shall be reviewed by staff for compliance with the Zoning Ordinance.

The site has 51 parking spaces located on all four sides of the structure. As a retail use, the previous floral shop required one parking space for every 250 square feet. With the space being approximately 1,000 square feet, the floral shop had an allotment of four (4) spaces. The body art business will have a strong retail component and the applicant's main focus is providing piercing services with the occasional tattoo service. Per the floor plan, there will be one front desk and only one service room. Thus, there will most likely only be two employees at a given time with one to two customers. This level of volume is consistent with the retail parking requirement of four (4) parking spaces, therefore, it is anticipated that the parking will be adequate to support the proposed use.

The body art studio will be complimentary to the other uses within the center. The applicant indicates that his business primarily caters to female clients who may wish to utilize the adjacent skin or nail businesses.

Given that the proposed business will be located adjacent to the residential zone to the north and the proposed hours extend to 10:00 p.m., staff is recommending some additional conditions to reduce potential impacts. These include the following (conditions 4, 5, and 6 of the recommended resolution):

4. The whole of the business shall be conducted entirely inside the tenant space.
5. There shall be no loitering at or around the eastern side or the rear northerly side of the building at any given time.
6. The rear door shall remain closed after 7:00 p.m.

The Community Development Department recommends that the Planning Commission make the findings as set forth in the staff report, adopt the Exemption Declaration, and grant the request for a Conditional Use Permit.

ENVIRONMENTAL STATUS:

Pursuant to the California Environmental Quality Act (CEQA), Section 15301 of the Guidelines, the proposed project is categorically exempt from the preparation of environmental analyses.

FINDINGS:

1. In accordance with Section 10-2.1630 of the Redondo Beach Municipal Code, the proposed body art studio is conditionally permitted within the Commercial (C-2) zone.
2. The proposed use meets the criteria set forth in Section 10-2.1630 for the operation of a body art business.
3. In accordance with Section 10-2.2506 (B) of the Redondo Beach Municipal Code, the applicant's request for a Conditional Use Permit is consistent with the criteria set forth therein for the following reasons:
 - a. The proposed use is permitted in the land use district in which the site is located, and the site is adequate in size and shape to accommodate the use, and the project is consistent with the requirements of Chapter 2, Title 10 of the Redondo Beach Municipal Code, to adjust the use with the land and uses in the neighborhood.
 - b. The site of the project has adequate access to a public street or highway of adequate width and pavement to carry the quantity and kind of traffic generated by the use.

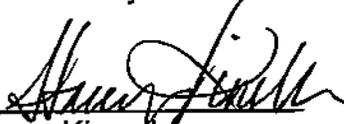
- c. The use of the site will have no adverse effect upon abutting property or the permitted use thereof, subject to the conditions of approval.
 - d. That approval of the Conditional Use Permit request, as submitted, is in accordance with the objectives and policies of the City of Redondo Beach General Plan, in that the area is designated as Commercial (C-2) and the proposed use is compatible with that designation.
 - e. That the proposed use will not have an adverse impact upon abutting properties, the neighborhood, or the City, and the use will be designed in a manner to protect the public health, safety, convenience, interest and general welfare, in that the conditions of project approval appropriately limit the intensity of the activity to maintain compatibility with surrounding uses.
4. The plans, specifications and drawings submitted with the applications have been reviewed by the Planning Commission and are approved.
 5. Pursuant to Chapter 3, Title 10 of the Redondo Beach Municipal Code, the project is exempt from the preparation of environmental documents pursuant to Section 15301 of the Guidelines for Implementation of the California Environmental Quality Act (CEQA).
 6. The Planning Commission hereby finds that the proposed project will have no impact on fish and game resources pursuant to Section 21089(b) of the Public Resources Code.

CONDITIONS:

1. The approval granted herein is for the operation of a body art studio within an existing commercial tenant space of approximately 1,000 square feet. The body art studio shall be maintained and operated in substantial compliance with the proposal and plans reviewed and approved by the Planning Commission at its meeting of February 18, 2016.
2. The operator of the body art studio shall be responsible for ensuring that all body art employees have obtained all necessary training, certification and permits to perform Body art services.
3. The operator of the body art studio shall comply with all requirements set forth in California Assembly Bill 300, the Safe Body Art Act.
4. The whole of the business shall be conducted entirely inside the tenant space.

5. There shall be no loitering at or around the eastern side or the rear northerly side of the building at any given time.
6. The rear door shall remain closed after 7:00 p.m.
7. That all exterior and interior alterations to the building shall comply with all applicable codes, regulations and requirements and the applicant shall obtain all necessary permits from the Building Department, Engineering Department, Fire Department and any other agency with jurisdiction over interior and exterior improvements to the site.
8. That the body art studio shall be allowed to operate from 10:00 a.m. to 10:00 p.m., seven days a week.
9. That the applicant shall obtain a separate sign permit and that no signs shall be installed prior to the approval by the Community Development Department in accordance with the City's Sign Regulation Criteria in Section 10-2.1802 and Standards in Section 10-2.1810.
10. That the Community Development Department is authorized to approve minor changes.
11. That, in the event of a disagreement in the interpretation and/or application of these conditions, the issue shall be referred back to the Planning Commission for a decision prior to the issuance of a building permit.
12. That the Planning Commission shall retain jurisdiction of the matter for the purpose of enforcing compliance with these conditions and for the purpose of modification thereof as circumstances may subsequently indicate.

Submitted by:



Stacey Kinseella
Associate Planner

Approved for forwarding by:



Aaron Jones
Community Development Director



CITY OF REDONDO BEACH

EXEMPTION DECLARATION PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

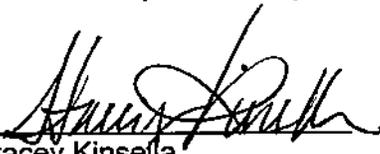
DATE: February 18, 2016

PROJECT ADDRESS: 2615 W. 190th Street, # 107

PROPOSED PROJECT: Consideration of an Exemption Declaration and Conditional Use Permit to allow the operation of a Body Art Studio in an existing commercial building on property located within a Commercial (C-2) zone

In accordance with Chapter 3, Title 10, Section 10-3.301(a) of the Redondo Beach Municipal Code, the above-referenced project is Categorically Exempt from the preparation of environmental review documents pursuant to:

Section 15301 of the Guidelines for Implementation of the California Environmental Quality Act (CEQA), which states, in part, that projects that involve negligible or no expansion of an existing use, including interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances, have been determined not to have a significant effect on the environment and which shall, therefore, be exempt from the provisions of CEQA.


Stacey Kinsella
Associate Planner

RESOLUTION NO. 2016--PCR-*****

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF REDONDO BEACH APPROVING AN EXEMPTION DECLARATION AND CONDITIONAL USE PERMIT TO ALLOW THE OPERATION OF A BODY ART STUDIO IN AN EXISTING BUILDING LOCATED WITHIN THE COMMERCIAL (C-2) ZONE AT 2615 WEST 190TH STREET

WHEREAS, an application was filed on behalf of the owners of property located at 2615 West 190th Street for approval of an Exemption Declaration and Conditional Use Permit to allow the operation of a Body Art Studio in an existing building located within a Commercial (C-2) zone; and

WHEREAS, notice of the time and place of the public hearing where the Exemption Declaration and application would be considered was given pursuant to State law and local ordinances by publication in the Easy Reader, by posting the subject property, and by mailing notices to property owners within 300 feet of the exterior boundaries of the subject property; and

WHEREAS, the Planning Commission of the City of Redondo Beach has considered evidence presented by the applicant, the Planning Division, and other interested parties at the public hearing held on the 18th day of February, 2016, with respect thereto.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF REDONDO BEACH DOES HEREBY FIND:

1. In accordance with Section 10-2.1630 of the Redondo Beach Municipal Code, the proposed body art studio is conditionally permitted within the Commercial (C-2) zone.
2. The proposed use meets the criteria set forth in Section 10-2.1630 for the operation of a body art business.
3. In accordance with Section 10-2.2506 (B) of the Redondo Beach Municipal Code, the applicant's request for a Conditional Use Permit is consistent with the criteria set forth therein for the following reasons:
 - a. The proposed use is permitted in the land use district in which the site is located, and the site is adequate in size and shape to accommodate the use, and the project is consistent with the requirements of Chapter 2, Title 10 of the Redondo Beach Municipal Code, to adjust the use with the land and uses in the neighborhood.

- b. The site of the project has adequate access to a public street or highway of adequate width and pavement to carry the quantity and kind of traffic generated by the use.
 - c. The use of the site will have no adverse effect upon abutting property or the permitted use thereof, subject to the conditions of approval.
 - d. That approval of the Conditional Use Permit request, as submitted, is in accordance with the objectives and policies of the City of Redondo Beach General Plan, in that the area is designated as Commercial (C-2) and the proposed use is compatible with that designation.
 - e. That the proposed use will not have an adverse impact upon abutting properties, the neighborhood, or the City, and the use will be designed in a manner to protect the public health, safety, convenience, interest and general welfare, in that the conditions of project approval appropriately limit the intensity of the activity to maintain compatibility with surrounding uses.
4. The plans, specifications and drawings submitted with the applications have been reviewed by the Planning Commission and are approved.
 5. Pursuant to Chapter 3, Title 10 of the Redondo Beach Municipal Code, the project is exempt from the preparation of environmental documents pursuant to Section 15301 of the Guidelines for Implementation of the California Environmental Quality Act (CEQA).
 6. The Planning Commission hereby finds that the proposed project will have no impact on fish and game resources pursuant to Section 21089(b) of the Public Resources Code.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF REDONDO BEACH DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. That based on the above findings, the Planning Commission does hereby approve the Exemption Declaration and grant the Conditional Use Permit pursuant to the plans and applications considered by the Planning Commission at its meeting of the 18th day of February, 2016.

Section 2. This permit shall be void in the event that the applicant does not comply with the following conditions:

1. The approval granted herein is for the operation of a body art studio within an existing commercial tenant space of approximately 1,000 square feet. The body

art studio shall be maintained and operated in substantial compliance with the proposal and plans reviewed and approved by the Planning Commission at its meeting of February 18, 2016.

2. The operator of the body art studio shall be responsible for ensuring that all body art employees have obtained all necessary training, certification and permits to perform Body art services.
3. The operator of the body art studio shall comply with all requirements set forth in California Assembly Bill 300, the Safe Body Art Act.
4. The whole of the business shall be conducted entirely inside the tenant space.
5. There shall be no loitering at or around the eastern side or the rear northerly side of the building at any given time.
6. The rear door shall remain closed after 7:00 p.m.
7. That all exterior and interior alterations to the building shall comply with all applicable codes, regulations and requirements and the applicant shall obtain all necessary permits from the Building Department, Engineering Department, Fire Department and any other agency with jurisdiction over interior and exterior improvements to the site.
8. That the body art studio shall be allowed to operate from 10:00 a.m. to 10:00 p.m., seven days a week.
9. That the applicant shall obtain a separate sign permit and that no signs shall be installed prior to the approval by the Community Development Department in accordance with the City's Sign Regulation Criteria in Section 10-2.1802 and Standards in Section 10-2.1810.
10. That the Community Development Department is authorized to approve minor changes.
11. That, in the event of a disagreement in the interpretation and/or application of these conditions, the issue shall be referred back to the Planning Commission for a decision prior to the issuance of a building permit.
12. That the Planning Commission shall retain jurisdiction of the matter for the purpose of enforcing compliance with these conditions and for the purpose of modification thereof as circumstances may subsequently indicate.

Section 3. That the approved Conditional Use Permit shall become null and void if not vested within 36 months after the Planning Commission's approval.

Section 4. That, prior to seeking judicial review of this resolution, the applicant is required to appeal to the City Council. The applicant has ten days from the date of adoption of this resolution in which to file the appeal.

FINALLY RESOLVED, that the Planning Commission forward a copy of this resolution to the City Council so the Council will be informed of the action of the Planning Commission.

PASSED, APPROVED AND ADOPTED this 18th day of February, 2016.

Planning Commission Chair
City of Redondo Beach

ATTEST:

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF REDONDO BEACH)

I, Aaron Jones, Community Development Director of the City of Redondo Beach, California, do hereby certify that the foregoing Resolution No. 2016-**-PCR-*** was duly passed, approved and adopted by the Planning Commission of the City of Redondo Beach, California, at a regular meeting of said Planning Commission held on the 18th day of February, 2016, by the following roll call vote:

AYES:

NOES:

ABSENT:

Aaron Jones
Community Development Director

APPROVED AS TO FORM:

City Attorney's Office

ORDINANCE NO. 3143-15

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REDONDO BEACH AMENDING SECTIONS 10-2.402, 10-2.610, 10-2.620, 10-2.630, 10-2.640, AND ADDING SECTION 10-2.1630 TO AMEND THE ZONING ORDINANCE TO ALLOW BODY ART BUSINESSES, ESTABLISHING STANDARDS FOR APPROVING BODY ART BUSINESSES AND REQUIRING ALL SUCH BUSINESSES TO OBTAIN A CONDITIONAL USE PERMIT

WHEREAS, the Zoning Ordinance does not list tattoo or body piercing businesses as permitted or conditionally permitted uses and therefore prohibits these uses from operating in the city; and

WHEREAS, the U.S. 9th Circuit Court of Appeals has ruled (*Johnny Anderson v. City of Hermosa Beach, 2010*) that cities cannot legally prohibit these types of businesses from operating; and

WHEREAS, body art businesses shall be added as a special use subject to the grant of a conditional use permit in addition to other particular requirements meant to mitigate potential secondary impacts of body art businesses in the City; and

WHEREAS, it is the desire of the City to enact reasonable regulation of the time, place and manner in which these businesses may operate; and

WHEREAS, such regulations include acceptable times for body art businesses to operate as well as spacing between the establishment of such body art businesses; and

WHEREAS, the City Council shall adopt and incorporate all relevant Los Angeles County provisions regulating the health and safety requirements for tattoo and body piercing businesses; and

WHEREAS, the Planning Commission of the City of Redondo Beach held a public hearing on August 20th, 2015, at which time all interested parties were given an opportunity to be heard and to present evidence; and

WHEREAS, the Planning Commission Adopted resolutions recommending that the City Council ("Council") adopt these proposed Zoning Ordinance Amendments as presented below; and

WHEREAS, notice of the time and place of this public hearing was published according to law in the Easy Reader, a newspaper of general circulation in the City.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA, DOES ORDAIN AS FOLLOWS:

SECTION 1. AMENDMENT OF CODE. Title 10, Chapter 2, Article 1, Section 10-2.402 of the Redondo Beach Municipal Code is hereby amended to incorporate the



following definitions and to renumber such section as necessary to allow for these insertions:

“Body art” shall mean to adorn the body through the permanent application of a tattoo or insertion of an object, such as jewelry, into a hole for display purposes. Body art is the collective term for any single activity or combination of activities defined herein as tattooing or body piercing.

“Body art studio” shall mean any permanent premises, business, location, or facility, used or operated in whole or in part as a body piercing or tattoo shop.

“Body art employee” shall mean any person performing body art in any Body art studio in the City.

“Body piercing” shall mean to puncture, perforate, or penetrate a human body part or tissue with an object, appliance, or instrument for the purpose of placing a foreign object in the perforation to prevent the perforation from closing. This includes, but is not limited to, creating such an opening in the lip, tongue, nose, eyebrow or navel for the purpose of inserting jewelry or other decorations. Body piercing does not include piercing of the ear lobe or outer portion of the ear. Body piercing includes the removal of body piercing jewelry, except when removal is performed by a physician or other professional licensed by the State of California Medical Board as part of a medical practice.

“Tattoo/tattooing” shall mean to insert pigment, ink or dye under the surface of the skin of a person by pricking with a needle or otherwise, to permanently change the color or appearance of the skin or to produce an indelible mark or figure visible through the skin. Tattooing does not include application of permanent make-up that is performed as an incidental service in a beauty shop, day spa, or other service or retail establishment. Tattooing includes the removal of tattoos, except when removal is performed by a physician or other professional licensed by the State of California Medical Board as part of a medical practice.

SECTION 2. AMENDMENT OF CODE. Title 10, Chapter 2, Article 2, Section 10-2.610 of the Redondo Beach Municipal Code is hereby amended to read as follows:

10-2.610 Land use regulations: C-1 commercial zone.

In the following schedule the letter “P” designates use classifications permitted in the specified zone and the letter “C” designates use classifications permitted subject to approval of a Conditional Use Permit, as provided in Section 10-2.2506. Where there is neither a “P” nor a “C” indicated under a specified zone, or where a use classification is not listed, that classification is not permitted. The “Additional Regulations” column references regulations located elsewhere in the Municipal Code.



Use Classifications	C-1	Additional Regulations See Section:
Commercial Uses		
Animal sales and services:		
Animal feed and supplies	P	
Animal grooming	C	
Animal sales	C	
Artist's studios	P	
Banks and savings and loans with drive-up service	P C	
Bars and cocktail lounges	C	10-2.1600
Body art studios	C	10-2.1630
Commercial printing	C	
Commercial printing, limited	P	
Drive-up services	C	
Food and beverage sales	P	
Liquor stores	C	10-2.1600
Maintenance and repair services	P	
Offices	P	
Personal convenience services	P	
Personal improvement services	C	
Plant nurseries	C	
Recycling collection facilities:		10-2.1616
Reverse vending machines	P	
Small collection facilities	C	
Restaurants:		
2,000 sq. ft. or less floor area with no drive-up service	P	



Use Classifications	C-1	Additional Regulations See Section:
more than 2,000 sq. ft. floor area or with drive-up service	C	
Retail sales	P	
Snack shops	P	
Vehicle sales and services:		
Service stations	C	10-2.1602
Motor vehicle repair garages	C	10-2.611; 10-2.1604
Other Uses		
Adult day care centers	C	
Antennae for public communications	C	
Child day care centers	C	
Churches	C	
Clubs and lodges	C	
Cultural institutions	C	
Government offices	P	
Parking lots	C	
Public safety facilities	C	
Public utility facilities	C	10-2.1614
Recreation facilities	C	
Schools, public or private	C	

SECTION 3. AMENDMENT OF CODE. Title 10, Chapter 2, Article 2, Section 10-2.620 of the Redondo Beach Municipal Code is amended to read as follows:

10-2.620 Land use regulations: C-2, C-2A, and C-2B commercial zones, and C-2-PD pedestrian-oriented commercial zone.



In the following schedule the letter "P" designates use classifications permitted in the specified zone and the letter "C" designates use classifications permitted subject to approval of a Conditional Use Permit, as provided in Section 10-2.2506. Where there is neither a "P" nor a "C" indicated under a specified zone, or where a use classification is not listed, that classification is not permitted. The "Additional Regulations" column references regulations located elsewhere in the Municipal Code.

Use Classifications	C-2	C-2A	C-2B	C-2-PD	Additional Regulations See Section:
Commercial Uses					
Ambulance services	C	C	C	---	
Animal sales and services:					
Animal feed and supplies	P	P	P	P	
Animal grooming	C	C	C	C	
Animal hospitals	C	C	C	---	
Animal sales	C	C	C	C	
Artist's studios	P	P	P	P	
Banks and savings and loans with drive-up service	P C	P C	P C	P C	
Bars and cocktail lounges	C	C	C	C	10-2.1600
Body art studios	C	C	C	C	10-2.1630
Building material sales	C	C	C	---	
Business and trade schools	C	C	C	C	
Check-cashing businesses	C	C	C	C	10-2.1600
Commercial printing	P	P	P	---	
Commercial printing, limited	P	P	P	P	
Commercial recreation	C	C	C	C	10-2.1600
Communications facilities	C	C	C	C	
Drive-up services	C	C	C	C	
Fire arm sales	C	C	C	C	10-2.1600



Use Classifications	C-2	C-2A	C-2B	C-2-PD	Additional Regulations See Section:
Food and beverage sales: 30,000 sq. ft. or less floor area	P	P	P	P	10-2.621
more than 30,000 sq. ft. floor area	P	P	P	C	
Hotels and motels	C	C	C	C	
Laboratories	C	C	C	---	
Liquor stores	C	C	C	C	10-2.1600
Maintenance and repair services	P	P	P	P	
Mortuaries	C	C	C	—	
Offices	P	P	P	P	10-2.621
Personal convenience services	P	P	P	P	
Personal improvement services	C	C	C	C	
Plant nurseries	C	C	C	C	
Recycling collection facilities: Reverse vending machines	P	P	P	P	10-2.1616
Small collection facilities	C	C	C	C	
Restaurants: 2,000 sq. ft. or less floor area with no drive-up service	P	P	P	P	
more than 2,000 sq. ft. floor area or with drive-up service	C	C	C	C	
Retail sales: 30,000 sq. ft. or less floor area	P	P	P	P	10-2.621
more than 30,000 sq. ft. floor area	P	P	P	C	
Snack shops	P	P	P	P	
Thrift shops	C	C	C	C	10-2.1600
Vehicle sales and services:					



Use Classifications	C-2	C-2A	C-2B	C-2-PD	Additional Regulations See Section:
Sales, leasing, and rentals	C	---	C	---	10-2.1602 10-2.1604
Automobile washing	C	---	C	---	
Service stations	C	---	---	---	
Motor vehicle repair garages	C	---	C	---	
Other Uses					
Adult day care centers	C	C	C	C	
Antennae for public communications	C	C	C	C	
Child day care centers	C	C	C	C	
Churches	C	C	C	C	
Clubs and lodges	C	C	C	C	
Cultural institutions	C	C	C	C	
Government offices	P	P	P	P	10-2.621
Parking lots	C	C	C	C	
Public safety facilities	C	C	C	C	
Public utility facilities	C	C	C	C	10-2.1614
Recreation facilities	C	C	C	C	
Schools, public or private	C	C	C	C	
Senior housing	C	C	C	C	10-2.1624

SECTION 4. AMENDMENT OF CODE. Title 10, Chapter 2, Article 2, Section 10-2.630 of the Redondo Beach Municipal Code is hereby amended to read as follows:

10-2.630 Land use regulations: C-3, C-3A, and C-3B commercial zones, and C-3-PD pedestrian-oriented commercial zone.



In the following schedule the letter "P" designates use classifications permitted in the specified zone and the letter "C" designates use classifications permitted subject to approval of a Conditional Use Permit, as provided in Section 10-2.2506. Where there is neither a "P" nor a "C" indicated under a specified zone, or where a use classification is not listed, that classification is not permitted. The "Additional Regulations" column references regulations located elsewhere in the Municipal Code.

Use Classifications	C-3	C-3A	C-3B	C-3-PD	Additional Regulations See Section:
Commercial Uses					
Ambulance services	C	---	---	---	
Animal sales and services:					
Animal feed and supplies	P	P	P	P	
Animal grooming	C	C	C	C	
Animal hospitals	C	---	---	---	
Animal sales	C	C	C	C	
Artist's studios	P	P	P	P	
Banks and savings and loans with drive-up service	P C	P C	P C	P C	
Bars and cocktail lounges	C	C	C	C	10-2.1600
Body art studios	C	C	C	C	10-2.1630
Building material sales	C	---	---	---	
Business and trade schools	C	C	C	C	
Check-cashing businesses	C	C	C	C	10-2.1600
Commercial printing	P	---	---	---	
Commercial printing, limited	P	P	P	P	
Commercial recreation	C	C	C	C	10-2.1600
Communications facilities	C	C	C	C	
Drive-up services	C	C	C	C	
Fire arm sales	C	C	C	C	10-2.1600



Use Classifications	C-3	C-3A	C-3B	C-3-PD	Additional Regulations See Section:
Food and beverage sales: 30,000 sq. ft. or less floor area more than 30,000 sq. ft. floor area	P P	P P	P C	P C	10-2.631
Hotels and motels	C	C	C	C	
Laboratories	C	---	---	---	
Liquor stores	C	C	C	C	
Maintenance and repair services	P	P	P	P	
Mortuaries	C	---	---	---	
Offices	P	P	P	P	10-2.631
Personal convenience services	P	P	P	P	
Personal improvement services	C	C	C	C	
Plant nurseries	C	C	C	C	
Recycling collection facilities: Reverse vending machines Small collection facilities	P C	P C	P C	P C	10-2.1616
Restaurants: 2,000 sq. ft. or less floor area with no drive-up service more than 2,000 sq. ft. floor area or with drive-up service	P C	P C	P C	P C	
Retail sales: 30,000 sq. ft. or less floor area more than 30,000 sq. ft. floor area	P P	P C	P C	P C	10-2.631
Snack shops	P	P	P	P	
Thrift shops	C	C	C	C	10-2.1600
Vehicle sales and services:					



Use Classifications	C-3	C-3A	C-3B	C-3-PD	Additional Regulations See Section:
Sales, leasing, and rentals	C	---	---	---	
Automobile washing	C	---	---	---	
Service stations	C	---	---	---	10-2.1602
Motor vehicle repair garages	C	---	---	---	10-2.1604
Other Uses					
Adult day care centers	C	C	C	C	
Antennae for public communications	C	C	C	C	
Child day care centers	C	C	C	C	
Churches	C	C	C	C	
Clubs and lodges	C	C	C	C	
Cultural institutions	C	C	C	C	
Government offices	P	P	P	P	10-2.631
Parking lots	C	C	C	C	
Public safety facilities	C	C	C	C	
Public utility facilities	C	C	C	C	10-2.1614
Recreation facilities	C	C	C	C	
Schools, public or private	C	C	C	C	
Senior housing	C	C	C	C	10-2.1624

SECTION 5. AMENDMENT OF CODE. The Planning Commission recommends that the City Council amend Title 10, Chapter 2, Article 2, Section 10-2.640 of the Redondo Beach Municipal Code to read as follows:

10-2.640 Land use regulations: C-4 and C-4A commercial zones, and C-4B and C-4-PD pedestrian-oriented commercial zones.

In the following schedule the letter "P" designates use classifications permitted in the specified zone and the letter "C" designates use classifications permitted subject to



approval of a Conditional Use Permit, as provided in Section 10-2.2506. Where there is neither a "P" nor a "C" indicated under a specified zone, or where a use classification is not listed, that classification is not permitted. The "Additional Regulations" column references regulations located elsewhere in the Municipal Code.

Use Classifications	C-4	C-4A	C-4B	C-4-PD	Additional Regulations See Section:
Commercial Uses					
Ambulance services	C	C	---	---	
Animal sales and services:					
Animal feed and supplies	P	P	P	P	
Animal grooming	C	C	C	C	
Animal hospitals	C	C	---	---	
Animal sales	C	C	C	C	
Artist's studios	P	P	P	P	
Banks and savings and loans with drive-up service	P C	P C	P C	P C	
Bars and cocktail lounges	C	C	C	C	10-2.1600
Body art studios	C	C	C	C	10-2.1630
Building material sales	C	C	---	---	
Business and trade schools	C	C	C	C	
Check-cashing businesses	C	C	C	C	10-2.1600
Commercial printing	P	P	---	---	
Commercial printing, limited	P	P	P	P	
Commercial recreation	C	C	C	C	10-2.1600
Communications facilities	C	C	C	C	
Drive-up services	C	C	C	C	
Fire arm sales	C	C	C	C	10-2.1600
Food and beverage sales:					



Use Classifications	C-4	C-4A	C-4B	C-4-PD	Additional Regulations See Section:
30,000 sq. ft. or less floor area	P	P	P	P	10-2.641
more than 30,000 sq. ft. floor area	P	P	C	C	
Hotels and motels	C	C	C	C	
Laboratories	C	C	---	---	
Liquor stores	C	C	C	C	
Maintenance and repair services	P	P	P	P	
Mortuaries	C	C	---	---	
Offices	P	P	P	P	10-2.641
Personal convenience services	P	P	P	P	
Personal improvement services	C	C	C	C	
Plant nurseries	C	C	C	C	
Recycling collection facilities:					10-2.1616
Reverse vending machines	P	P	P	P	
Small collection facilities	C	C	C	C	
Restaurants:					
2,000 sq. ft. or less floor area with no drive-up service	P	P	P	P	
more than 2,000 sq. ft. floor area or with drive-up service	C	C	C	C	
Retail sales:					10-2.641
30,000 sq. ft. or less floor area	P	P	P	P	
more than 30,000 sq. ft. floor area	P	P	C	C	
Snack shops	P	P	P	P	
Thrift shops	C	C	C	C	10-2.1600
Vehicle sales and services:					
Sales, leasing, and rentals	C	C	---	---	



Use Classifications	C-4	C-4A	C-4B	C-4-PD	Additional Regulations See Section:
Automobile washing	C	C	---	---	
Service stations	C	C	---	---	10-2.1602
Motor vehicle repair garages	C	C	---	---	10-2.1604
Other Uses					
Adult day care centers	C	C	C	C	
Antennae for public communications	C	C	C	C	
Child day care centers	C	C	C	C	
Churches	C	C	C	C	
Clubs and lodges	C	C	C	C	
Cultural institutions	C	C	C	C	
Government offices	P	P	P	P	10-2.641
Parking lots	C	C	C	C	
Public safety facilities	C	C	C	C	
Public utility facilities	C	C	C	C	10-2.1614
Recreation facilities	C	C	C	C	
Schools, public or private	C	C	C	C	
Senior housing	C	C	C	C	10-2.1624

SECTION 6. AMENDMENT OF CODE. Title 10, Chapter 2, Article 4 Section 10-2.1630 is hereby added to of the Redondo Beach Municipal Code to read as follows:

10-2.1630 Body art studios.

(a) **Purpose.** In order to ensure compliance with state and city requirements regarding health and safety, and maintain the compatibility of this particularly sensitive land use with surrounding land uses, the following criteria shall be met in addition to all other applicable land use and development standards in this chapter.

(b) **Criteria.**



(1) Body art studios shall not operate between the hours of 10:00 p.m. and 10:00 a.m.

(2) The operator of the body art studio shall be responsible for ensuring that all Body art employees have obtained all necessary training, certification and permits to perform Body art services.

(3) All requirements set forth in California Assembly Bill 300, the Safe Body Art Act are incorporated by reference in this Chapter and all operators of body art studios shall comply with all requirements included therein.

(4) Live animals, except for service animals, shall not be allowed on the premises.

(5) Temporary or mobile studios or events are not authorized.

(6) Under no circumstance shall alcohol be sold, consumed or purchased in any body art studio.

(7) The minimum separation between site boundaries of properties containing Body art businesses shall be 1,000 feet, except that this standard may be waived by the decision making body upon a finding that the addition of the Body art business will not contribute to or create a blighting influence in its vicinity.

(c) **Conditional Use Permit required.** No body art studio shall be established unless a conditional use permit is obtained pursuant to Section 10-2.2506.

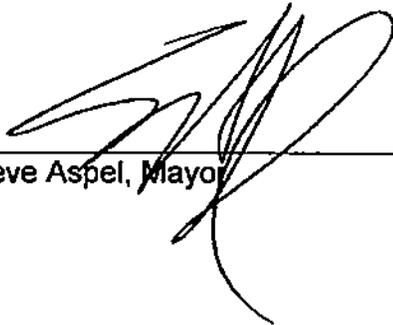
SECTION 7. INCONSISTENT PROVISIONS. Any provisions of the Redondo Beach Municipal Code, or appendices thereto, or any other ordinances of the City inconsistent herewith, to the extent of such inconsistencies and no further, are hereby repealed.

SECTION 8. SEVERANCE. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the ordinance. The City Council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid or unconstitutional.

SECTION 9. PUBLICATION AND EFFECTIVE DATE. This ordinance shall be published by one insertion in the official newspaper of the City, and the same shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.



PASSED, APPROVED AND ADOPTED this 17th day of November, 2015.

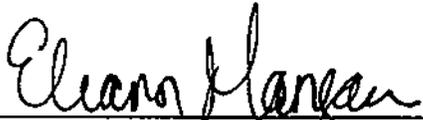


Steve Aspel, Mayor

ATTEST:
STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF REDONDO BEACH)

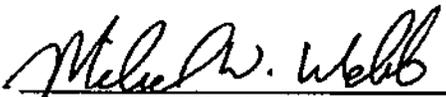
I, Eleanor Manzano, City Clerk of the City of Redondo Beach, California, do hereby certify that the foregoing Ordinance No. 3143-15 was duly introduced at a regular meeting of the City Council held on the 3rd day of November, 2015, and was duly approved and adopted by the City Council at a regular meeting of said City Council held on the 17th day of November, 2015, by the following vote:

AYES: GINSBURG, BRAND, HORVATH, SAMMARCO, EMDEE
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE



Eleanor Manzano, City Clerk

APPROVED AS TO FORM:



Michael W. Webb, City Attorney



Summary of the Safe Body Art Act

Intent of the Safe Body Art Act

The Safe Body Art Act is a chapter of the California Health and Safety Code that is intended to protect both the practitioner and the client from the transmission of infectious diseases through minimum statewide standards for persons who perform tattooing, body piercing, branding, and the application of permanent cosmetics (body art practitioners).

Registration of Body Art Practitioners

All persons who perform body art are required to register with the local enforcement agency. To register in Los Angeles County you must submit a Body Art Practitioner Annual Registration Form along with the following:

- Valid government issued photo identification indicating practitioner is 18 years of age or older (i.e. Drivers License or State Identification Card).
- Evidence of six months related experience
- Proof of completion of a County-approved Blood Borne Pathogens Exposure Control Training.
- Certificate of Hepatitis B vaccination, evidence of immunity, physician statement of contraindication for medical reasons, or a vaccination declination statement.

Body Art Facility Requirements to Obtain A Public Health Permit

Upon verification that a body art facility meets all of the following requirements a Public Health Permit will be issued.

General Requirements:

- Possesses a current Infection Prevention and Control Plan (see sidebar)
- Facility is clean, free of insects and rodents, and has walls, floors and ceilings that are smooth, washable and free of holes
- All practitioners are registered with certificates posted
- A contract for removal of all sharps waste
- Waste containers with liners in procedure area and decontamination area
- Properly labeled sharps containers that are within arm's reach of the practitioners in the procedure and decontamination areas

Procedure Areas:

- Equipped with adequate lighting
- Equipped with a hand washing sink with hot (110°F) and cold water, liquid soap, and single-use towels in a touchless dispenser

Decontamination Areas:

(Not required if only disposable, single-use, pre-sterilized instruments are used)

- Separated from procedure areas by at least 5 feet or a by a cleanable barrier
- Equipped with a sink with hot and cold water for cleaning and disinfecting equipment
- Only equipment manufactured for sterilization of medical instruments may be used
- Upon initial installation, after repair, and at least monthly the sterilization unit must be tested using a commercial biological indicator monitoring system

Age Restrictions on Clients

Clients must be at least 18 years of age to receive a tattoo, permanent cosmetics, piercing of the nipples or genitals or a brand regardless of parental consent. Persons under the age of 18 may receive a body piercing, other than the nipples or genitals, if performed in the presence of their parent or guardian.



Definition of Body Art

Body art includes tattooing, permanent cosmetics, branding and body piercing, except piercing of the ear with a mechanical device using a disposable, single-use, pre-sterilized stud and clasp or solid needle (with one exception).

Plan Check Requirements

Body Art Facilities constructed after July 1, 2012, must receive approval prior to operating. Operators must submit for approval construction plans and a copy of their Infection Prevention and Control Plan and the required fee.

After construction, the operator must request an inspection of the facility to determine that the construction and operating methods meet the approved plans.

Registrations from Outside Los Angeles County

Body art practitioners who are currently registered with another California enforcement agency may operate as a guest artist in a LA County body art facility or temporary body art event for up to 5 consecutive days and no more than 15 days total each year without registering with the County of LA.



Summary of the Safe Body Art Act cont.

Clients Must Provide "Informed Consent"

To provide informed consent clients must read and sign an informed consent form that includes a description of the procedure; a description of what to expect after the procedure; a statement regarding the permanent nature of body art; and post procedure instructions including care of the procedure site, restrictions on physical activities, sign and symptoms of infection, and when to seek medical care.

The informed consent form should also include a client health questionnaire to determine if the client is pregnant; has a history of herpes infection at the procedure site, diabetes, allergic reactions to latex or antibiotics, hemophilia or other bleeding disorder, or cardiac valve disease; has a history of medication use, including prescribed antibiotics prior to dental or surgical procedures; or has other risk factors for blood borne pathogen exposure.

Requirements for Safe Performance of Body Art

- Wash and dry hands before beginning a procedure
- Put on a clean apron, bib, or lap pad and personal protective equipment appropriate to the task
- Put on clean, unused, disposable exam gloves just prior to the procedure and wear the gloves throughout the procedure. Wash hands and change gloves if contact occurs with surfaces other than the client's skin or instruments used in the procedure or if glove is punctured or torn
- Apply antiseptic, antimicrobial, or microbicide to the client's skin immediately prior to the procedure
- Use a single-use razor to shave client and dispose of the razor in the sharps container
- Only single-use needles and needle bars may be used and must be disposed of in the "Sharps" container
- Any part of a tattooing machine that may be touched by a practitioner during the procedure shall be covered with a disposable plastic sheath that is discarded upon completion of the procedure
- Instruments other than needles and needle bars that contact skin must be either single use or be washed, disinfected, packaged, and sterilized after each procedure
- Jewelry inserted in newly pierced skin must be made of approved materials
- Only commercially manufactured inks, dyes, and pigments may be used and must be dispensed in a manner to prevent contamination of the storage container and remaining contents
- After the procedure, wash and disinfect instruments and decontaminate the workstation and procedure area
- No food, drink, tobacco product, or personal effects are permitted in the procedure area
- Animals, except service animals as defined by the ADA, are not permitted in the procedure area or decontamination-sterilization area.

Decontamination and Sterilization Requirements

- Each instrument peel-packs must have an appropriate indicator
- Each sterilization load shall be monitored with a Class V integrator
- Sterilization units are to be loaded, operated, decontaminated, and maintained according to manufacturer specifications
- A written log of each sterilization cycle including date, contents, exposure time and temperature and the results of the Class V integrator must be retained onsite for two years.
- Sterilization packs must be inspected prior to storage and again prior to use.

An Infection Prevention and Control Plan:

- Specifies the procedures to achieve compliance with the Safe Body Art Act
- Must be revised when changes are made in infection prevention practices, procedures, or tasks
- Must include staff training upon initial assignment of task, whenever procedures change and not less than once per year
- Include records of training on the plan for the last three years

An Infection Prevention and Control Plan must include the following procedures:

- Decontaminating and disinfecting surfaces
- Decontaminating, packaging, and sterilizing reusable instruments
- Protecting clean equipment and sterile instruments
- Set up and tear down for any form of body art performed at the facility
- Safe handling and disposal of sharps waste
- Preventing contamination of instruments or procedure site during the performance of body art

ENFORCEMENT

Registrations and Permits may be suspended for imminent health hazards. Registrations and Permits may be suspended or revoked for serious or repeated violations after a hearing.

Operating without a permit or registration is a misdemeanor and is also subject to a penalty of three times the cost of the license or registration.

Violations of the act are subject to an administrative penalty of \$25-\$1,000.

**CITY OF REDONDO BEACH
PLANNING DIVISION**



APPLICATION FOR CONDITIONAL USE PERMIT

Application is hereby made to the Planning Commission/Harbor Commission of the City of Redondo Beach, for Conditional Use Permit, pursuant to Section 10-2.2506 of Chapter 2, Title 10 of the Redondo Beach Municipal Code.

PART I: GENERAL INFORMATION

A	APPLICANT INFORMATION	
	STREET ADDRESS OF PROPERTY: 2615 W. 190th Street, #107, Redondo Beach, 90278	
	EXACT LEGAL DESCRIPTION OF THE PROPERTY: APN 4158-017-018 See legal description attached	ZONING: RBC-2
	LOT: BLOCK: TRACT:	
	FLOOR AREA RATIO (EQUAL TO GROSS FLOOR AREA DIVIDED BY SITE SIZE)	
	SITE SIZE (SQ. FT.): 26,600 GROSS FLOOR AREA (SQ. FT.) 13,960 FLOOR AREA RATIO: .5248	
RECORDED OWNER'S NAME: Cardinal Equities LLC	AUTHORIZED AGENT'S NAME: Peter Cohen	
MAILING ADDRESS: 8665 Wilshire Bl, #401, Beverly Hills, CA 90211	MAILING ADDRESS: 8665 Wilshire Bl, #401, Beverly Hills, CA 90211	
TELEPHONE: 310-271-7273	TELEPHONE: 310-271-7273	
APPLICANT'S NAME: Envy Inc. a CA Corporation c/o Daniel C. Quintana	PROJECT ARCHITECT/FIRM/PRINCIPAL:	
MAILING ADDRESS: 3408 Redondo Beach Bl, Torrance, CA 90504	MAILING ADDRESS:	
TELEPHONE: 424-236-9698	TELEPHONE:	LICENSE NO.
B	REQUEST:	
	<p>The applicant requests a Conditional Use Permit to use the above described property for the following purposes:</p> <p style="padding-left: 40px;">To open a tattoo and piercing salon that includes tattooing and piercing services and related sales of tattoo and piercing accessories.</p> <p>The business will operate from 10:00 a.m. to 10:00 p.m. seven days a week which is consistent with changes to an ordinance of the city council of the City of Redondo Beach to (1) amend sections 10-2.402, 10-2.610, 10-2.620, 10-2.630, 10-2.640, and add section 10-2.1630 to amend the zoning ordinance to allow body art businesses, establishing standards for approving body art businesses and requiring all such businesses to obtain a conditional use permit and (1). The property is located in a C-2 commercial zone and is consistent with other uses and business at the subject property.</p> <p style="padding-left: 40px;">There will be NO new square footage to the commercial building, ONLY interior upgrades.</p>	

CID 47823

20153311

SHOWINGS: Explain how the project is consistent with the criteria in Section 10-2-2506(B) of the Zoning Ordinance.

1. Describe existing site improvements and their present use. If vacant, please specify.

The subject property is a commercial building having a second floor open courtyard comprised of approximately ten small office suites and seven ground floor retail and office suites. The applicant is interested in leasing suite 107 which is on the East end of the property fronting 190th Street. The existing property use is consistent with other commercial properties along 190th Street and Inglewood Avenue. There is a neighborhood shopping center directly across the street on 190th Street and a commercial property opposite the subject property at the intersection of 190th and Inglewood Avenue. Suite 107 is currently vacant and is 1,000 rentable square feet. It's previous use was a florist shop and other tenants on the ground floor include a skin care salon, a law firm, nail salon, a proposed dog accessories retail shop + grooming, Verizon Wireless and massage spa. Upstairs there are several insurance agents, travel, business consulting, restaurant consulting and a water consulting business.

2. Describe the site in terms of its ability to accommodate the proposed use and conform to the development standards of the Zoning Ordinance (i.e., setbacks, parking, landscaping, etc.)

No changes are being made to the exterior of the commercial building. The applicant is interested in leasing a single retail space, suite 107 having approximately 1,000 rentable square feet on the ground floor for a tattoo and piercing salon. The use is compatible with the existing businesses at the subject property and many ground floor retail tenants are looking forward to this use which caters to mostly women as does the nail salon and skin care spa. Minor tenant improvements are proposed for suite 107 which include the addition of the small rooms and three sinks. The premises currently include a wood floor and restroom, in essence an open floor plan. It has a dropped ceiling and the entire property is fully sprinklered.

3. Describe the site in terms of its access to public rights-of-way. Give street names, widths, and flow characteristics.

The subject property is located on the NWC of 190th Street and Inglewood Avenue at a signalized intersection. There is a left hand turn lane along 190th Street at the intersection of 190th and Inglewood allowing for access to the subject property off of 190th Street. There is an alley (19.5 feet in width) behind the subject property that is accessed from a dedicated right hand turn lane on Inglewood Avenue and runs the entire length of the block to Pruitt Drive on the West. The property has parking along all sides of the property and can be accessed from 190th Street or Inglewood Avenue as well as along 190th Street in front of the property.

190th Street has two lanes of through traffic in both directions and 190th Street has a dedicated left hand turn lane eastbound and a dedicated right and left hand turn lanes heading west at the intersection of 190th and Inglewood Avenue. Inglewood Avenue has two lanes of traffic on each side with one lane for dedicated right and left hand turns depending on direction of traffic.

4. Describe the expected impact of the proposed use on adjoining uses and activities and on future development of the neighborhood.

The approval of the CUP for Envy Inc. will aid several existing ground floor retail tenants at the property who primarily cater to women, these being the nail salon and skin care palor. Many of the existing tenants welcome Envy's use at the subject property. As most of the customers for Envy Inc. (tattoo and piercing salon) are women, it is expected the tattoo and piercing salon will have a synergistic effect with many of the retail tenants on the ground floor.

Applicant will not operate between the hours of 10:00 p.m. and 10:00 a.m., will be responsible for ensuring that all Body art employees have obtained all necessary training, certification and permits to perform Body art services, meet all the requirements set forth in California Assembly Bill 300, the Safe Body Art Act and shall not allow live animals, except for service animals to be allowed on the premises. Furthermore, application agrees temporary or mobile studios or events are not authorized and under no circumstance shall alcohol be sold, consumed or purchased in any body art studio.

5. Describe how the proposed use is consistent with the intent and purpose of the Redondo Beach General Plan.

The intended use falls within the proposed changes to an ordinance of the city council of the City of Redondo Beach to (1) amend sections 10-2.402, 10-2.610, 10-2.620, 10-2.630, 10-2.640, and add section 10-2.1630 to amend the zoning ordinance to allow body art businesses, establishing standards for approving body art businesses and requiring all such businesses to obtain a conditional use permit and (1). The property is located in a C-2 commercial zone and is consistent with other uses and business at the subject property.

D It is desirable, but not required, to have the signatures of owners of property in the immediate area affected, certifying that they have no objection to the establishment of the use as applied for in this request for a Conditional Use Permit. Use reverse side of this sheet if more space is needed.

NAME	ADDRESS	LOT	BLOCK	TRACT
Kelly Nyuyen / Unique Nails	2615 190th Street, #104			
Matthew Kennel / Premier Discovery	2615 190th Street, #200			
Michael Damsky, Esq.	2615 190th Street, #105			
Dave Danhi / DD factor	2615 190th Street, #221			
Maria Santivanez / Allstate	2615 190th Street, #230			
Mike Walsh/Jimmy's Bar & Grill	2701 W 190th Street			

CUP Application for Envy Corporation c/o Danny C. Quintana

Property location 2615 W 190th Street, Suite 107, Redondo Beach, CA 90278



Front of the building noted location of suite 107



Rear of the building looked west down the alley

LEGAL DESCRIPTION

EXHIBIT "A"

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE IN THE CITY OF REDONDO BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

Parcel 1:

That portion of the Southeasterly quarter of Lot 5 of the Mc Donald Tract, in the City of Redondo Beach, County of Los Angeles, State of California, as per map recorded in Book 15 Pages 21 and 22 of Miscellaneous Records, in the office of the County Recorder of said county, bounded on the North and West by Tract No. 18085, as per map recorded in Book 449 Page 23 of Maps, in the office of the County Recorder of said county, on the South by Dominguez Street, 80 feet wide, on the East by Inglewood Avenue, 60 feet wide, both as shown on the Map of said Tract No. 18085.

Parcel 2:

Lot 253 of Tract No. 18085, in the City of Redondo Beach, County of Los Angeles, State of California, as per map recorded in Book 449 Page(s) 23 to 25 inclusive of maps, in the office of the County Recorder of said county.

Parcel 3:

Lot 236 of Tract No. 18085, in the City of Redondo Beach, County of Los Angeles, State of California, as per map recorded in Book 449 Page(s) 23 to 25 inclusive of maps, in the office of the County Recorder of said county.

Parcel 4:

That portion of that certain alley, vacated as shown and dedicated on the Map of Tract No. 18085, in the City of Redondo Beach, County of Los Angeles, State of California, as per map recorded in Book 449 Pages 23, 24 and 25 of Maps, in the office of the County Recorder of said county, described as follows:

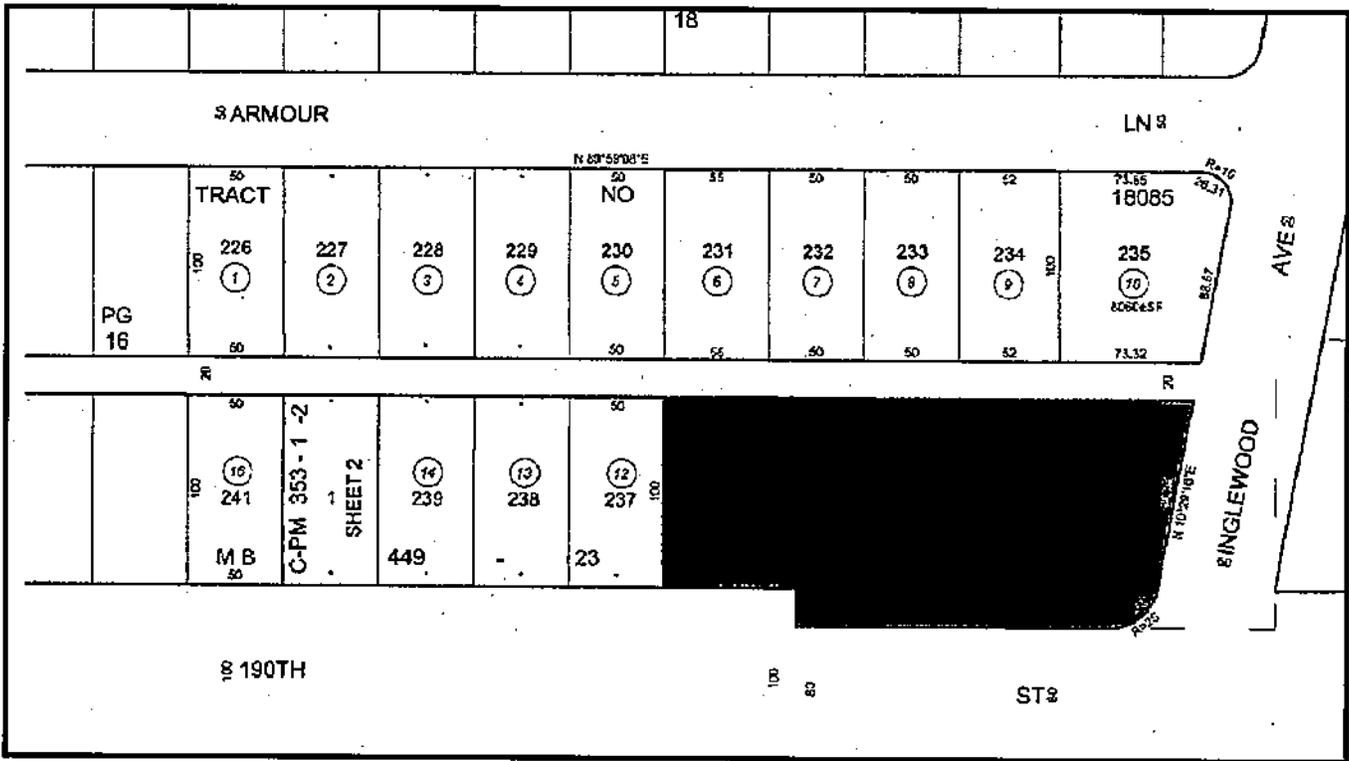
Beginning at the Southeast corner of Lot 236, Tract No. 18085, thence Northerly along the Easterly line of said Lot 236, a distance of 90.00 feet.

Thence North $45^{\circ} 00' 52''$ West 14.14 feet to a point in the North line of said Lot; thence North $89^{\circ} 59' 08''$ East along the Easterly prolongation of the Northerly line of Lot 236 to the Easterly line of a 20 foot public alley as delineated on said Map of Tract No. 18085; thence South $0^{\circ} 00' 52''$ East 100.00 feet along the Easterly line of said public alley to the Easterly prolongation of the Southerly line of said Lot 236; thence Westerly 20.00 feet to the point of beginning.

Assessor's Parcel No: 4158-017-018 and 4158-017-011

CUP Application for Envy Corporation c/o Danny C. Quintana

Property location 2615 W 190th Street, Suite 107, Redondo Beach, CA 90278



Plat Map

Property Profile

Property Data	
<p>Site Address: 2615 190th St Redondo Beach, CA 90278</p> <p>Mall Address: 8655 Wilshire Blvd Ste 410 Beverly Hills, CA 90211</p>	<p>Primary Owner: CARDINAL EQUITIES LLC; COHEN PETER</p> <p>Secondary Owner:</p> <p>APN: 4158-017-018 & 4158-017-011</p> <p>Census Tract: 6206.02</p> <p>Housing Tract: 18085</p> <p>Number: LOT:5 CITY:REGION/CLUSTER: 26/26682 SUBD:MC DONALD TRACT TR#:18085</p> <p>Legal Description: MCDONALD TRACT SAN PEDRO RO 0.55 MORE OR LESS AC E 10 FT VAC ALLEY ADJ ON W AND LOT COM AT INTERSECTION OF E LINE OF TR NO</p> <p>Subdivision: MC DONALD TRACT</p> <p>Property County: Los Angeles County</p>

Property Characteristics		
Bedrooms: 0	Year Built: 1988	Square Feet: 13,960
Bathrooms: 0	Use Code: Commercial (General)	Lot Size: 28,960
Total Rooms:	Number of Units: 0	Garage:
Zoning: RBC-2	Amenities:	
Number of Stories: 1	Building Style:	Coords: 33.858536,-118.361775

Property Profile Information

CUP Application for Envy Corporation c/o Danny C. Quintana

Property location 2615 W 190th Street, Suite 107, Redondo Beach, CA 90278



Front of the building noted location of suite 107



Rear of the building looked west down the alley

CUP Application for Envy Corporation c/o Danny C. Quintana

Property location 2615 W 190th Street, Suite 107, Redondo Beach, CA 90278



Rear of the building looking East down the alley



East side of the building from alley, shows rear of suite 107 in red hatch marks

CUP Application for Envy Corporation c/o Danny C. Quintana

Property location 2615 W 190th Street, Suite 107, Redondo Beach, CA 90278



West side of the building looking towards alley



Looking West along 190th Street from West side of property.

CUP Application for Envy Corporation c/o Danny C. Quintana

Property location 2615 W 190th Street, Suite 107, Redondo Beach, CA 90278



Front of the building noted location of suite 107



Looking East at property across the street on Inglewood Ave

CUP Application for Envy Corporation c/o Danny C. Quintana

Property location 2615 W 190th Street, Suite 107, Redondo Beach, CA 90278



Looking West along 190th Street, north side of 190th Street



Second floor courtyard at the subject property

CUP Application for Envy Corporation c/o Danny C. Quintana

Property location 2615 W 190th Street, Suite 107, Redondo Beach, CA 90278



Interior of suite 107 looking forward



Interior of suite 107 looking rearward

CUP Application for Envy Corporation c/o Danny C. Quintana

Property location 2615 W 190th Street, Suite 107, Redondo Beach, CA 90278



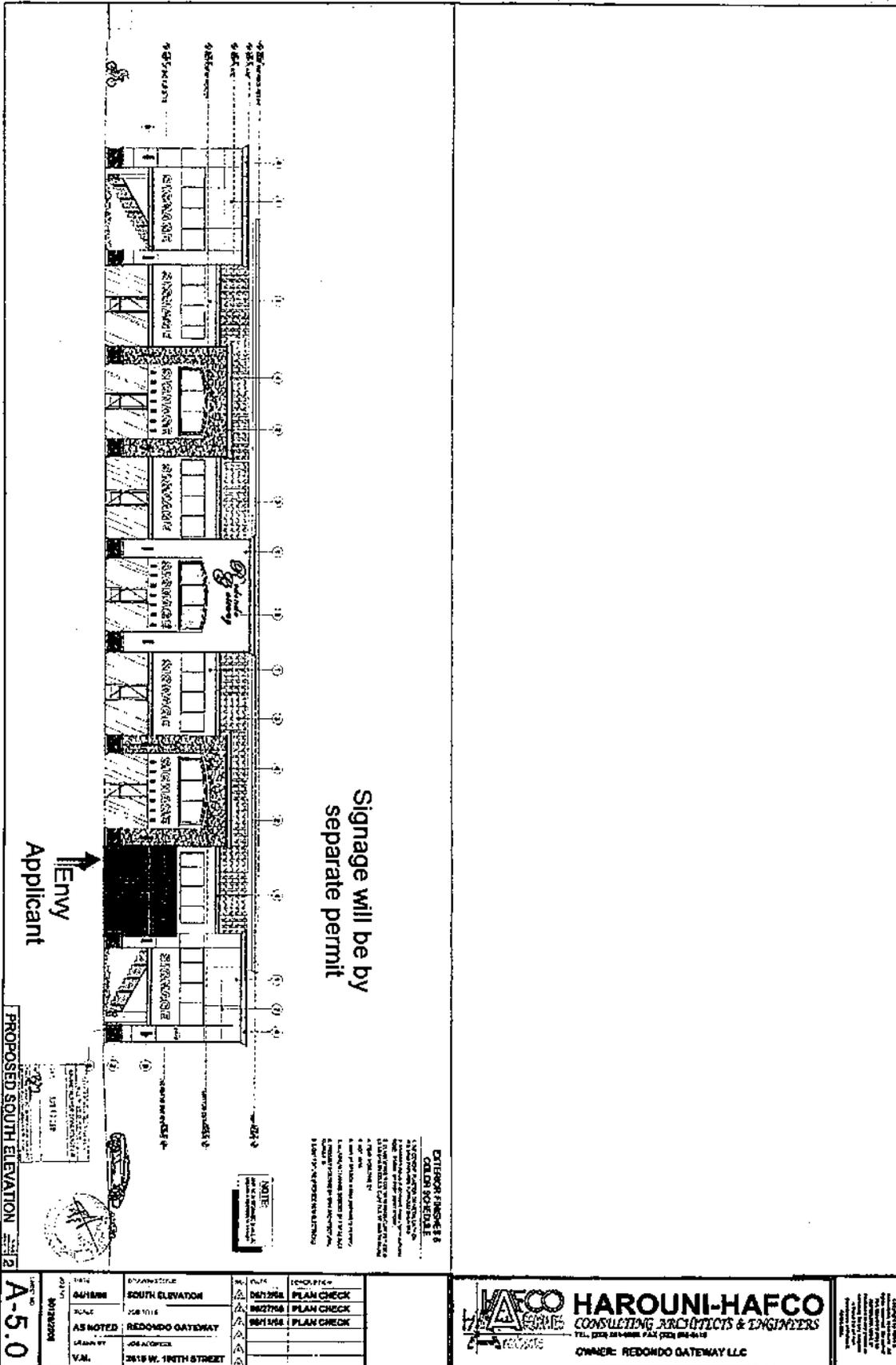
Aerial of the subject property



Aerial of the subject property

CUP Application for Envy Corporation c/o Danny C. Quintana

Property location 2615 W 190th Street, Suite 107, Redondo Beach, CA 90278



Signage will be by separate permit

Envy Applicant

PROPOSED SOUTH ELEVATION

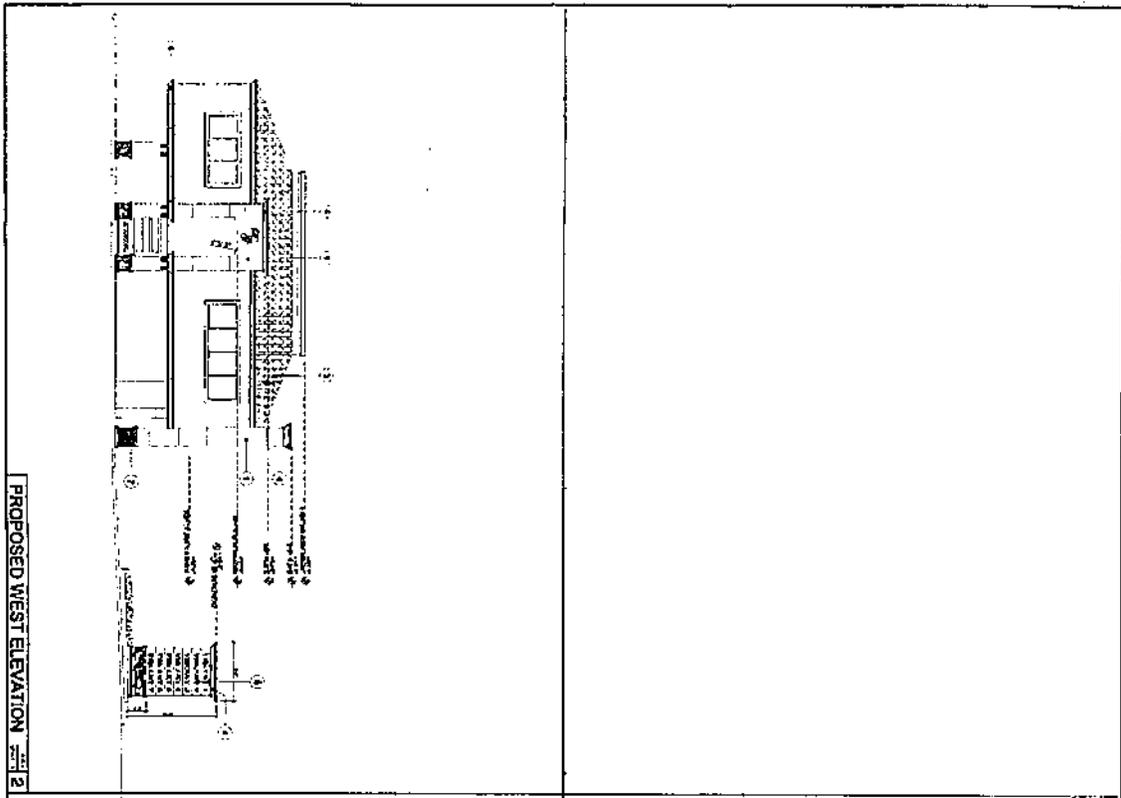
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DATE	DESCRIPTION	BY	CHECKED
04/18/18	SOUTH ELEVATION	D.C.	D.C.
05/10/18	AS NOTED REDONDO GATEWAY	D.C.	D.C.
06/15/18	JOB APPROVED	D.C.	D.C.
V.A.L.	2615 W. 190TH STREET		

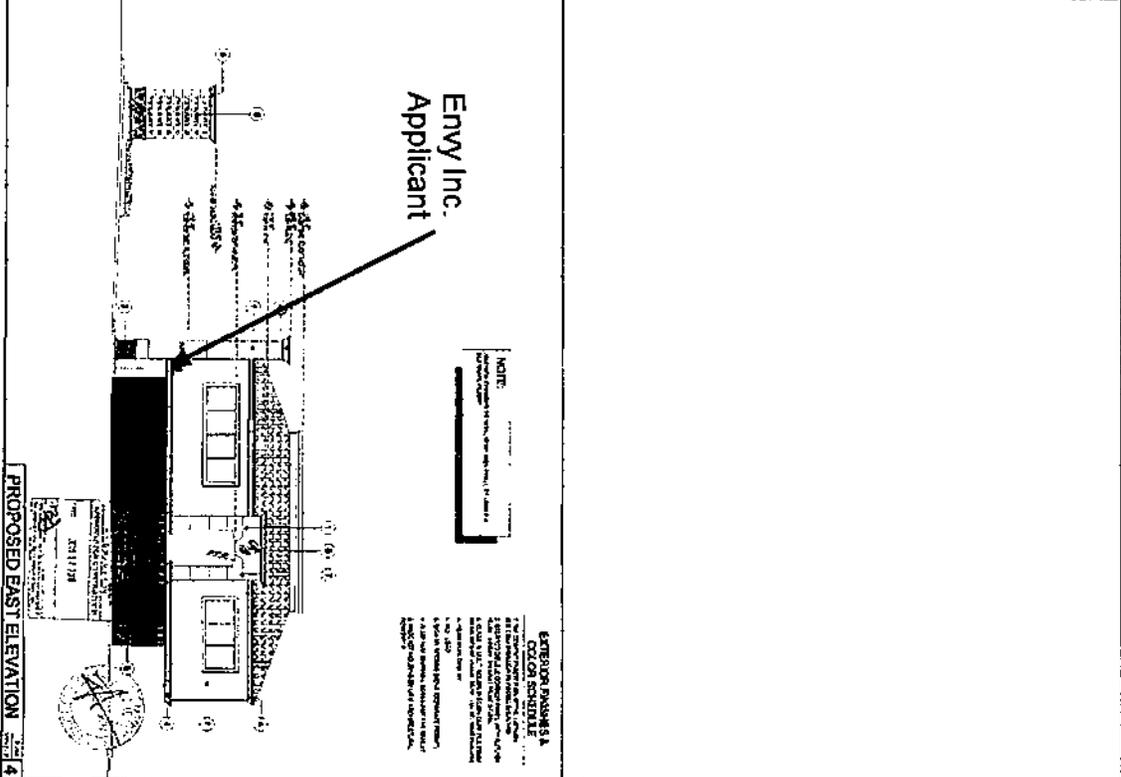
HAROUNI-HAFCO
CONSULTING ARCHITECTS & ENGINEERS
OWNER: REDONDO GATEWAY LLC

CUP Application for Envy Corporation c/o Danny C. Quintana

Property location 2615 W 190th Street, Suite 107, Redondo Beach, CA 90278



PROPOSED WEST ELEVATION 2



Envy Inc.
Applicant

PROPOSED EAST ELEVATION 4

NO.	DATE	DESCRIPTION
04/18/08	04/18/08	PLAN CHECK
04/22/08	04/22/08	PLAN CHECK
04/21/08	04/21/08	PLAN CHECK

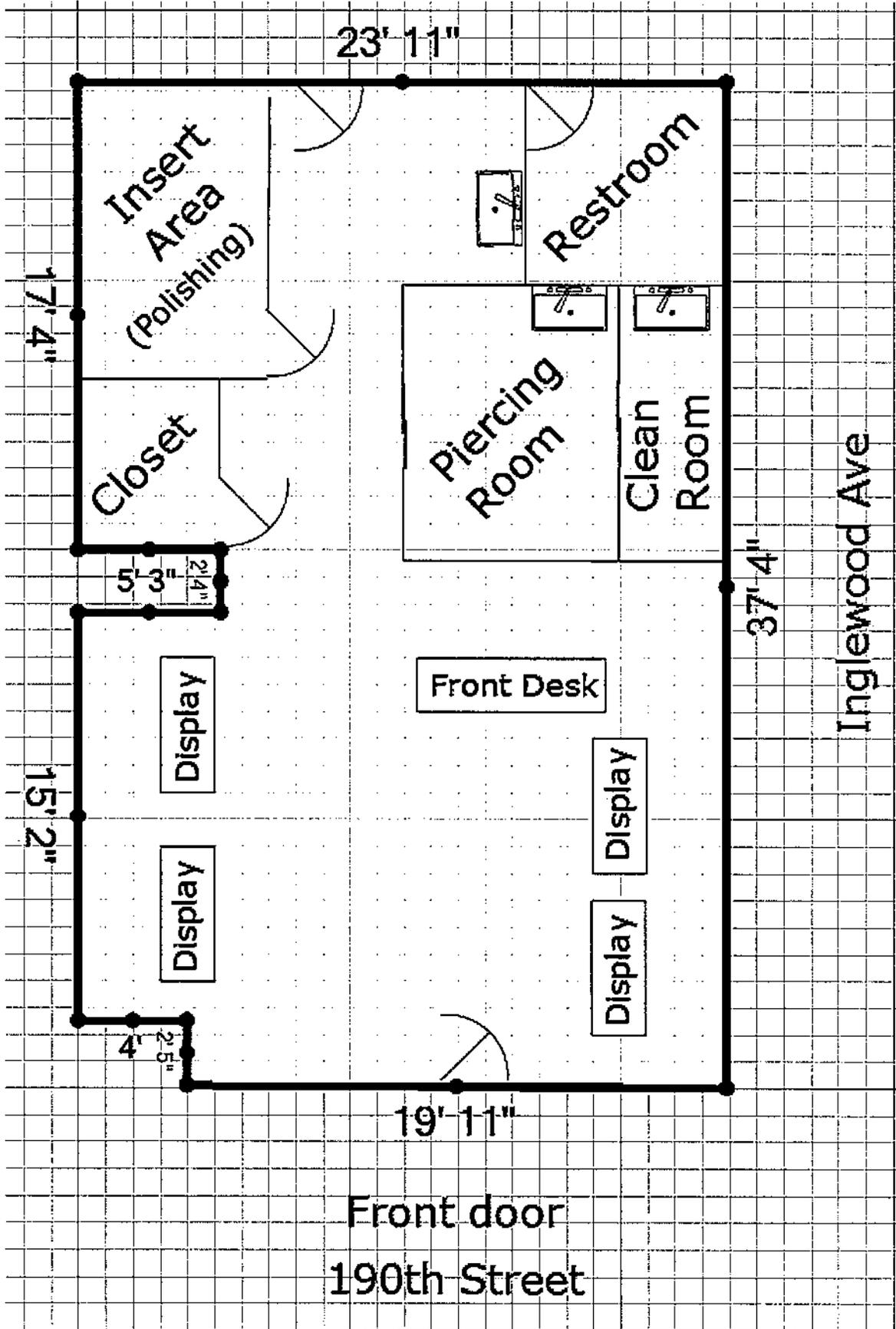
DATE	04/18/08
DRAWN BY	ARTWEST ELEVATION
CHECKED BY	AS NOTED
PROJECT NAME	REDONDO GATEWAY
JOB ADDRESS	2615 W. 190TH STREET

HAFECO HAROUNI-HAFECO
CONSULTING ARCHITECTS & ENGINEERS
TEL: (310) 841-9800, FAX: (310) 841-9811
OWNER: REDONDO GATEWAY LLC

A-5.1

CUP Application for Envy Corporation c/o Danny C. Quintana

Property location 2615 W 190th Street, Suite 107, Redondo Beach, CA 90278





Administrative Report

Planning Commission Hearing Date:

February 18, 2016

AGENDA ITEM: 9 (PUBLIC HEARING)

PROJECT LOCATION: 417 TORRANCE BOULEVARD

APPLICATION TYPE: CONDITIONAL USE PERMIT AND AN EXEMPTION DECLARATION

CASE NUMBER: 2016-02-PC-004

APPLICANT'S NAME: DAVID ALAN NELSON

APPLICANT'S REQUEST AS ADVERTISED:

Consideration of an Exemption Declaration and Conditional Use Permit to allow the operation of a Body Art Studio in an existing commercial building on property located within a Commercial (C-3) zone.

DEPARTMENT'S RECOMMENDATION:

The Community Development Department recommends that the Planning Commission make the findings as set forth in the staff report and the attached resolution, adopt the Exemption Declaration and approve the Conditional Use Permit, subject to the plans and applications submitted, and the conditions contained in the staff report and the attached resolution.

BACKGROUND INFORMATION:

Body Art Studios are a new allowed use within the City. Cities cannot legally prohibit tattoo and body piercing businesses from operating as this type of service is a "purely expressive activity fully protected by the First Amendment." As such the City Council adopted Ordinance No. 3143-15 on November 17, 2015 amending the Zoning Code to allow body art businesses within the Commercial zones. The ordinance also establishes standards for such businesses and requires that each body art business obtain a Conditional Use Permit. The review of body art businesses and conditions placed on such businesses are subject only to reasonable "time, place, or manner" restrictions.

The property at 417 Torrance Boulevard is a multi-tenant commercial building developed in 1962 on the northwest corner of Torrance Blvd. and South Guadalupe

Avenue. The existing building is approximately 7,400 square feet and includes a nail salon and an optometry office. The property is zoned Commercial (C-3) as are the properties to the east, west, and south. Vehicle access is off of Guadalupe Avenue with an existing 20-foot wide driveway. There are 10 parking spaces that are shared by all of the tenants located on the site.

The proposed body art studio will occupy a 600 square foot tenant space that was previously leased by a wellness center offering skin treatments. The tenant space is located in the middle of the existing one-story building.

CURRENT REQUEST:

The applicant is requesting a Conditional Use Permit (CUP) to operate a body art studio.

Per Code Section 10-2.1630, a CUP is required for all new body art businesses. Body art includes permanent tattooing as well as piercing of the body with decorative objects such as jewelry. The proposed business will provide only tattoo services and the proposed hours of operation are 12:00 p.m. to 8:00 p.m., Tuesday through Sunday.

The floor plan reflects that the eastern half of the space will be dedicated primarily to storage while the western half will include one tattoo station, a sitting area, bathroom, and office. No new square footage is proposed.

DEPARTMENT'S ANALYSIS OF REQUEST:

Body art businesses have become increasingly sophisticated over the recent years. The City of Hermosa Beach has several existing modern studios that resemble high quality retail establishments. The business of body art services has become much more mainstream and because of that, business operations have become more refined to cater to a wide range of customers. Moreover, through California Assembly Bill 300, the Safe Body Art Act, operations of such facilities must be conducted in a safe and clean manner. Records of training and equipment sterilization must be regularly maintained. Body art facilities are subject to annual inspections by County regulators to verify compliance, ensuring the safety of both practitioners and clients.

Per Section 10-2.1630, the purpose for the review of body art businesses is to "ensure compliance with state and city requirements regarding health and safety, and maintain the compatibility of this particularly sensitive land use with surrounding land uses."

The Code outlines the following criteria for body art studios: 1) Body art studios shall not operate between the hours of 10:00 p.m. and 10:00 a.m.; 2) The operator of the body art studio shall be responsible for ensuring that all body art employees have obtained all necessary training, certification and permits to perform Body art services; 3) All

requirements set forth in California Assembly Bill 300, the Safe Body Art Act are incorporated by reference in this Chapter and all operators of body art studios shall comply with all requirements included therein; 4) Live animals, except for service animals, shall not be allowed on the premises; 5) Temporary or mobile studios or events are not authorized; 6) Under no circumstance shall alcohol be sold, consumed or purchased in any body art studio; and 7) The minimum separation between site boundaries of properties containing body art businesses shall be 1,000 feet, except that this standard may be waived by the decision making body upon a finding that the addition of the body art business will not contribute to or create a blighting influence in its vicinity.

The proposed body art studio will only operate during the allowable hours of 12:00 p.m. to 8:00 p.m. The applicant is aware that he will need to comply with the criteria set forth in Section 10-2.1630 as well as California Assembly Bill 300, the Safe Body Art Act. There is one other body art studio proposed on 190th Street and this site will be located well beyond the 1,000-foot separation from that business. The subject commercial building appears to be in relatively good condition and as such, it seems unlikely that this use would create a blighting influence.

The CUP review process is designed to ensure "that the establishment or significant alteration of those uses will not adversely affect surrounding uses and properties nor disrupt the orderly development of the community".

The following criteria are outlined by Section 10-2.2506 to help determine if the proposed use is appropriate for the site: 1) The site for the proposed use shall be in conformity with the General Plan and shall be adequate in size and shape to accommodate such use and all setbacks, spaces, walls and fences, parking, loading, landscaping, and other features required by this chapter to adjust such use with the land and uses in the neighborhood; 2) The site for the proposed use shall have adequate access to a public street or highway of adequate width and pavement to carry the quantity and kind of traffic generated by the proposed use; 3) The proposed use shall have no adverse effect on abutting property or the permitted use thereof; and 4) The conditions stated in the resolution or design considerations integrated into the project shall be deemed necessary to protect the public health, safety, and general welfare.

Per Assessor's date, the subject property is approximately 7,400 square feet and the existing commercial building is approximately 2,200 square feet. To the north is an R-3 multi-family residential zone and immediately to the west is another commercial realty business. Similar commercial shopping centers are located to the west and to the south across Torrance Blvd. The property to the east is a large commercial two-story building with multiple tenants.

The site has adequate access to both Guadalupe Avenue and Torrance Blvd. The tenant space in question faces Torrance Blvd., thus, all business activity will be facing

the major arterial. There are no windows or doors off of the rear of this tenant space and the back of the building is immediately adjacent to the rear property line. It appears unlikely that normal business operations would adversely affect the rear residential properties.

The site has 10 parking spaces located south of the building along the Torrance Blvd. The previous wellness center is considered a personal convenience service which requires one parking space for every 250 square feet. This equates to three (3) parking spaces for the 600 square foot tenant space. The same calculation is utilized for body art businesses, thus, it is anticipated that the existing parking will be adequate to support the proposed use. Furthermore, the applicant indicates that there will be one artist serving one client at a time with only one additional employee. The allotted three (3) parking spaces will most likely support the proposed business model.

The applicant has submitted a preliminary sign design for review. The sign will be located on the face of the existing 13-inch high roof eave and approximately 7.5 square feet. The business name "Make Luck" will be in black and red letters. Per Section 10-2.1802, signage must be compatible in color, size, and scale to the existing building. The signage shall not adversely impact abutting properties or harmfully impact the public. Given that the frontage of the tenant space is approximately 30 feet, the width of the proposed signage at seven (7) feet appears reasonable. The height of the sign will match the height of the eave at 13 inches, therefore, the overall signage appears to be in scale with the building. The existing building is painted in neutral colors and the black and red lettering may not be considered to be compatible with the current palette. Thus, a condition of approval is suggested stating that revised signage colors compatible with the existing building are to be submitted to Planning staff for review and approval prior to installation. It is not anticipated that the proposed signage will harmfully impact the public provided that design adjustments are made to ensure compatibility.

Given that the proposed business will be located adjacent to the residential zone to the north, staff is recommending some additional conditions to reduce potential impacts. These include the following (conditions 5 and 6 of the recommended resolution):

5. The whole of the business shall be conducted entirely inside the tenant space.
6. There shall be no loitering at or around the eastern side or the rear northerly side of the building at any given time.

The Community Development Department recommends that the Planning Commission make the findings as set forth in the staff report, adopt the Exemption Declaration, and grant the request for a Conditional Use Permit.

ENVIRONMENTAL STATUS:

Pursuant to the California Environmental Quality Act (CEQA), Section 15301 of the Guidelines, the proposed project is categorically exempt from the preparation of environmental analyses.

FINDINGS:

1. In accordance with Section 10-2.1630 of the Redondo Beach Municipal Code, the proposed body art studio is conditionally permitted within the Commercial (C-3) zone.
2. The proposed use meets the criteria set forth in Section 10-2.1630 for the operation of a body art business.
3. The proposed signage meets the intent of the criteria set forth in Section 10-2.1802 provided that the applicant works with Community Development staff to revise the design for compatibility.
4. In accordance with Section 10-2.2506 (B) of the Redondo Beach Municipal Code, the applicant's request for a Conditional Use Permit is consistent with the criteria set forth therein for the following reasons:
 - a. The proposed use is permitted in the land use district in which the site is located, and the site is adequate in size and shape to accommodate the use, and the project is consistent with the requirements of Chapter 2, Title 10 of the Redondo Beach Municipal Code, to adjust the use with the land and uses in the neighborhood.
 - b. The site of the project has adequate access to a public street or highway of adequate width and pavement to carry the quantity and kind of traffic generated by the use.
 - c. The use of the site will have no adverse effect upon abutting property or the permitted use thereof, subject to the conditions of approval.
 - d. That approval of the Conditional Use Permit request, as submitted, is in accordance with the objectives and policies of the City of Redondo Beach General Plan, in that the area is designated as Commercial (C-3) and the proposed use is compatible with that designation.
 - e. That the proposed use will not have an adverse impact upon abutting properties, the neighborhood, or the City, and the use will be designed in a manner to protect the public health, safety, convenience, interest and general welfare, in

that the conditions of project approval appropriately limit the intensity of the activity to maintain compatibility with surrounding uses.

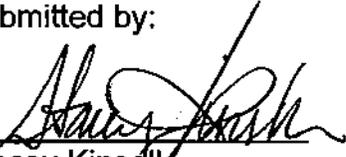
5. The plans, specifications and drawings submitted with the applications have been reviewed by the Planning Commission and are approved.
6. Pursuant to Chapter 3, Title 10 of the Redondo Beach Municipal Code, the project is exempt from the preparation of environmental documents pursuant to Section 15301 of the Guidelines for Implementation of the California Environmental Quality Act (CEQA).
7. The Planning Commission hereby finds that the proposed project will have no impact on fish and game resources pursuant to Section 21089(b) of the Public Resources Code.

CONDITIONS:

1. The approval granted herein is for the operation of a body art studio within an existing commercial tenant space of approximately 600 square feet. The body art studio shall be maintained and operated in substantial compliance with the proposal and plans reviewed and approved by the Planning Commission at its meeting of February 18, 2016.
2. The operator of the body art studio shall be responsible for ensuring that all body art employees have obtained all necessary training, certification and permits to perform Body art services.
3. The operator of the body art studio shall comply with all requirements set forth in California Assembly Bill 300, the Safe Body Art Act.
4. Revised signage colors and design compatible with the existing building are to be submitted to Planning staff for review and approval prior to issuance of permits and installation.
5. The whole of the business shall be conducted entirely inside the tenant space.
6. There shall be no loitering at or around the eastern side or the rear northerly side of the building at any given time.
7. That all exterior and interior alterations to the building shall comply with all applicable codes, regulations and requirements and the applicant shall obtain all necessary permits from the Building Department, Engineering Department, Fire Department and any other agency with jurisdiction over interior and exterior improvements to the site.

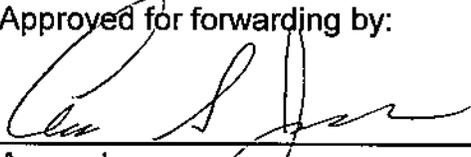
8. That the body art studio shall be allowed to operate from 12:00 p.m. to 8:00 p.m., Tuesday through Sunday.
9. That the Community Development Department is authorized to approve minor changes.
10. That, in the event of a disagreement in the interpretation and/or application of these conditions, the issue shall be referred back to the Planning Commission for a decision prior to the issuance of a building permit.
11. That the Planning Commission shall retain jurisdiction of the matter for the purpose of enforcing compliance with these conditions and for the purpose of modification thereof as circumstances may subsequently indicate.

Submitted by:



Stacey Kinsella
Associate Planner

Approved for forwarding by:



Aaron Jones
Community Development Director



CITY OF REDONDO BEACH

EXEMPTION DECLARATION PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

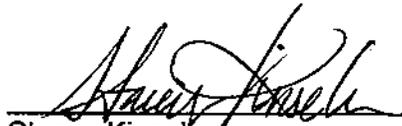
DATE: February 18, 2016

PROJECT ADDRESS: 417 Torrance Boulevard

PROPOSED PROJECT: Consideration of an Exemption Declaration and Conditional Use Permit to allow the operation of a Body Art Studio in an existing commercial building on property located within a Commercial (C-3) zone

In accordance with Chapter 3, Title 10, Section 10-3.301(a) of the Redondo Beach Municipal Code, the above-referenced project is Categorically Exempt from the preparation of environmental review documents pursuant to:

Section 15301 of the Guidelines for Implementation of the California Environmental Quality Act (CEQA), which states, in part, that projects that involve negligible or no expansion of an existing use, including interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances, have been determined not to have a significant effect on the environment and which shall, therefore, be exempt from the provisions of CEQA.


Stacey Kinse
Associate Planner

RESOLUTION NO. 2016--PCR-*****

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF REDONDO BEACH APPROVING AN EXEMPTION DECLARATION AND CONDITIONAL USE PERMIT TO ALLOW THE OPERATION OF A BODY ART STUDIO IN AN EXISTING BUILDING LOCATED WITHIN THE COMMERCIAL (C-3) ZONE AT 417 TORRANCE BOULEVARD

WHEREAS, an application was filed on behalf of the owners of property located at 417 Torrance Boulevard for approval of an Exemption Declaration and Conditional Use Permit to allow the operation of a Body Art Studio in an existing building located within a Commercial (C-3) zone; and

WHEREAS, notice of the time and place of the public hearing where the Exemption Declaration and application would be considered was given pursuant to State law and local ordinances by publication in the Easy Reader, by posting the subject property, and by mailing notices to property owners within 300 feet of the exterior boundaries of the subject property; and

WHEREAS, the Planning Commission of the City of Redondo Beach has considered evidence presented by the applicant, the Planning Division, and other interested parties at the public hearing held on the 18th day of February, 2016, with respect thereto.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF REDONDO BEACH DOES HEREBY FIND:

1. In accordance with Section 10-2.1630 of the Redondo Beach Municipal Code, the proposed body art studio is conditionally permitted within the Commercial (C-3) zone.
2. The proposed use meets the criteria set forth in Section 10-2.1630 for the operation of a body art business.
3. The proposed signage meets the intent of the criteria set forth in Section 10-2.1802 provided that the applicant works with Community Development staff to revise the design for compatibility.
4. In accordance with Section 10-2.2506 (B) of the Redondo Beach Municipal Code, the applicant's request for a Conditional Use Permit is consistent with the criteria set forth therein for the following reasons:

- a. The proposed use is permitted in the land use district in which the site is located, and the site is adequate in size and shape to accommodate the use, and the project is consistent with the requirements of Chapter 2, Title 10 of the Redondo Beach Municipal Code, to adjust the use with the land and uses in the neighborhood.
 - b. The site of the project has adequate access to a public street or highway of adequate width and pavement to carry the quantity and kind of traffic generated by the use.
 - c. The use of the site will have no adverse effect upon abutting property or the permitted use thereof, subject to the conditions of approval.
 - d. That approval of the Conditional Use Permit request, as submitted, is in accordance with the objectives and policies of the City of Redondo Beach General Plan, in that the area is designated as Commercial (C-2) and the proposed use is compatible with that designation.
 - e. That the proposed use will not have an adverse impact upon abutting properties, the neighborhood, or the City, and the use will be designed in a manner to protect the public health, safety, convenience, interest and general welfare, in that the conditions of project approval appropriately limit the intensity of the activity to maintain compatibility with surrounding uses.
5. The plans, specifications and drawings submitted with the applications have been reviewed by the Planning Commission and are approved.
 6. Pursuant to Chapter 3, Title 10 of the Redondo Beach Municipal Code, the project is exempt from the preparation of environmental documents pursuant to Section 15301 of the Guidelines for Implementation of the California Environmental Quality Act (CEQA).
 7. The Planning Commission hereby finds that the proposed project will have no impact on fish and game resources pursuant to Section 21089(b) of the Public Resources Code.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF REDONDO BEACH DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. That based on the above findings, the Planning Commission does hereby approve the Exemption Declaration and grant the Conditional Use Permit pursuant to the plans and applications considered by the Planning Commission at its meeting of the 18th day of February, 2016.

Section 2. This permit shall be void in the event that the applicant does not comply with the following conditions:

1. The approval granted herein is for the operation of a body art studio within an existing commercial tenant space of approximately 600 square feet. The body art studio shall be maintained and operated in substantial compliance with the proposal and plans reviewed and approved by the Planning Commission at its meeting of February 18, 2016.
2. The operator of the body art studio shall be responsible for ensuring that all body art employees have obtained all necessary training, certification and permits to perform Body art services.
3. The operator of the body art studio shall comply with all requirements set forth in California Assembly Bill 300, the Safe Body Art Act.
4. Revised signage colors and design compatible with the existing building are to be submitted to Planning staff for review and approval prior to issuance of permits and installation.
5. The whole of the business shall be conducted entirely inside the tenant space.
6. There shall be no loitering at or around the eastern side or the rear northerly side of the building at any given time.
7. That all exterior and interior alterations to the building shall comply with all applicable codes, regulations and requirements and the applicant shall obtain all necessary permits from the Building Department, Engineering Department, Fire Department and any other agency with jurisdiction over interior and exterior improvements to the site.
8. That the body art studio shall be allowed to operate from 12:00 p.m. to 8:00 p.m., Tuesday through Sunday.
9. That the Community Development Department is authorized to approve minor changes.
10. That, in the event of a disagreement in the interpretation and/or application of these conditions, the issue shall be referred back to the Planning Commission for a decision prior to the issuance of a building permit.
11. That the Planning Commission shall retain jurisdiction of the matter for the purpose of enforcing compliance with these conditions and for the purpose of modification thereof as circumstances may subsequently indicate.

Section 3. That the approved Conditional Use Permit shall become null and void if not vested within 36 months after the Planning Commission's approval.

Section 4. That, prior to seeking judicial review of this resolution, the applicant is required to appeal to the City Council. The applicant has ten days from the date of adoption of this resolution in which to file the appeal.

FINALLY RESOLVED, that the Planning Commission forward a copy of this resolution to the City Council so the Council will be informed of the action of the Planning Commission.

PASSED, APPROVED AND ADOPTED this 18th day of February, 2016.

Planning Commission Chair
City of Redondo Beach

ATTEST:

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF REDONDO BEACH)

I, Aaron Jones, Community Development Director of the City of Redondo Beach, California, do hereby certify that the foregoing Resolution No. 2016-**-PCR-*** was duly passed, approved and adopted by the Planning Commission of the City of Redondo Beach, California, at a regular meeting of said Planning Commission held on the 18th day of February, 2016, by the following roll call vote:

AYES:

NOES:

ABSENT:

Aaron Jones
Community Development Director

APPROVED AS TO FORM:

City Attorney's Office

ORDINANCE NO. 3143-15

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REDONDO BEACH AMENDING SECTIONS 10-2.402, 10-2.610, 10-2.620, 10-2.630, 10-2.640, AND ADDING SECTION 10-2.1630 TO AMEND THE ZONING ORDINANCE TO ALLOW BODY ART BUSINESSES, ESTABLISHING STANDARDS FOR APPROVING BODY ART BUSINESSES AND REQUIRING ALL SUCH BUSINESSES TO OBTAIN A CONDITIONAL USE PERMIT

WHEREAS, the Zoning Ordinance does not list tattoo or body piercing businesses as permitted or conditionally permitted uses and therefore prohibits these uses from operating in the city; and

WHEREAS, the U.S. 9th Circuit Court of Appeals has ruled (*Johnny Anderson v. City of Hermosa Beach, 2010*) that cities cannot legally prohibit these types of businesses from operating; and

WHEREAS, body art businesses shall be added as a special use subject to the grant of a conditional use permit in addition to other particular requirements meant to mitigate potential secondary impacts of body art businesses in the City; and

WHEREAS, it is the desire of the City to enact reasonable regulation of the time, place and manner in which these businesses may operate; and

WHEREAS, such regulations include acceptable times for body art businesses to operate as well as spacing between the establishment of such body art businesses; and

WHEREAS, the City Council shall adopt and incorporate all relevant Los Angeles County provisions regulating the health and safety requirements for tattoo and body piercing businesses; and

WHEREAS, the Planning Commission of the City of Redondo Beach held a public hearing on August 20th, 2015, at which time all interested parties were given an opportunity to be heard and to present evidence; and

WHEREAS, the Planning Commission Adopted resolutions recommending that the City Council ("Council") adopt these proposed Zoning Ordinance Amendments as presented below; and

WHEREAS, notice of the time and place of this public hearing was published according to law in the Easy Reader, a newspaper of general circulation in the City.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA, DOES ORDAIN AS FOLLOWS:

SECTION 1. AMENDMENT OF CODE. Title 10, Chapter 2, Article 1, Section 10-2.402 of the Redondo Beach Municipal Code is hereby amended to incorporate the



following definitions and to renumber such section as necessary to allow for these insertions:

"Body art" shall mean to adorn the body through the permanent application of a tattoo or insertion of an object, such as jewelry, into a hole for display purposes. Body art is the collective term for any single activity or combination of activities defined herein as tattooing or body piercing.

"Body art studio" shall mean any permanent premises, business, location, or facility, used or operated in whole or in part as a body piercing or tattoo shop.

"Body art employee" shall mean any person performing body art in any Body art studio in the City.

"Body piercing" shall mean to puncture, perforate, or penetrate a human body part or tissue with an object, appliance, or instrument for the purpose of placing a foreign object in the perforation to prevent the perforation from closing. This includes, but is not limited to, creating such an opening in the lip, tongue, nose, eyebrow or navel for the purpose of inserting jewelry or other decorations. Body piercing does not include piercing of the ear lobe or outer portion of the ear. Body piercing includes the removal of body piercing jewelry, except when removal is performed by a physician or other professional licensed by the State of California Medical Board as part of a medical practice.

"Tattoo/tattooing" shall mean to insert pigment, ink or dye under the surface of the skin of a person by pricking with a needle or otherwise, to permanently change the color or appearance of the skin or to produce an indelible mark or figure visible through the skin. Tattooing does not include application of permanent make-up that is performed as an incidental service in a beauty shop, day spa, or other service or retail establishment. Tattooing includes the removal of tattoos, except when removal is performed by a physician or other professional licensed by the State of California Medical Board as part of a medical practice.

SECTION 2. AMENDMENT OF CODE. Title 10, Chapter 2, Article 2, Section 10-2.610 of the Redondo Beach Municipal Code is hereby amended to read as follows:

10-2.610 Land use regulations: C-1 commercial zone.

In the following schedule the letter "P" designates use classifications permitted in the specified zone and the letter "C" designates use classifications permitted subject to approval of a Conditional Use Permit, as provided in Section 10-2.2506. Where there is neither a "P" nor a "C" indicated under a specified zone, or where a use classification is not listed, that classification is not permitted. The "Additional Regulations" column references regulations located elsewhere in the Municipal Code.



Use Classifications	C-1	Additional Regulations See Section:
Commercial Uses		
Animal sales and services:		
Animal feed and supplies	P	
Animal grooming	C	
Animal sales	C	
Artist's studios	P	
Banks and savings and loans with drive-up service	P C	
Bars and cocktail lounges	C	10-2.1600
Body art studios	C	10-2.1630
Commercial printing	C	
Commercial printing, limited	P	
Drive-up services	C	
Food and beverage sales	P	
Liquor stores	C	10-2.1600
Maintenance and repair services	P	
Offices	P	
Personal convenience services	P	
Personal improvement services	C	
Plant nurseries	C	
Recycling collection facilities:		10-2.1616
Reverse vending machines	P	
Small collection facilities	C	
Restaurants:		
2,000 sq. ft. or less floor area with no drive-up service	P	



Use Classifications	C-1	Additional Regulations See Section:
more than 2,000 sq. ft. floor area or with drive-up service	C	
Retail sales	P	
Snack shops	P	
Vehicle sales and services:		
Service stations	C	10-2.1602
Motor vehicle repair garages	C	10-2.611; 10-2.1604
Other Uses		
Adult day care centers	C	
Antennae for public communications	C	
Child day care centers	C	
Churches	C	
Clubs and lodges	C	
Cultural institutions	C	
Government offices	P	
Parking lots	C	
Public safety facilities	C	
Public utility facilities	C	10-2.1614
Recreation facilities	C	
Schools, public or private	C	

SECTION 3. AMENDMENT OF CODE. Title 10, Chapter 2, Article 2, Section 10-2.620 of the Redondo Beach Municipal Code is amended to read as follows:

10-2.620 Land use regulations: C-2, C-2A, and C-2B commercial zones, and C-2-PD pedestrian-oriented commercial zone.



In the following schedule the letter "P" designates use classifications permitted in the specified zone and the letter "C" designates use classifications permitted subject to approval of a Conditional Use Permit, as provided in Section 10-2.2506. Where there is neither a "P" nor a "C" indicated under a specified zone, or where a use classification is not listed, that classification is not permitted. The "Additional Regulations" column references regulations located elsewhere in the Municipal Code.

Use Classifications	C-2	C-2A	C-2B	C-2-PD	Additional Regulations See Section:
Commercial Uses					
Ambulance services	C	C	C	---	
Animal sales and services:					
Animal feed and supplies	P	P	P	P	
Animal grooming	C	C	C	C	
Animal hospitals	C	C	C	---	
Animal sales	C	C	C	C	
Artist's studios	P	P	P	P	
Banks and savings and loans with drive-up service	P C	P C	P C	P C	
Bars and cocktail lounges	C	C	C	C	10-2.1600
Body art studios	C	C	C	C	10-2.1630
Building material sales	C	C	C	---	
Business and trade schools	C	C	C	C	
Check-cashing businesses	C	C	C	C	10-2.1600
Commercial printing	P	P	P	---	
Commercial printing, limited	P	P	P	P	
Commercial recreation	C	C	C	C	10-2.1600
Communications facilities	C	C	C	C	
Drive-up services	C	C	C	C	
Fire arm sales	C	C	C	C	10-2.1600



Use Classifications	C-2	C-2A	C-2B	C-2-PD	Additional Regulations See Section:
Food and beverage sales: 30,000 sq. ft. or less floor area more than 30,000 sq. ft. floor area	P P	P P	P P	P C	10-2.621
Hotels and motels	C	C	C	C	
Laboratories	C	C	C	---	
Liquor stores	C	C	C	C	10-2.1600
Maintenance and repair services	P	P	P	P	
Mortuaries	C	C	C	---	
Offices	P	P	P	P	10-2.621
Personal convenience services	P	P	P	P	
Personal improvement services	C	C	C	C	
Plant nurseries	C	C	C	C	
Recycling collection facilities: Reverse vending machines Small collection facilities	P C	P C	P C	P C	10-2.1616
Restaurants: 2,000 sq. ft. or less floor area with no drive-up service more than 2,000 sq. ft. floor area or with drive-up service	P C	P C	P C	P C	
Retail sales: 30,000 sq. ft. or less floor area more than 30,000 sq. ft. floor area	P P	P P	P P	P C	10-2.621
Snack shops	P	P	P	P	
Thrift shops	C	C	C	C	10-2.1600
Vehicle sales and services:					



Use Classifications	C-2	C-2A	C-2B	C-2-PD	Additional Regulations See Section:
Sales, leasing, and rentals	C	---	C	---	
Automobile washing	C	---	C	---	
Service stations	C	---	---	---	10-2.1602
Motor vehicle repair garages	C	---	C	---	10-2.1604
Other Uses					
Adult day care centers	C	C	C	C	
Antennae for public communications	C	C	C	C	
Child day care centers	C	C	C	C	
Churches	C	C	C	C	
Clubs and lodges	C	C	C	C	
Cultural institutions	C	C	C	C	
Government offices	P	P	P	P	10-2.621
Parking lots	C	C	C	C	
Public safety facilities	C	C	C	C	
Public utility facilities	C	C	C	C	10-2.1614
Recreation facilities	C	C	C	C	
Schools, public or private	C	C	C	C	
Senior housing	C	C	C	C	10-2.1624

SECTION 4. AMENDMENT OF CODE. Title 10, Chapter 2, Article 2, Section 10-2.630 of the Redondo Beach Municipal Code is hereby amended to read as follows:

10-2.630 Land use regulations: C-3, C-3A, and C-3B commercial zones, and C-3-PD pedestrian-oriented commercial zone.



In the following schedule the letter "P" designates use classifications permitted in the specified zone and the letter "C" designates use classifications permitted subject to approval of a Conditional Use Permit, as provided in Section 10-2.2506. Where there is neither a "P" nor a "C" indicated under a specified zone, or where a use classification is not listed, that classification is not permitted. The "Additional Regulations" column references regulations located elsewhere in the Municipal Code.

Use Classifications	C-3	C-3A	C-3B	C-3-PD	Additional Regulations See Section:
Commercial Uses					
Ambulance services	C	---	---	---	
Animal sales and services:					
Animal feed and supplies	P	P	P	P	
Animal grooming	C	C	C	C	
Animal hospitals	C	---	---	---	
Animal sales	C	C	C	C	
Artist's studios	P	P	P	P	
Banks and savings and loans with drive-up service	P C	P C	P C	P C	
Bars and cocktail lounges	C	C	C	C	10-2.1600
Body art studios	C	C	C	C	10-2.1630
Building material sales	C	---	---	---	
Business and trade schools	C	C	C	C	
Check-cashing businesses	C	C	C	C	10-2.1600
Commercial printing	P	---	---	---	
Commercial printing, limited	P	P	P	P	
Commercial recreation	C	C	C	C	10-2.1600
Communications facilities	C	C	C	C	
Drive-up services	C	C	C	C	
Fire arm sales	C	C	C	C	10-2.1600



Use Classifications	C-3	C-3A	C-3B	C-3-PD	Additional Regulations See Section:
Food and beverage sales: 30,000 sq. ft. or less floor area more than 30,000 sq. ft. floor area	P P	P P	P C	P C	10-2.631
Hotels and motels	C	C	C	C	
Laboratories	C	---	---	---	
Liquor stores	C	C	C	C	
Maintenance and repair services	P	P	P	P	
Mortuaries	C	---	---	---	
Offices	P	P	P	P	10-2.631
Personal convenience services	P	P	P	P	
Personal improvement services	C	C	C	C	
Plant nurseries	C	C	C	C	
Recycling collection facilities: Reverse vending machines Small collection facilities	P C	P C	P C	P C	10-2.1616
Restaurants: 2,000 sq. ft. or less floor area with no drive-up service more than 2,000 sq. ft. floor area or with drive-up service	P C	P C	P C	P C	
Retail sales: 30,000 sq. ft. or less floor area more than 30,000 sq. ft. floor area	P P	P C	P C	P C	10-2.631
Snack shops	P	P	P	P	
Thrift shops	C	C	C	C	10-2.1600
Vehicle sales and services:					



Use Classifications	C-3	C-3A	C-3B	C-3-PD	Additional Regulations See Section:
Sales, leasing, and rentals	C	---	---	---	10-2.1602 10-2.1604
Automobile washing	C	---	---	---	
Service stations	C	---	---	---	
Motor vehicle repair garages	C	---	---	---	
Other Uses					
Adult day care centers	C	C	C	C	
Antennae for public communications	C	C	C	C	
Child day care centers	C	C	C	C	
Churches	C	C	C	C	
Clubs and lodges	C	C	C	C	
Cultural institutions	C	C	C	C	
Government offices	P	P	P	P	10-2.631
Parking lots	C	C	C	C	
Public safety facilities	C	C	C	C	
Public utility facilities	C	C	C	C	10-2.1614
Recreation facilities	C	C	C	C	
Schools, public or private	C	C	C	C	
Senior housing	C	C	C	C	10-2.1624

SECTION 5. AMENDMENT OF CODE. The Planning Commission recommends that the City Council amend Title 10, Chapter 2, Article 2, Section 10-2.640 of the Redondo Beach Municipal Code to read as follows:

10-2.640 Land use regulations: C-4 and C-4A commercial zones, and C-4B and C-4-PD pedestrian-oriented commercial zones.

In the following schedule the letter "P" designates use classifications permitted in the specified zone and the letter "C" designates use classifications permitted subject to



approval of a Conditional Use Permit, as provided in Section 10-2.2506. Where there is neither a "P" nor a "C" indicated under a specified zone, or where a use classification is not listed, that classification is not permitted. The "Additional Regulations" column references regulations located elsewhere in the Municipal Code.

Use Classifications	C-4	C-4A	C-4B	C-4-PD	Additional Regulations See Section:
Commercial Uses					
Ambulance services	C	C	---	---	
Animal sales and services:					
Animal feed and supplies	P	P	P	P	
Animal grooming	C	C	C	C	
Animal hospitals	C	C	---	---	
Animal sales	C	C	C	C	
Artist's studios	P	P	P	P	
Banks and savings and loans with drive-up service	P C	P C	P C	P C	
Bars and cocktail lounges	C	C	C	C	10-2.1600
Body art studios	C	C	C	C	10-2.1630
Building material sales	C	C	---	---	
Business and trade schools	C	C	C	C	
Check-cashing businesses	C	C	C	C	10-2.1600
Commercial printing	P	P	---	---	
Commercial printing, limited	P	P	P	P	
Commercial recreation	C	C	C	C	10-2.1600
Communications facilities	C	C	C	C	
Drive-up services	C	C	C	C	
Fire arm sales	C	C	C	C	10-2.1600
Food and beverage sales:					



Use Classifications	C-4	C-4A	C-4B	C-4-PD	Additional Regulations See Section:
30,000 sq. ft. or less floor area	P	P	P	P	10-2.641
more than 30,000 sq. ft. floor area	P	P	C	C	
Hotels and motels	C	C	C	C	
Laboratories	C	C	---	---	
Liquor stores	C	C	C	C	
Maintenance and repair services	P	P	P	P	
Mortuaries	C	C	---	---	
Offices	P	P	P	P	10-2.641
Personal convenience services	P	P	P	P	
Personal improvement services	C	C	C	C	
Plant nurseries	C	C	C	C	
Recycling collection facilities:					10-2.1616
Reverse vending machines	P	P	P	P	
Small collection facilities	C	C	C	C	
Restaurants:					
2,000 sq. ft. or less floor area with no drive-up service	P	P	P	P	
more than 2,000 sq. ft. floor area or with drive-up service	C	C	C	C	
Retail sales:					
30,000 sq. ft. or less floor area	P	P	P	P	10-2.641
more than 30,000 sq. ft. floor area	P	P	C	C	
Snack shops	P	P	P	P	
Thrift shops	C	C	C	C	10-2.1600
Vehicle sales and services:					
Sales, leasing, and rentals	C	C	---	---	



Use Classifications	C-4	C-4A	C-4B	C-4-PD	Additional Regulations See Section:
Automobile washing	C	C	---	---	
Service stations	C	C	---	---	10-2.1602
Motor vehicle repair garages	C	C	---	---	10-2.1604
Other Uses					
Adult day care centers	C	C	C	C	
Antennae for public communications	C	C	C	C	
Child day care centers	C	C	C	C	
Churches	C	C	C	C	
Clubs and lodges	C	C	C	C	
Cultural institutions	C	C	C	C	
Government offices	P	P	P	P	10-2.641
Parking lots	C	C	C	C	
Public safety facilities	C	C	C	C	
Public utility facilities	C	C	C	C	10-2.1614
Recreation facilities	C	C	C	C	
Schools, public or private	C	C	C	C	
Senior housing	C	C	C	C	10-2.1624

SECTION 6. AMENDMENT OF CODE. Title 10, Chapter 2, Article 4 Section 10-2.1630 is hereby added to of the Redondo Beach Municipal Code to read as follows:

10-2.1630 Body art studios.

(a) **Purpose.** In order to ensure compliance with state and city requirements regarding health and safety, and maintain the compatibility of this particularly sensitive land use with surrounding land uses, the following criteria shall be met in addition to all other applicable land use and development standards in this chapter.

(b) **Criteria.**



(1) Body art studios shall not operate between the hours of 10:00 p.m. and 10:00 a.m.

(2) The operator of the body art studio shall be responsible for ensuring that all Body art employees have obtained all necessary training, certification and permits to perform Body art services.

(3) All requirements set forth in California Assembly Bill 300, the Safe Body Art Act are incorporated by reference in this Chapter and all operators of body art studios shall comply with all requirements included therein.

(4) Live animals, except for service animals, shall not be allowed on the premises.

(5) Temporary or mobile studios or events are not authorized.

(6) Under no circumstance shall alcohol be sold, consumed or purchased in any body art studio.

(7) The minimum separation between site boundaries of properties containing Body art businesses shall be 1,000 feet, except that this standard may be waived by the decision making body upon a finding that the addition of the Body art business will not contribute to or create a blighting influence in its vicinity.

(c) **Conditional Use Permit required.** No body art studio shall be established unless a conditional use permit is obtained pursuant to Section 10-2.2506.

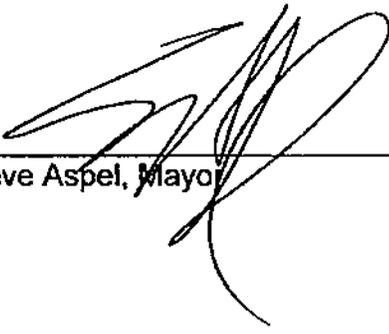
SECTION 7. INCONSISTENT PROVISIONS. Any provisions of the Redondo Beach Municipal Code, or appendices thereto, or any other ordinances of the City inconsistent herewith, to the extent of such inconsistencies and no further, are hereby repealed.

SECTION 8. SEVERANCE. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the ordinance. The City Council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid or unconstitutional.

SECTION 9. PUBLICATION AND EFFECTIVE DATE. This ordinance shall be published by one insertion in the official newspaper of the City, and the same shall go into effect and be in full force and operation from and after thirty (30) days after its final passage and adoption.



PASSED, APPROVED AND ADOPTED this 17th day of November, 2015.



Steve Aspel, Mayor

ATTEST:
STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF REDONDO BEACH)

I, Eleanor Manzano, City Clerk of the City of Redondo Beach, California, do hereby certify that the foregoing Ordinance No. 3143-15 was duly introduced at a regular meeting of the City Council held on the 3rd day of November, 2015, and was duly approved and adopted by the City Council at a regular meeting of said City Council held on the 17th day of November, 2015, by the following vote:

AYES: GINSBURG, BRAND, HORVATH, SAMMARCO, EMDEE
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE



Eleanor Manzano, City Clerk

APPROVED AS TO FORM:



Michael W. Webb, City Attorney



Summary of the Safe Body Art Act

Intent of the Safe Body Art Act

The Safe Body Art Act is a chapter of the California Health and Safety Code that is intended to protect both the practitioner and the client from the transmission of infectious diseases through minimum statewide standards for persons who perform tattooing, body piercing, branding, and the application of permanent cosmetics (body art practitioners).

Registration of Body Art Practitioners

All persons who perform body art are required to register with the local enforcement agency. To register in Los Angeles County you must submit a Body Art Practitioner Annual Registration Form along with the following:

- Valid government issued photo identification indicating practitioner is 18 years of age or older (i.e. Drivers License or State Identification Card).
- Evidence of six months related experience
- Proof of completion of a County-approved Blood Borne Pathogens Exposure Control Training
- Certificate of Hepatitis B vaccination, evidence of immunity, physician statement of contraindication for medical reasons, or a vaccination declination statement.

Body Art Facility Requirements to Obtain A Public Health Permit

Upon verification that a body art facility meets all of the following requirements a Public Health Permit will be issued.

General Requirements:

- Possesses a current Infection Prevention and Control Plan (see sidebar)
- Facility is clean, free of insects and rodents, and has walls, floors and ceilings that are smooth, washable and free of holes
- All practitioners are registered with certificates posted
- A contract for removal of all sharps waste
- Waste containers with liners in procedure area and decontamination area
- Properly labeled sharps containers that are within arm's reach of the practitioners in the procedure and decontamination areas

Procedure Areas:

- Equipped with adequate lighting
- Equipped with a hand washing sink with hot (110°F) and cold water, liquid soap, and single-use towels in a touchless dispenser

Decontamination Areas:

(Not required if only disposable, single-use, pre-sterilized instruments are used)

- Separated from procedure areas by at least 5 feet or a by a cleanable barrier
- Equipped with a sink with hot and cold water for cleaning and disinfecting equipment
- Only equipment manufactured for sterilization of medical instruments may be used
- Upon initial installation, after repair, and at least monthly the sterilization unit must be tested using a commercial biological indicator monitoring system

Age Restrictions on Clients

Clients must be at least 18 years of age to receive a tattoo, permanent cosmetics, piercing of the nipples or genitals or a brand regardless of parental consent. Persons under the age of 18 may receive a body piercing, other than the nipples or genitals, if performed in the presence of their parent or guardian.



Definition of Body Art

Body art includes tattooing, permanent cosmetics, branding and body piercing except piercing of the ear with a mechanical device using a disposable, single-use, pre-sterilized stud and clasp or solid needle (with one exception).

Plan Check Requirements

Body Art Facilities constructed after July 1, 2012, must receive approval prior to operating. Operators must submit for approval construction plans and a copy of their Infection Prevention and Control Plan and the required fee.

After construction, the operator must request an inspection of the facility to determine that the construction and operating methods meet the approved plans.

Registrations from Outside Los Angeles County

Body art practitioners who are currently registered with another California enforcement agency may operate as a guest artist in a LA County body art facility or temporary body art event for up to 5 consecutive days and no more than 15 days total each year without registering with the County of LA.



Summary of the Safe Body Art Act cont.

Clients Must Provide "Informed Consent"

To provide informed consent clients must read and sign an informed consent form that includes a description of the procedure; a description of what to expect after the procedure; a statement regarding the permanent nature of body art; and post procedure instructions including care of the procedure site, restrictions on physical activities, sign and symptoms of infection, and when to seek medical care.

The informed consent form should also include a client health questionnaire to determine if the client is pregnant; has a history of herpes infection at the procedure site, diabetes, allergic reactions to latex or antibiotics, hemophilia or other bleeding disorder, or cardiac valve disease; has a history of medication use, including prescribed antibiotics prior to dental or surgical procedures; or has other risk factors for blood borne pathogen exposure.

Requirements for Safe Performance of Body Art

- Wash and dry hands before beginning a procedure
- Put on a clean apron, bib, or lap pad and personal protective equipment appropriate to the task
- Put on clean, unused, disposable exam gloves just prior to the procedure and wear the gloves throughout the procedure. Wash hands and change gloves if contact occurs with surfaces other than the client's skin or instruments used in the procedure or if glove is punctured or torn
- Apply antiseptic, antimicrobial, or microbicide to the client's skin immediately prior to the procedure
- Use a single-use razor to shave client and dispose of the razor in the sharps container
- Only single-use needles and needle bars may be used and must be disposed of in the "Sharps" container
- Any part of a tattooing machine that may be touched by a practitioner during the procedure shall be covered with a disposable plastic sheath that is discarded upon completion of the procedure
- Instruments other than needles and needle bars that contact skin must be either single use or be washed, disinfected, packaged, and sterilized after each procedure
- Jewelry inserted in newly pierced skin must be made of approved materials
- Only commercially manufactured inks, dyes, and pigments may be used and must be dispensed in a manner to prevent contamination of the storage container and remaining contents
- After the procedure, wash and disinfect instruments and decontaminate the workstation and procedure area
- No food, drink, tobacco product, or personal effects are permitted in the procedure area
- Animals, except service animals as defined by the ADA, are not permitted in the procedure area or decontamination-sterilization area.

Decontamination and Sterilization Requirements

- Each instrument peel-packs must have an appropriate indicator
- Each sterilization load shall be monitored with a Class V integrator
- Sterilization units are to be loaded, operated, decontaminated, and maintained according to manufacturer specifications
- A written log of each sterilization cycle including date, contents, exposure time and temperature and the results of the Class V integrator must be retained onsite for two years.
- Sterilization packs must be inspected prior to storage and again prior to use.

An Infection Prevention and Control Plan:

- Specifies the procedures to achieve compliance with the Safe Body Art Act
- Must be revised when changes are made in infection prevention practices, procedures, or tasks
- Must include staff training upon initial assignment of task, whenever procedures change and not less than once per year
- Include records of training on the plan for the last three years

An Infection Prevention and Control Plan must include the following procedures:

- Decontaminating and disinfecting surfaces
- Decontaminating, packaging and sterilizing reusable instruments
- Protecting clean equipment and sterile instruments
- Setup and tear down for any form of body art performed at the facility
- Safe handling and disposal of sharps waste
- Preventing contamination of instruments or procedure site during the performance of body art

ENFORCEMENT

Registrations and Permits may be suspended for imminent health hazards. Registrations and Permits may be suspended or revoked for serious or repeated violations after a hearing.

Operating without a permit or registration is a misdemeanor and is also subject to a penalty of three times the cost of the license or registration.

Violations of the act are subject to an administrative penalty of \$25-\$1,000.

CITY OF REDONDO BEACH
PLANNING DIVISION



APPLICATION FOR CONDITIONAL USE PERMIT

Application is hereby made to the Planning Commission/Harbor Commission of the City of Redondo Beach, for Conditional Use Permit, pursuant to Section 10-2.2506 of Chapter 2, Title 10 of the Redondo Beach Municipal Code.

PART I - GENERAL INFORMATION

A	
APPLICANT INFORMATION	
STREET ADDRESS OF PROPERTY: 417 TORRANCE BL. REDONDO BEACH, CA	
EXACT LEGAL DESCRIPTION OF THE PROPERTY:	ZONING:
LOT: 3+4 BLOCK: TRACT: 3077	C-3
FLOOR AREA RATIO (EQUAL TO GROSS FLOOR AREA DIVIDED BY SITE SIZE)	
SITE SIZE (SQ. FT.): 300 GROSS FLOOR AREA (SQ. FT.) 600 FLOOR AREA RATIO:	
RECORDED OWNER'S NAME: DOROTHY J. CORWIN MAILING ADDRESS: 785 W. 29th ST SAN PEDRO, CA 90731 TELEPHONE: 310 567 7854	AUTHORIZED AGENT'S NAME: MAILING ADDRESS: TELEPHONE:
APPLICANT'S NAME: DAVID ALAN NELSON MAILING ADDRESS: 1140 HERMOSA AVE #8 HERMOSA BEACH, CA 90254 TELEPHONE: 310 941 9393	PROJECT ARCHITECT/FIRM/PRINCIPAL: MAILING ADDRESS: TELEPHONE: LICENSE NO.
B	
REQUEST	
The applicant requests a Conditional Use Permit to use the above described property for the following purposes: TATTOO SHOP. TATTOOS ONLY (NO PIERCINGS) HOURS OF OPERATION: TUES-SUN. 12P-8P. WORKSPACE SQUARE FOOTAGE: 250. 1 ARTIST AND 1 EMPLOYEE.	

CID 67896

20160080

C

SHOWINGS: Explain how the project is consistent with the criteria in Section 10-2.2506(B) of the Zoning Ordinance.

1. Describe existing site improvements and their present use. If vacant, please specify. VACANT, PREVIOUS BUSINESS WAS A WELLNESS CENTER THAT PROVIDED VARIOUS SKIN TREATMENTS, MASSAGE, FACIAL TREATMENTS, ETC.

2. Describe the site in terms of its ability to accommodate the proposed use and conform to the development standards of the Zoning Ordinance (i.e., setbacks, parking, landscaping, etc.)

NO CONSTRUCTION TO TAKE PLACE. THIS USE WILL BE SERVICING ONE CLIENT AT A TIME AND USE ONE PARKING SPOT AT A TIME

3. Describe the site in terms of its access to public rights-of-way. Give street names, widths, and flow characteristics. THE ENTRANCE AND EXIT ARE ON GUADALUPE JUST NORTH OF TORRANCE BL.

OWNER'S AFFIDAVIT

Project address: 417 TORRANCE BL. REDONDO BEACH CA 90277

Project description: TATTOO STUDIO

I (We) Dorothy J. Corwin, being duly sworn, depose and say I am (we are) the owner(s) of all or part of the property involved and that this application has been prepared in compliance with the requirements printed herein. I (we) further certify, under penalty of perjury that the foregoing statements and information presented herein are in all respects true and correct to the best of my (our) knowledge and belief.

Signature(s): Dorothy J. Corwin

Address: 785 W. 29th St
San Pedro CA 90731

Phone No. (Res.) 310 567-7834
(Bus.) _____

Subscribed and sworn to (or affirmed) before me this ____ day of _____, 20____
by _____, proved to me on the basis of satisfactory
evidence to be the person(s) who appeared before me.

FILING CLERK OR NOTARY PUBLIC

State of California)
County of Los Angeles)

ss

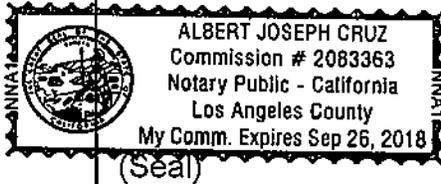
Seal

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

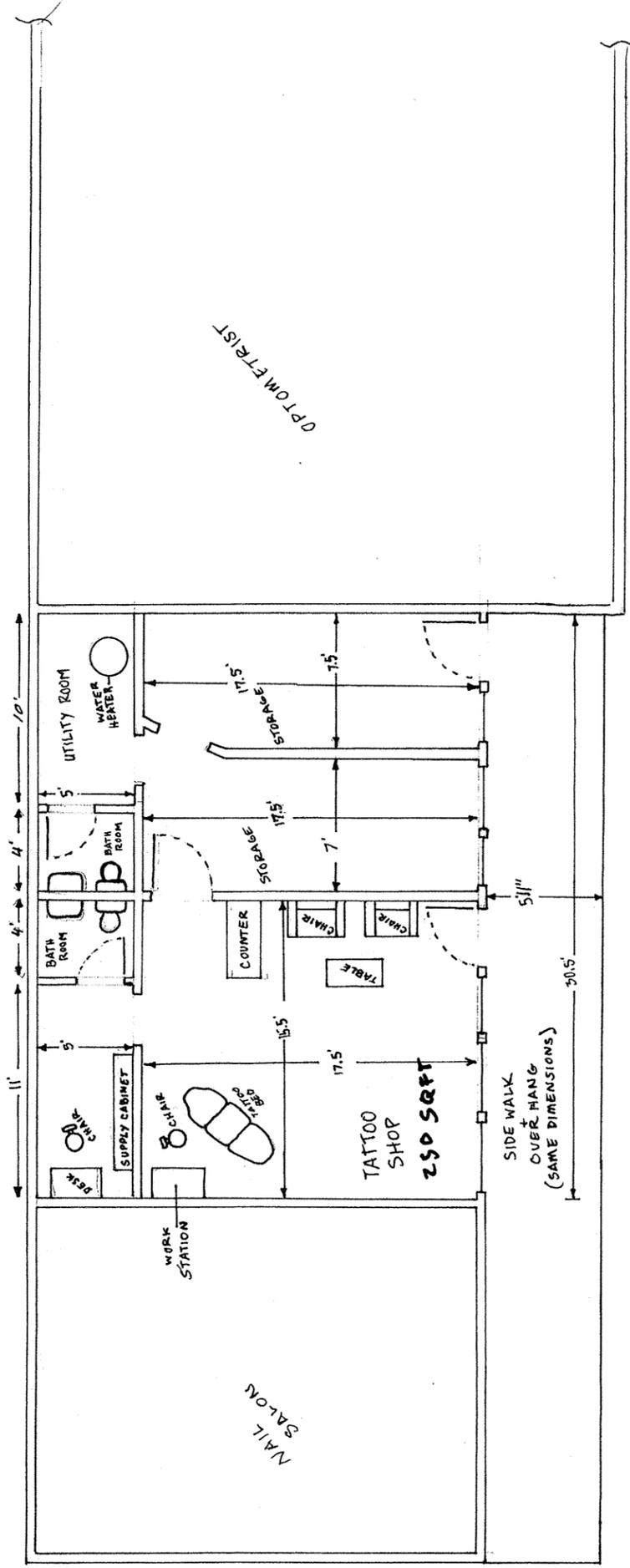
State of California
County of LOS ANGELES

Subscribed and sworn to (or affirmed) before me on this 9
day of JANUARY, 2016, by DOROTHY J. CORWIN

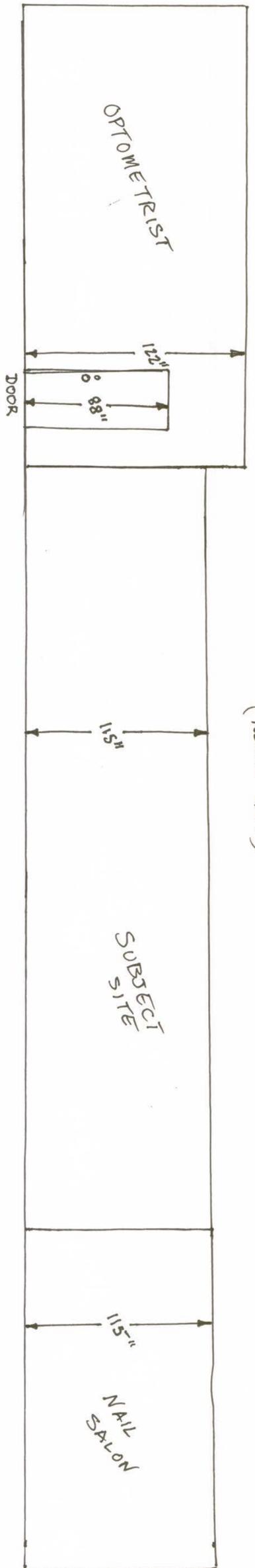
proved to me on the basis of satisfactory evidence to be the
person(s) who appeared before me.



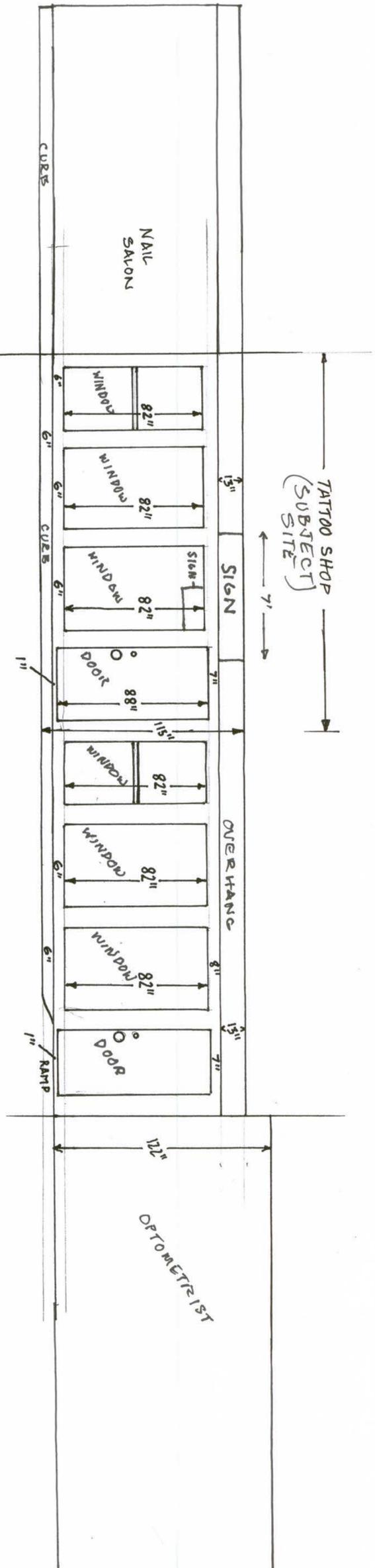
Signature *Albert Cruz*



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 'FLOOR PLAN'
 417 TORRANCE BL.
 REDONDO BEACH, CA 90277
 BY DAVID NELSON 1-7-16
 1/4 SCALE

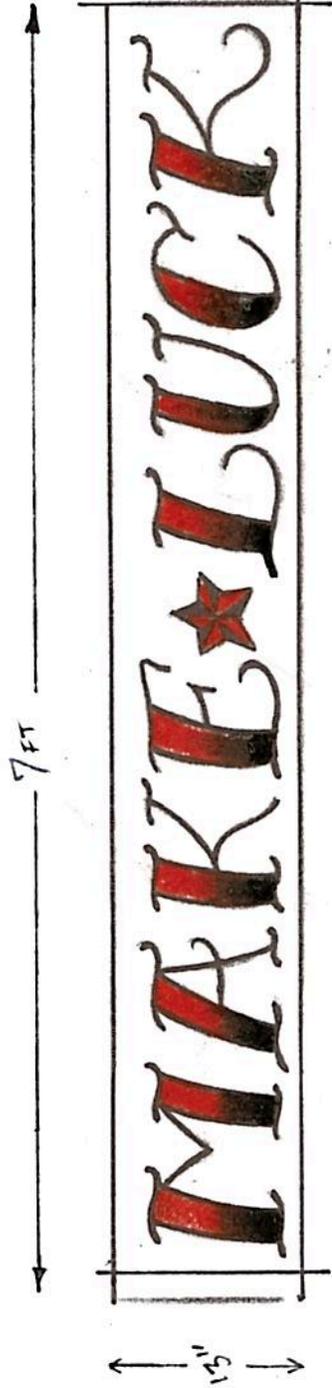


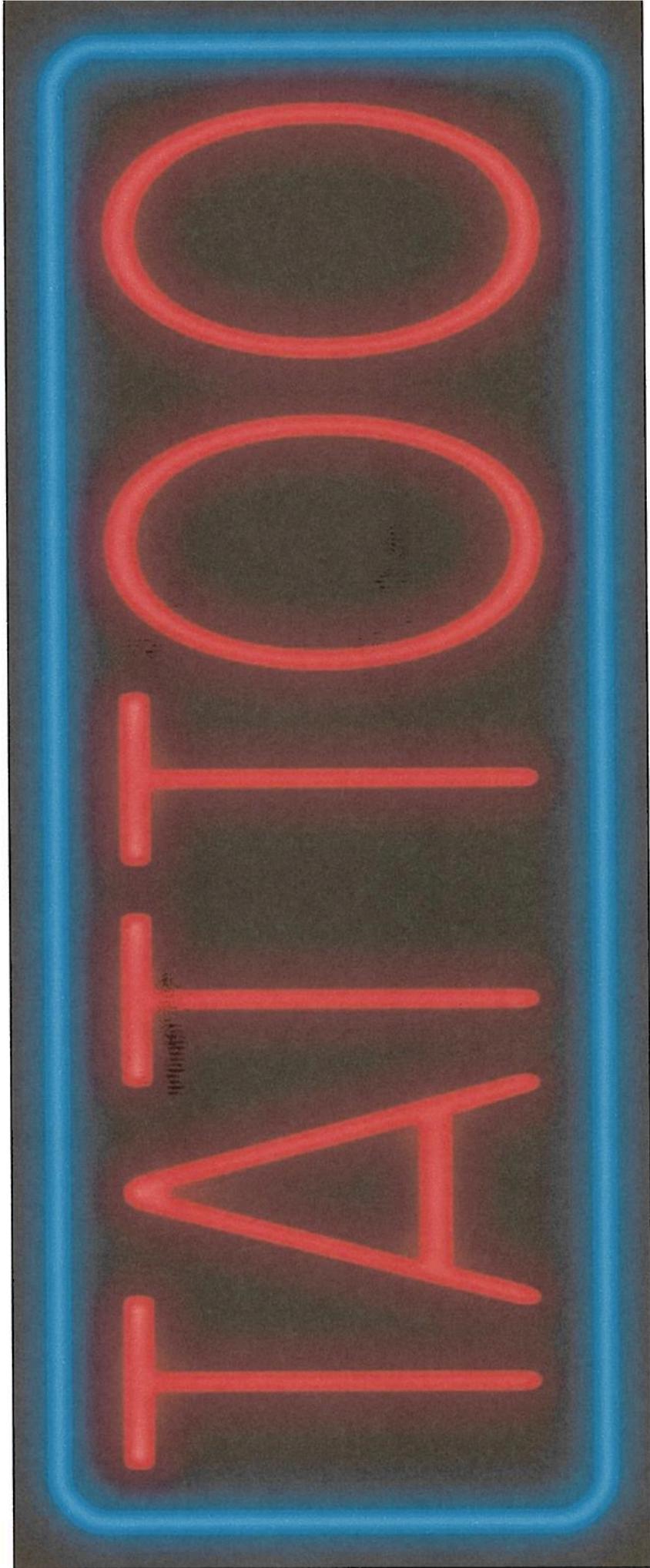
(REAR VIEW)



↑ ↓
 'ELEVATION PLAN'
 417 TORRANCE BL.
 REDONDO BEACH, CA 90277
 BY DAVID NELSON 1-7-16
 1/4 SCALE

SIGN ON OVERHANG:
13" X 7' RED, BLACK, AND WHITE.
ACRYLIC PRIMED PLYWOOD. 1/2" THICK
ACRYLIC PAINT: RED BLACK AND WHITE
ACRYLIC CLEAR COAT UV, GLOSS





32" x 13" NEON WINDOW SIGN

413 NAITTS VET

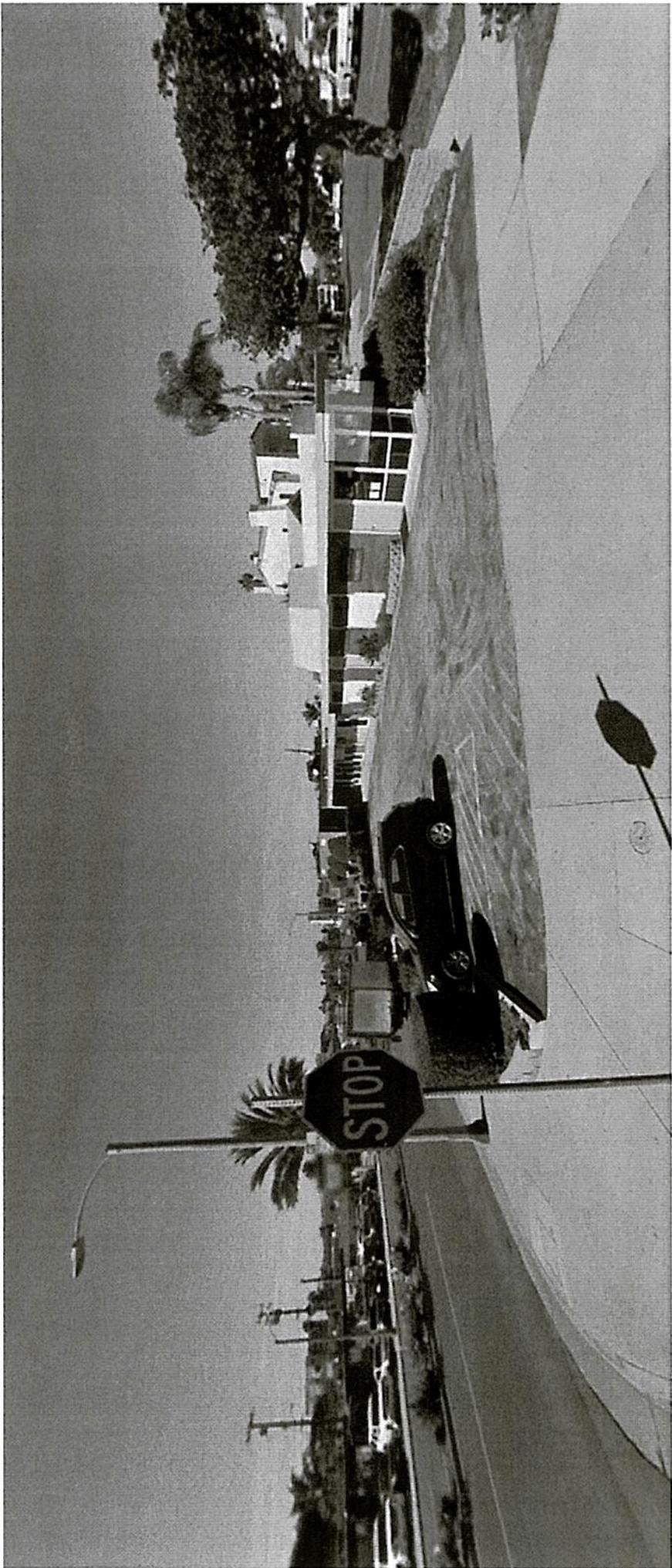


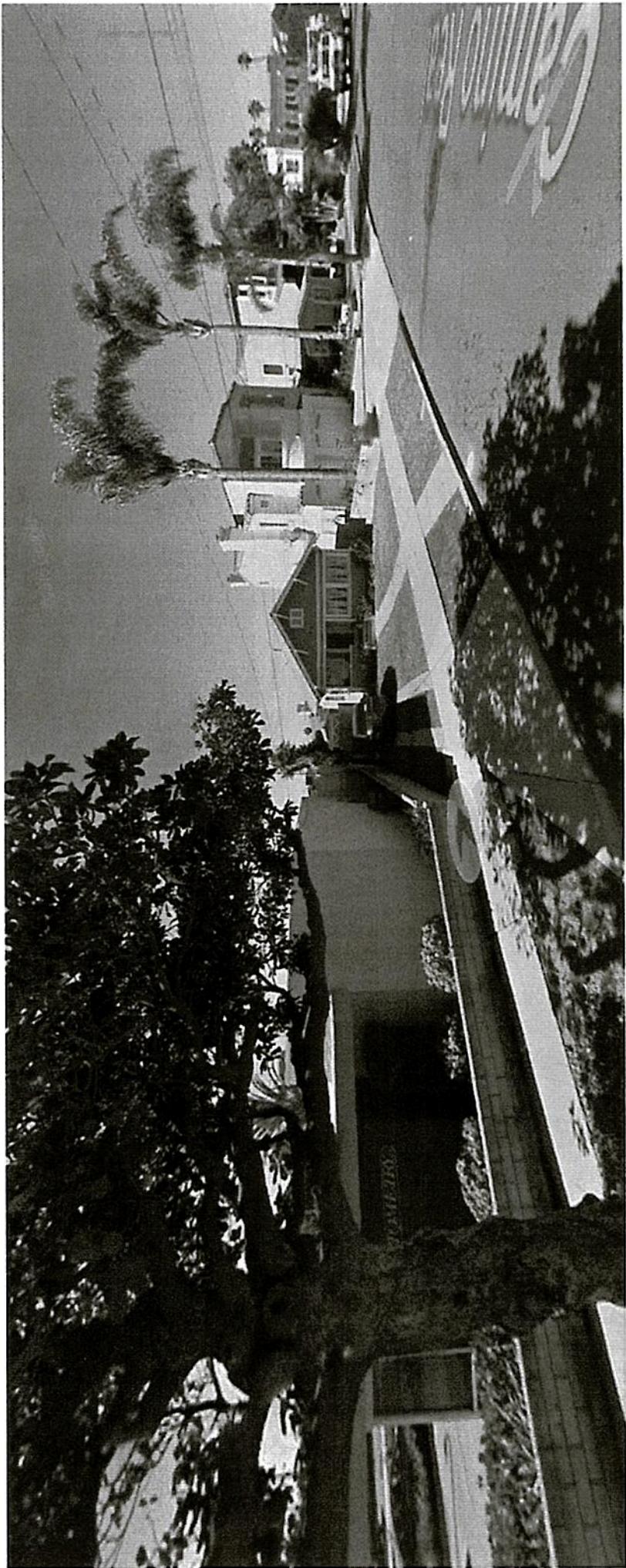


IMIZAKI











Administrative Report

Planning Commission Hearing Date: February 18, 2016

AGENDA ITEM: 10 (PUBLIC HEARING)
PROJECT LOCATION: 800 S. PACIFIC COAST HIGHWAY, #9
APPLICATION TYPE: AMENDMENT TO A CONDITIONAL USE PERMIT AND AN EXEMPTION DECLARATION
CASE NUMBER: 2016-02-PC-005
APPLICANT'S NAME: AVENUE A BAR AND GRILL

APPLICANT'S REQUEST AS ADVERTISED:

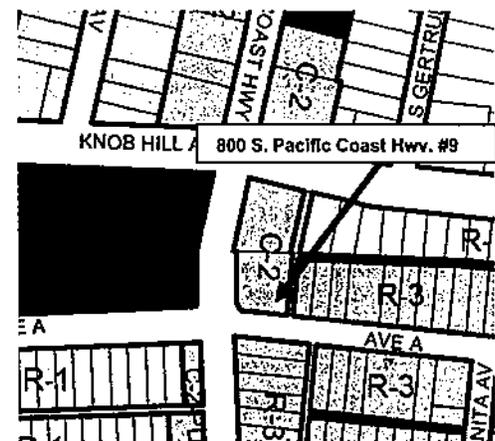
Consideration of an Exemption Declaration and Amendment to a Conditional Use Permit to allow the extension of hours of operation for an existing restaurant within a commercial building, on property located within a Commercial (C-2) zone, located at 800 S. Pacific Coast Highway, #9.

DEPARTMENT'S RECOMMENDATION:

The Planning Department recommends that the Planning Commission make the findings as set forth in the staff report and attached draft resolution; adopt the Exemption Declaration and approve the Amendment to a Conditional Use Permit to allow the extension of hours of operation for an existing restaurant, subject to the plans and applications submitted, and the conditions below.

BACKGROUND/EXISTING CONDITIONS:

This application requests extension of the current hours of operation specified in an existing Conditional Use Permit for a restaurant space located within a commercial shopping center at 800 S. Pacific Coast Highway. The site is approximately 16,740-square feet in size comprised of two adjoining parcels fronting the east side of Pacific Coast Highway, between Knob Hill Avenue and Avenue A. The property is currently developed with a 15,295 square foot, two-story commercial building approved by the Planning Commission in 1985. The ground floor of the development consists of a mix of retail, personal convenience services, and restaurant uses. The second floor is occupied by office spaces. All uses are served by 66 on-site parking spaces, which are accessed by



two-way driveways at each end of the property, off of Knob Hill Avenue and Avenue A. The property is separated from residential properties to the rear (east) by a 15-foot wide public alley.

As part of the Planning Commission's approval of the development in 1985, conditions stated that any restaurant use required further approval from the Planning Commission to address concerns regarding odors that may be produced and impact on parking. In 1986, the Planning Commission approved a Site Development Review for the operation of a sit-down restaurant in the tenant space at the southerly end of the shopping center. The Site Development Review imposed conditions similar to a Conditional Use Permit (CUP). Findings were made that the use would be compatible with the nearby residential uses, subject to the conditions of approval, which limited the hours of operation from 6:00 a.m. to 10:00 p.m. Subsequent approval by the Planning Commission, the location has been occupied by various sit-down restaurants, most recently Avenue A Bar and Grill since October of 2013. The conditions imposed by the Planning Commission in 1986 continue to be binding on all future property and business owners, unless amended.

CURRENT REQUEST:

The applicant, Avenue A Bar and Grill, seeks approval to amend the current conditions to extend the hours of operation beyond 10:00 p.m. The business is requesting to operate from 9:00 a.m. to 11:00 p.m. Sunday through Thursday and 9:00 a.m. to 1:00 a.m. Friday and Saturday. Staff's recommendation on this request will follow later in the report.

Additionally, the business would like to provide limited live entertainment. Entertainment can be approved administratively or by the City Council outside of the CUP process, however, staff would like to take the opportunity of incorporating conditions related to entertainment should the CUP amendment be approved.

EVALUATION OF REQUEST:

Property Description and Business History

Avenue A Bar and Grill occupies an approximately 2,000-square foot tenant space located at the southerly end of a shopping center within a Commercial (C-2) zone, closest to the intersection of Pacific Coast Highway and Avenue A. The shopping center abuts residentially zoned properties to the rear, separated by a 15-foot wide public alley. Residentially zoned properties are also located across the street to the south and east, along Avenue A. The shopping center fronts Pacific Coast Highway, a major arterial.

The shopping center development was approved by the Planning Commission in 1985 (Resolution No. 5647). Conditions of approval for the center included restriction on hours of operation for all businesses from 6:00 a.m. to 12:00 midnight. The following year, a Site Development Review was approved for the operation of a restaurant in the tenant

space at the southerly end of the shopping center (Resolution No. 5780). At the time, the applicant was an Italian establishment, Viva La Pasta. Condition No. 1 of the resolution limited the hours of operation to 10:00 p.m. In 1995, Aimee's French Restaurant began operating in the tenant space, and remained in operation under conditions of the prior restaurant until approximately 2013.

Avenue A Bar and Grill Tenancy

After remaining vacant for a short time, Avenue A Bar and Grill was issued a restaurant business license in October of 2013.

The business came to the attention of Planning Division staff in summer of 2015, about a year and half into their operation. The Police Department had been called out to the location for excessive noise. It was discovered that the business was conducting live karaoke without an entertainment permit and the noise generated was disturbing neighboring residences. Additionally, patrons loitering outside the establishment were also creating a disturbance. The Police Department contacted Code Enforcement staff, which spoke with management and explained that the business must apply to the Planning Division for an Entertainment Permit, which would condition the entertainment so as to have a minimal effect on surrounding properties.

Avenue A Bar and Grill ownership were extremely responsive, meeting with Planning Division and Code Enforcement staff in a timely manner to remedy the issues. The business applied for a Level 1 Entertainment Permit in September 2015. However, in processing their application, it was determined that their requested hours of operation would not comply with the conditions of the 1985 and 1986 resolutions which limit the business hours of operation to 10:00 p.m. and the center to 12:00 midnight. The business owners stated they were unaware these restrictions. After meeting with staff, they immediately complied with the required conditions and applied to extend the hours of operation.

Request for Amendment

Pursuant to Section 10-2.620 of the City's Zoning Ordinance, the purpose of a Conditional Use Permit is to ensure that the use will not adversely affect surrounding uses and properties by imposing conditions on the particular use. Potential issues related to the current request include the following:

- Excessive noise emitting from the establishment late into the night, possibly disturbing the neighboring residential uses to the east and south
- Potential of the establishment deviating from its original approval as a sit-down restaurant to a bar/lounge type of use

In the case of excessive noise, Avenue A Bar and Grill has its front entrance oriented towards Pacific Coast Highway, a major arterial. The noise generated will not exceed ambient noise levels along Pacific Coast Highway, but the possibility exists that noise escaping the front door when opened will affect the neighboring residences along Avenue A. The current request to amend the existing conditions for the business provides the opportunity to add new conditions that mitigate issues related to noise. The set of conditions from 1986 do not address requirements for additional noise attenuation measures. Such additional conditions will help diminish noise impacts, which would be an issue for any restaurant use. Granting the requested amendment provides the opportunity to modernize conditions of an older approval. Additional conditions include the requirement for an adequate ventilation system so that doors and windows remain closed and personnel to monitor the front entrance to ensure patrons to do not loiter and cause a disturbance.

Staff is aware that the Police Department has received some periodic calls for service to the location since last summer, at an average of three (3) calls per month. The Police Department and Planning Division staff provided enhanced noticing of this public hearing to the surrounding neighborhood. Redondo Beach Municipal Code requires that a public hearing notice be mailed to property owners within a 300-foot radius of the subject location. In order to ensure that neighbors can voice their concerns to the Commission, Planning Division staff mailed notices to all residents within a 100-ft radius, so as to capture residents/tenants in the multi-family units to the east and south of the business.

An additional potential concern is the possibility of the establishment deviating from its original approval as a sit-down restaurant to a bar/lounge type of use. It can be argued that sit-down restaurant activities may not necessitate that the restaurant stay open past a certain hour. Staff researched hours of operation for restaurants along Pacific Coast Highway, and found that an 11:00 p.m. closure is typical during the week, with 12:00 midnight closure on Fridays and Saturdays. The hours requested by Ave A Bar and Grill are reasonable and consistent with those of a sit-down restaurant. Additionally, the 1985 CUP for the development requires that all businesses on the property close by 12:00 midnight.

Therefore, staff recommends that the Planning Commission grant the request for an extension of hours for Monday through Thursday until 11:00 p.m. and Friday and Saturday until 12:00 midnight. The restaurant use is appropriate for the location and the amended hours will enhance restaurant operation.

Request for Live Entertainment

Based on the history of calls for service to the Police Department, it appears that Avenue A Bar and Grill operated without issues for a year and half (October 2013 to July 2015) until it began providing live entertainment, with no mitigating conditions. When staff spoke with the business owners, they were cooperative, stating they would apply for an

entertainment permit and comply with any conditions that would off-set noise issues. As part of the entertainment permit, conditions will be required that an adequate ventilation system be utilized in order to keep doors and windows closed. An additional concern may be noise escaping from the front door as patrons enter and exit the establishment. The business will be required to have personnel monitor the entrance so that customers do not loiter in that vicinity. Although it may be inevitable that some sound will escape the building, it is not anticipated to be any more than is typically generated from other commercial restaurant locations.

Additionally, personnel will be required to monitor the exterior area of the property to ensure customers do not remain in the parking lot area creating excessive noise.

Parking

With respect to parking, Section 10-2.622 of the City's Zoning Ordinance requires that sit-down restaurants provide 1 space for every 4 seats or 1 space for every 50-square feet of seating area. The development provides 66 total parking spaces for all uses on the property. The parking breakdown for the shopping center is as follows:

Total parking spaces provided is 66			
Area	Square Footage	Parking Ratio	Parking Spaces Required
1 st Floor Retail	9,995	1/250 sq ft	40
2 nd Floor Office	3,300	1/300 sq ft	11
1 st Floor Restaurant (Ave A Bar & Grill)	2,000 total 708 sq ft seating	1 space for 50 sq ft of seating area	15
Total Spaces Required			66

The total of 66 parking spaces on the property meets the code requirement to serve all existing uses. Also of note is that many of the patrons walk to the establishment from the adjacent neighborhood.

ENVIRONMENTAL STATUS:

Pursuant to the California Environmental Quality Act (CEQA), Section 15301 of the Guidelines (Existing Facilities), the proposed project is categorically exempt from the preparation of environmental analyses as a minor alteration to an existing facility.

FINDINGS:

1. In accordance with Section 10-2.2506(b) of the Redondo Beach Municipal Code, approval of the request for an Amendment to a Conditional Use Permit is in accord with the criteria set forth therein for the following reasons:
 - a) The proposed use is permitted in the land use district in which the site is located, and the site is adequate in size and shape to accommodate the use, and the project is consistent with the requirements of Chapter 2, Title 10 of the Redondo Beach Municipal Code, to adjust the use with the land and uses in the neighborhood. The restaurant use is a permitted use in the C-2 zoning district and the parcel is adequate in size and parking to accommodate the use.
 - b) The site of the proposed use has adequate access to a public street of adequate width to carry the kind and quantity of traffic generated by the use that it serves. The subject property fronts a major arterial street, Pacific Coast Highway, with two-way driveway access from adjoining streets at Knob Hill Avenue and Avenue A.
 - c) The proposed use shall have no adverse effect on abutting property or the permitted use thereof subject to the conditions of approval.
 - d) The project is consistent with the Comprehensive General Plan of the City.
2. The plans, specifications and drawings submitted with the applications have been reviewed by the Planning Commission and approved.
3. Pursuant to Chapter 3, Title 10 of the Redondo Beach Municipal Code, the project is exempt from the preparation of environmental documents pursuant to Section 15301 (Existing Facilities) of the Guidelines for Implementation of the California Environmental Quality Act (CEQA).
4. The Planning Commission hereby finds that the proposed project will have no impact upon Fish and Game resources pursuant to Section 21089(b) of the Public Resources Code.

CONDITIONS:

1. That the conditions of Planning Commission Resolution No. 5780 are hereby amended and restated in full as follows, for the operation of a sit-down restaurant. The business shall be maintained and operated in substantial conformance with the plans reviewed and approved by the Planning Commission at its meeting of February 18, 2016.

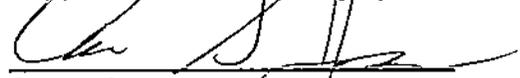
2. That the restaurant shall be permitted to operate from 6:00 a.m. to 11:00 p.m. Sunday through Thursday, and from 6:00 a.m. to 12:00 midnight Friday and Saturday.
3. That live entertainment shall be permitted by a maximum of two entertainers with the issuance of an Entertainment Permit by the Planning Division.
4. That the applicant shall utilize an air conditioning and ventilation system in order to maintain all doors and windows closed during business hours.
5. That the business owner shall assign personnel to monitor the front entrance and exterior area of the restaurant to prevent patrons from loitering outside and ensure that customers leave the premises in a timely manner once exiting the business.
6. That outdoor preparation of food shall be prohibited.
7. That the business shall comply with all conditions of Planning Commission Resolution No. 5647 related to the commercial center development.
8. All exterior and interior alterations to the building shall comply with all applicable codes and regulations implemented by the Building Division and any other agencies with jurisdiction over the facility and that building permits shall be obtained prior to the commencement of any work.
9. The Planning Department shall be authorized to approve minor changes.
10. In the event of a disagreement in the interpretation and/or application of these conditions, the issue shall be referred back to the Planning Commission for a decision prior to the issuance of a building permit. The decision of the Planning Commission shall be final.

Submitted by:



Lina Portolese
Planning Analyst

Approved for forwarding by:



Aaron Jones
Community Development Director

Attachments:

- Planning Commission Resolution No. 5647 for the development at 800 S. Pacific Coast Highway (1985)
- Planning Commission Resolution No. 5780 for the operation of a restaurant (1986)
- Application
- Letter of support
- Architectural drawings



CITY OF REDONDO BEACH

EXEMPTION DECLARATION PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

DATE: February 18, 2016

PROJECT ADDRESS: 800 S. Pacific Coast Highway

PROPOSED PROJECT: Consideration of an Amendment to a Conditional Use Permit to allow the extension of hours of operation for an existing restaurant within a commercial building, on property located within a Commercial (C-2) zone.

In accordance with Chapter 3, Title 10, Section 10-3.301(a) of the Redondo Beach Municipal Code, the above-referenced project is Categorically Exempt from the preparation of environmental review documents pursuant to:

Section 15301 of the Guidelines for Implementation of the California Environmental Quality Act (CEQA), which states, in part, that the permitting and minor alteration of existing structures where only minor modifications are made, does not have a significant effect upon the environment. This finding is supported by the fact that the proposed project is an amendment to the hours of operation for an existing restaurant.

A handwritten signature in black ink, appearing to read 'Lina Portolese', written over a horizontal line.

Lina Portolese
Planning Analyst

RESOLUTION NO. 2016--PCR-*****

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF REDONDO BEACH APPROVING AN EXEMPTION DECLARATION AND GRANTING THE REQUEST FOR AN AMENDMENT TO A CONDITIONAL USE PERMIT TO ALLOW THE EXTENSION OF HOURS OF OPERATION FOR AN EXISTING RESTARUANT WITHIN A COMMERCIAL BUILDING ON PROPERTY LOCATED WITHIN A COMMERCIAL (C-2) ZONE AT 800 SOUTH PACIFIC COAST HIGHWAY (CASE NO 2016-02-PC-005)

WHEREAS, an application was filed on behalf of the owners of property located at 800 S. Pacific Coast Highway for approval of an Exemption Declaration and consideration of an Amendment to a Conditional Use Permit to allow the extension of hours of operation for an existing restaurant within a commercial building on property located within a Commercial (C-2) zone; and

WHEREAS, notice of the time and place of the public hearing where the Exemption Declaration and application would be considered was given pursuant to State law and local ordinances by publication in the Easy Reader, by posting the subject property, and by mailing notices to property owners within 300 feet of the exterior boundaries of the subject property; and

WHEREAS, the Planning Commission of the City of Redondo Beach has considered evidence presented by the applicant, the Planning Division, and other interested parties at the public hearing held on the 18th day of February, 2016, with respect thereto.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF REDONDO BEACH DOES HEREBY FIND:

1. In accordance with Section 10-2.2506(b) of the Redondo Beach Municipal Code, approval of the request for an Amendment to a Conditional Use Permit is in accord with the criteria set forth therein for the following reasons:
 - a) The proposed use is permitted in the land use district in which the site is located, and the site is adequate in size and shape to accommodate the use, and the project is consistent with the requirements of Chapter 2, Title 10 of the Redondo Beach Municipal Code, to adjust the use with the land and uses in the neighborhood. The restaurant use is a permitted use in the C-2 zoning district and the parcel is adequate in size and parking to accommodate the use.
 - b) The site of the proposed use has adequate access to a public street of adequate width to carry the kind and quantity of traffic generated by the use that it serves.

The subject property fronts a major arterial street, Pacific Coast Highway, with two-way driveway access from adjoining streets at Knob Hill Avenue and Avenue A.

- c) The proposed use shall have no adverse effect on abutting property or the permitted use thereof subject to the conditions of approval.
 - d) The project is consistent with the Comprehensive General Plan of the City.
2. The plans, specifications and drawings submitted with the applications have been reviewed by the Planning Commission and approved.
 3. Pursuant to Chapter 3, Title 10 of the Redondo Beach Municipal Code, the project is exempt from the preparation of environmental documents pursuant to Section 15301 (Existing Facilities) of the Guidelines for Implementation of the California Environmental Quality Act (CEQA).
 4. The Planning Commission hereby finds that the proposed project will have no impact upon Fish and Game resources pursuant to Section 21089(b) of the Public Resources Code.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF REDONDO BEACH DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. That based on the above findings, the Planning Commission does hereby approve the Exemption Declaration and grant the Amendment to a Conditional Use Permit pursuant to the plans and application considered by the Planning Commission at its meeting of the 18th day of February, 2016.

Section 2. This permit shall be void in the event that the applicant does not comply with the following conditions:

1. That the conditions of Planning Commission Resolution No. 5780 are hereby amended and restated in full as follows, for the operation of a sit-down restaurant. The business shall be maintained and operated in substantial conformance with the plans reviewed and approved by the Planning Commission at its meeting of February 18, 2016.
2. That the restaurant shall be permitted to operate from 6:00 a.m. to 11:00 p.m. Sunday through Thursday, and from 6:00 a.m. to 12:00 midnight Friday and Saturday.
3. That live entertainment shall be permitted by a maximum of two entertainers with the issuance of an Entertainment Permit by the Planning Division.

4. That the applicant shall utilize an air conditioning and ventilation system in order to maintain all doors and windows closed during business hours.
5. That the business owner shall assign personnel to monitor the front entrance and exterior area of the restaurant to prevent patrons from loitering outside and ensure that customers leave the premises in a timely manner once exiting the business.
6. That outdoor preparation of food shall be prohibited.
7. That the business shall comply with all conditions of Planning Commission Resolution No. 5647 related to the commercial center development.
8. All exterior and interior alterations to the building shall comply with all applicable codes and regulations implemented by the Building Division and any other agencies with jurisdiction over the facility and that building permits shall be obtained prior to the commencement of any work.
9. The Planning Department shall be authorized to approve minor changes.
10. In the event of a disagreement in the interpretation and/or application of these conditions, the issue shall be referred back to the Planning Commission for a decision prior to the issuance of a building permit. The decision of the Planning Commission shall be final.

Section 3. That the approved Conditional Use Permit shall become null and void if not vested within 36 months after the Planning Commission's approval.

Section 4. That, prior to seeking judicial review of this resolution, the applicant is required to appeal to the City Council. The applicant has ten days from the date of adoption of this resolution in which to file the appeal.

FINALLY RESOLVED, that the Planning Commission forward a copy of this resolution to the City Council so the Council will be informed of the action of the Planning Commission.

PASSED, APPROVED AND ADOPTED this 18st day of February, 2016.

Doug Rodriguez, Chair
City of Redondo Beach

ATTEST:

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF REDONDO BEACH)

I, Aaron Jones, Community Development Director of the City of Redondo Beach, California, do hereby certify that the foregoing Resolution No. 2016-**-PCR-*** was duly passed, approved and adopted by the Planning Commission of the City of Redondo Beach, California, at a regular meeting of said Planning Commission held on the 18th day of February, 2016, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Aaron Jones
Community Development Director

APPROVED AS TO FORM:

City Attorney's Office

TYPE OF APPLICATION: PLANNED DEVELOPMENT AGENDA ITEM 12.C
CASE NO. 1846-85-169
APPLICANT Bert Simon and Jim Brennan NOV 12 1985
Pacific West Development
234 South Pacific Coast Highway
Redondo Beach, CA 90277
PROPERTY DESCRIPTION Lots 87, 88, 89 and a portion of Lot 90,
Tract #5444 and a portion of Lots 22, 23,
and 24, Block 22, Tract #2546
(800 - 820 South Pacific Coast Highway)
REQUEST: Planned Development project to construct
an office/retail commercial center., in the
Planned Development Commercial Land Use
District (zone).

RESOLUTION NO. 5647

It was moved by Commissioner Friel and seconded by Commissioner Jezulin that the following resolution be adopted.

In the matter of the Planned Development project on Lots 87, 88, 89 and a portion of Lot 90, Tract No. 5444 and a portion of Lots 22, 23 and 24, Block 22, Tract No. 2546 (800 - 820 South Pacific Coast Highway) the Planning Commission found:

WHEREAS, notice of the time and place of the public hearing where this request was considered was given by publication in the Easy Reader, a newspaper of general circulation in the City, by posting the subject property and by mailing notices to property owners within 300 feet of the exterior boundaries of the subject property.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission finds that:

1. The architectural character of the project is acceptable.
2. The project meets all applicable guidelines
3. The parking provided would be adequate.
8. The project should have minimal impact on adjacent properties.

FURTHER RESOLVED, that the Planning Commission recommends that the City Council make the findings listed above, certify the adequacy of Negative Declaration No. 85-19 and approve the Planning Development project subject to the plans and application submitted and the following conditions:

AGENDA ITEM 12.C

NOV 12 1985

RESOLUTION NO. 5647

Page Two

1. That the precise architectural treatment of the building exterior, roof, walks, walls and driveways shall be subject to Planning Department approval prior to issuance of a building permit.
2. That the applicant submit a landscape and sprinkler plan, including a clock-operated sprinkler control, for approval prior to final approval.
3. That the landscaping and sprinklers be installed per the approved plan prior to final inspection.
4. That the sidewalk be replaced, as necessary, in the opinion of the Engineering Department.
5. That the applicants and/or their successors shall maintain the subject property in a clean, safe and attractive state until construction commences. Failure to so maintain the subject property may result in reconsideration of this approval by the Planning Commission.
6. That the Planning Department be authorized to approve minor changes.
7. That, in the event of a disagreement between the applicant and the Planning Department regarding these conditions, the issue shall be referred back to the Planning Commission for a decision prior to issuance of a building permit.
8. That the Planning Commission shall retain jurisdiction of the matter for the purpose of enforcing compliance with these conditions and for the further purpose of modification thereof as circumstances may subsequently indicate.
9. That the applicants and the Planning Commission shall develop a sign program for free standing and on-building signs covering number, type, color, size, placement and general design of all signs. Any and all signing shall conform to this sign program, subject to Planning Department approval.
11. That all roof mounted equipment shall be screened, shielded and where appropriate, soundproofed, subject to Planning Department approval.
12. That the 5' X 140.27' portion at the southeasterly corner of the site indicated on the plan shall be dedicated at no cost to the City of Redondo Beach for widening of the adjacent alley.
13. That the site plan, grading plans and elevations be revised returned to the Planning Commission for review and comment.

RESOLUTION NO. 5647
Page Three

14. That no restaurant, cafe or similar odor producing use be conducted on site without prior approval of the Planning Commission.
15. That hours of operation shall be limited to the period between 6 a.m. and the following midnight.
16. That deliveries shall be made only between the hours of 6 a.m. and 6 p.m. of the same day.
17. That trash areas shall be enlarged and a second trash area added on the southerly side of the site.
18. That no driveway shall be opened onto South Pacific Coast Highway.
19. That there shall be no outdoor storage of any material except in an approved trash area.

FINALLY RESOLVED, that the Planning Commission forward a copy of this resolution to the City Council for consideration and final determination in the matter.

The foregoing resolution was adopted on October 17, 1985, by the following vote:

AYES: Commissioners Friel, Jezulin,
McCallum, Prunauer, Richer,
Sullivan, Chairman Czuleger;

NOES: None.

ABSENT: None.


William F. Czuleger, Chairman
Planning Commission
City of Redondo Beach

TYPE OF APPLICATION

SITE DEVELOPMENT REVIEW

CASE NO.

1846-86-94

APPLICANT

James and Laura Brennan III
Berton J. & Terrilyn J. Simon
234 S. Pacific Coast Highway
Redondo Beach, CA 90277

PROPERTY DESCRIPTION

Lots 22-24, Block 22, Tract No. 2546,
Lots 87-89 and a portion of Lot 90,
Tract No. 5444 (800-820 South Pacific
Coast Highway)

REQUEST:

Site Development Review for a pro-
posed restaurant in a previously
approved shopping center in the
General Commercial (GC) Land
Use District (zone).

RESOLUTION NO. 5780

It was moved by Commissioner Friel and seconded by Commissioner Prunauer that the following resolution be adopted.

In the matter of the request for a Site Development Review on Lots 22 - 24, Block 22, Tract No. 2546 and Lots 87 - 89 and a portion of Lot 90, Tract No. 5444 (800 - 820 South Pacific Coast Highway) the Planning Commission found:

WHEREAS, notice of the time and place of the public hearing where this request was considered was given by publication in the Easy Reader, a newspaper of general circulation in the City, by posting the subject property and by mailing notices to property owners within 300 feet of the exterior boundaries of the subject property.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission finds that:

1. The method of cooking has little potential to create objectionable amounts of smoke or odor.
2. The foods served generally have little potential to create adverse odors.
3. The hours of operation are compatible with adjacent residential uses.
4. The manner of operation, with limited take-out food service, will be compatible with surrounding residences and businesses.

FURTHER RESOLVED, that the Planning Commission make the findings listed above, grant the requested Site Development Review subject to the plans and applications submitted and the following conditions:

RESOLUTION NO. 5780

Page Two

1. That the hours of operation shall be between the hours of 6:00 a.m. and 10:00 p.m.
2. That no barbecued or smoked foods shall be cooked on the site.
3. That the Planning Commission shall retain jurisdiction of the matter for the purpose of enforcing compliance with these conditions and for the further purpose of modification thereof, as circumstances may subsequently indicate.

FINALLY RESOLVED, that the Planning Commission forward a copy of this resolution to the City Council so the council will be informed of the action of the Planning Commission.

The foregoing resolution was adopted on June 19, 1986 by the following vote:

AYES: Commissioners Friel, Jezulin,
McCallum, Prunauer, Chairman
Czuleger;

NOES: None;

ABSENT: Commissioners Richer,
Sullivan.

William F. Czuleger
William F. Czuleger, Chairman
Planning Commission
City of Redondo Beach

**CITY OF REDONDO BEACH
PLANNING DIVISION**

RECEIVED BY: <i>L.P.</i>
DATE RECEIVED: <i>1/11/16</i>

APPLICATION FOR AMENDMENT TO AN EXISTING CONDITIONAL USE PERMIT

Application is hereby made to the Planning Commission of the City of Redondo Beach, for an amendment to an existing Conditional Use Permit, pursuant to Section 10-2.2506 of Chapter 2, Title 10 of the Redondo Beach Municipal Code.

PART I - GENERAL INFORMATION

A	APPLICANT INFORMATION		
	STREET ADDRESS OF PROPERTY: 800 S. Pacific Coast Hwy. #9 Redondo Beach, CA 90277		
	EXACT LEGAL DESCRIPTION OF THE PROPERTY: LOT: 22-24 BLOCK: 22 TRACT: 2546		ZONING: C-2
	RECORDED OWNER'S NAME: Kabushikikaisha Chokoudo c/o Tomoaki Sudo MAILING ADDRESS: 2161 W. 182nd St. #101 Torrance, CA 90504 TELEPHONE: 310-532-7777	APPLICANT'S NAME: AM3770 LLC dba Avenue A Bar & Grill Alex Jordan Martin Rodriguez MAILING ADDRESS: 800 S. Pacific Coast Hwy #9 Redondo Beach, CA 90277 TELEPHONE: 310-316-2832	AUTHORIZED AGENT'S NAME: (if different than applicant) MAILING ADDRESS: TELEPHONE:

B	REQUEST
<p>The applicant requests an amendment to an existing Conditional Use Permit for the above described property for the following purposes:</p> <p>Requesting a change to the hours of operation for our restaurant to be from 9:00am to 11:00pm Sunday through Thursday and from 9:00am to 1:00am Friday and Saturday.</p> <p>Also requesting live entertainment by 2 amplified musicians.</p>	

C

SHOWINGS: Explain how the project is consistent with the criteria in Section 10-2.2506(B) of the Zoning Ordinance.

1. Describe existing site improvements and their present use. If vacant, please specify.

The property is developed with a shopping center.

2. Describe the site in terms of its ability to accommodate the proposed use and conform to the development standards of the Zoning Ordinance (i.e., setbacks, parking, landscaping, etc.)

The restaurant is located in a Commercial zone at the end of a shopping center. The shopping center has a parking lot in the front. The majority of our business takes place in the evening, when the other businesses are closed leaving plenty of parking for our customers. The many of our customers walk over from the neighborhood, we are a neighborhood serving establishment.

3. Describe the site in terms of its access to public rights-of-way. Give street names, widths, and flow characteristics.

The shopping center is located on a major street, Pacific Coast Highway between Knob Hill and Ave A. There is driveway access from Knob Hill and Avenue A.

4. Describe the expected impact of the proposed use on adjoining uses and activities and on future development of the neighborhood.

5. Describe how the proposed use is consistent with the intent and purpose of the Redondo Beach General Plan.

D It is desirable, but not required, to have the signatures of owners of property in the immediate area affected, certifying that they have no objection to the establishment of the use as applied for in this request for an amendment to an existing Conditional Use Permit. Use reverse side of this sheet if more space is needed.

NAME	ADDRESS	LOT	BLOCK	TRACT
George Balke	9000 S. PCH Redondo			
Blatt Johnson	9000 S. PCH Redondo			
Paul Rables	902 S. PCH "			
Lynsey Kirk	5210 Avenue A Redondo			
Wendy Chinchilla	5210 Avenue A, RECA			

OWNER'S AFFIDAVIT

Project address: 600 S. PCH #9 REDONDO BEACH, CA 90277

Project description: APPLICATION FOR AMENDMENT TO AN
① ~~EIA~~ EXISTING CONDITIONAL USE PERMIT

I (we) KARUSHIKAIHA CHOKUDO, being duly sworn, depose and say I am (we are) the owner(s) of all or part of the property involved and that this application has been prepared in compliance with the requirements printed herein. I (we) further certify, under penalty of perjury that the foregoing statements and information presented herein are in all respects true and correct to the best of my (our) knowledge and belief.

Signature(s): [Handwritten Signature]

Address: 2161 W. 162nd ST #101
TORRANCE CA 90504

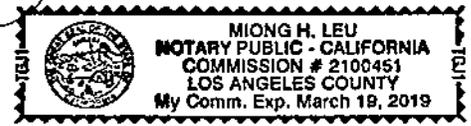
Phone No. (Res.) 310-634-8687
(Bus.) 310-532-7777

Subscribed and sworn to (or affirmed) before me this 9TH day of January,
2016 by TOMOAKI SUDO, proved to me on the basis
of satisfactory evidence to be the person(s) who appeared before me.

[Handwritten Signature]
FILING CLERK OR NOTARY PUBLIC

State of California)
County of Los Angeles) ss

Seal



Chadwick F. Smith, M.D., Inc.
1200 Wilshire Blvd., Suite 605
Los Angeles, California 90017
Telephone (213) 481-1122 FAX (213) 482-8094

ORTHOPAEDIC SURGERY

January 7, 2016

Letter to Mr. Sean Scully

Planning Manager, Chairman Planning Department
City of Redondo Beach
415 Diamond Street
Redondo Beach, California 90277

Dear Mr. Scully,

This letter comes to you regarding Avenue A Bar and Grill at 800 S, Pacific Coast Hiway, Redondo Beach, CA 90277.

It is my life's work to be an orthopaedic surgeon who travels over one hundred thousand miles per year for lectures, performing surgery, and teaching. My office is located in the downtown area of Los Angeles, and I am also very active at the University of Southern California Keck School of Medicine. I hold the title of University Professor, and am actively involved in teaching and research there. My family and I live in the city of Rolling Hills, on the Palos Verdes Peninsula.

This letter comes to you because of my wife's and my concern over Avenue A Bar and Grill. I have no financial or investment interest in any bar/restaurant in the world, and specifically, no financial or investment interest in Avenue A.

Due to the long working hours (80 hours per week) of both my wife, and myself we usually have "Dinner Out" three to five times a week. It has been our pleasure to be a patron of multiple restaurants and taverns throughout the entire Los Angeles area, ranging from LA Live, Santa Monica, Long Beach, San Pedro, Rolling Hills Estates, and all the local beach cities. Our favorite location is Avenue A because of the friendly owner/staff, the lack of noisy disturbances, excellent food, and attentive service.

The following facts are presented to you as a patron of Avenue A, whose family strongly supports the continued operation of this facility. These facts are:

1. Avenue A needs to be allowed to remain open past 10 p.m. in the evenings. Our family's lifestyle is such that we are not able to get to the restaurant until after nine o'clock at night, and on weekends, even later. We want to be able to remain patrons of Avenue A. I am sure other patrons fall into this situation as well.
2. In the 26 months we have patronized Avenue A, I have NEVER seen a fight, a true argument, or any disturbance or "raucous" behavior. As a matter of fact, I have only witnessed three occasions in 26 months when Marty Rodriguez "exits" a person from the facilities because of a possible potential for some untoward upset.

It is my firm, personal belief and also that of my wife, that the community, the Avenue A and its patrons would be ill-served by a restriction on Avenue A that might lead to its termination. I have carefully walked 20 feet in front of, and to the side of the facility at various hours of the night, and have been unable to hear (even when persons are entering or exiting) disturbing noises.

Respectfully submitted,

Chad

Chadwick F. Smith, M.D., PhD, FACS, FICS
University Professor of Orthopaedic Surgery
University of Southern California Keck School of Medicine
Director, International Children's Program, Orthopaedic Hospital
Immediate Past President, SICOT International
Chair, SICOT Foundation
Chair, Stem Cell Task Force, USC
President, Board of Counselors
Keck School of Medicine, USC

Architectural Drawings on file in the Planning Division office



Administrative Report

Planning Commission Hearing Date:

February 18, 2016

AGENDA ITEM: (11) PUBLIC HEARING

PROJECT LOCATION: CITY WIDE

APPLICANT'S NAME: CITY OF REDONDO BEACH

SUBJECT: CONSIDERATION OF AMENDMENTS TO THE MUNICIPAL CODE PROHIBITING CULTIVATION OF MEDICAL MARIJUANA AND COMMERCIAL MEDICAL MARIJUANA ACTIVITY IN ALL ZONES IN THE CITY.

RECOMMENDATION:

Staff recommends that the Planning Commission:

1. Open the public hearing and accept all testimony
2. Adopt the attached Resolutions recommending to the City Council approval of the proposed Municipal Code Amendments and Environmental clearance pursuant to the California Environmental Quality Act (CEQA)

BACKGROUND:

In 1996 the voters of the State of California approved Proposition 215 entitled "The Compassionate Use Act of 1996" ("CUA") to enable seriously ill Californians, under the care of a physician, to legally possess, use and cultivate marijuana for medical use under state law. In 2003, the California Legislature adopted SB 420 entitled the Medical Marijuana Program ("MMP") which permits qualified patients and their primary caregivers to associate collectively or cooperatively to cultivate marijuana for medical purposes without being subject to criminal prosecution under the California Penal Code. Neither the CUA nor the MMP require or impose an affirmative duty or mandate upon a local government to allow, authorize or sanction the establishment of facilities that cultivate medical marijuana within its jurisdiction. Under the Federal Controlled Substances Act, the use, possession and cultivation of marijuana are unlawful and subject to federal prosecution without regard to a claimed medical need.

Governor Brown recently signed into law the MMRSA (Medical Marijuana Regulatory and Safety Act), which is comprised of three related bills: AB243, AB266, and SB 643. The MMRSA establishes licensing requirements for the cultivation, distribution and transportation of medical marijuana, safety and testing standards for medical marijuana and medical marijuana products, and regulates the physicians who recommend or prescribe medical marijuana to patients. The MMRSA contains statutory provisions that

allow local governments to maintain local control over medical marijuana and does not require a city to allow medical marijuana activity within its borders.

Nearly every neighboring city has adopted a regulatory scheme substantially similar to that being introduced here. However, these cities took slightly differing approaches to the adoption of these regulations. The cities of Hermosa Beach and Hawthorne adopted a specific provision disallowing commercial cannabis activities in each and every zone in the city limits; whereas the cities of Torrance, Gardena and Manhattan Beach added or amended a provision specifically related to medical marijuana and utilized that section to disallow commercial cannabis in every zone in their cities. The Community Development, Police and City Attorney's Departments reviewed these options and determined that amending RBMC Sections 10-2.1626 and 10-5.1626 would be the right approach for two reasons. First, the Zoning and Coastal Zoning ordinances automatically disallow uses which are not specifically allowed. Second, amending two RBMC provisions which already exist for the express purpose of regulating this activity is a cleaner way to make these adjustments to the way that commercial cannabis activities are regulated in the City of Redondo Beach.

ANALYSIS:

The MMRSA provided that the State Department of Food and Agriculture will be the sole licensing authority for medical marijuana cultivation applications effective March 1, 2016, if a city does not have a land use ordinance in place regulating or prohibiting the cultivation of marijuana, either expressly or otherwise under the principles of permissive zoning, or if a city chooses not to administer a conditional use permit program. However, the March 1, 2016 deadline was extended by the Governor on February 3, 2016 with the passage of Assembly Bill 21.

The Redondo Beach Municipal Code Sections 10-2.1626 and 10-5.1626 currently prohibit medical marijuana dispensaries in all zones of the City, but further language is required regarding cultivation and commercial activities. A medical marijuana dispensary is defined as "any facility or location where medical marijuana is cultivated or made available to and/or distributed by any of the following: a qualified patient, a person with an identification card, or a primary caregiver." The attached ordinance prohibits all cultivation of medical marijuana in the City, including cultivation for personal medical use by a qualified patient, a person with an identification card, or a primary caregiver.

Justification for banning medical marijuana cultivation pursuant to the City's police power includes, without limitation: 1) the increased risk to public safety, based on the value of marijuana plants and the accompanying threat of break-ins, robbery and theft, and the attendant violence and injury; 2) the strong "skunk like" malodorous fumes emitted from mature plants that can interfere with the use and enjoyment of neighboring properties by their occupants; and 3) the risk of electrical fire hazards caused by medical marijuana cultivation.

Criminal activity is often associated with medical marijuana activity. As marijuana plants begin to flower, and for a period of two months or more, the plants produce a strong, unique odor, offensive to many people, and detectable far beyond property boundaries if grown outdoors. This odor can have the effect of encouraging theft by alerting persons to the location of the valuable plants and creating a risk of burglary, robbery or armed robbery of the plants and creating the potential for violent acts related to such criminal activity.

Furthermore, indoor cultivation of marijuana, often unattended, has potential to cause harm to persons and property in that the use of high wattage grow lights and excessive use of electricity increased the risk of fire which presents a distinct risk of harm to the building and its occupants. Buildings where marijuana is cultivated are often illegally wired and have overloaded electrical systems that result in fires. In 2015 alone, there were a number of reported incidents of indoor marijuana cultivation sites causing fires. On February 9, 2015, there was a fire in a residence in Sacramento that was caused by the indoor cultivation of marijuana. On February 19, 2015 there was an electrical fire in Arcadia caused by an indoor marijuana cultivation operation. On April 24, 2015, a fire erupted in a commercial building in Sun Valley that was caused by an indoor marijuana grow house. In that same month, there was a fire in an Elk Grove home caused by an overheated illegal electrical power connection used to power an indoor marijuana grow house. In June 2015 there was a fire in a Sacramento residence caused by an indoor marijuana grow house. In July 2015, there was a fire in a Baldwin Park home caused by a grow house. In September 2015, there was a fire in the garage of a Sun Valley residence that was caused by an indoor grow house. On October 23, 2015, there was a fire in a Rialto home that was caused by an indoor marijuana growing operation started by an electrical panel overload.

Commercial Medical Marijuana Activity

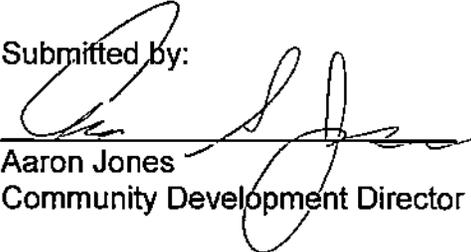
Any commercial medical marijuana activity can adversely affect the health, safety, and well-being of City residents, visitors and workers. In order to more fully protect the public health, safety and welfare, prohibiting commercial medical marijuana activity is necessary and proper to avoid the risks of criminal activity, degradation of the natural environment, noxious smells and indoor electrical fire hazards that may result from such activities. Moreover, the manufacturing, processing, storing, laboratory testing, and labeling of medical marijuana will support medical marijuana dispensaries which impact public health, safety and welfare.

The City is committed to the efficient and effective use of limited regulatory, investigatory, and prosecutorial resources, and the cultivation of medical marijuana and the establishment of commercial medical marijuana sites in the City would require the City to use its limited resources to regulate and prevent potentially negative outcomes of commercial medical marijuana activity.

ENVIRONMENTAL REVIEW

Pursuant to the California Environmental Quality Act ("CEQA"), the Community Development Department has determined that the following findings/exemptions can be made regarding the proposed prohibitions on the cultivation of medical marijuana and on commercial medical marijuana activity: the amendments and/or additional regulations are not subject to CEQA pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment), 15060(c)(3) (the activity is not a project as defined in Section 15378(a) of the CEQA Guidelines because it has no potential for resulting in physical change to the environment, directly or indirectly), and 15061(b)(3) (the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment). It is also recommended that the Planning Commission recommend that City Council rely upon the Categorical Exemptions adopted by City Council in 2008 related to the City's Medical Marijuana regulations (Resolution No. CC-0805-51).

Submitted by:



Aaron Jones
Community Development Director

Attachments:

- Existing Code for Medical Marijuana
- Non-Coastal Resolution
- Coastal Resolution
- City Council Resolution CC-0805-51

Attachment 1- Existing Code

10-2.1626 Medical marijuana dispensaries.

(a) **Purpose and findings.** The City Council finds that Federal and State laws prohibiting the possession, sale and distribution of marijuana preclude the opening of medical marijuana dispensaries in the City of Redondo Beach, and in order to serve public health, safety, and welfare of the residents and businesses within the City, the declared purpose of this chapter is to prohibit medical marijuana dispensaries as stated in this chapter.

(b) **Definitions.** The following terms and phrases, whenever used in this chapter, shall be construed as defined in this section:

(1) **“Attending physician”** shall have the meaning given that term by Health and Safety Code Section 11362.7 or as such section may be amended from time to time.

(2) **“Medical marijuana”** is marijuana authorized in strict compliance with Health and Safety Code Section 11362.5 et seq., or as such sections may be amended from time to time.

(3) **“Medical marijuana dispensary”** means: (i) any facility or location, whether fixed or mobile, where a primary caregiver makes available, sells, transmits, gives or otherwise provides medical marijuana to two (2) or more persons with identification cards or qualified patients; or (ii) any facility where qualified patients and/or persons with identification cards and/or primary caregivers meet or congregate collectively and cooperatively to cultivate or distribute marijuana for medical purposes under the purported authority of California Health and Safety Code Section 11362.775.

“Medical marijuana dispensary” shall not include the following uses, so long as such uses otherwise fully comply with this Code, Health and Safety Code Section 11362.5 et seq., and other applicable law:

i. A clinic licensed pursuant to Chapter 1 of Division 2 of the Health and Safety Code;

ii. A health care facility licensed pursuant to Chapter 2 of Division 2 of the Health and Safety Code;

iii. A residential care facility for persons with chronic life-threatening illness licensed pursuant to Chapter 3.01 of Division 2 of the Health and Safety Code;

iv. A residential care facility for the elderly licensed pursuant to Chapter 3.2 of Division 2 of the Health and Safety Code;

v. A hospice or a home health agency, licensed pursuant to Chapter 8 of Division 2 of the Health and Safety Code.

(4) **“Person with an identification card”** shall have the meaning given that term by Health and Safety Code Section 11362.7 or as such section may be amended from time to time.

(5) **“Primary caregiver”** shall have the meaning given that term by Health and Safety Code Section 11362.7 or as such section may be amended from time to time.

(6) **“Qualified patient”** shall have the meaning given that term by Health and Safety Code Section 11362.7 or as such section may be amended from time to time.

(c) **Prohibition of medical marijuana dispensaries.** Medical marijuana dispensaries, as defined in this chapter, are prohibited in all zones throughout the City of Redondo Beach. No permit or any other applicable license or entitlement for use, including but not limited to the issuance of a business license, shall be approved or issued for the establishment, maintenance or operation of a medical marijuana dispensary within the City limits of the City of Redondo Beach.

(d) **Establishment, maintenance or operation of medical marijuana dispensaries declared public nuisance.** The establishment, maintenance or operation of a medical marijuana dispensary as defined in this chapter within the City limits of the City of Redondo Beach is declared to be a public nuisance and may be abated by the City either pursuant to Title 4, Chapter 10 of Redondo Beach Municipal Code or any available legal remedies, including, but not limited to, civil injunctions.

(e) **Criminal penalties.** Any violation of any provision of this chapter shall be deemed a misdemeanor and shall be enforced pursuant to Title 1, Chapter 2 of Redondo Beach Municipal Code.

(f) **Separate offense for each day.** Any person who violates any provision of this chapter shall be guilty of a separate offense for each and every day during any portion of which any such person commits, continues, permits, or causes a violation thereof, and shall be penalized accordingly.

(§ 2, Ord. 3015 c.s., eff. June 20, 2008)

RESOLUTION NO. 2016--PCR-******

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF REDONDO BEACH RECOMMENDING THAT THE REDONDO BEACH CITY COUNCIL AMEND TITLE 10, CHAPTER 2, ARTICLE 4 OF THE REDONDO BEACH MUNICIPAL CODE TO ADD AND AMEND DEFINITIONS AND ADD NEW REGULATIONS ON THE CULTIVATION AND DELIVERY OF MEDICAL MARIJUANA

WHEREAS, on February 9, 2016 the City published notice of the public hearing in the Daily Breeze, a newspaper of general circulation in the City, related to the proposed amendments contained herein; and

WHEREAS, on February 18, 2016, the Planning Commission of the City of Redondo Beach reviewed and considered proposed amendments to the Redondo Beach Municipal Code pertaining to the cultivation and delivery of medical marijuana; and

WHEREAS, on February 18, 2016, the Planning Commission held a duly noticed public hearing on the proposed amendments; and

WHEREAS, in accordance with California Environmental Quality Act (CEQA) Guidelines Section 15025(c) the Planning Commission reviewed and considered the following CEQA findings: (1) a finding that the proposed amendments are not subject to CEQA pursuant to CEQA Guidelines Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment), 15060(c)(3) (the activity is not a project as defined in Section 15378(a) of the CEQA Guidelines because it has no potential for resulting in either a direct physical change to the environment, or a reasonably foreseeable indirect physical change in the environment), and 15061(b)(3) (the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment); and (2) a finding that the proposed amendments are categorically exempt from CEQA under Section 15308, as a regulatory action taken by the City to ensure the maintenance, enhancement and protection of the environment.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF REDONDO BEACH DOES HEREBY FIND AS FOLLOWS:

SECTION 1. The above recitals are true and correct, and are incorporated herein by reference as if set forth in full.

SECTION 2. The proposed zoning amendments are consistent with the General Plan.

SECTION 3. The Planning Commission recommends to the City Council that the Redondo Beach Municipal Code be amended as provided in SECTIONS A-D below.

SECTION A. Title 10, Chapter 2, Article 4, Section 10-2.1626 subsection (b) of the Redondo Beach Municipal Code is amended as provided below:

“(b) **Definitions.** The following terms and phrases, whenever used in this chapter, shall be construed as defined in this section:

(1) “Attending physician” shall have the meaning given that term by Health and Safety Code Section 11362.7 or as such section may be amended from time to time.

(2) “Caregiver” or “primary caregiver” shall have the same meaning as set forth in Health & Safety Code § 11362.7 as such section may be amended from time to time.

(3) “Commercial cannabis activity” shall have the same meaning as that set forth in Business & Professions Code § 19300.5(k) as such section may be amended from time to time.

(4) “Cooperative” or “collective” shall mean two (2) or more persons collectively or cooperatively cultivating, using, transporting, possessing, administering, delivering or making available medical marijuana, with or without compensation.

(5) “Cultivation” shall have the same meaning as set forth in Business & Professions Code § 19300.5(l) as such section may be amended from time to time.

(6) “Delivery” shall have the same meaning as set forth in Business & Professions Code § 19300.5(m) as such section may be amended from time to time.

(7) “Dispensary” shall have the same meaning as set forth in Business & Professions Code § 19300.5(n) as such section may be amended from time to time. For the purposes of this Chapter, “Dispensary” shall also include cooperative or collective. “Dispensary” shall not include the following uses:

(i) a clinic licensed pursuant to Chapter 1 of Division 2 of the California Health and Safety Code,

(ii) a health care facility licensed pursuant to Chapter 2 of Division 2 of the California Health and Safety Code,

(iii) a residential care facility for persons with chronic life-threatening illnesses licensed pursuant to Chapter 3.01 of Division 2 of the California Health and Safety Code,

(iv) a residential care facility for the elderly licensed pursuant to Chapter 3.2 of Division 2 of the California Health and Safety Code,

(v) a residential hospice or home health agency licensed pursuant to Chapter 8 of Division 2 of the California Health and Safety Code.

(8) “Dispensing” shall have the same meaning as set forth in Business & Professions Code § 19300.5(o) as such section may be amended from time to time.

(9) “Distribution” shall have the same meaning as set forth in Business & Professions Code § 19300.5(p) as such section may be amended from time to time.

(10) “Distributor” shall have the same meaning as set forth in Business & Professions Code § 19300.5(q) as such section may be amended from time to time.

(11) “Manufacturer” shall have the same meaning as set forth in Business & Professions Code § 19300.5(y) as such section may be amended from time to time.

(12) “Manufacturing Site” shall have the same meaning as set forth in Business & Professions Code § 19300.5(af) as such section may be amended from time to time.

(13) “Medical cannabis,” “medical cannabis product,” or “cannabis product” shall have the same meaning as set forth in Business & Professions Code § 19300.5(ag) as such section may be amended from time to time. For the purposes of this chapter, Medical Cannabis will also include Medical Marijuana.

(14) “Medical marijuana” is marijuana authorized in strict compliance with Health and Safety Code Section 11362.5 et seq., or as such sections may be amended from time to time.

(15) “Medical Marijuana Regulation and Safety Act” or “MMRSA” means the following bills signed into law by the Governor on October 9, 2015 as the same may be amended from time to time AB 243, AB 266 and SB 643 as well as AB 21 which was signed into law by the Governor on February 3, 2016.

(16) “Mobile marijuana dispensary” means any person, business, office, store, facility, vehicle, retail storefront or wholesale component of any business, establishment, cooperative, collective, club, dispensary, or entity of that nature which transports or delivers or arranges the transportation or delivery of marijuana and/or medical marijuana for any purpose.

(17) “Nursery” shall have the same meaning as set forth in Business & Professions Code § 19300.5(ah) as such section may be amended from time to time.

(18) “Qualified patient” or “qualifying patient” shall have the meaning given that term by Health and Safety Code Section 11362.7 or as such section may be amended from time to time.

(19) “Testing laboratory” shall have the same meaning as set forth in Business & Professions Code § 19300.5(z) as such section may be amended from time to time.

(20) “Transport” shall have the same meaning as set forth in Business & Professions Code § 19300.5(am) as such section may be amended from time to time.

(21) “Transporter” shall have the same meaning as set forth in Business & Professions Code § 19300.5(aa) as such section may be amended from time to time.”

SECTION B. Title 10, Chapter 2, Article 4, Section 10-2.1626, subsection c of the Redondo Beach Municipal Code is amended as provided below:

“(c) Prohibition.

i. Commercial cannabis activities of all types as defined in this chapter, are expressly prohibited in all zones throughout the City of Redondo Beach.

ii. To the extent not already covered by subsection i. above, all deliveries of Medical cannabis are expressly prohibited in within the City limits of the City of Redondo Beach. No person shall conduct any Delivery that either originates or terminates within the City of Redondo Beach.

iii. Dispensaries of medical cannabis, as defined in this chapter, are prohibited in all zones throughout the City of Redondo Beach.

iv. Mobile marijuana dispensaries are expressly prohibited in all zones throughout the City of Redondo Beach.

v. Cultivation of Medical cannabis for non-commercial purposes, including cultivation by a Qualified patient or Primary caregiver, is expressly prohibited in all zones throughout the City of Redondo Beach.

vi. This section is intended to expressly prohibit all activities for which a State license is required. As such, no permit or any other applicable license or entitlement for use, including but not limited to the issuance of a business license, or other entitlement shall be approved or issued for any activity for which a State license is required within the City limits of the City of Redondo Beach.”

SECTION C. Title 10, Chapter 2, Article 4, Section 10-2.1626, subsection (d) of the Redondo Beach Municipal Code is amended as provided below:

“(d) **Public nuisance.** Any use of condition caused, or permitted to exist in violation of any provision of this chapter within the City limits of the City of Redondo Beach is declared to be a public nuisance and may be abated by the City either pursuant to Title 4, Chapter 10 of Redondo Beach Municipal Code or any available legal remedies, including but not limited to civil injunctions.”

SECTION D. Title 10, Chapter 2, Article 4, Section 10-2.1626 to add subsection (g) of the Redondo Beach Municipal Code is amended as provided below:

“(g) **Use or Activity Prohibited by State or Federal Law.** Nothing in this chapter shall be deemed to permit or authorize any use or activity which is otherwise prohibited by State or Federal law.”

SECTION 4. That the Planning Commission forward a copy of this resolution to the City Council so the Council will be informed of the action of the Planning Commission.

PASSED, APPROVED AND ADOPTED this 18th day of February 2016.

Doug Rodriguez, Chair
Planning Commission
City of Redondo Beach

ATTEST:

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF REDONDO BEACH)

I, Aaron Jones, Planning Director of the City of Redondo Beach, California, do hereby certify that the foregoing Resolution No. 2016-**-PCR-*** was duly passed, approved and adopted by the Planning Commission of the City of Redondo Beach, California, at a regular meeting of said Planning Commission held on the 18th day of February, 2016 by the following vote:

AYES:

NOES:

ABSENT:

Aaron Jones, Planning Director

APPROVED AS TO FORM:

City Attorney's Office

RESOLUTION NO. 2016--PCR-******

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF REDONDO BEACH RECOMMENDING THAT THE REDONDO BEACH CITY COUNCIL AMEND TITLE 10, CHAPTER 5, ARTICLE 4 OF THE COASTAL ZONING ORDINANCE OF THE REDONDO BEACH MUNICIPAL CODE TO ADD AND AMEND DEFINITIONS AND ADD NEW REGULATIONS ON THE CULTIVATION AND DELIVERY OF MEDICAL MARIJUANA

WHEREAS, on February 9, 2016 the City published notice of the public hearing in the Daily Breeze, a newspaper of general circulation in the City, related to the proposed amendments contained herein; and

WHEREAS, on February 18, 2016, the Planning Commission of the City of Redondo Beach reviewed and considered proposed amendments to the Redondo Beach Municipal Code pertaining to the cultivation and delivery of medical marijuana; and

WHEREAS, on February 18, 2016, the Planning Commission held a duly noticed public hearing on the proposed amendments; and

WHEREAS, in accordance with California Environmental Quality Act (CEQA) Guidelines Section 15025(c) the Planning Commission reviewed and considered the following CEQA findings: (1) a finding that the proposed amendments are not subject to CEQA pursuant to CEQA Guidelines Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment), 15060(c)(3) (the activity is not a project as defined in Section 15378(a) of the CEQA Guidelines because it has no potential for resulting in either a direct physical change to the environment, or a reasonably foreseeable indirect physical change in the environment), and 15061(b)(3) (the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment); and (2) a finding that the proposed amendments are categorically exempt from CEQA under Section 15308, as a regulatory action taken by the City to ensure the maintenance, enhancement and protection of the environment.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF REDONDO BEACH DOES HEREBY FIND AS FOLLOWS:

SECTION 1. The above recitals are true and correct, and are incorporated herein by reference as if set forth in full.

SECTION 2. The proposed zoning amendments are consistent with the General Plan.

SECTION 3. The proposed amendments would not require certification by the California Coastal Commission for consistency with the City's certified Local Coastal Plan pursuant

to Public Resources Code Section 30005 because they are not in conflict with the California Coastal Act and because, if enacted, they would impose further conditions, restrictions or limitations on land uses within the coastal zone.

SECTION 4. The Planning Commission recommends to the City Council that the Redondo Beach Municipal Code be amended as provided in SECTIONS A-D below.

SECTION A. Title 10, Chapter 5, Article 4, Section 10-5.1626 subsection (b) of the Redondo Beach Municipal Code is amended as provided below:

“(b) **Definitions.** The following terms and phrases, whenever used in this chapter, shall be construed as defined in this section:

(1) “Attending physician” shall have the meaning given that term by Health and Safety Code Section 11362.7 or as such section may be amended from time to time.

(2) “Caregiver” or “primary caregiver” shall have the same meaning as set forth in Health & Safety Code § 11362.7 as such section may be amended from time to time.

(3) “Commercial cannabis activity” shall have the same meaning as that set forth in Business & Professions Code § 19300.5(k) as such section may be amended from time to time.

(4) “Cooperative” or “collective” shall mean two (2) or more persons collectively or cooperatively cultivating, using, transporting, possessing, administering, delivering or making available medical marijuana, with or without compensation.

(5) “Cultivation” shall have the same meaning as set forth in Business & Professions Code § 19300.5(l) as such section may be amended from time to time.

(6) “Delivery” shall have the same meaning as set forth in Business & Professions Code § 19300.5(m) as such section may be amended from time to time.

(7) “Dispensary” shall have the same meaning as set forth in Business & Professions Code § 19300.5(n) as such section may be amended from time to time. For the purposes of this Chapter, “Dispensary” shall also include cooperative or collective. “Dispensary” shall not include the following uses:

(i) a clinic licensed pursuant to Chapter 1 of Division 2 of the California Health and Safety Code,

(ii) a health care facility licensed pursuant to Chapter 2 of Division 2 of the California Health and Safety Code,

(iii) a residential care facility for persons with chronic life-threatening illnesses licensed pursuant to Chapter 3.01 of Division 2 of the California Health and Safety Code,

(iv) a residential care facility for the elderly licensed pursuant to Chapter 3.2 of Division 2 of the California Health and Safety Code,

(v) a residential hospice or home health agency licensed pursuant to Chapter 8 of Division 2 of the California Health and Safety Code.

(8) “Dispensing” shall have the same meaning as set forth in Business & Professions Code § 19300.5(o) as such section may be amended from time to time.

(9) “Distribution” shall have the same meaning as set forth in Business & Professions Code § 19300.5(p) as such section may be amended from time to time.

(10) “Distributor” shall have the same meaning as set forth in Business & Professions Code § 19300.5(q) as such section may be amended from time to time.

(11) “Manufacturer” shall have the same meaning as set forth in Business & Professions Code § 19300.5(y) as such section may be amended from time to time.

(12) “Manufacturing Site” shall have the same meaning as set forth in Business & Professions Code § 19300.5(af) as such section may be amended from time to time.

(13) “Medical cannabis,” “medical cannabis product,” or “cannabis product” shall have the same meaning as set forth in Business & Professions Code § 19300.5(ag) as such section may be amended from time to time. For the purposes of this chapter, Medical Cannabis will also include Medical Marijuana.

(14) “Medical marijuana” is marijuana authorized in strict compliance with Health and Safety Code Section 11362.5 et seq., or as such sections may be amended from time to time.

(15) “Medical Marijuana Regulation and Safety Act” or “MMRSA” means the following bills signed into law by the Governor on October 9, 2015 as the same may be amended from time to time AB 243, AB 266 and SB 643 as well as AB 21 which was signed into law by the Governor on February 3, 2016.

(16) “Mobile marijuana dispensary” means any person, business, office, store, facility, vehicle, retail storefront or wholesale component of any business, establishment, cooperative, collective, club, dispensary, or entity of that nature which

transports or delivers or arranges the transportation or delivery of marijuana and/or medical marijuana for any purpose.

(17) “Nursery” shall have the same meaning as set forth in Business & Professions Code § 19300.5(ah) as such section may be amended from time to time.

(18) “Qualified patient” or “qualifying patient” shall have the meaning given that term by Health and Safety Code Section 11362.7 or as such section may be amended from time to time.

(19) “Testing laboratory” shall have the same meaning as set forth in Business & Professions Code § 19300.5(z) as such section may be amended from time to time.

(20) “Transport” shall have the same meaning as set forth in Business & Professions Code § 19300.5(am) as such section may be amended from time to time.

(21) “Transporter” shall have the same meaning as set forth in Business & Professions Code § 19300.5(aa) as such section may be amended from time to time.”

SECTION B. Title 10, Chapter 5, Article 4, Section 10-5.1626, subsection c of the Redondo Beach Municipal Code is amended as provided below:

“(c) Prohibition.

i. Commercial cannabis activities of all types as defined in this chapter, are expressly prohibited in all zones throughout the City of Redondo Beach.

ii. To the extent not already covered by subsection i. above, all deliveries of Medical cannabis are expressly prohibited in within the City limits of the City of Redondo Beach. No person shall conduct any Delivery that either originates or terminates within the City of Redondo Beach.

iii. Dispensaries of medical cannabis, as defined in this chapter, are prohibited in all zones throughout the City of Redondo Beach.

iv. Mobile marijuana dispensaries are expressly prohibited in all zones throughout the City of Redondo Beach.

v. Cultivation of Medical cannabis for non-commercial purposes, including cultivation by a Qualified patient or Primary caregiver, is expressly prohibited in all zones throughout the City of Redondo Beach.

vi. This section is intended to expressly prohibit all activities for which a State license is required. As such, no permit or any other applicable license or entitlement for use, including but not limited to the issuance of a business license, or other entitlement

shall be approved or issued for any activity for which a State license is required within the City limits of the City of Redondo Beach.”

SECTION C. Title 10, Chapter 5, Article 4, Section 10-5.1626, subsection (d) of the Redondo Beach Municipal Code is amended as provided below:

“(d) **Public nuisance.** Any use of condition caused, or permitted to exist in violation of any provision of this chapter within the City limits of the City of Redondo Beach is declared to be a public nuisance and may be abated by the City either pursuant to Title 4, Chapter 10 of Redondo Beach Municipal Code or any available legal remedies, including but not limited to civil injunctions.”

SECTION D. Title 10, Chapter 5, Article 4, Section 10-5.1626 to add subsection (g) of the Redondo Beach Municipal Code is amended as provided below:

“(g) **Use or Activity Prohibited by State or Federal Law.** Nothing in this chapter shall be deemed to permit or authorize any use or activity which is otherwise prohibited by State or Federal law.”

SECTION 5. That the Planning Commission forward a copy of this resolution to the City Council so the Council will be informed of the action of the Planning Commission.

PASSED, APPROVED AND ADOPTED this 18th day of February 2016.

Doug Rodriguez, Chair
Planning Commission
City of Redondo Beach

ATTEST:

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF REDONDO BEACH)

I, Aaron Jones, Planning Director of the City of Redondo Beach, California, do hereby certify that the foregoing Resolution No. 2016-**-PCR-*** was duly passed, approved and adopted by the Planning Commission of the City of Redondo Beach, California, at a regular meeting of said Planning Commission held on the 18th day of February, 2016 by the following vote:

AYES:

NOES:

ABSENT:

Aaron Jones, Planning Director

APPROVED AS TO FORM:

City Attorney's Office

RESOLUTION NO. CC-0805-51

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA, ADOPTING AN EXEMPTION DECLARATION FOR AMENDMENTS TO THE ZONING ORDINANCE AND COASTAL ZONING ORDINANCE TO PROHIBIT MEDICAL MARIJUANA DISPENSARIES AND TO ENSURE CONSISTENCY WITH STATE AND FEDERAL LAW.

WHEREAS, the City Council of the City of Redondo Beach held a public hearing on May 6, 2008 to consider amendments to the Zoning Ordinance and Coastal Zoning Ordinance to prohibit medical marijuana dispensaries and to require that uses are consistent with state and federal law; and

WHEREAS, notice of the proposed Exemption Declaration relating to the proposed amendments was provided pursuant to State and local laws; and

WHEREAS, at the public hearing, the City Council reviewed whether the proposed project meets the requirements for approval of the Exemption Declaration; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

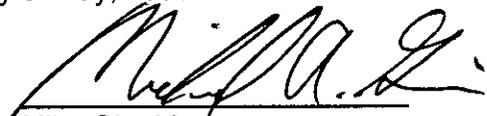
SECTION 1. That the City Council hereby finds that the Exemption Declaration for the proposed zoning amendments has been prepared and noticed in compliance with the provisions of the California Environmental Quality Act and the procedures set forth in the ordinances of the City of Redondo Beach.

SECTION 2. That the City Council hereby finds and determines that the proposed amendments to the Zoning Ordinance and Coastal Zoning Ordinance are Categorically Exempt from the preparation of environmental review documents pursuant to Section 15061(b)(3) of the Guidelines for Implementation of the California Environmental Quality Act (CEQA). The Exemption Declaration is attached as Exhibit A. The City Council further finds that the proposed amendments will have no impact on Fish and Game resources pursuant to Section 21089(b) of the Public Resources Code.

SECTION 3. In reviewing the Exemption Declaration, the City Council has exercised its independent judgment.

SECTION 4. That the City Clerk shall certify to the passage and adoption of this resolution, shall enter the same in the Book of Resolutions of said City, and shall cause the action of the City Council in adopting the same to be entered in the official minutes of said City Council.

PASSED, APPROVED, AND ADOPTED this 6th day of May, 2008.


Mike Gin, Mayor

ATTEST:

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF REDONDO BEACH)

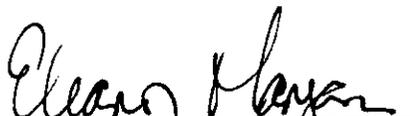
I, Eleanor Manzano, City Clerk of the City of Redondo Beach, California, do hereby certify that the foregoing Resolution No. CC-0805-51 was duly passed, approved and adopted by the City Council of the City of Redondo Beach, California, at a regular meeting of said City Council held on the 6th day of May, 2008, by the following roll call vote:

AYES: ASPEL, CAGLE, AUST, DIELS, KILROY

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE


Eleanor Manzano, City Clerk

APPROVED AS TO FORM:


Michael W. Webb, City Attorney



Administrative Report

Planning Commission Hearing Date: February 18, 2016

AGENDA ITEM: 12 (OLD BUSINESS)

PROJECT LOCATION: 1912 MARSHALLFIELD LANE

APPLICATION TYPE: VARIANCE, ADMINISTRATIVE DESIGN REVIEW, VESTING TENTATIVE PARCEL MAP NO. 73918, AND AN EXEMPTION DECLARATION

CASE NUMBER: 2016-01-PC-001

APPLICANT'S NAME: GEORGE & KELLI REDMOND

APPLICANT'S REQUEST AS ADVERTISED:

Consideration of an Exemption Declaration and Planning Commission consideration for an Administrative Design Review, Vesting Tentative Parcel Map No. 73918 and Variance to allow fill of the finished elevation in excess of the 30-inch maximum allowed by code within a portion of the east side yard to provide for a compliant and safe driveway slope and adequate drainage for the construction of a two-unit residential condominium project on property located within a Low-Density, Multiple-Family Residential (R-2) zone.

DEPARTMENT'S RECOMMENDATION:

The Planning Division recommends that the Planning Commission make the findings as set forth in the staff report and the attached Resolution, adopt the Exemption Declaration, and conditionally grant the requests for an Administrative Design Review, Vesting Tentative Parcel Map No. 73918 and Variance, subject to the plans and the conditions stated.

ITEM CONTINUED

This case was continued from the January 21, 2016 Planning Commission public hearing to allow the applicant time to provide additional information requested by staff, but not previously provided. Information concerning neighborhood compatibility, potential grading impacts, and additional outreach with neighboring property owners was requested by the Planning Commission. The specific additional information requested by the Planning Commission were photographs of the neighboring properties and a cross section of the proposed development illustrating how this project will integrate with the adjoining R-2 properties and the surrounding neighborhood in general and grading information .

The applicant has worked cooperatively with the Planning Division in order to submit a complete package for review and consideration by the Planning Commission. The applicant has provided photos of the subject site and surrounding neighboring properties plus cross sections of the proposed development showing the projects relationship to the adjoining properties. In addition, grading calculations have been developed and included on the plans. The applicant has also sent additional communications to surrounding property owners informing them of this project.

Staff has reviewed all additional information and continues to recommend approval of the proposed project

EXISTING CONDITIONS/BACKGROUND:

The subject property is located at 1912 Marshallfield Lane, on a rectangular-shaped lot. The property is zoned Low-Density, Multiple-Family Residential (R-2). The property is approximately 50 feet in width, 150 feet in depth and is approximately 7,500 square feet in area. The subject property is currently developed with a single-family residential unit built in 1952. Development in the immediate vicinity of 1912 Marshallfield Lane consists primarily of multi-family developments containing mostly 2-unit condominium projects.

The property slopes downward, from the front property line to rear property line, approximately 12% over the length of the lot with some areas exceeding a slope of 15%. The property is developed with horticultural shrubs and grass. Re-development of this property will require the removal of all existing landscaping. However, the site will be fully landscaped and irrigated and will be planted with mature trees including a minimum 36-inch box tree in the front yard of the property.

It is important to note that the overall slope of this property and the adjacent single family property to the east have an overall slope of approximately 12% with some small areas of the lots at over 15%. This subject property and the adjacent property to the east cannot be developed without a variance request to either raise the grade over the 30" maximum fill allowed or a variance to exceed the maximum 15% slope along the driveway. Two variances have been granted in the past for condominiums along this block face. In 2009, the adjacent Condominium at 1910 Marshallfield Lane was granted a variance by the Planning Commission to raise the grade a maximum of 14 inches above the allowed 30" along the driveway and 3 inches above the 30" maximum along the side yards in order to provide a safer vehicle access and safer access for the occupants into their side yards.

Evidence in support of the unique circumstances regarding this site and surrounding properties includes a 4-unit Condominium project at 1902-1904 Marshallfield Lane that was granted a variance by the Planning Commission to raise the grade a maximum of 7-feet along the center driveway areas for both lots. This variance was necessary to allow safe and reasonable vehicle access for both lots.

DETAILED DESCRIPTION OF REQUEST:

The applicant seeks a variance from the 30" maximum fill development standard in order to safely access the required garages for two detached residential condominium units. The project meets all other required development regulations including setbacks and parking.

The Zoning Code states that grades located in a side or rear setback may not be raised greater than 30". The applicant requests a variance in order to raise the natural grade a total of 51" along a short portion of the driveway to the rear of the lot in order to maintain a safe vehicle access for the garages and guest parking space and comply with the city's maximum driveway slope criteria.

The following provides a further description of the project:

<u>Street Address:</u>	1912 Marshallfield Lane
<u>Zone:</u>	R-2
<u>Lot Size:</u>	The lot is approximately 50' x 150', with a total land area of 7,500 square feet (.17 acres)
<u>Number/Type of Units:</u>	Two detached residential condominium units
<u>Number of Stories:</u>	2 with Basement
<u>Height</u>	29-feet, 11-inches
<u>Topography:</u>	Approximately 12% lot slope downward towards rear property line with some locations exceeding 15% slope
<u>Parking:</u>	Two enclosed spaces per unit, plus one guest parking space at the rear of the property adjacent to Unit B
<u>Setbacks, Turning Radius, Projections Meet Code?</u>	Yes Yes
<u>Living Space in Square Feet:</u>	3,366 square feet per unit
<u>Subterranean Level:</u>	Family room, bedroom, and bathroom

<u>First Floor Rooms:</u>	Living room, dining room, kitchen and ½ bathroom
<u>Second Floor Rooms:</u>	4 bedrooms and 3 bathrooms
<u>Mezzanine Level:</u>	No
<u>Location of Laundry:</u>	Basement
<u>Level of Garage:</u>	First floor
<u>Outdoor Living Space:</u>	Adjacent patio and yards
<u>Storage Space:</u>	Under stair area and garage
<u>Architectural Style:</u>	Contemporary
<u>Exterior Materials:</u>	Sand finish stucco, stained redwood siding, iron railing, composition flat roofing material
<u>Trees to be Preserved:</u>	None
<u>Covenants, Conditions and Restrictions Acceptable?</u>	Yes

EVALUATION OF REQUEST:

Variance

Section 10-2.2510 of the Zoning Ordinance permits the Planning Commission to grant variances from development standards in those instances where it is demonstrated that there are special circumstances applicable to the property including the size, shape, topography, location, or surroundings, such that the strict application of the zoning provisions deprives such property of privileges enjoyed by other property in the vicinity and under identical zone designation; and where the variance does not constitute a grant of special privilege.

As shown on the plans, there are special circumstances applicable to the redevelopment of this property. Specifically, the existing topography of the lot shows the substantial grade difference from the front of the lot to the rear of the lot. This grade difference prevents the applicant from developing the lot without obtaining a variance due to the steepness of the lot. Either the grade of the driveway near the rear of the lot needs to be raised above the maximum fill of 30" or the driveway slope will exceed the maximum

allowable slope of 15%, either deviation does not meet the zoning ordinance. Development of this lot cannot be achieved unless the applicant obtains a variance from either the 30" fill development standard or the maximum driveway slope standard. As shown on the plans, maintaining the maximum fill of 30" along the driveway, the driveway will have a slope of 19.8% which exceeds the maximum driveway slope of 15%. In order to lessen the 19.8% driveway slope, the applicant requests a variance to raise the grade approximately 21" above the maximum fill of 30" for a total fill of 54" above the existing grade for a short length of the driveway. By allowing the grade to be raised, the slope of the driveway between the rear and front units can be significantly reduced allowing for a safer, compliant driveway.

Staff finds the request reasonable and preferred given the topography of the subject property. Special Note: the adjacent property to the west was granted a variance in 2008 by the Planning Commission to raise the grade by 33" to 44" throughout the lot. Staff recommends approval of the proposed project with the requested variance.

ENVIRONMENTAL STATUS:

The proposed project is Categorically Exempt from the preparation of environmental documents pursuant to Section 15303 of the Guidelines to Implementation of the California Environmental Quality Act (CEQA) states that the two proposed Condominiums will not have a significant effect upon the environment.

FINDINGS:

1. In accordance with Section 10-2.2500(b) of the Redondo Beach Municipal Code, the applicant's request for Administrative Design Review is consistent with the City's General Plan, the Zoning Ordinance, specific development standards and design criteria set forth therein for the following reasons:
 - a) The proposed use is permitted in the land use district in which the site is located, and the site is adequate in size and shape to accommodate the use and all yards, open spaces, walls, and fences, parking, landscaping and other features subject to the approval of a variance to allow additional fill placement, and the project is consistent with the requirements of Chapter 2, Title 10 of the Redondo Beach Municipal Code, with the existing predominant land and uses in the neighborhood;
 - b) The project is consistent with the Comprehensive General Plan of the City;
 - c) The location and design of the project does not significantly impact surrounding properties or harmfully impact the public health, safety and general welfare;
 - d) Traffic congestion or impairment of traffic visibility is avoided;

- e) The design is compatible with the overall community and surrounding neighborhood;
- f) The architectural style and design of the project:
 - i) Enhances the neighborhood, contributes beneficially to the overall design quality and visual character of the community, and maintains a stable, desirable character;
 - ii) Makes use of complementary materials and forms that are harmonious with existing improvements and that soften the appearance of volume and bulk, while allowing flexibility for distinguished design solutions;
 - iii) Avoids a box-like appearance through variations in the roof line and building elevations and through distinguishing design features;
 - iv) Continues on all elevations the architectural character established for the street facing elevations to the extent feasible;
 - v) Ensures that the physical proportion of the project and the manner in which the project is designed is appropriate in relation to the size, shape, and topography of the site;
 - vi) Includes windows on the front façade;
 - vii) Provides sufficient area available for use of extensive landscaping to complement the architectural design of the structure, and to minimize the amount of paving to the degree practicable.
- g) Pedestrian safety and welfare are protected;
- h) The condominium project conforms to all of the requirements of the Zoning Ordinance with the granting of the proposed Variance;
- i) The project is consistent with the intent of the Residential Design Guidelines adopted by the City Council;
- j) The design of the project considers the impact and needs of the user in respect to circulation, parking, traffic, utilities, public services, noise and odor, privacy, private and common open spaces, trash collection, security and crime deterrence, energy consumption, physical barriers, and other design concerns subject to the variance to place additional fill to improve access and parking.

2. In accordance with Section 10-2.2510 of the Redondo Beach Municipal Code, the applicant's request for a Variance is consistent with the criteria set forth therein for the following reasons:
 - a) There are special circumstances relative to the subject property in that the property has an irregular lot topography. The topography is such that the strict application of the development standards would effectively prohibit vehicle access to the property by resulting in a driveway with a slope at greater than a 15% maximum.
 - b) The granting of the variance will not constitute the granting of a special privilege, nor would it be inconsistent with the limitations on other similar properties in that the adjoining property is developed with similar improvements, and the variance is necessary to allow legal access which is a right enjoyed by other property owners.
 - c) The granting of a variance is consistent with the policies and objectives of the General Plan, which encourages development that is compatible with the existing surrounding neighborhood.
3. Vesting Tentative Parcel Map 73918 is consistent with the Comprehensive General Plan of the City.
4. The plans, specifications and drawings submitted with the applications have been reviewed by the Planning Commission, and are approved.
5. The project is Categorically Exempt from the preparation of environmental documents, pursuant to Section 15303 of the Guidelines of the California Environmental Quality Act (CEQA) regarding new construction or conversion of small structures.
6. The Planning Commission hereby finds that the proposed project will have no impact on fish and game resources pursuant to Section 21089(b) of the Public Resources Code.

CONDITIONS:

Plan Check

1. That the approval granted herein is for the construction of a two-unit development with an approved variance request to raise the grade in the side setback along the driveway as noted on submitted plans and applications reviewed and approved by the Planning Commission at its meeting on February 18, 2016.

2. That the approval is for conceptual plans only, and therefore the submission to and approval by the Community Development Department, Engineering Division and Fire Department of fully dimensioned, detailed and accurate site plan, floor plan and elevations shall be required prior to the issuance of building permits.
3. The precise architectural treatment of the building exterior, roof, walks, walls, and driveways shall be subject to Planning Division approval prior to issuance of a building permit.
4. The applicant shall submit a final landscape and sprinkler plan, including a clock-operated sprinkler control, for approval prior to issuance of building permits.
5. The landscaping and sprinklers shall be installed per the approved plan, prior to final inspection.

Construction

6. If selected design of the water and/or heating system permits, individual water shut-off valves shall be installed for each unit, subject to Community Development Department approval.
7. Subject to approval of the Fire Department, a horn/strobe fire alarm may be installed on the exterior of the units instead of the typical 8-inch bell-type fire alarm.
8. The sidewalk, curb, and gutter shall be replaced, as necessary, to the satisfaction of the Engineering Department.
9. The applicant shall provide on-site erosion protection for the storm drainage system during construction, to the satisfaction of the Engineering Department.
10. The applicants and/or their successors shall maintain the subject property in a clean, safe, and attractive state until construction commences. Failure to maintain the subject property may result in reconsideration of this approval by the Planning Commission.
11. The Community Development Department shall be authorized to approve minor changes.
12. In the event of a disagreement in the interpretation and/or application of these conditions, the issue shall be referred back to the Planning Commission for a decision prior to the issuance of a building permit. The decision of the Planning Commission shall be final.

13. The garage doors shall be equipped with remotely operated automatic door openers and maintain a minimum vertical clearance of 7-feet, 4-inches with the door in the open position.
14. No plastic drain pipes shall be utilized in common walls or ceilings.
15. Color and material samples shall be submitted for review and approval of the Planning Division prior to the issuance of Building Permits.
16. That an automatic fire sprinkler system is required and installation shall comply with Redondo Beach Fire Department regulations.
17. Barriers shall be erected to protect the public where streets and/or sidewalks are damaged or removed.
18. A new 6-foot decorative masonry wall or a 6-foot high mixed construction wall measured from finished grade shall be constructed on all common property lines with adjacent properties, exclusive of the front setback and exterior side setback and required 15 foot line of site area along the rear property line. Mixed construction walls shall consist of a masonry base and masonry pilasters, which shall be composed of a least thirty percent (30%) masonry and seventy percent (70%) wood. Projects may only utilize existing property line walls when the walls are 6-foot masonry or mixed construction, exclusive of the front setback and exterior side setback.
19. The applicant shall finish all new property line walls equally on both sides wherever possible. Projects utilizing existing property line walls shall restore the walls to an "as new condition," on both sides at time of final condominium inspection subject to Planning Division approval.
20. That a minimum of 15% decorative material will be utilized for all driveways.
21. The site shall be fully fenced prior to the start of construction.
22. All on-site litter and debris shall be collected daily.
23. Construction work shall occur only between the hours of 7:00 a.m. and 6:00 p.m. on Monday through Friday, between 9:00 a.m. and 5:00 p.m. on Saturday, with no work occurring on Sunday and holidays.
24. Material storage on public streets shall not exceed 48-hours per load.
25. The project developer and/or general contractor shall be responsible for counseling and supervising all subcontractors and workers to ensure that neighbors are not subjected to excessive noise, disorderly behavior, or abusive language.

26. Streets and sidewalks adjacent to job sites shall be clean and free of debris.

Final Inspection

27. The landscaping and sprinklers shall be installed per the approved plan, prior to final inspection.

28. Fire protection system shall be equipped with an alarm initiating device and an outside horn/strobe located at the front of the front of the building and/or as near as possible to the front. Horn/strobe shall not be obstructed from front of residence view by down spouts, gutters, trim or mullions, etc.

29. The existing driveway approach shall be removed and a new sidewalk, curb, gutter, approach, and asphalt concrete pavement shall be constructed, to the specifications of the Public Works Engineering Services Division and be noted on the plans.

30. Prior to final inspection, the developer shall provide a pedestrian (ADA) access path at the new driveway approach, to the specifications of the Public Works Engineering Services Division and note the path of travel on the construction drawings.

31. The Vesting Tentative Parcel Map shall be recorded within 36-months of the effective date of this approval, unless an extension is granted pursuant to law. If said map is not recorded within said 36-month period, or any extension thereof, the map shall be null, void, and of no force and effect.

32. The developer shall plant a minimum 36-inch box tree within the front-yard of the project, subject to Planning Division approval (not a palm tree).

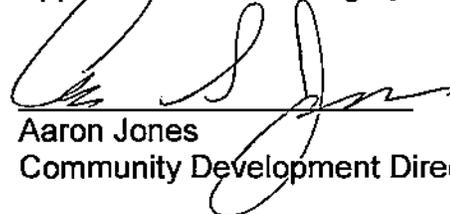
33. Any future exterior or interior alterations shall require the approval of the Home Owner's Association and the Community Development Department.

Prepared by:



Marianne Gastelum
Assistant Planner

Approved/for forwarding by:



Aaron Jones
Community Development Director

Attachments:

1. ADR Plan Set with Cross Sections and Photographs of Surrounding properties;
2. Color Rendering;
3. Vesting Tentative Parcel Map No. 73918;
4. Resolution No. 2016-**-PCR-***
5. Grading Information;

6. Neighborhood Outreach Correspondence; and
7. January 21, 2016 Planning Commission Minutes (Included as Item 5 of this addenda packet).



CITY OF REDONDO BEACH

EXEMPTION DECLARATION PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

DATE: January 21, 2016

PROJECT ADDRESS: 1912 Marshallfield Lane

PROPOSED PROJECT: Construction of a 2-unit residential condominium development on property located within a Low-Density Multiple-Family Residential (R-2) zone.

In accordance with Chapter 3, Title 10, Section 10-3.301(a) of the Redondo Beach Municipal Code, the above-referenced project is Categorical Exempt from the preparation of environmental review documents pursuant to:

Section 15303 of the Guidelines for Implementation of the California Environmental Quality Act (CEQA), which states, in part, that the construction and location of limited numbers of new, small structures does not have a significant effect upon the environment. In urbanized areas, the exemption applies to single apartments, duplexes, and similar structures designed for not more than six (6) dwelling units if not constructed in conjunction with the building or conversion of three (3) or more such structures. This finding is supported by the fact that the proposed project is a 2-unit residential condominium development.

Marianne Gastelum
Assistant Planner

RESOLUTION NO. 2016--PCR-*****

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF REDONDO BEACH APPROVING AN EXEMPTION DECLARATION AND GRANTING THE REQUEST FOR A VARIANCE, ADMINISTRATIVE DESIGN REVIEW, AND VESTING TENTATIVE PARCEL MAP NO. 73918 TO ALLOW THE CONSTRUCTION OF A 2-UNIT RESIDENTIAL CONDOMINIUM DEVELOPMENT ON PROPERTY LOCATED WITHIN A LOW-DENSITY MULTIPLE-FAMILY RESIDENTIAL (R-2) ZONE AT 1912 MARSHALLFIELD LANE (CASE NO. 2016-01-PC-001)

WHEREAS, an application was filed on behalf of the owner of the property located at 1912 Marshallfield Lane for approval of an Exemption Declaration and consideration of a Variance, Administrative Design Review, and Vesting Tentative Parcel Map No. 73918 to allow the construction of a 2-unit residential condominium development on property located within a Low-Density Multiple-Family Residential (R-2) zone; and

WHEREAS, notice of the time and place of the public hearing where the Exemption Declaration and applications would be considered was given pursuant to State law and local ordinances by publication in the Easy Reader, by posting the subject property, and by mailing notices to property owners within 300 feet of the exterior boundaries of the subject property; and

WHEREAS, the Planning Commission of the City of Redondo Beach considered evidence presented by the applicant, the Planning Division, and other interested parties at the public hearing held on the 21st day of January, 2016, and continued the matter to their meeting on February 18, 2016, in order for the applicant to provide additional information including, site cross sections, photographs, grading information, and evidence of neighborhood outreach; and

WHEREAS, the Planning Commission of the City of Redondo Beach considered evidence presented by the applicant, including the requested additional information from their meeting on January 21, 2016, the Planning Division, and other interested parties at the public hearing held on the 18th day of February, 2016, with respect thereto.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF REDONDO BEACH DOES HEREBY FIND:

1. In accordance with Section 10-2.2500(b) of the Redondo Beach Municipal Code, the applicant's request for Administrative Design Review is consistent with the City's General Plan, the Zoning Ordinance, specific development standards and design criteria set forth therein for the following reasons:

- a) The proposed use is permitted in the land use district in which the site is located, and the site is adequate in size and shape to accommodate the use and all yards, open spaces, walls, and fences, parking, landscaping and other features subject to the approval of a variance to allow additional fill placement, and the project is consistent with the requirements of Chapter 2, Title 10 of the Redondo Beach Municipal Code, with the existing predominant land and uses in the neighborhood;
- b) The project is consistent with the Comprehensive General Plan of the City;
- c) The location and design of the project does not significantly impact surrounding properties or harmfully impact the public health, safety and general welfare;
- d) Traffic congestion or impairment of traffic visibility is avoided;
- e) The design is compatible with the overall community and surrounding neighborhood;
- f) The architectural style and design of the project:
 - i) Enhances the neighborhood, contributes beneficially to the overall design quality and visual character of the community, and maintains a stable, desirable character;
 - ii) Makes use of complementary materials and forms that are harmonious with existing improvements and that soften the appearance of volume and bulk, while allowing flexibility for distinguished design solutions;
 - iii) Avoids a box-like appearance through variations in the roof line and building elevations and through distinguishing design features;
 - iv) Continues on all elevations the architectural character established for the street facing elevations to the extent feasible;
 - v) Ensures that the physical proportion of the project and the manner in which the project is designed is appropriate in relation to the size, shape, and topography of the site;
 - vi) Includes windows on the front façade;
 - vii) Provides sufficient area available for use of extensive landscaping to complement the architectural design of the structure, and to minimize the amount of paving to the degree practicable.

- g) Pedestrian safety and welfare are protected;
 - h) The condominium project conforms to all of the requirements of the Zoning Ordinance with the granting of the proposed Variance;
 - i) The project is consistent with the intent of the Residential Design Guidelines adopted by the City Council;
 - j) The design of the project considers the impact and needs of the user in respect to circulation, parking, traffic, utilities, public services, noise and odor, privacy, private and common open spaces, trash collection, security and crime deterrence, energy consumption, physical barriers, and other design concerns subject to the variance to place additional fill to improve access and parking.
2. In accordance with Section 10-2.2510 of the Redondo Beach Municipal Code, the applicant's request for a Variance is consistent with the criteria set forth therein for the following reasons:
- a) There are special circumstances relative to the subject property in that the property has an irregular lot topography. The topography is such that the strict application of the development standards would effectively prohibit vehicle access to the property by resulting in a driveway with a slope at greater than a 15% maximum.
 - b) The granting of the variance will not constitute the granting of a special privilege, nor would it be inconsistent with the limitations on other similar properties in that the adjoining property is developed with similar improvements, and the variance is necessary to allow legal access which is a right enjoyed by other property owners.
 - c) The granting of a variance is consistent with the policies and objectives of the General Plan, which encourages development that is compatible with the existing surrounding neighborhood.
3. Vesting Tentative Parcel Map 73918 is consistent with the Comprehensive General Plan of the City.
4. The plans, specifications and drawings submitted with the applications have been reviewed by the Planning Commission, and are approved.
5. The project is Categorically Exempt from the preparation of environmental documents, pursuant to Section 15303 of the Guidelines of the California

Environmental Quality Act (CEQA) regarding new construction or conversion of small structures.

6. The Planning Commission hereby finds that the proposed project will have no impact on fish and game resources pursuant to Section 21089(b) of the Public Resources Code.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF REDONDO BEACH DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. That based on the above findings, the Planning Commission does hereby approve the Exemption Declaration and grant the Variance, Administrative Design Review, and Vesting Tentative Parcel Map No. 73918 pursuant to the plans and applications considered by the Planning Commission at its meeting of the 18th day of February, 2016.

Section 2. This permit shall be void in the event that the applicant does not comply with the following conditions:

Plan Check

1. That the approval granted herein is for the construction of a two-unit development with an approved variance request to raise the grade in the side setback along the driveway as noted on submitted plans and applications reviewed and approved by the Planning Commission at its meeting on February 18, 2016.
2. That the approval is for conceptual plans only, and therefore the submission to and approval by the Community Development Department, Engineering Division and Fire Department of fully dimensioned, detailed and accurate site plan, floor plan and elevations shall be required prior to the issuance of building permits.
3. The precise architectural treatment of the building exterior, roof, walks, walls, and driveways shall be subject to Planning Division approval prior to issuance of a building permit.
4. The applicant shall submit a final landscape and sprinkler plan, including a clock-operated sprinkler control, for approval prior to issuance of building permits.
5. The landscaping and sprinklers shall be installed per the approved plan, prior to final inspection.

Construction

6. If selected design of the water and/or heating system permits, individual water shut-off valves shall be installed for each unit, subject to Community Development Department approval.
7. Subject to approval of the Fire Department, a horn/strobe fire alarm may be installed on the exterior of the units instead of the typical 8-inch bell-type fire alarm.
8. The sidewalk, curb, and gutter shall be replaced, as necessary, to the satisfaction of the Engineering Department.
9. The applicant shall provide on-site erosion protection for the storm drainage system during construction, to the satisfaction of the Engineering Department.
10. The applicants and/or their successors shall maintain the subject property in a clean, safe, and attractive state until construction commences. Failure to maintain the subject property may result in reconsideration of this approval by the Planning Commission.
11. The Community Development Department shall be authorized to approve minor changes.
12. In the event of a disagreement in the interpretation and/or application of these conditions, the issue shall be referred back to the Planning Commission for a decision prior to the issuance of a building permit. The decision of the Planning Commission shall be final.
13. The garage doors shall be equipped with remotely operated automatic door openers and maintain a minimum vertical clearance of 7-feet, 4-inches with the door in the open position.
14. No plastic drain pipes shall be utilized in common walls or ceilings.
15. Color and material samples shall be submitted for review and approval of the Planning Division prior to the issuance of Building Permits.
16. That an automatic fire sprinkler system is required and installation shall comply with Redondo Beach Fire Department regulations.
17. Barriers shall be erected to protect the public where streets and/or sidewalks are damaged or removed.

18. A new 6-foot decorative masonry wall or a 6-foot high mixed construction wall measured from finished grade shall be constructed on all common property lines with adjacent properties, exclusive of the front setback and exterior side setback and required 15 foot line of site area along the rear property line. Mixed construction walls shall consist of a masonry base and masonry pilasters, which shall be composed of a least thirty percent (30%) masonry and seventy percent (70%) wood. Projects may only utilize existing property line walls when the walls are 6-foot masonry or mixed construction, exclusive of the front setback and exterior side setback.
19. The applicant shall finish all new property line walls equally on both sides wherever possible. Projects utilizing existing property line walls shall restore the walls to an "as new condition," on both sides at time of final condominium inspection subject to Planning Division approval.
20. That a minimum of 15% decorative material will be utilized for all driveways.
21. The site shall be fully fenced prior to the start of construction.
22. All on-site litter and debris shall be collected daily.
23. Construction work shall occur only between the hours of 7:00 a.m. and 6:00 p.m. on Monday through Friday, between 9:00 a.m. and 5:00 p.m. on Saturday, with no work occurring on Sunday and holidays.
24. Material storage on public streets shall not exceed 48-hours per load.
25. The project developer and/or general contractor shall be responsible for counseling and supervising all subcontractors and workers to ensure that neighbors are not subjected to excessive noise, disorderly behavior, or abusive language.
26. Streets and sidewalks adjacent to job sites shall be clean and free of debris.

Final Inspection

27. The landscaping and sprinklers shall be installed per the approved plan, prior to final inspection.
28. Fire protection system shall be equipped with an alarm initiating device and an outside horn/strobe located at the front of the front of the building and/or as near as possible to the front. Horn/strobe shall not be obstructed from front of residence view by down spouts, gutters, trim or mullions, etc.

29. The existing driveway approach shall be removed and a new sidewalk, curb, gutter, approach, and asphalt concrete pavement shall be constructed, to the specifications of the Public Works Engineering Services Division and be noted on the plans.
30. Prior to final inspection, the developer shall provide a pedestrian (ADA) access path at the new driveway approach, to the specifications of the Public Works Engineering Services Division and note the path of travel on the construction drawings.
31. The Vesting Tentative Parcel Map shall be recorded within 36-months of the effective date of this approval, unless an extension is granted pursuant to law. If said map is not recorded within said 36-month period, or any extension thereof, the map shall be null, void, and of no force and effect.
32. The developer shall plant a minimum 36-inch box tree within the front-yard of the project, subject to Planning Division approval (not a palm tree).
33. Any future exterior or interior alterations shall require the approval of the Home Owner's Association and the Community Development Department.

Section 3. That the approved Variance and Administrative Use Permit shall become null and void if not vested within 36 months after the Planning Commission's approval.

Section 4. That, prior to seeking judicial review of this resolution, the applicant is required to appeal to the City Council. The applicant has ten days from the date of adoption of this resolution in which to file the appeal.

FINALLY RESOLVED, that the Planning Commission forward a copy of this resolution to the City Council so the Council will be informed of the action of the Planning Commission.

PASSED, APPROVED, AND ADOPTED this 18th day of February, 2016.

Doug Rodriguez, Chair
Planning Commission
City of Redondo Beach

ATTEST:

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF REDONDO BEACH)

I, Aaron Jones, Community Development Director of the City of Redondo Beach, California, do hereby certify that the foregoing Resolution No. 2016-**-PCR-*** was duly passed, approved and adopted by the Planning Commission of the City of Redondo Beach, California, at a regular meeting of said Planning Commission held on the 18th day of February, 2016, by the following vote:

AYES:

NOES:

ABSENT:

Aaron Jones
Community Development Director

APPROVED AS TO FORM:

City Attorney's Office

12 February, 2016

To: Mr. Sean Scully
Planning Manager
City of Redondo Beach

Regarding: Cut/Fill Calculations on 1912 Marshallfield Lane

Sean,

After careful analysis of the above mentioned site it is our belief that the cut and fill yardages for the above project are as follows:

Total Cut Cubic Yardage will be: 182 cubic yards Cut
Total Fill Cubic Yardage will be: 209 Cubic Yards Fill

Difference: 17 Cubic Yards Diff.

As typical single bucket dump trucks carry 9 to 10 cubic yards ea. load, there will be approximately two trips ~~IMPORTED~~. 

Please feel free to contact me with any other questions you might have regarding this project.

Regards

Manuel George
310 753-4180
Principal
Plinth Design Group
205 Avenue I, Ste. #7
Redondo Beach, Calif.
90277

12 February, 2016

Dear Neighbors:

As many of you know, our proposed plans for two unit condominium units on the property located at 1912 Marshallfield Lane are currently under review by the City Planning Department and will be further considered by the Planning Commission at a meeting on February 18, 2016.

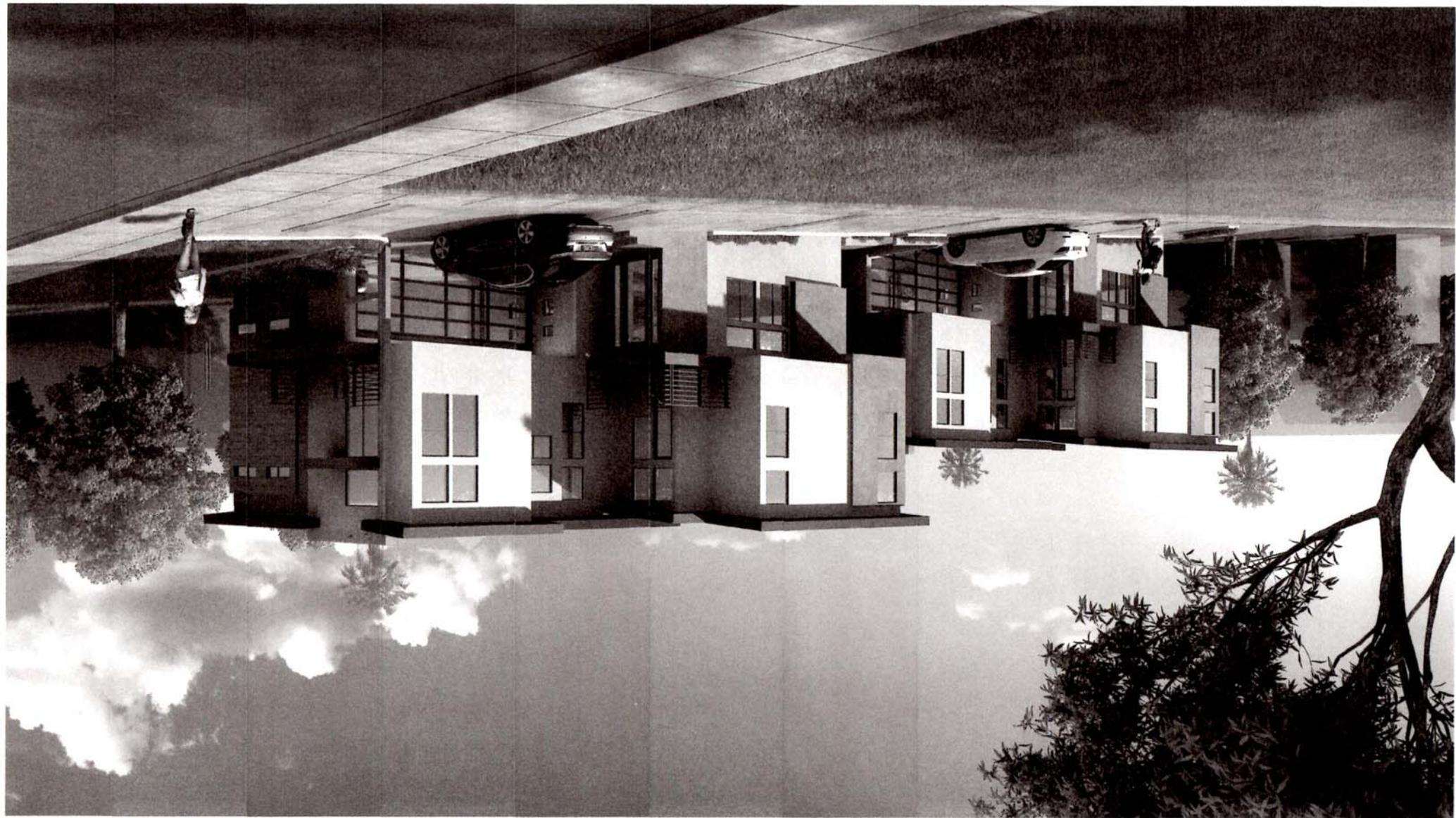
Attached for your information are the Site Plan and a copy of the Projects Exterior Rendering of the proposed project.

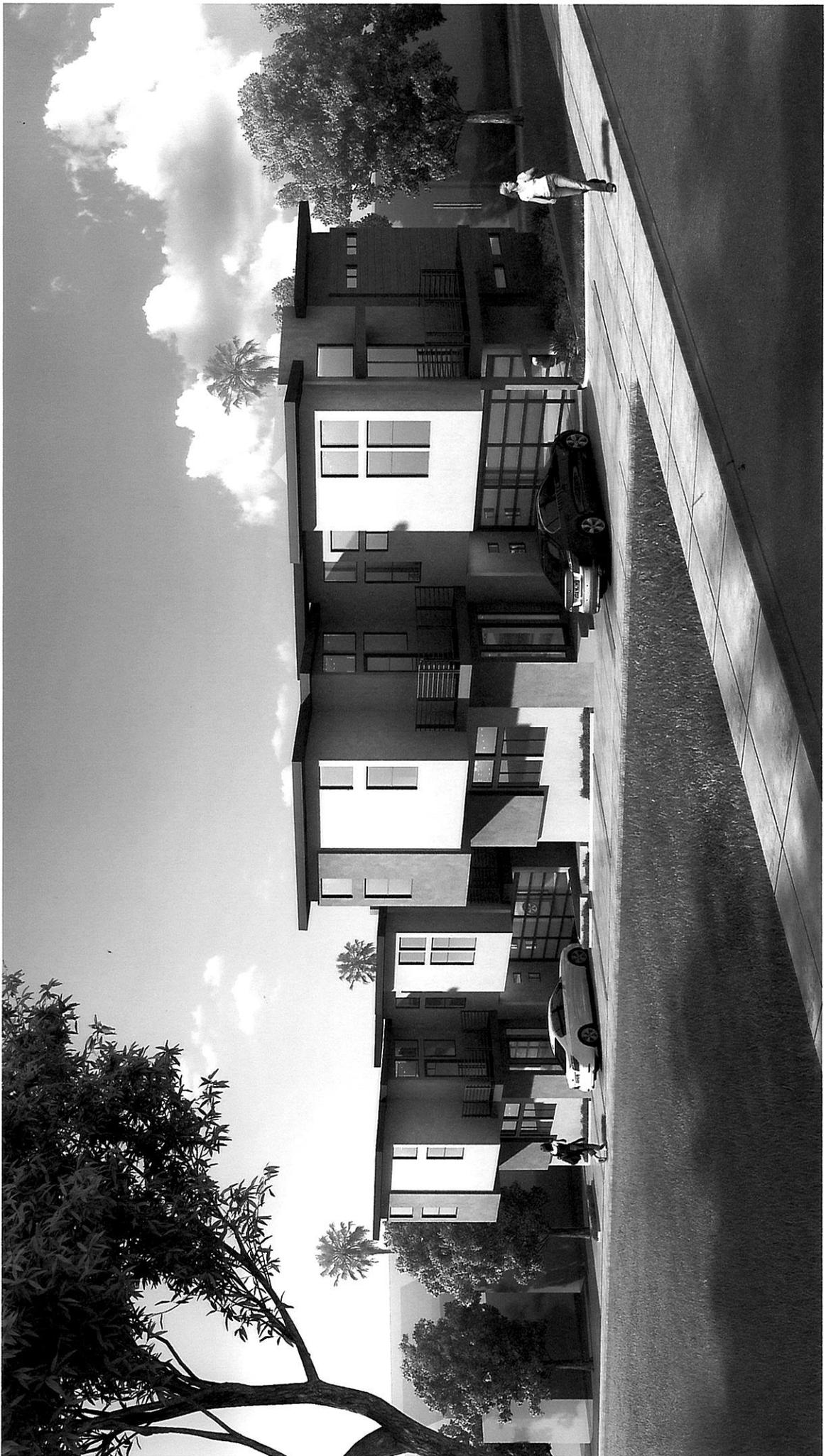
If you have any questions or comments, please call Mr. Manuel George
310 753-4180, Project Designer or Mr. Shawn Scully, 310 318-0637, ext. 2405
City Planning Manager

Sincerely,



Manuel George





Architectural Drawings on file in the Planning Division office



Administrative Report

Planning Commission Hearing Date:

February 18, 2016

AGENDA ITEM: NEW BUSINESS DISCUSSION ITEM # 13

SUBJECT: CONTINUED DISCUSSION OF POTENTIAL AMENDMENTS TO MIXED USE ZONING DISTRICTS AND DEVELOPMENT REGULATIONS/STANDARDS

DEPARTMENT'S RECOMMENDATION:

1. Receive and file the report.
2. Provide staff with any additional specific recommendations on potential amendments.
3. Confirm that staff's summary of the Commission's recommendations accurately reflects the consensus of the Commission in anticipation of a progress report to City Council on March 1, 2016.

EXECUTIVE SUMMARY

Pursuant to the Mayor's and City Council's adopted Strategic Plan Objective (October 2015) to investigate and report on the City's existing Mixed Use policies and development regulations/standards the Planning Commission has held two (2) public meetings and the Community Development Department has conducted a "policy" meeting with architects and engineers having expertise on this matter. In addition, as recommended by the Planning Commission, staff has initiated discussions with economic and livability experts about such matters as office, retail, and other commercial use viability.

This report furthers the discussions by the Planning Commission, Community Development Department, industry professionals, and the general public on potential amendments and responds to issues and questions raised during prior discussions. This report presents the following:

• **BACKGROUND**

- Brief recap of discussions and Planning Commission directions to date;
 - Planning Commission Meeting, 12-17-15;
 - Staff policy meeting with MU industry professionals, 1-12-16; and
 - Planning Commission Meeting, 1-21-16.

▪ **ANALYSIS**

- Proposed Planning Commission recommendations to date;
 - Residential Density;
 - Reduce maximum allowed residential density from 35 DU/AC to 30 DU/AC;
 - Minimum Lot Size;

- Eliminate 15,000 sf minimum lot size requirement;
 - Analysis included herein presents lot sizes and existing development for every MU Zoned property in Redondo Beach;
- Building Height;
 - Reduce 45' maximum;
 - Varied building height standard based upon design.
 - Maximum building height for "flat roof design": 36';
 - Maximum building height for "pitched roof design": 38';
- Second Story Setbacks;
 - Eliminate range of second story setbacks from street fronting property lines (15', 18', and 25') to match ground floor setbacks;
- Analysis of remaining "issue areas";
 - FAR for MU projects:
 - Increase existing minimum commercial FAR for MU projects;
 - Economic impacts/viability of Mixed Use projects and % mix of commercial office v. commercial retail;
 - Third Story Setbacks;
 - Consider further reductions in upper story setbacks;
 - Live-Work Standards;
 - Usable Public Open Space;
 - Clarify and better define "Usable Public Open Space";
 - Parking;
 - Lesser parking generation rates for singles, 1, and 2 bedroom units v. 3 bedroom units;
 - Reduce or eliminate parking requirements for outdoor dining;
 - Visitor parking requirements for MU projects.
 - Would allowing small lots in mixed-use areas would trigger a requirement for an election?
 - Input from other mixed use specialists (livability/environmental).
 - General Plan Amendments;
 - Some proposed changes to the MU Zoning Ordinance will require amendments to the General Plan for consistency as required by State Law.
 - General Election implications:
 - Brief summary of whether the proposed changes would require a General Election.

The goal of this third public meeting is to have the Planning Commission confirm the recommended changes/modifications to the existing Zoning Ordinance and provide direction on the remaining "issue areas". The desired outcome would be a consensus recommendation that can be provided as an update to the City Council on March 1, 2016.

BACKGROUND

Prior Public and Staff Meetings

The Planning Commission has conducted two (2) public meetings to date on this matter, December 17, 2015, and January 21, 2016. Attached to this report are the minutes and Administrative Reports (not including "Attachments") from each of these two (2) prior meetings.

In addition to the noted Planning Commission public meetings the Community Development Department held a "Policy Meeting" with architects and development professionals having expertise and experience with MU projects on January 12, 2016. Staff has also initiated discussions with economic and livability professionals as suggested by the PC.

The following is a very brief summary of the major components/conclusions/directions from each of these prior meetings.

December 17, 2015, Planning Commission Public Meeting

Staff presented a comprehensive introduction and overview of MU development in Redondo Beach. Following staff's presentation the Commission engaged with staff and received public comments. The ensuing discussions yielded a general direction to further investigate potential changes with respect to the following development regulations/standards:

- Floor Area Ratios (FAR) and particularly within the FAR's the percentage mix of residential to commercial and within commercial the ratio/mix of office and retail uses.
 - The rationale for the existing ratio was examined and the intended purpose of the existing FAR standards was articulated as follows:
 - Incentivize MU by significantly increasing the allowable development intensity for a MU project versus a commercial only project and prohibiting residential only project in all MU areas except for the MU-1 Zone along Artesia Blvd and M-2 Zone (Salvation Army Headquarters on Catalina Avenue).
- Usable Public Open Space was also discussed at some length. It was determined that some additional detail, guidance, and clarification in terms of better defining public open space and what it should include/look like was necessary.
- Reductions in allowable residential density. Discussions ensued regarding a desire for smaller units, the need for affordable housing, and identifying what changes to the MU development standards would trigger an election.
- Finally, there was a consensus to explore some real world and unique examples of MU developments and a further investigation regarding how other jurisdictions regulate MU projects.

January 12, 2016 Community Development Policy Meeting with Mixed Use Industry Professionals

On January 12, 2016 staff held a policy meeting with nine (9) local MU industry professionals. Below is the list of attendees and the Company they represent.

Name	Company
Robert Stringfield	Anastasi Builders
Luis De Moraes	Envirotech
Edward Santa Cruz	SCDS Consulting Design
Dan Young	Cunningham Group
Rodman Amiri	Merit Real Estate
Amir Amiri	Merit Real Estate
Amir Nassif	Local Developer
Louie Tomaro	Tomaro Design Group
Miles Pritzkat	Pritzkat Johnson Architects

The following is a brief summary of the input/guidance received by the Community Development Department at this "policy meeting"

Parking:

- "§ 10-2.1706 (d) Overlap Parking" provides flexibility and opportunities with respect to parking;
- Reduce parking standards for "small unit" MU projects:
 - Lesser parking generation rates for singles, 1, and 2 bedroom units v. 3 bedroom units;
 - Allow for reduced not increased visitor parking spaces.

Building Height

- A MU project lower than the existing height limits (38' to 45') could accommodate 3 stories;
 - Consider a "varied building height standard" that would be based upon design:
 - Flat roof designs would have a maximum height limit of 36';
 - Pitched roof designs would need to hold at 38'; and
 - Eliminate 45' maximum height.

Usable Public Open Space

- Consider making the focus of the public open space oriented towards serving and supporting the commercial elements of the MU development;
- Existing MU front yard setbacks could accommodate interior "courtyard/plaza" development consistent with quality MU developments cited by the group;

- Incentivize commercially focused public open space by allowing outdoor dining areas to qualify as “usable public open space” and not requiring additional parking for outdoor dining areas.

Minimum Lot Size

- Existing minimum lot size restrictions prohibits MU development on lots with less than 15,000 square feet;
 - The historical opinion has been that such projects could only actualize in a large-scale scenario.
 - The intention of this existing requirement is to encourage the assembly of properties that would then be developed with larger MU projects.
- Eliminate this minimum lot size restriction to allow for smaller scale MU projects.

Special Note: Attached to this report are lot by lot area and use exhibits that illustrate the opportunities that could be realized for small scale MU projects with the recommended elimination of the 15,000 sf minimum lot size restriction.

Setbacks

- Eliminate the additional front yard setback required for the second story and reduce the required third story front yard setback;
 - The mass of a 2 story building is not particularly overbearing and does not warrant the setback.
 - Additional upper story setbacks reduce the allowable square footage of the higher floors which may increase pressure to add square footage to the ground floors, making it more difficult to provide ground floor public open space.

Quantifiable Massing/Design Standards

- Although this issue area was discussed by the attendees, no conclusions on this topic were tendered;
- This area will require additional study.

Special Note: In almost all cases a new MU project will require a discretionary entitlement of some type, CUP/PCDR/ADR/CDP and through that mechanism, massing and design elements will be reviewed and addressed. In example, a PCDR must address-meet the following “criteria”: User impact and needs; Relationship to physical features; Consistency of architectural style; Balance and integration with the neighborhood; Building design; Signs; and Consistency with residential design guidelines.

Live-Work

- With the potential introduction of small lot MU development, the attendees noted the value of the “Live-Work” MU development model.

Special Note: Staff recommends taking additional time to research this specialized land use form and incorporate specific standards for a targeted “Live-Work” MU community through the forthcoming General Plan updates.

FAR

- The topic of FAR, residential density, and percentage ratios of land uses within the existing MU development standards was discussed with the attendees.
 - The attendees expressed that the existing standards as presented were generally appropriate.

January 21, 2016, Planning Commission Public Meeting

At this second public meeting staff and the Planning Commission continued to hone the focus of this investigation/analysis in an effort to confirm recommended amendments, confirm regulations that should remain unchanged, and identify remaining "subject areas" that required further investigation. The following table summarizes the outcome this second meeting on this matter:

MU Zoning Development Standard	Determination/Direction for Staff
FAR Commercial	No change.
FAR Mixed Use	Further discussions required.
Residential Density	Reduce maximum residential from 35 DU/AC to 30 DU/AC.
Minimum Lot Size	Eliminate minimum lot size requirement of 15,000 square feet.*
Building Height Commercial	No change.
Building Height Mixed Use	Amend the current height requirements of 38' with an allowance to 45' to a "varied building height standard" that would be based upon design. Flat roof designs would have a maximum height limit of 36'. Pitched roof designs would need to hold at 38' and the 45' maximum would be eliminated.
Stories Commercial	No change.
Stories Mixed Use	No change.
Stories Residential	No change.

Front Setback Minimum	No change.
Front Setback Maximum	No change.
Side Setback	No change.
Rear Setback	No change.
Second Story Setback	Elimination of a second story setback.
Third Story Setback	Further discussions required.
Outdoor Living Space	No change.
Usable Public Open Space	Further discussions required.
General Regulations	No change.
Parking Regulations	Further discussions required.
Sign Regulations	No change.
Landscaping Regulations	No change.
Procedures	No change.
Coastal Development Permits	No change.

* Attached to this report are exhibits that present a lot by lot areal of each MU area that includes lot size, number of existing and potential residential units, and the existing use.

As part of the discussions confirming the Planning Commission's consensus on amendments to the existing development standards outlined in the table above, additional and somewhat broader topics were raised that are not directly related to the specific development standards but relevant to the larger discussion and included the following:

- Economic impacts/viability of Mixed Use development.
- Live-Work standards.
- Would allowing small lots in mixed-use areas trigger a requirement for an election?
 - Lot by lot analysis/breakdown of MU zones: Area, existing uses, existing density, and buildout density.
- Input from other mixed use specialists (livability/environmental).

ANALYSIS

The following analysis provides information in support of staff's recommendations on the identified "subject areas" requiring "further discussions" noted in the table above. In

addition this analysis provides information concerning the broader topics discussed to date.

FAR Mixed Use

§ 10-2.900 Specific purposes...(g) reads as follows:

“Ensure that the primary character of mixed-use developments should be commercial in nature so as to integrate with and enhance the quality of the surrounding business districts;”

In furtherance of this stated purpose staff is recommending that the minimum FAR for the commercial component of MU projects increase from 0.3 to 0.5 to better reflect the stated purpose that MU projects have a “primary character” of commercial.

The following is the specific zoning ordinance text amendment recommended (this same change would be carried throughout all the MU zoning development standards):

10-2.913 Development standards: MU-1 mixed-use zone.

(a) **Floor area ratio.** (See definition of floor area ratio in Section 10-2.402.)

(1) **Commercial uses.** For projects containing only commercial uses, the floor area ratio (F.A.R.) of all buildings on a lot shall not exceed 0.5.

(2) **Mixed-use.** For projects including both commercial and residential uses, the floor area ratio (F.A.R.) of all buildings on a lot shall not exceed 1.5.

The following shall also apply:

a. **Maximum commercial floor area.** All floor area exceeding a floor area ratio of ~~0.7~~ 1.0 (except within the M-1 Zone where 0.5 is the maximum commercial F.A.R.) shall be developed for residential uses.

b. **Minimum commercial floor area.** The commercial component of mixed-use projects shall have a minimum floor area ratio of ~~0.3~~ 0.5.

The recommended amendment above is a fairly direct response to the stated “purpose” of ensuring the primary character of MU projects is commercial. The next refinement of determining the percentage mix of office v. retail within the commercial component would require some market/economic analysis specific to MU projects and our local economy. Both the Planning Commission and staff began to discuss this further refinement at the January 21, 2016 public meeting. As discussed at that meeting staff has initiated discussions with the City's financial consultant, Larry Kosmont. As of the drafting of this report no specific analysis is available.

Although market/economic information is not yet available it is important to note that existing MU regulations do include provisions concerning the percentage mix of office v.

retail. "§ 10-2.911 Additional land use regulations: MU-1, MU-3, MU-3A, MU-3B, and MU-3C mixed-use zones...(d)" reads as follows:

(d) **Offices.** Offices may occupy up to a maximum of fifty (50%) percent of the linear frontage of the building in all mixed-use zones, except that such ground floor uses along the street frontage are permitted in the MU-3C zone within the Riviera Village overlay zone (see Section 10-2.1315).

As written there is considerable flexibility in the percentage mix of office use v. retail use that could be developed within a MU project. Without the benefit of additional market/economic information, staff recommends that the existing flexible and retail weighted standard be maintained.

As the larger effort of updating the General Plan and looking more closely at potential "Live-Work" zones/standards begins, it is anticipated that within that effort market/economic studies will be developed and include a component specific to MU projects and Live-Work. Staff recommends that at this time the Planning Commission "table" the inclusion of more specific details with respect to the mix of commercial office v. retail until we have the benefit of a focused market/economic study on this matter.

Third Story Setbacks

Pursuant to the guidance/input staff received from MU industry professionals at the policy meeting of January 12, 2016 there may be a need to further refine the upper story setbacks beyond eliminating the 2nd story setback.

The rationale for further reductions provided by the design and development professionals centered upon maximization of building square feet on upper floors to support the projects ability to comply with the myriad of requirements, i.e. parking and usable public open space that would typically be provided on the ground floor.

The concern for further reductions in the setbacks of upper stories above the recommended elimination of the 2nd story setback is the potential for mass and volume of the structure to appear "overbuilt", "boxy", and out of scale with the intended pedestrian scale of MU projects/communities.

The current 3rd story setback requirement reads as follows:

(5) **Third story setback.** Within the first thirty (30) feet of property depth, all building elevations above the second floor shall have a minimum average setback of five (5) feet from the second floor building face.

To counter the concerns noted above, staff recommends that there be no change to the existing Third story setback requirement. The five (5) foot setback provides proportional relief and should be retained as is it is currently written.

Live-Work Standards

Fairly significant research and discussions have been conducted to date on this "form" of MU project. The idea/opportunity to pursue this type of MU was introduced by the MU development professionals in attendance at the policy meeting of January 12, 2016. It was fairly clear from the policy meeting that the size of the existing lots within most of the MU zones being considered are consistent with "smaller scale" MU projects.

As a result of the input from the MU development professionals, and follow up direction from the Planning Commission, staff has begun to look at "Live-Work" standards from other jurisdictions. After some initial reviews of some "Live-Work" standards it became apparent that these type of standards tended to be very tailored and specific to a particular industry, i.e. artisans and creative offices. As a result, staff is recommending that this "form" of MU project be incorporated into the upcoming General Plan update process where broader policy discussions can define how Redondo Beach would define and/or recognize a specific industry or industries to target and then once targeted to market to and define appropriate standards for. As stated previously staff will be requesting that any future market/economic studies include an element on Live-Work.

Staff is recommending the development of "Live-Work" standards be deferred to the General Plan update process and not incorporated into this effort.

Usable Public Open Space

The current requirements for "Usable public open space" read as follows:

- (h) **Usable public open space.** Spaces such as public plazas, public walkways and other public spaces of at least ten (10%) percent of the F.A.R. shall be provided.
 - (1) Public open space shall be accessible to the public and not be fenced or gated so as to prevent public access.
 - (2) Public open space shall be contiguous to the maximum extent feasible.
 - (3) Areas less than ten (10) feet in width shall not count as public open space.
 - (4) The requirement of ten (10%) percent public open space may be modified by the Planning Commission for projects developed on lots less than 20,000 square feet in size.

The Planning Commission's input on this development standard to date has primarily been for additional detail, guidance, and clarification in terms of better defining public open space and what it should include/look like.

Staff generally shares the Planning Commission's opinion on this matter, but rather than recommending further specific standards in design, staff recommends that stronger language be incorporated to incentivize that this space be designed and oriented in support of desired commercial uses. To that end, however admittedly and somewhat premature as we don't have a complete market/economic picture of our MU zones, staff recommends that language be inserted that when developed, any outdoor dining areas no matter their dimensions be applied toward this requirement and any outdoor dining areas not be required to provide additional parking for their outdoor dining area. It is important to note that current parking regulations already contain some relaxations of parking standards for "outdoor dining" however staff is recommending that parking requirements for outdoor dining areas within MU zones and possibly all zones at a future date be completely removed. The following is the existing language in the parking regulations referred to herein.

(3) Outdoor seating for food-serving establishments. No additional parking is required for the first twelve (12) seats or a number of outdoor seats equivalent to twenty-five (25%) percent of the number of indoor seats, whichever is greater. Thereafter, one parking space shall be provided for every six (6) seats.

Parking

In keeping with the stated purpose of ensuring that the primary character of mixed-use developments should be commercial, staff is recommending that some additional flexibility, concerning parking, above what is afforded within the "overlap parking requirements" be added. Staff recommends that rather than only allowing for the consideration of an increase in required visitor parking for MU developments, reductions should also be permitted. Below is the proposed amendment to the subject text (§ 10-2.1704 (3) a.):

(3) **Mixed-use developments.**

a. **Visitor parking spaces.** Additional or a reduced number of visitor parking spaces may be required if determined to be necessary and appropriate due to unique characteristics of the project and/or the surrounding neighborhood.

MU Zones Land Use Analysis

In response to the Planning Commissions inquiries about the general amount of MU zones in terms of area and existing character, staff developed a "lot by lot" breakdown of each of the MU zones. Attached to this report are exhibits for each of the MU Zones that include the area of each lot in square feet, the existing land use, the number of existing residential units and the potential buildout of residential units pursuant to the existing 35 DU/AC density and under the proposed 30 DU/AC density. Below is a summary table for each MU Zone.

MU-1 Zone: Artesia Blvd				
Sum Lot Area (SqFt)	Sum Acres	Sum Current Units	Sum 30 DU/AC	Sum 35 DU/AC
370,383.08	8.50	89	240	286
Land Use	Parcel Count			
Commercial	21			
Mixed Use Residential/Commercial	5			
Residential	1			
Utility	1			
Sum	28			

MU-3 Zone: Torrance Blvd				
Sum Lot Area (SqFt)	Sum Acres	Sum Current Units	Sum 30 DU/AC	Sum 35 DU/AC
396,005.45	9.09	43	253	301
Land Use	Parcel Count			
Commercial	20			
Mixed Use Residential/Commercial	7			
Residential	12			
Sum	39			

MU-3C Zone: Avenue I				
Sum Lot Area (SqFt)	Sum Acres	Sum Current Units	Sum 30 DU/AC	Sum 35 DU/AC
98,809.04	2.27	12	63	75
Land Use	Parcel Count			
Commercial	6			
Mixed Use Residential/Commercial	1			
Sum	7			

MU-3A Zone: Pacific Coast Hwy				
Sum Lot Area (SqFt)	Sum Acres	Sum Current Units	Sum 30 DU/AC	Sum 35 DU/AC
873,521.36	20.05	98	592	694
Land Use	Parcel Count			
Commercial	14			
Mixed Use Residential/Commercial	1			
Vacant	2			
Sum	17			

MU-3B: Civic Center & MU-2: Catalina				
Sum Lot Area (SqFt)	Sum Acres	Sum Current Units	Sum 30 DU/AC	Sum 35 DU/AC
93,717.92	2.15	49	64	74
Land Use	Parcel Count			
Commercial	1			
Institutional	1			
Sum	2			

Regarding the question of whether allowing for MU projects on lots smaller than 15,000 square feet by itself would trigger a requirement for an election, staff has not completed a final analysis, but it is our preliminary opinion that it would not. The overall development potential for the MU Zones does not appreciably change either way with the elimination of the minimum lot size requirement. On an aggregate basis the same yield of MU occurs regardless of lot size. It is generally believed that the elimination of the minimum lot size requirement would improve the development opportunities for mixed use development but again the change in development potential in terms of density would not change.

Input from other mixed use specialists (livability/environmental)

Similarly to staff's opinion regarding MU economics/market and Live-Work standards staff's position is that livability and sustainable development is a much larger issue that will be covered in great detail not only with regards to MU projects but development of all types when the City initiates the pending General Plan update process. Therefore staff recommends this subject be deferred to the General Plan update process and not incorporated into this effort at this time.

General Plan MU Land Use Element

Due to the very detailed nature of the existing General Plan polices concerning MU, it is anticipated some changes to the Land Use Element will be required for consistency purposes once zoning ordinance amendments are crafted.

Election Requirement

To address the past concerns (which remain today) it was proposed by the Community Development Department and recommended by the Planning Commission in 2010 to decrease the maximum residential density requirement to one unit for every 1,452 square feet of lot area or 30 units per acre.

While the Planning Commission and Staff previously recommended to the City Council a reduction in residential density to 30 units per acre, it was determined that such a change would trigger the requirement for a general election under Article 27 of the City Charter. The City Council accepted all recommendations of the Planning Commission except the density reduction due to the estimated \$180,000 cost of a public vote. Current estimated costs for an election are estimated at \$ 225,000.00.

Of all the proposed amendments, including the possible elimination of the 15,000 square foot minimum lot size requirement, only the proposed density reduction from 35 DU/AC to 30 DU/AC is believed to trigger an election.

The Mixed Use Discussion

The Community Development Department was directed to look at the issue of Mixed-Use development standards to see if they are still appropriate for our community. As a result of the 12-17-15 and 1-21-16 Planning Commission Public Meetings, input from architects design professionals and developers, and the general public, and further staff analysis, some "refinements" are necessary and proposed for consideration herein.

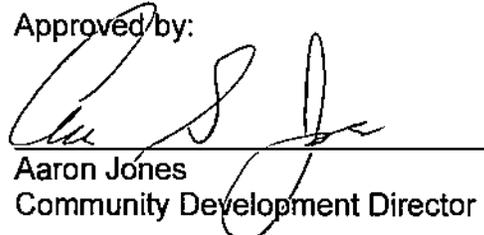
Staff recommends that the Planning Commission provide staff with specific direction on any recommended zoning and land use plan amendments. Staff will then present the proposed changes to the City Council in the form of a progress report at their upcoming March 1, 2016 City Council Meeting to gauge their support and then staff will bring back draft amendments to be considered at a public hearing before the Planning Commission.

Submitted by:



Sean Scully
Planning Manager

Approved by:



Aaron Jones
Community Development Director

Administrative Report**February 18, 2016**

Continued Discussion of Mixed-Use Zoning

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Attachments:

1. December 17, 2015 Planning Commission Administrative Report (Minus Attachments) and Minutes;
2. January 21, 2016 Planning Commission Administrative Report (Minus Attachments);
3. January 21, 2016 Planning Commission Minutes (included as Item 5 of this agenda packet);
 - a.
4. MU Zones Exhibits with Land Use Analysis;
5. Existing General Plan Goals-Objectives-Policies for Mixed Use Development;
6. Current Noncoastal and Coastal Mixed Use Zoning Regulations.



Administrative Report

Planning Commission Hearing Date: December 17, 2015

AGENDA ITEM: NEW BUSINESS DISCUSSION ITEM # 9

SUBJECT: OVERVIEW AND DISCUSSION OF MIXED USE ZONING DISTRICTS AND DEVELOPMENT REGULATIONS/STANDARDS

DEPARTMENT'S RECOMMENDATION:

1. Receive and file the report.
2. Provide direction as determined.

EXECUTIVE SUMMARY

The Mayor and City Council have adopted a Strategic Plan Objective directing the Community Development Department to investigate and report on the existing Mixed Use policies and development regulations/standards within the City's "General Plan" and "Zoning Ordinance".

The purpose of this investigation is to examine the City's existing regulations/standards and to determine whether the need exists to make changes/modify these requirements.

This report provides the Planning Commission with an overview of the City's existing Mixed Use policies and development regulations/standards in advance of the January 21, 2016 Planning Commission public hearing on this matter.

Specifically, this report aims to better frame and support this discussion by presenting answers to the following questions:

- What is Mixed Use?
- What are the various types of Mixed Use?
 - Some examples (renderings and a summary of development standards) of Mixed Use developments from other jurisdictions are attached to this report.
- Why do we have Mixed Use in Redondo Beach?
 - Where is it allowed?
 - What is the rationale for these locations?
- What are the existing policies and standards for Mixed Use development?
 - The existing Mixed Use Goals/Objectives/Policies contained within the General Plan Land Use Element are attached to this report.
 - Noncoastal and Coastal MU Mixed-Use regulations of the City's Zoning Ordinance are attached to this report.
- When were the Mixed Use development regulations/standards amended?
 - What were the nature of the changes made and why?

- Have any concerns with specific Mixed Use development regulations/standards been raised by the public, elected, and/or appointed officials since the last amendments to the MU development regulations/standards?

The goal of this meeting is to solicit input from the Planning Commission on any specific changes/modifications to existing Mixed Use General Plan Land Use Element policies and/or Zoning Ordinance development regulations/standards and bring back specific amendments, if any at the January 21, 2016.

BACKGROUND

What is Mixed Use Development?

Mixed Use is a development format where a variety of land uses are strategically located in an urban, suburban or village development or a single building. Most typically the combination of uses is residential with commercial, cultural or institutional use.

Mixed use is not a new type of development. The origins of Mixed Use predate zoning controls and suburbanization. Before the advent of public transportation and mass acceptance (and dependence) on the automobile, most cities were compact and walkable by necessity. Goods, services and employment all needed to be located within a reasonable distance from residences.

In larger cities the growth of industrial and manufacturing uses resulted in the need to separate residential use from the impacts of these activities. The National Zoning Enabling Act of 1923 set in place the framework to legislate a “separation of uses”. Many cities adopted Euclidean or Single-use zoning in the years that followed. Following the end of WWII there was massive growth in suburbanization and a resultant boom in tract home development. This era saw vast areas of land consumed for low density single family housing. At this same time commercial interests realized that customers and employees were fleeing traditional downtowns and the concept of a commercial strip mall was born. Downtowns suffered from the exodus of businesses and residents and the vitality of the urban core was eroded.

The land use history and zoning pattern of the City of Redondo Beach closely models the scenario described in the paragraph above. Redondo Beach’s early origins were as a port city with railroad, lumber and other core industrial uses. The City’s Downtown was a vibrant mixed use village with shops, services and residences all centered on the Harbor in a 2-3 story format. The city was compact, walkable and exhibited all of the characteristics of a classic Mixed Use environment. The city was also fortunate to have excellent transportation for residents and visitors to connect to virtually all locations throughout Los Angeles.



The growth of the City's suburbs through annexation and conversion of rural lands to housing tracts occurred relatively rapidly. By the late 1960's and early 1970's the City's downtown was in decline and new tracts of homes largely separated from the shops and services they required was the dominant urban form.

The decline of the City's Downtown and growth of the City's suburbs resulted in today's land use pattern where with few exceptions, residents are separated from the basic needs of daily living.

What are the various types of Mixed Use Development?

Mixed Use development can take many forms. There is no one particular prototype. The following are some broad examples of Mixed Use:

- **Village Cluster**-horizontal or vertical Mixed Use prototype where shops and services are located central to surrounding higher density residential. In the horizontal example, residences are not located above commercial uses. In the vertical example, residences may be located above shops and services
- **Neighborhood commercial zoning** – convenience goods and service stores permitted in otherwise strictly residential areas
- **Main Street residential/commercial** – two to three-story buildings with residential units above and commercial units on the ground floor facing the street
- **Urban residential/commercial** – multi-story residential buildings with commercial and civic uses on ground floor
- **Office convenience** – office buildings with small retail and service uses oriented to the office workers
- **Office/residential** – multi-family residential units within office building(s)
- **Shopping mall conversion** – residential and/or office units added (adjacent) to an existing standalone shopping mall
- **Retail district retrofit** – retrofitting of a suburban retail area to a more village-like appearance and mix of uses
- **Live/work** – residents can operate small businesses on the ground floor of the building where they live
- **Studio/light industrial** – residents may operate studios or small workshops in the building where they live
- **Hotel/residence** – mix hotel space and high-end multi-family residential
- **Parking structure with ground-floor retail**
- **Single-family detached home district in proximity to a shopping center**

Attached to this report is a table that compares the City's current Mixed Use development regulations/standards to numerous other jurisdictions. Included in the attachment with the comparative table are some renderings that also provide examples of Mixed Use development common in other regions of California.

After carefully reviewing the mixed use standards from several other jurisdictions, it becomes evident that our standards are fairly consistent with those throughout California.

In addition to the development standards summary table, two (2) design guideline documents from the City of Santa Barbara are also attached to this report. They are included to illustrate how another jurisdiction goes beyond traditional development standards to improve the design solution for mixed use projects.

One option that the Planning Commission may consider is that the existing General Plan policies and Zoning development regulations/standards are adequate in their scope and details but lacking in specific quantifiable design standards and guidelines

Why do we have Mixed Use Development?

Mixed Use zoning was reintroduced into the City's Zoning Ordinance and General Plan in the comprehensive update that was performed in 1992. There were four primary goals that were intended to be advanced through Mixed Use zoning:

1. Provide an incentive to revitalize under-performing commercial uses at key nodes or locations in close proximity to shops and services and well-served by transit.
2. Allow for new and continued exclusive commercial use of a property while providing the opportunity to include residential use.
3. Prevent up zoning impacts to established low density residential (R-1, R-2 and R-3) neighborhoods while still providing required housing development capacity.
4. Encourage transportation and resource efficient sustainable infill development that provides a transition from commercial districts to established residential neighborhoods.

Other considerations are as follows:

- Providing a greater housing variety and density, more affordable housing (smaller units), life-cycle housing (starter homes to larger homes to senior housing)
- Reducing distances between housing, workplaces, retail businesses, and other amenities and destinations
- Improving access to fresh, healthy foods (as food retail and farmers markets can be accessed on foot/bike or by transit)
- Allowing more compact development, land-use synergy (e.g. residents provide customers for retail which provide amenities for residents) and more utilization for longer hours (daytime and night time use) of commercial districts in service/proximity to the immediately adjacent residential uses
- Promoting stronger neighborhood and commercial district character, sense of place

- Developing walkable, bike-able districts and neighborhoods to improve Public Health and increase accessibility and linkage to transit resulting in decreased Vehicle Miles Traveled (VMT), lower emissions per capita and a smaller carbon footprint
- Providing an appropriate buffer and transition from higher intensity commercial uses to lower intensity residential neighborhoods.

What are some challenges associated with Mixed Use development?

- Mixed Use requires higher density. Single use developments are common at high, medium and low urban density. Low density Mixed Use developments are rare.
- Mixed Use development is much more costly to construct than single use development. The primary cost factor is the code-separation requirements. In addition, costs associated with meeting parking requirements and in turn constructing parking structures to meet the parking as required by all uses is also a significant barrier. Many argue that mixed use by location and design should require far fewer parking spaces than mandated by many codes as residents living in proximity to the immediately adjacent commercial uses anticipated within mixed use districts will not drive their automobiles to adjacent commercial establishments but rather walk or utilize other forms of transportation
- There is a perception that the transition between Mixed Use zones and lower density neighborhoods is not adequate

Why do we have Mixed Use zoning in Redondo Beach and where is Mixed Use allowed?

As previously discussed in this report, Mixed Use zoning was enacted for two (2) primary reasons:

1. To protect established low density neighborhoods from up zoning that may otherwise be required to provide adequate housing capacity pursuant to State housing laws; and
2. To encourage revitalization of blighted and underperforming sites.

The locations selected for Mixed Use development were carefully studied on a lot by lot basis for Mixed Use suitability. There are four primary areas, and two minor subareas of the community that are zoned for Mixed Use.

Primary Areas

1. **Zone MU-3A-** PCH Corridor south of Palos Verdes Boulevard
2. **Zone MU-3-** PCH and Torrance Boulevard from Garnet to Pearl Street
3. **Zone MU-1-** Artesia Boulevard between Aviation Way and Blossom Lane
4. **Zone CR-** The South Bay Galleria

Subareas

1. **Zone MU-3C-** 200 block of Avenue I in the Riviera Village
2. **Zone MU-2-** Salvation Army site

The following maps and photographs show the locations zoned to allow Mixed Use:



Zone MU-3A-
PCH Corridor
south of Palos
Verdes
Boulevard and

Zone MU-3C
200 block of
Avenue I in the
Riviera Village

This map shows the Mixed Use districts in the southern portion of the community. The Avenue I district was added later to provide incentive to extend the Village Character outward from the central business district and to provide for a better transition from higher intensity commercial to the lower intensity R-3 neighborhood. The photo below shows a retail/residential project on the 200 block of Avenue I with 12 units above commercial.



The PCH Corridor Mixed Use zoning is strategically located to extend walkability from the Village and to locate residents in close proximity to shops and services. Note how there exists a zoning progression from MU-3A to Residential Medium Density to R-2 to R-1.

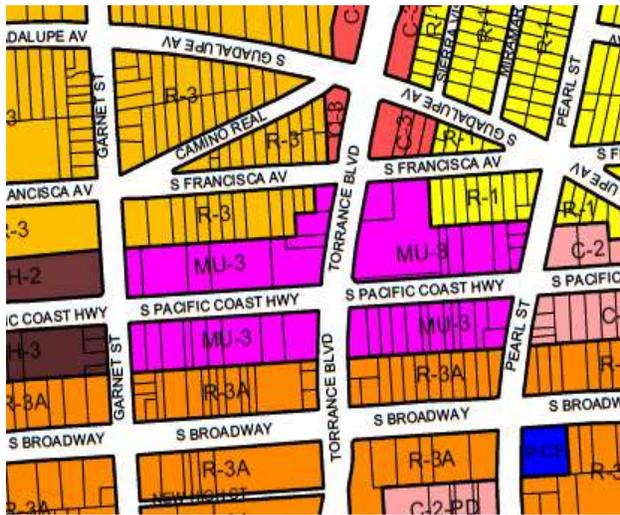


The project at 1800 PCH provides 98 residences above approximately 20,000 sq. ft. of commercial use. The overall design of an earlier higher density project was superior to the final project.

Administrative Report

Overview and Discussion of Mixed-Use Zoning
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December 17, 2015



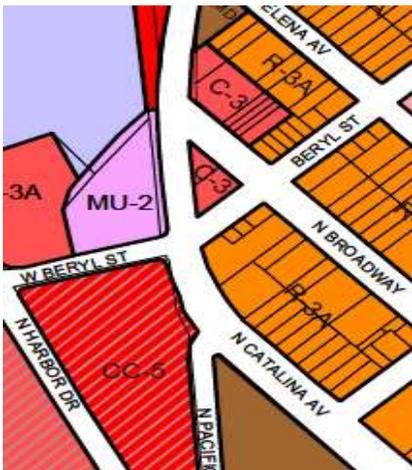
Zone MU-3- PCH and Torrance Boulevard from Garnet to Pearl Street

The illustration above shows the Torrance Boulevard Mixed Use node. The Mixed Use zoning is intended to encourage replacement of older low-performing residential uses and older mixed use development at a location that is well served by transit and is close to shops and services.

The photos below show examples of older mixed use development at the Torrance Boulevard and PCH node.



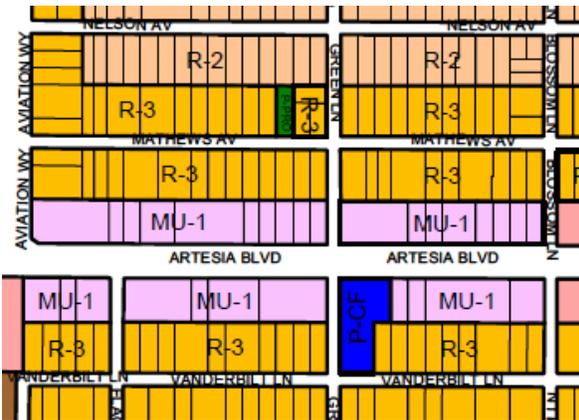
Zone MU-2 Salvation Army site



This map shows the Salvation Army site. This is the only property that is zoned MU-2 and the property is developed with a senior housing and care facility.

Zone MU-1- Artesia Boulevard between Aviation Way and Blossom Lane

This illustration shows the 2-block sub-area on Artesia Boulevard that is zoned for mixed use. Unique to this Mixed Use district is the fact that an exclusively residential project without commercial use can be developed if the entire block is part of the project. The area is characterized by older shops and services, although there has been some reinvestment with new Mixed Use senior housing and a new library facility.



The mixed use senior project shown above is significantly higher than allowed by the base zoning and contains an additional 4th story. In this instance the height and story exceptions relate to senior housing code provisions, not the underlying mixed use standards. In staff's opinion the result is a project of questionable scale and compatibility.

Zone CR- The South Bay Galleria



The South Bay Galleria and surrounding properties are a unique Mixed Use district designated CR (Commercial Regional). This site provides most of the City's required RHNA allocation and extremely well served by 5 transit lines and a future light rail extension. The area has recently revitalized to include shops and services necessary to support potential vertical or horizontal Mixed Use development. Two full-service grocery stores are located within the immediate proximity and a new Regional Transit Center will begin construction in spring 2016.

What are the existing policies and standards for Mixed Use development?

Below are the guiding principles concerning Mixed Use development within the City's current General Plan Land Use Element that provide specific policies targeting the Cities three (3) primary Mixed Use areas. There are numerous specific "Goals, Objectives, and Policies" in addition to the policy "themes" provided below and those are included in an attached document entitled, "Existing General Plan Goals-Objectives-Policies for Mixed Use Development".

Following this discussion on the existing "General Plan Policies" governing Mixed Use Development is a summary of the existing development standards within the Noncoastal and Coastal Zoning Ordinance that prescribe and "implement" the specific development regulations currently applicable to Mixed Use development within the City of Redondo Beach.

Existing General Plan Mixed Use Development Policies-Guiding Principles

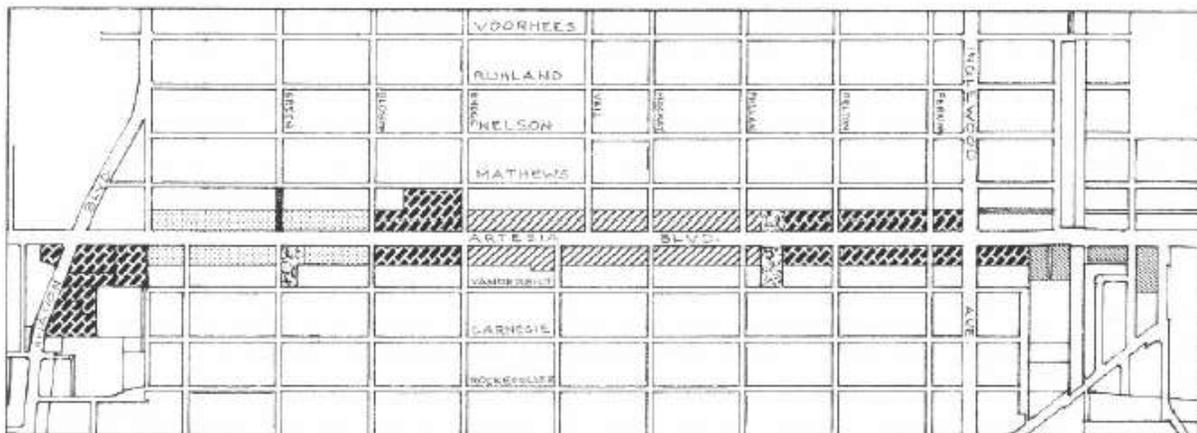
- ***Artesia Boulevard Corridor (Sub-Area 3): Mixed-Use Corridor-Blossom to West of Flagler Lane***
 - This is one of several areas within the City that has been designated for "mixed use." The mixed use designation permits commercial development by itself (and is therefore a commercial designation), but also permits the option of constructing residential units on the upper floors of a development with commercial uses on the ground floor. To complement the incorporated residential units, an emphasis is placed on a "pedestrian-oriented" character of the commercial component as described under the preceding sub-area.
 - The concept of mixing commercial and residential uses has been gaining in popularity in many cities. Traditional planning practice has dictated that residential uses should be physically separated and buffered from other types of "conflicting" uses. More recent experience, however, has shown that when properly planned and designed, mixed use developments can create a unique and positive environment for residents and businesses alike.
 - In mixed use developments, residential units are located and designed to provide sufficient privacy and security, while commercial uses are located and designed to provide easy accessibility and good visibility to the public.
 - While separated in this manner, the two types of uses also enjoy the benefits of their mutual proximity. For residents, they have the convenience and added dimension of having desirable retail businesses within a short walk. For businesses, they can draw vitality from having a "round-the-clock" source of patronage. This adds a type of "energy" to a development that would not exist if it were strictly commercial.
 - There are also several other potential benefits of mixed use development. These include (1) enhancing the opportunities for redevelopment of an area that may be currently lacking in vitality; (2) introducing a new and interesting form of development into the city; (3) increasing affordable housing

opportunities and providing an alternative type of housing; and (4) helping to curb traffic congestion by decreasing the need for automobile trips.

- This segment of Artesia Boulevard was designated for mixed use primarily because it is in substantial need of revitalization, and mixed use is viewed as a viable means of achieving this. Within this area only ("MU-1"), an option has also been provided for strictly residential development, provided that the entire side of a block is developed for this use. This is intended to provide yet another option for the revitalization of this area.
- **Objective 1.18:** Provide for the development of local-serving pedestrian-oriented commercial uses and integration of multi-family residential on the upper floors or in intervening clusters along the corridor, provided that they are compatible with adjacent commercial uses.

Artesia Boulevard

-  C-2 (Sub-Area 4)
-  C-2-PD (Sub-Area 2)
-  C-4 (Sub-Area 1)
-  MU-1 (Sub-Area 3)
-  P



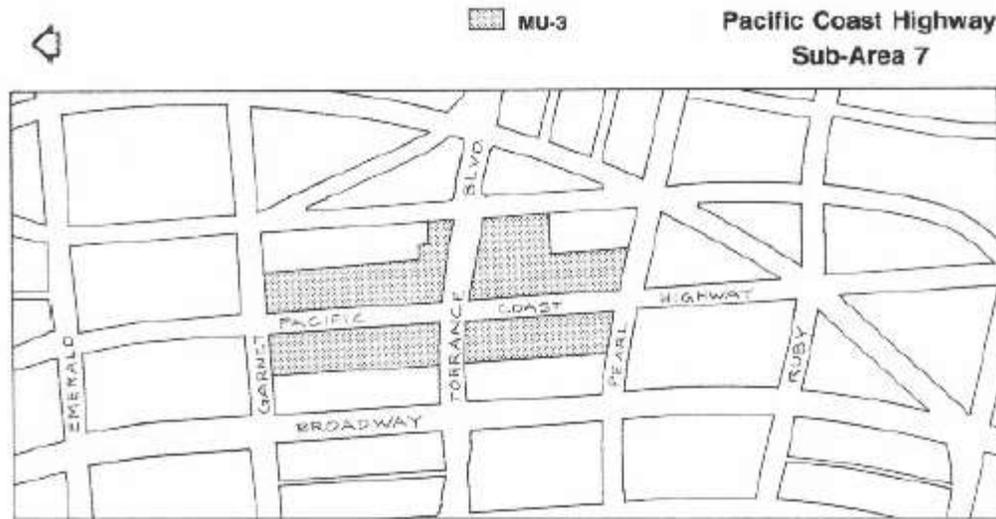
- **Pacific Coast Highway Corridor (Sub-Area 1): Mixed-Use Node-Palos Verdes Boulevard and South**
 - This area was designated for mixed use development ("MU-3") primarily because of its physical suitability for development of this scale. In particular, this area features lot depths in excess of 300 feet and is adjoined to the rear by high density apartment complexes situated at a higher elevation. Because of these factors, this area is more capable of supporting larger scale, higher intensity development without creating undue impacts. This fairly large area also provides a significant opportunity for the production of new affordable multiple-family housing.

- The standards for this area include a few differences from other mixed use areas. These are (1) residential units can be developed on the ground floor of buildings located behind buildings with ground floor commercial uses; and (2) the minimum commercial floor area ratio of 0.3 applies only the first 130 feet of property depth. These standards were instituted since it was not felt to be economically or physically practicable to extend commercial uses entirely to the rear of these relatively deep sites.
- **Objective 1.21:** Provide for the development of community-serving retail and office commercial and mixed-use projects integrating residential with commercial uses southeast of Palos Verdes Boulevard as a primary activity center of the City.



- **Pacific Coast Highway Corridor (Sub-Area 7): Mixed-Use Node-Torrance Boulevard Intersection**
 - Pacific Coast Highway and Torrance Boulevard is the most prominent and highly trafficked intersection in South Redondo. Taking advantage of this, this area was designated for mixed use ("MU-3") to make this location into a focal point of activity within South Redondo. Special attention will be given to encourage the type of design and uses that will make the area distinctive in terms of both appearance and activity.
 - Reference should also be made to the Harbor/Civic Center Specific Plan, Pacific Coast Highway Sub-Area, Zone 6, which establishes additional standards and policies for this area.

- **Objective 1.27:** Provide for the development of a higher intensity pedestrian-oriented activity node containing community-oriented commercial uses and/or mixed-use development projects, integrating residential with commercial uses, as a primary activity area of the City.



Existing Mixed Use development standards within the Noncoastal and Coastal Zoning Ordinance

Below is a table that summarizes the specific development standards prescribed for Mixed Use development. Attached to this report are the current Noncoastal and Coastal Zoning regulations governing Mixed Use development in their entirety.

Development standards: MU-1, MU-2, MU-3, MU-3A, MU-3B, and MU-3 Zones.
<p>Floor area ratio.</p> <ul style="list-style-type: none"> • Commercial uses*. For projects containing only commercial uses, the floor area ratio (F.A.R.) of all buildings on a lot shall not exceed 0.5 (MU-1 Zone) and 0.7 (MU-2 Zone) and 1.0 (MU-3, MU-3A, MU-3B, and MU-3C Zones). • Mixed-use. For projects including both commercial and residential uses, the floor area ratio (F.A.R.) of all buildings on a lot shall not exceed 1.5. The following shall also apply: <ul style="list-style-type: none"> ○ Maximum commercial floor area. All floor area exceeding a floor area ratio of 0.7 shall be developed for residential uses. ○ Minimum commercial floor area*. The commercial component of mixed-use projects shall have a minimum floor area ratio of 0.3 (Additionally for MU-3A Zone Only, this standard is only applied to the lot area within 130 feet of the property line abutting Pacific Coast Highway.)

<p>Residential density.</p> <ul style="list-style-type: none"> • The maximum number of dwelling units on a lot shall be no more than one unit for each 1,245 square feet of lot area.
<p>Minimum lot size, mixed-use projects.</p> <ul style="list-style-type: none"> • 15,000 square feet of lot area.
<p>Building height.</p> <ul style="list-style-type: none"> • Commercial uses*. For projects containing only commercial uses, no building or structure shall exceed a height of thirty (30) feet. (Not Applicable to MU-3C Zone Only) • Mixed-use. For projects including both commercial and residential uses, no building or structure shall exceed a height of thirty-eight (38) feet, except that building heights or structures up to a maximum of forty-five (45) feet may be approved upon portions of the lot, subject to Planning Commission Design Review. • Mixed-use*. For projects including both commercial and residential uses, no building or structure shall exceed a height of forty-five (45) feet. (MU-2 Zone Only) • Residential uses*. For projects containing only residential uses, no building or structure shall exceed a height of thirty-eight (38) feet, except that building heights or structures up to a maximum of forty-five (45) feet may be approved upon portions of the lot, subject to Planning Commission Design Review. [MU-1 Zone Only (Artesia Boulevard). Residential Only Not Permitted in MU-3, MU-3A, MU-3B, and MU-3C Zones] • Residential uses*. For projects containing only residential uses, no building or structure shall exceed a height of forty-five (45) feet. (MU-2 Zone Only)
<p>Stories.</p> <ul style="list-style-type: none"> • Commercial uses*. For projects containing only commercial uses, no building shall exceed two (2) stories. (Not Applicable to MU-3C Zone Only) • Mixed-use. For projects including both commercial and residential uses, no building shall exceed three (3) stories. • Residential uses*. For projects containing only residential uses, no building shall exceed three (3) stories. [MU-1 and MU-2 Zone Only. "Residential Only" Not Permitted in MU-3, MU-3A, MU-3B, and MU-3C Zones.]
<p>Setbacks. The minimum setback requirements shall be as follows:</p> <ul style="list-style-type: none"> • Front setback. <ul style="list-style-type: none"> ○ Minimum required*. There shall be a minimum front setback average of five (5) feet (MU-1 Zone) and fifteen (15) feet (MU-2 Zone) ten (10) feet (MU-3, MU-3A, and MU-3B Zones) and three (3) feet (MU-3C)

Zone), but at no point less than three (3) feet **(MU-1 Zone Only)** the full width of the lot, except as follows (see setback averaging in Section 10-2.1520):

- Display windows may project three (3) feet into the required front setback provided that the bottom of the projection is no less than three (3) feet above the adjacent sidewalk grade.
- Where a lot is contiguous to a residentially zoned lot fronting on the same street, the required front setback shall be the same as required for the contiguous residential lot. **(Not Applicable to MU-2 Zone)**
- Unenclosed pedestrian arcades, outdoor dining areas, and similar unenclosed features contributing to a pedestrian-oriented environment may project seven (7) feet into the required setback. **(MU-3A, MU-3B Zones Only)**
- **Maximum permitted* (MU-2, MU-3, MU-3A, and MU-3B Zones. Not an MU-1 Zoning Development Standard).** In commercial or mixed-use projects, the front setback shall not exceed fifteen (15) feet for fifty (50%) percent of the linear frontage of the building, except areas contiguous with the structure and used for outdoor dining or courtyards shall be exempt from this requirement. This setback area shall not be used for parking.
 - The front setback shall not exceed ten (10) feet for fifty (50%) percent of the linear frontage of the building, except areas contiguous with the structure and used for outdoor dining or courtyards shall be exempt from this requirement. This setback area shall not be used for parking. **(MU-3C Zone Only)**
- **Side setback.**
 - **Minimum required.** There shall be a minimum side setback of ten (10) feet the full length of the lot on the street side of a corner or reverse corner lot.
 - No side setback shall be required along the interior lot lines, except where the side lot line is contiguous to a residential zone, in which case the following standards shall apply:
 - There shall be a minimum side setback of twenty (20) feet the full length of the lot;
 - The required side setback may be modified pursuant to Planning Commission Design Review.
 - **Minimum required.** There shall be a minimum side setback of ten (10) feet the full length of the lot on the street side of a corner or reverse corner lot. No side setback shall be required along the interior lot lines. **(MU-2 Zone Only)**
- **Rear setback.**
 - No rear setback shall be required, except where the rear lot line is contiguous to a residential zone, in which case the following standards shall apply:

- There shall be a minimum rear setback of twenty (20) feet the full width of the lot; and
- The required rear setback may be modified pursuant to Planning Commission Design Review (Section 10-2.2502).
- There shall be a rear setback of not less than ten (10) feet the full length of the lot. **(MU-2 Zone Only)**
- **Second story setback*.**
 - The second story shall have a minimum setback of fifteen (15) feet **(MU-1 Zone)** and eighteen (18) feet **(MU-3, MU-3A, and MU-3B Zones)** and twenty-five (25) feet **(MU-2 Zone)** from any property line abutting a street.
- **Second story setback for residential uses*.** All residential uses on the second floor shall be set back from the first floor building elevation facing the street, pursuant to Planning Commission Design Review (Section 10-2.2502), in order to provide appropriate separation from activity in the public right-of-way. **(MU-3C Zone Only)**
- **Third story setback.**
 - Within the first thirty (30) feet of property depth, all building elevations above the second floor shall have a minimum average setback of five (5) feet from the second floor building face.

Outdoor living space.

- Each dwelling unit shall be provided a minimum of 200 square feet of outdoor living space (see standards for outdoor living space in Section 10-5.1510).

Usable public open space.

- Spaces such as public plazas, public walkways and other public spaces of at least ten (10%) percent of the F.A.R. shall be provided. **(MU-2 Zone. This Standard is Not Applicable)**
 - Public open space shall be accessible to the public and not be fenced or gated so as to prevent public access.
 - Public open space shall be contiguous to the maximum extent feasible.
 - Areas less than ten (10) feet in width shall not count as public open space.
 - The requirement of ten (10%) percent public open space may be modified by the Planning Commission for projects developed on lots less than 20,000 square feet in size.

General regulations. See Article 3 of this chapter.

Parking regulations. See Article 5 of this chapter.

Sign regulations. See Article 6 of this chapter.

Landscaping regulations. See Article 7 of this chapter.

Procedures. See Article 12 of this chapter.
Original Adoption and Amendments: (Ord. 2756 c.s., eff. January 18, 1996, as amended by § 7, Ord. 3076 c.s., eff. July 7, 2011)
Additional land use regulations: MU-1, M-2, MU-3, MU-3A, MU-3B, and MU-3C Zones
Residential uses. <ul style="list-style-type: none">Residential dwelling units may only be located on the second floor and higher of structures developed with commercial uses on the lower levels, with the following exceptions:<ul style="list-style-type: none">MU-1 zone. In the MU-1 zone, lots may be developed exclusively for residential use where the entirety of the block frontage is developed exclusively for residential use.MU-2 zone. In the MU-2 zone lots may be developed exclusively for residential use.MU-3A zone. In the MU-3A zone, residential dwelling units may be located on any floor in structures located behind street-facing commercial or mixed-use structures, or above parking on the ground floor in structures located behind street-facing commercial or mixed-use structures.
Offices (Internal Inconsistency). <ul style="list-style-type: none">Offices may occupy up to a maximum of fifty (50%) percent of the linear frontage of the building in all mixed-use zones, except that such ground floor uses along the street frontage are permitted in the MU-3C zone within the Riviera Village overlay zone.MU-2 and MU-3 Zones: Offices are permitted only on the second floor and/or above, or on the ground floor to the rear of other permitted retail or service uses provided that the pedestrian character of the corridor is not disrupted, except that such ground floor uses along the street frontage are permitted in the MU-3C zone within the Riviera Village overlay zone.
Uses exceeding 30,000 square feet. <ul style="list-style-type: none">Uses exceeding 30,000 square feet shall be prohibited except where they are designed to be compatible with the intended pedestrian-oriented character of the zone, pursuant to the requirements for a Conditional Use Permit.
Original Adoption and Amendments: (Ord. 2756 c.s., eff. January 18, 1996, as amended by § 3, Ord. 2818 c.s., eff. May 21, 1998, and § 5, Ord. 3076 c.s., eff. July 7, 2011)

When were the Mixed Use development regulations/standards amended and for what reason?General Plan Amendments:

The General Plan originally adopted the majority of the existing “Goals, Objectives, and Policies” (attached to this report) as part of the City’s comprehensive General Plan update in 1992. Since their original adoption in 1992 there have been very few amendments to Mixed Use policies other than some strategic amendments in 2011 that were purposed to strengthen the desire of the City to make accommodations and ensure that any retail and professional office be developed in a “pedestrian-oriented” manner.

Zoning Ordinance Amendments:

Unlike the City’s Mixed Use General Plan “Goals, Objectives, and Policies”, which are largely unchanged since their original adoption, the City, conducted a thorough examination of the City’s existing standards in 2010. The following is a very brief ‘line item list’ of the changes that resulted from the City’s investigations in 2010/2011:

- **Specific Purposes:** Every zoning district in the City’s ordinance begins with a section titled “Specific Purposes”. This section articulates the specific purposes of each unique zoning district. Two (2) new statements of purpose were added to the Mixed Use zones.
 - “The primary character of mixed-use developments should be commercial in nature so as to integrate with and enhance the quality of the surrounding business district.”
 - “Provide high quality, public open spaces equivalent to a minimum 10% of a project’s Floor Area Ratio (FAR).”
- **Hotels:**
 - Hotels, which had been prohibited, are now a conditionally permitted use.
- **Car Wash:**
 - Due to historical development patterns an allowance for this use was added and is now conditionally permitted in the MU-3A and MU-3B Zones, but not within a mixed use project
- **Offices:**
 - The previous development regulations only permitted offices on the ground floor to the rear of other permitted retail or service uses, or on the second floor.
 - Due to high vacancy rates of commercial uses on the ground floor the previous restrictions were changed to allow up to 50% of the ground floor frontage commercial space to be developed with Office.

- **Residential Density:**

- The residential density for all mixed-use zones is currently a maximum of one unit for every 1,245 square feet of lot area or approximately 35 units per acre.
- The residential density for these zones has occasionally been considered too high by the public and the Planning Commission. Primary concerns related to density have been traffic congestion and a lack of parking.
- To address the past concerns (which remain today) it was proposed by the Community Development Department and recommended by the Planning Commission in 2010 to decrease the maximum residential density requirement to one unit for every 1,452 square feet of lot area or 30 units per acre.
 - While the Planning Commission and Staff recommended to the City Council a reduction in residential density to 30 units per acre, it was determined that such a change would trigger the requirement for a general election under Article 27 of the City Charter. The City Council accepted all recommendations of the Planning Commission except the density reduction due to the estimated \$180,000 cost of a public vote.
 - It is important to note that any future recommended change in density would likely trigger the need for an election on the matter.

- **Minimum Lot Size, Mixed-Use Projects:**

- The prior standard stated that no projects containing both commercial and residential uses shall be permitted on lots with less than 15,000 square feet of lot area. At the time that the mixed-use standards were first developed there was an opinion that such projects could only actualize in a large-scale scenario.
- The current standard still requires a 15,000 square foot minimum lot area for mixed-use projects. The Planning Commission may consider recommending that mixed use be allowed on smaller sites. While this would potentially result in smaller scale developments, staff should note that community members have challenged this proposed amendment as potentially triggering a public vote requirement by allowing an increase in the number of potential residential development units. A contrasting opinion would be that the same allowable land area zoned for mixed use would result in the same number of potential units regardless of lot size. Both arguments are worth consideration if the Commission desires to pursue a smaller lot size allowance for mixed use development.

- **Building Height:**

- Previously projects that included both commercial and residential uses were subject to a 45 foot height limit. Height compatibility with surrounding land uses and unobstructed views of scenic vistas are among the main concerns with mixed-use developments, especially those in coastal zones. Therefore, a decrease in the maximum height allowance from the 45 foot height limit to a 38 foot height limit was approved.

- Also approved is the current provision that an exception be granted where a height of forty-five (45) feet may be approved upon portions of the lot, subject to Planning Commission Design Review.
- **Usable Public Open Space:**
 - Prompted by concerns regarding the lack of public open space in mixed-use projects, a new standard was approved. The current standard requires mixed-use developments to provide at least 10% of their F.A.R. for Usable Public Open Space defined as public plazas, public walkways and other public spaces. Areas must be at least (10) feet in width to qualify.
- **Visitor Parking Requirements:**
 - The prior visitor parking space requirements for mixed-use dwelling units were the same as for non-mixed-use units. To address the concerns of the public regarding the lack of visitor parking spaces in mixed-use projects the regulations were changed to allow the Planning Commission to require additional visitor parking spaces if determined necessary due to unique characteristics of the project and/or the surrounding neighborhood.

The Mixed Use Discussion

The Planning Department was directed to look at the issue of Mixed-Use development standards to see if they are still appropriate for our community. Do the current development standards act as an impediment for local businesses? Are the current standards allowing higher density development compatible with the neighborhood scale and needs?

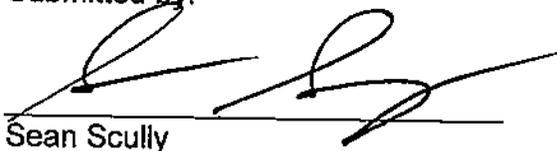
The Mixed-Use development standards are highly contested with regard to allowable scale, residential density, and potential issues with circulation and economic feasibility. Development standards impact how new developments fit in with surrounding uses, affecting residents and local businesses.

Past mixed use projects have yielded mixed results. Although all of the existing mixed use projects meet the required development standards, they have fallen short of the expectations in some areas. Specific issues such as those previously stated – residential density, allowable height – along with additional concerns regarding the allowable F.A.R. for commercial uses, parking, project design and automobile access have been repeatedly debated due to varying concerns regarding potential impacts on surrounding properties.

While no action by the Planning Commission is recommended at this time, staff does recommend that the Planning Commission provide staff with comments on areas of concern and potential areas for further study and examination. Staff will report back with Draft amendments at the January 21, 2016 Planning Commission meeting.

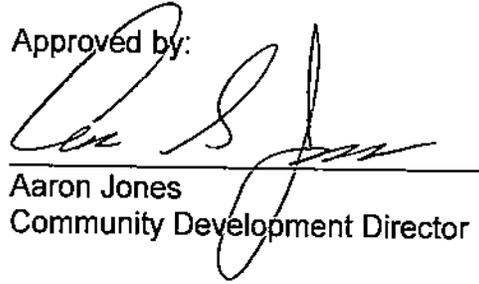
December 17, 2015

Submitted by:



Sean Scully
Planning Manager

Approved by:



Aaron Jones
Community Development Director

Attachments:

1. Photographic Survey of Existing Mixed Use Development in the City of Redondo Beach;
2. Comparative Table of Mixed Use Development Regulations with Other Jurisdictions;
3. Santa Barbara Design Guidelines;
4. Santa Barbara Measuring Size-Mass-Bulk-Scale
5. Existing General Plan Goals-Objectives-Policies for Mixed Use Development;
6. Current Noncoastal and Coastal Mixed Use Zoning Regulations.

John, aerospace engineer, commented on traffic patterns, including thru traffic. He stated that in regards to development, (we) have to keep in mind the quality of life in the area.

Susan Renick thanked the Commissioners, and commented on 1) traffic on PCH and asked that the Commission consider the measurement of side streets; 2) RHNA numbers and zoning; and 3) the water drought.

Commissioner Mitchell spoke highly on the bus lines servicing the City.

Community Development Director Jones thanked the Commissioners and the community for their input.

9. OVERVIEW OF MIXED-USE ZONING

Planning Manager Sean Scully reviewed staff's Administrative Report and discussed the following:

STRATEGIC PLAN OBJECTIVE: Potential amendments to the Mixed Use Section of the Municipal Code.

October 14, 2015-

- The Mayor and City Council adopted a Strategic Plan Objective to investigate and report on existing Mixed Use policies and development regulations/standards.
- This "investigation" of Mixed Use regulations is part of the Mayor and Council's larger effort to consider either a "comprehensive" or "living" (incremental) update of the General Plan.

Purpose-

- To determine if the need exists to make changes/modify current Mixed Use policies and development regulations/standards.
- If so- "What" would be the objectives of any changes and "How" might we change the regulations to achieve any new objectives?

Goal-

- Provide the Planning Commission with an overview of the City's existing Mixed Use policies and development regulations/standards in advance of a future Planning Commission public hearing on this matter to be held in January 2016

WHAT IS MIXED USE DEVELOPMENT?

- Combination of land uses – typically residential with commercial
- Predates zoning controls and suburbanization
- Necessary before automobile dependence/public transportation
 - Compact, walkable
 - Goods, services, and employment all needed to be near residences
- Redondo Beaches origins
 - Port city
 - Vibrant mixed use village - Downtown
 - Shops, services and residences
 - Centered on the Harbor
 - 2-3 story format

DEMISE OF MIXED USE

- Growth of industrial and manufacturing uses – Need to separate residential uses from incompatible uses
- National Zoning Enabling Act (1923) – Legislation of “separate uses”
- Cities adopted “single-use” zoning standards (including Redondo Beach)
- Post WWII – massive boom/need for housing resulted in suburbanization
 - Land consumed for low density single family housing tracts
 - Commercial interests realized customers and employees were fleeing downtowns – Commercial strip malls born
- Exodus from traditional downtowns
 - Vitality of urban core eroded

TYPES OF MIXED USE DEVELOPMENT

- No one particular prototype – many forms
- Village Cluster – horizontal or vertical
 - Horizontal – shops and services located central to surrounding higher density residential
 - Vertical – residences located above shops and services
- Neighborhood Commercial
 - Convenience goods and services in otherwise strictly residential area
- Main Street Residential/Commercial
 - 2-3 story buildings with residential units above and commercial units on the ground floor facing the street
- Office Convenience or Office/Residential
- Shopping Mall Conversion
 - Residential and/or office units added (adjacent) to an existing standalone shopping mall
- Live/Work
 - Residents operate small businesses on the ground floor of the building where they live

COMPARATIVE SUMMARY TABLE – MIXED USE

Planning Manager Scully stated that the City's current mixed use development standards and policies are “in line” and consistent with other communities and jurisdictions throughout the state. Mr. Scully added that it might be valuable to conduct another similar research as the process moves forward.

WHY DO WE HAVE MIXED USE DEVELOPMENT?

- Revitalize under-performing commercial at key nodes close to shops and services and well served by transit
- Protect R-1, R-2 from up zoning that may otherwise be required pursuant to State housing laws
- Allow for new and continued exclusive commercial use of a property while providing the opportunity to include residential use.
- Promote sustainable infill development
- Buffer commercial uses to lower intensity residential neighborhoods
- Reduce VMT, reduce traffic
- Improve community health and well-being
- Standards updated 2011

WHERE IS MIXED USE ALLOWED?

Seven (7) locations within the City:
Primary Areas

- Zone MU-3A, PCH / Palos Verdes Blvd
 - Zone MU-3, PCH / Torrance Blvd (Garnet to Pearl)
 - Zone MU-1, Artesia Blvd (Aviation Way and Blossom Lane)
 - Zone CR, The South Bay Galleria
- Sub-Areas
- Zone MU-3C, 200 block of Avenue I (Riviera Village)
 - Zone MU-3B, Southwest corner of PCH and Diamond
 - Zone MU-2, Salvation Army site

WHAT ARE THE EXISTING GENERAL PLAN GOALS – OBJECTIVES – POLICIES FOR MIXED USE DEVELOPMENT?

1. Artesia Boulevard: Sub-Area 3 Mixed-Use Corridor-Blossom to West of Flagler Lane (MU-1)
 - This segment of Artesia Boulevard was designated for mixed use primarily because it is in substantial need of revitalization.
 - This is 1 of only 2 MU areas that has an option for residential development only, provided that the entire side of a block is developed for as residential.
 - Objective 1.18: Provide for the development of local-serving pedestrian-oriented commercial uses and integration of multi-family residential on the upper floors OR in intervening clusters along the corridor, provided they are compatible with adjacent commercial uses.
 - Policies 1.18.1 – 1.18.12: Specific development standards identical with those specified in MU-1 Zone §10-2.913
2. Pacific Coast Highway: Sub-Area 1 Mixed-Use Node-Palos Verdes Boulevard and South (MU-3)
 - This area was designated for mixed use development primarily because of its physical suitability for development of this scale and proximity to the "Village".
 - Lot depths in excess of 300 feet and is adjoined to the rear by high density apartment complexes.
 - The standards for this area include a few differences from other mixed use areas.
 - Objective 1.21: Provide for the development of community-serving retail and office commercial and mixed-use projects integrating residential with commercial uses southeast of Palos Verdes Boulevard as a primary activity center of the City.
 - Policies 1.21.1 – 1.21.8: Specific development standards identical with those specified in MU-3A Zone §10-2.916
3. Pacific Coast Highway: Sub-Area 7 Mixed-Use Node-Torrance Boulevard Intersection (MU-3)
 - This area was designated for mixed use (MU-3) to make this location into a focal point of activity within South Redondo.
 - Calls for implementation of streetscape improvements in the public areas at the intersection of PCH and Torrance Blvd
 - Objective 1.27: Provide for the development of a higher intensity pedestrian-oriented activity node containing community-oriented commercial uses and/or mixed-use development projects, integrating residential with commercial uses, as a primary activity area of the City.
 - Policies 1.27.1 – 1.27.9: Specific development standards identical with those specified in MU-3 Zone §10-2.915
4. Pacific Coast Highway: Sub-Area 8 Civic Center-Related Node-West Side, Vincent Street to Diamond Street (MU-3)

- This is intended to allow for higher intensity commercial and residential uses that would complement the activity of the Civic Center.
 - Objective 1.28: Provide for the development of parcels adjacent to the Civic Center for uses which relate to and/or are induced by governmental activities and adjacent residential clusters.
 - Policies 1.28.1 – 1.28.8: Specific development standards identical with those specified in MU-3B Zone §10-2.917
5. Riviera Village: Sub-Area 3 Peripheral Frontage-Avenue I (MU-3)
- Strong pedestrian orientation with buildings situated along the sidewalk.
 - The primary distinctions of this area is that it supports a number of multi-story office buildings and walkable storefronts.
 - Objective 1.35: Maintain Avenue I as a pedestrian-oriented commercial corridor which reflects and is linked to and compatible with the primary Village “core”, and permit opportunities for mixed-use development projects, integrating residential with commercial uses, provided they are compatible with adjacent commercial uses.
 - Policies 1.35.1 – 1.35.9: Specific development standards identical with those specified in MU-3C Zone §10-2.918
6. North Catalina Avenue Corridor: Sub-Area 3 Salvation Army Site (MU-2)
- This site has long housed the local operations of the Salvation Army.
 - The Salvation Army facilities include offices, operational facilities, and senior apartment units.
 - Permits residential development only-Max height of 3 stories (45’).
 - Objective 1.40: Provide for the continued use for residential and community-serving facilities or reuse for pedestrian-oriented local-serving commercial as a continuation of the North Catalina Avenue Corridor “village.”
 - Policies 1.40.1 – 1.40.10: Specific development standards identical with those specified in MU-2 Zone §10-5.914
7. Galleria at South Bay: Allows Mixed Use (No Specific MU Land Use Designation)
- The Galleria is a significant economic engine to the City and surrounding area.
 - GP policies are included to allow for mixed use development to provide another option for the future redevelopment of the area.
 - The area is considered to be a good potential location for properly integrated multiple-family units because of its proximity to transit, shopping, and services.
 - Max building height of 100’ (§10-2.919 only allows a max building height of 60’. May require a follow up Zoning Amendment for consistency);
 - Objective 1.41: Provide for the continued use of the Galleria at South Bay and surrounding properties as a primary center of regional-serving commercial uses, and provide for the development of mixed-use projects integrating with commercial uses; allowing for increases in development which enhance its economic vitality and contribute revenue to the City and improve its character as a pedestrian-oriented activity center, while minimizing impacts on adjacent streets and residential neighborhoods.

- Policies 1.41.1 – 1.41.10: Specific development standards nearly identical* with those development standards specified in CR Zone §10-2.919

EXISTING ZONING ORDINANCE DEVELOPMENT STANDARDS FOR MIXED USE DEVELOPMENT (Tables)

- 1) FAR Commercial, FAR Mixed Use, FAR Residential, Residential Density, Minimum Lot Size
- 2) Building Height Commercial, Building Height Mixed Use, Building Height Residential, Stories Commercial, Stories Mixed Use, Stories Residential
- 3) Front Setback Minimum, Front Setback Maximum, Side Setback, Rear Setback, Second Story Setback, Third Story Setback
- 4) Outdoor Living Space, Usable Public Open Space, General Regulations, Parking Regulations, Sign Regulations, Landscape Regulation, Procedures, Coastal Development Permits

WHEN WERE THE MIXED USE DEVELOPMENT REGULATIONS/STANDARDS AMENDED AND FOR WHAT REASON?

General Plan Amendments:

- The majority of the existing MU “Goals, Objectives, and Policies” were adopted as part of the City’s comprehensive General Plan update in 1992 and haven’t been amended.
- 2011: Minor Strategic Amendments.
 - Policy language added to strengthen the desire of the City to make accommodations;
 - Policy language added to ensure that any retail and professional office be developed in a “pedestrian-oriented” manner.

Zoning Ordinance Amendments:

- 2010-2011: Thorough investigation and examination for Significant Amendments:
 - Specific Purposes added:
 - Primary character of MU should be commercial;
 - Public Open Space requirement was added, Minimum 10% of FAR.
 - Hotels: Added as a conditionally permitted use.
 - Offices:
 - Previous development regulations only permitted offices on the ground floor to the rear of other permitted retail or service uses, or on the second floor.
 - Due to high vacancy rates of commercial uses on the ground floor the previous restrictions were changed to allow up to 50% of the ground floor frontage commercial space to be developed with Office.

In response to Commissioner Goodman, Community Development Director Jones stated that staff looks at a project and determines whether the development has a character of a residential site or conveys commercial or retail-office commercial. Mr. Jones added that in adopting the mixed use standards, staff can come back to the Commission with options for zone changes addressing the “character” of development projects.

In response to Commissioner Biro, Community Development Director Jones stated that staff would provide information on total area of land use for mixed use projects as well allowance of small lot land use developments.

In response to Commissioner Ung, Community Development Director Jones provided clarification on FAR commercial/mixed use development standards and stated that the guidelines give developers incentive to do both commercial and residential developments. Mr. Jones stated that further discussion will be held on appropriate FAR for mixed use at a future public hearing, and added that staff will ask the Commission to consider recommendations on numerical design restrictions which will affect FAR, building mass, and scale of development.

Commissioner Gaian discussed retail and office space and stated that (we) have to draw a line between office space and identify retail. He stated that there is a dramatic shift in retail, and that the outlook for retail and generated tax revenue might be too optimistic.

Director of Community Development Jones stated that (we) are focusing on new formats and new retail opportunities that work.

In response to Commissioner Gaian, Community Development Director Jones stated that the City's sales tax consultant identifies taxable sales through annual audits and briefly explained the services provided.

Commissioner Mitchell commented on the current population changes, trends, and demands, and the need to improve air quality.

(Commissioner Biro stepped out of the meeting at 9:15 p.m. and returned to the dais at 9:18 p.m.)

Planning Manager Scully resumed his review:

Zoning Ordinance Amendments:

- Residential Density:
 - Currently a max of one (1) unit per 1,245 sf of lot or approximately 35 DU/AC is permitted;
 - Due to concerns raised by public and planning commissioners, traffic and parking, in 2010 the Planning Commission proposed reductions to one (1) unit per 1,452 sf of lot or approximately 30 DU/AC.
 - City Council did not support the recommendation to reduce residential densities in MU Zones to 35 DU/AC due to the requirement that the change would trigger a general election.*
 - Any change would trigger the need for an election on the matter.

*Community Development Director Jones clarified that the City Council supported the reduction in density to 30 DU/AC, however did not support the requirement to pay for an Article 27 public election to accomplish the reduction.

- Minimum Lot Size:
 - Currently the standard states that no projects containing both commercial and residential uses shall be permitted on lots with less than 15,000 square feet of lot area.
 - The report states there is a provision that allows the PC to permit MU on smaller lots if it is determined that the project is compatible with surrounding development. The existing applicable zoning ordinance DOES NOT contain this provision.

- This is an opportunity for the PC to reflect further on this development standard and provide direction.
- Building Height:
 - Prior code allowed MU development to 45';
 - The maximum height is currently 38' with a provision for 45' on portions of the lot as determined by the PC.
 - MU-2 and MU-3C are still 45'.
- Usable Public Open Space:
 - The prior code did not contain a requirement for Usable Public Open Space.
 - Due to concerns regarding a general lack of public open space.
 - The current standard requires MU developments develop 10% of their FAR as Usable Public Open Space defined as "Public Plazas", "Public Walkways", and other "Public Spaces";
 - Areas must be at least 10' in width to qualify.
- Visitor Parking Requirements:
 - The prior visitor parking space requirements for mixed-use dwelling units were the same as for non-mixed-use units.
 - To address the concerns of the public regarding the lack of visitor parking spaces in mixed-use projects:
 - Current visitor parking regulations require additional visitor parking spaces if determined necessary by the PC due to unique characteristics of the project and/or the surrounding neighborhood.

In response to Commissioner Gaian and Commissioner Sanchez, a brief discussion was held regarding "open space" and sidewalks. Manager Scully stated that "open space" would be more clearly defined.

In response to Chairperson Rodriguez, Community Development Director Jones stated that amendments to public space, height requirements, and mixed uses would not trigger an election as they don't change the density or intensity of a potential development.

Planning Manager Scully continued his review:

MIXED USE DISCUSSION

- The Community Development Department was directed to look at the issue of Mixed-Use development standards to see if they are still appropriate for our community.
- Do the current development standards act as an impediment for local businesses?
- Are the current standards allowing high density development not compatible with the neighborhood scale and needs?
 - If it is determined that allowable MU densities should be reduced, what are the implications, if any, with respect to the City's RHNA numbers and Certification of the City's Housing Element?
- Past mixed use projects have yielded mixed results.
 - Although all of the existing mixed use projects met all required development standards, they have fallen short of the expectations of some elected and appointed officials and certainly some from the public.
- Specific issues have been repeatedly debated due to varying concerns regarding potential impacts on surrounding properties:
 - Residential density;

- Allowable height;
- Allowable FAR for commercial uses;
- Parking;
- Project design; and
- Automobile access.
- Population growth is inevitable:
 - At the same time there is a growing scarcity of available land, high density development is one of the best means to respond to this problem.

ZONING STANDARDS CITYWIDE: STORY, HEIGHT, DENSITY LIMITATIONS (table)

REGIONAL HOUSING NEEDS ALLOCATION "RHNA" - ALLOCATION AND STATUS

- CA Housing and Community Development Department consults with Council of Governments – projected housing needs, methodology
- Draft RHNA allocation – may be contested, adjusted, appealed at time of drafting
- 2013-2021 Housing Element shows capacity, conditionally certified
- Next cycle 2019-2020

Planning Manager Scully concluded his presentation and recommended that the Planning Commission received and filed staff's report.

Commissioner Biro commented on plot-tested/building height, FAR allocation /capacity, excavation, and setback.

Community Development Director Jones stated that staff would come back with information on FAR, height diagrams, with basement conditions, as well as potential plot development maximums. Mr. Jones added that funding for the mid-year General Plan update was expected and further added that more discussion would be held on measuring buildings.

Commissioner Sanchez commented on mixed use developments in larger cities.

Community Development Director Jones stated that staff could bring back unique examples of other cities.

In response to Commissioner Ung, Community Development Director Jones stated that there are "a dozen" triggers for election requirement, and that the basic reason that downzoning triggers election is when proposed zoning allows significant increase over existing conditions.

Discussion was held on FAR and density levels. Community Development Director Jones stated that staff could come back with discussion on incentives for smaller units.

In response to Commissioner Gaian, Community Development Director Jones stated that further discussion could be held on under- and over-utilized properties as well as land use changes based on utilizations of properties.

Community Development Director Jones commented that the 1992 General Plan was an urban mixed use plan and that there is a need to look at the City's mixed use model.

Commissioner Mitchell commented on the lack of housing affordability and the large number of people in the South Bay who cannot afford to own residences.

Commissioner Goodman commented that he would like to see examples of successful mixed use developments.

Motion by Commissioner Goodman, seconded by Commissioner Ung, to receive and file staff's report. Motion carried unanimously.

Chairperson Rodriguez called for those in the audience wishing to comment.

Pete Verenkoff, Redondo Beach, summarized his comment letter submitted and addressed the following: 1) difference in language pertaining to the City's land use element and planning ordinance documents; 2) requested that the City consider adding definitions to development regulations and standards that clarify and strengthen the policies set forth in the General Plan; and 3) land density and floor area ratio (FAR) should be reviewed.

Motion by Commissioner Goodman, seconded by Commissioner Mitchell, to receive and file the comment letter from Mr. Verenkoff.

Nils Nehrenheim, Redondo Beach, thanked the Commission for the discussion and reviewed a handout and addressed the following: 1) successful mixed use in San Diego; 2) horizontal mixed use and vertical mixed use; 3) Riviera Village; and 4) Mixed use within traffic corridor does not work.

Susan Renick addressed the following: 1) difference between North Redondo Beach (resort) and South Redondo Beach (normal community); 2) there is no good definition for mixed use; 3) suggested that City look at trend of smaller houses; 4) Justification of height density/FAR.

Amy Josefek commented on the following: 1) mixed use development; 2) Legado project; 3) FAR/residential density requirements; 4) mixed use illogical in City. Ms. Josefek asked the Commission to address changes that will make the ordinance fair to neighbors and stated she hoped to see Redondo Beach maintain its commercial viability and preserve and enhance its residential charm. She asked the Commissioners to listen to homeowners and residents.

Arinna Shelby thanked the Commission for the discussion and commented on: 1) mixed use zoning is a vehicle for density; 2) allowable FAR; 3) commercial vacancies; 4) high density project (Sea Breeze Plaza); 5) not in favor of increasing development along South PCH; and 6) consider mitigating solutions to decrease density and place on ballot to preserve the community.

Chairperson Rodriguez accepted the speaker card left by Suzanne McCune expressing her opposition to mixed use.

Marcie Guillermo stated that she agreed with the other speakers. She emphasized that density needs to be reduced and that they want commercial uses on first floor, not residential.

In response to Ms. Guillermo's inquiry regarding Catalina Avenue zoning designation, Community Development Director Jones stated that a corner of Catalina Avenue is zoned residential and the rest of the block is commercial.

In response to Commissioner Biro, Community Development Director Jones stated that further discussion will be held on overlay zoning.

Community Development Director Jones thanked the Commission and the public for their input.

PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

Marcie Guillermo reminded everyone to submit comments on CenterCal (Waterfront Draft EIR) project and asked the public to get involved.

Community Development Director Jones stated that the deadline for public comment was January 19, 2016, 5:30 p.m.

Susan Renick asked if tonight's comments could be applied to the Legado Project. Community Development Director Jones recommended to Ms. Renick that she contact Planning staff for further information.

COMMISSION ITEMS AND REFERRALS TO STAFF

Commissioner Biro asked for further discussion on the definition of "growth."

Community Development Director Jones stated that discussion on the General Plan would be presented to Council on February 2, 2016 and a budget and funding discussion would be held on March 15, 2016.

Commissioner Mitchell thanked staff for the conversation and wished everyone happy holidays.

ITEMS FROM STAFF

Community Development Director Jones announced that City Hall would be closed from Wednesday, December 23, 2015 through January 1, 2016, and reopen on January 4, 2016.

COUNCIL ACTION ON PLANNING COMMISSION MATTERS

Community Development Director Jones reported the following: 1) City Council approved to restructure the financial arrangement for Marina Avenue Hotel 3 Project; and 2) Planning Commission amendments appealed to City Council were continued to August 16, 2016.



Administrative Report

Planning Commission Hearing Date:

January 21, 2016

AGENDA ITEM: NEW BUSINESS DISCUSSION ITEM # 10

SUBJECT: CONTINUED DISCUSSION OF POTENTIAL AMENDMENTS TO MIXED USE ZONING DISTRICTS AND DEVELOPMENT REGULATIONS/STANDARDS

DEPARTMENT'S RECOMMENDATION:

1. Receive and file the report.
2. Provide staff with any specific recommendations on potential amendments.

EXECUTIVE SUMMARY

In response to the Mayor's and City Council's adopted Strategic Plan Objective for the Planning Commission to investigate and report to City Council by February 2, 2016 on the existing Mixed Use policies and development regulations/standards within the City's "General Plan" and "Zoning Ordinance", the Community Development Department presented a comprehensive overview on this matter to the Planning Commission at their meeting on December 17, 2015.

At this meeting the Planning Commission received a presentation that addressed/answered the following:

- What is Mixed Use development and what are the various types of Mixed Use developments?
- How do the City's Mixed Use policies/regulations/standards compare to those of other jurisdictions?
- Why and where do we have Mixed Use in Redondo Beach?
- What are the existing General Plan policies and Zoning Ordinance standards for Mixed Use?
- How have the Mixed Use development policies/regulations/standards been amended?

The ensuing discussions at the December 17, 2015 Planning Commission meeting identified the following "subject areas" within the existing Mixed Use policies/regulations/standards as requiring continuing analysis and follow up:

- Floor Area Ratio:
 - Commercial Uses Only;
 - Mixed-Use;
 - Maximum Commercial FAR;
 - Minimum Commercial FAR;
- Residential Density;
- Minimum Lot Size Restrictions for MU projects;

- Building Height and Stories;
 - Commercial Only;
 - Mixed Use;
 - Residential Only;
- Usable Public Open Space.

This report furthers the discussions initiated by the Planning Commission at their December 17, 2015 public meeting and provides follow up information and details on each of the “subject areas” identified above as well as the following:

- **BACKGROUND**
 - Summary of the Planning Commission and public comments received at the December 17, 2015 public meeting;
 - Summary of input, comments, and guidance from Mixed Use industry professionals (Architects and Developers) received at a policy meeting with staff on January 12, 2016;
- **ANALYSIS**
 - MU Zoning Ordinance presentation:
 - Brief summary of each of the existing “Sections” of the MU Zoning Ordinance for the following purposes:
 - Confirm its maintenance “as is”;
 - Provide direction on proposed changes;
 - Review/consider/confirm/redirect proposed changes from staff resulting from prior meetings with PC (12-17-15) and MU Industry Professionals (1-12-16).
 - General Plan presentation:
 - Some proposed changes to the MU Zoning Ordinance may require amendments to the General Plan for consistency as required by State Law.
 - This section will note/identify any required General Plan Amendments resulting from proposed changes to the Zoning Ordinance.
 - RHNA and General Election implications:
 - Brief summary of whether the proposed changes have any implications with respect to RHNA;
 - Brief summary of whether the proposed changes would require a General Election.

The goal of this second public meeting is to have the Planning Commission identify/confirm recommended changes/modifications to the existing Zoning Ordinance and General Plan and bring back specific amendments at a public hearing on February 18, 2016.

BACKGROUND

December 17, 2015 Planning Commission public meeting.

Staff presented a comprehensive overview of the City's Mixed-Use General Plan policies and Zoning Ordinance development regulations and standards that included a general definition and examples of what constitutes Mixed-Use development, a history of the Mixed Use land use pattern both generally and here in Redondo Beach, and a detailed accounting identifying the rationales of the City's existing MU locations, policies, and ordinances (development regulations/standards). Staff's presentation concluded with a recap of the amendments to the MU development regulations/standards that occurred in 2010-2011.

Following staff's presentation the Commission engaged with staff and received public comments. The ensuing discussions yielded a general direction to further investigate potential changes with respect to the following development regulations/standards:

- Floor Area Ratios (FAR) and particularly within the FAR's the percentage mix of residential to commercial and within commercial the ratio/mix of office and retail uses.
 - The larger discussion that evolved with respect to FAR's concerned what amount of land use type, commercial/residential (and within commercial how much office versus retail), was appropriate at the various MU locations in the City.
 - The rationale for the existing ratios was examined and the intended purpose of the existing FAR standards was articulated as follows:
 - Incentivize MU by significantly increasing the allowable development intensity for a MU project versus a commercial only project and prohibiting residential only in all MU areas except for the MU-1 Zone along Artesia Blvd and M-2 Zone (Salvation Army Headquarters on Catalina Avenue).
 - Additional land use discussions included the ongoing shift in retail away from brick and mortar to online shopping, the difference in the "character" of a MU residential site and a MU commercial site, and whether there should be a change to allow for small lot MU land use developments.
 - Finally the FAR discussions concluded on potential numerical design restrictions, which could impact/affect FAR, building mass, and scale of developments and again, whether to allow for small lot MU developments.
- Public Open Space was also discussed at some length. It was determined that some additional detail, guidance, and clarification in terms of better defining public open space and what it should include/look like was necessary.
- Density, incentives for smaller units, the need for affordable housing, and what changes to the MU development standards would trigger an election were the final "subject areas" discussed. Each of these topics are analyzed further in the body of the report.
- Finally, there were discussions and a desire to explore some real world and unique examples of MU developments. Attached to this report is a document entitled "Real World Examples of Mixed Use Developments". Various examples of interesting MU projects are summarized in the document. These are provided

to illustrate the “creative” opportunities possible. There is no “one-way” but rather unique opportunities to create and develop MU projects.

- o As a side note: The following section of this report summarizes the recent meeting with local MU industry professionals and the “creative” opportunities afforded by this land use was a general theme of their input.

Referenced in this report are the “Minutes” (a copy of which is included with your packet under Item V.) from the December 17, 2015 Planning Commission meeting that include details on all the matters summarized in this “Background” and additional statements provided by members of the public, most of which supported the Planning Commission’s efforts on this matter.

Input, comments, and guidance from Mixed Use industry professionals (Architects and Developers).

On January 12, 2016 staff held a policy meeting with nine (9) local MU industry professionals. Below is the list of attendees and the Company they represent.

Name	Company
Robert Stringfield	Anastasi Builders
Luis De Moraes	Envirotech
Edward Santa Cruz	SCDS Consulting Design
Dan Young	Cunningham Group
Rodman Amiri	Merit Real Estate
Amir Amiri	Merit Real Estate
Amir Nassif	Local Developer
Louie Tomaro	Tomaro Design Group
Miles Pritzkat	Pritzkat Johnson Architects

Attached to this report is a copy of the “invitation” sent to nearly 15 local professionals asking for their input, guidance, and feedback on this matter as industry practitioners and stakeholders. Also attached to this report is a copy of the presentation staff made to the attendees to initiate the discussions.

We anticipate that many of the professionals engaged will continue to support further deliberations on this matter and we look forward to their contributions going forward. Below is summary of the comments/input received grouped by “subject area/category of development standard”.

Parking:

The MU development professional’s initial remarks on this “subject area” identified and highlighted that parking could be and typically was a major development constraint and

serious impediment to MU development. The opinions expressed by the attendees was that each different use would be required to accommodate the parking pursuant to the identified generation rate and the project would be required to bear the combined total of required parking generated by each different use, plus visitor parking. This discussion resulted in expanding our review to include the City's Parking Regulations, which within our MU development standards simply references, "(J) Parking regulations. See Article 5 of this chapter."

Staff shared with the attendees the general theme of "§ 10-2.1706 (d) Overlap parking requirements, nonresidential uses" which essentially allows for different uses to share parking under certain circumstances and not provide the combined total of required parking. There are five (5) conditions/standards for permitting "overlapping parking":

1. The total parking provided for the uses sharing parking shall not be less than fifty (50%) percent of the parking requirement for the same uses with no shared parking;
2. The total parking provided for the uses sharing parking shall not be less than the parking requirement applicable to any single use with no shared parking;
3. The applicant shall provide the Community Development Department information on the proposed hours of operation of each use and anticipated maximum number of employees and customers for each use typically generated during each hour of the day and day of the week;
4. The Community Development Department may approve shared parking subject to a determination that the typical utilization of the parking area would be staggered or shared to such an extent that the reduced number of parking spaces would be adequate to serve all uses on the site or parcel. If the site is in a pedestrian-oriented commercial zone, the Community Development Department may also approve shared parking subject to a determination that the use mix is conducive to customers parking and walking to visit more than one business on the same trip;
5. A minimum two (2) week (fourteen (14) day) parking utilization survey, covering the existing and proposed business hours of operation, including hourly counts of vehicles shall be submitted along with a parking analysis of the subject property, which includes the number of tenants spaces and the number of parking spaces that these uses require, shall be submitted for review and approval of the Community Development Director.

The above does provide some opportunity to work through potential parking impediments however it was stressed in our discussions that to further incentivize MU development there may be a need to further examine parking regulations and some dialogue ensued about reducing parking standards for MU developments for small units (lesser parking generation rates for singles, 1, and 2 bedroom units v. 3 bedroom units).

Visitor parking is another constraint that pursuant to the 2011 amendments to MU now grants the Planning Commission discretion in its application towards the project but the intention of the 2011 amendment was for the Planning Commission to potentially add more visitor parking above what is required upon non-mixed use projects. Staff recommends the Planning Commission "revisit" parking standards and consider

additional relaxations for small unit and smaller scale MU developments and MU developments that incorporate public open space that includes commercially focused/centered courtyards/plazas.

Building Height

Current MU development standards for building height are 38' to 45'. The attendees generally expressed that for 3 story developments the current height limits were appropriate. Staff asked the attendees to consider whether a reduction in height could still support a 3 story development and specifically what the lowest height would be for 3 story development with commercial on the ground floor and residential above.

The consensus on this matter was that a lower height could still accommodate 3 stories however it would result in a structure with a "flat roof" design. The discussion made it clear that a slightly reduced height could be accommodated but that it was driven by design. Therefore staff recommends that the Planning Commission consider a "varied building height standard" that would be based upon design. Flat roof designs would have a maximum height limit of 36'. Pitched roof designs would need to hold at 38' and the 45' maximum could be eliminated.

Public Open Space

Some time was spent on what public open space should look like within a MU development. The perception is that this space is oriented to serving the residential component of MU development. The attendees challenged staff to consider making the focus of the public open space oriented towards serving and supporting the commercial elements of the MU development. Many examples were cited where commercial wasn't facing the street but rather accessed from a "courtyard/plaza" that intruded into the building frontage. The most discussed examples were the many internal commercial courtyards/plazas common to developments along "State Street" in downtown Santa Barbara.

In order to achieve this staff reviewed with attendees the front setback requirements and particularly focused on the "Maximum Front Yard Setbacks". As they currently exist the consensus was the maximum front yard setbacks as written would not impede internal courtyards as they only require up to 50% of the frontage adhere to a maximum setback, therefore the remaining frontage would not have a maximum front yard requirement and thereby could provide some interior commercial open space.

Staff recommends that some specific language be added to the Public Open Space regulations that "incentivizes" commercially focused public open space by allowing commercial spaces that front onto interior courtyards receive a density bonus and possibly a relaxation of parking requirements.

Minimum Lot Size

The existing standard states that no projects containing both commercial and residential uses shall be permitted on lots with less than 15,000 square feet of lot area. At the time that the mixed-use standards were first developed and recently when the 2011

amendments were processed there was an opinion that such projects could only actualize in a large-scale scenario.

The intention of this existing requirement is to encourage the assembly of properties that would then be developed with larger MU projects. The consensus of the attendees was this minimum lot size requirement was a prohibitive standard and recommended it's elimination to allow for smaller scale MU projects. These potential smaller scale MU projects were referenced as "boutique". Many of the attendees noted their experience with small lot MU in the neighboring jurisdictions, Manhattan Beach and El Segundo. Many of the properties within our MU Zones are in fact much smaller than 15,000 square feet and the elimination of this requirement could result in the turnover of many of the existing underutilized properties along PCH and Artesia Blvd zoned MU.

Setbacks

Staff presented the setback standards to the attendees and the consensus recommendation was to eliminate the additional front yard setback required for second story and reduce the required third story front yard setback. The rationale for elimination and reductions in upper story setbacks being that the mass of a 2 story building was not particularly overbearing and did not warrant the setback. Numerous examples of traditional MU developments in European cities were presented in support of allowing much less front setbacks for upper stories. The attendees explained further that the additional upper story setbacks reduced the allowable square footage of the higher floors which results in more pressure to increase the area of the ground floors, which are already constrained with multiple other development regulations and make the commercial centric courtyard/plaza much more difficult to provide.

Quantifiable Massing/Design Standards

The discussions on "Setbacks" noted above lead to a brief conversation about building mass and how quantifiable standards could and should be developed. No conclusions on this topic were achieved however if upper story setbacks are largely eliminated some standards will need to be added to ensure building mass is regulated appropriately.

Staff recommends further investigations with respect to this potential development standard. The Downtown Design Guidelines for the City of Santa Barbara provide some "formulas" that serve to measure mass and scale. Staff will further review and analyze these standards for application here in Redondo Beach.

Live – Work

With the potential introduction of small lot MU development, the attendees noted the value of the "Live – Work" MU development model. The attendees cited the City of Santa Monica and El Segundo as having good standards for this development type. As of the time of the drafting of this report an investigation of "Live – Work" standards from other jurisdictions was not able to be completed. Staff recommends additional research and incorporate standards for a "Live – Work" MU project as part of any future changes proposed. The attendees noted that the "Live – Work" MU product would be an especially good option for small lot MU development.

FAR

The topic of FAR, residential density, and %'s/ratios of land uses within the existing MU development standards was discussed with the attendees. No consensus of opinion was reached on what changes if any were necessary. The existing standards as presented were generally received as appropriate.

Staff is still analyzing and considering the need for amending this development standard. At this time staff is considering some minor reduction in density down to 30 DU/AC and possibly introducing a MU density bonus that would allow MU projects to develop up to the existing density of 35 DU/AC if the project is developed with a lower height, a commercial courtyard/plaza, provides exceptional design and is consistent and compliant with all other standards. The criteria noted for allowing a MU density bonus is very premature and we look forward to further investigations and discussions on this potential.

ANALYSIS

MU Zoning Ordinance

This section summarizes each of the "Sections" of the MU ordinance and then presents Staff's recommendation on any proposed changes.

§ 10-2.900 Specific purposes.

In addition to the general purposes listed in Section 10-2.102, the specific purposes of the MU-1 and MU-3 mixed-use zones and the CR regional commercial zone regulations are to:

- (a) Encourage residential uses in conjunction with commercial activities in order to create an active street life, enhance the vitality of businesses, and reduce vehicular traffic;
- (b) Provide appropriately located areas consistent with the General Plan for a full range of neighborhood and community-oriented retail sales, services, professional offices, and other commercial uses;
- (c) Strengthen the City's economic base, and provide employment opportunities close to home for residents of the City;
- (d) Ensure that commercial and residential uses in a development are designed to be compatible with each other;
- (e) Ensure that the appearance and effects of buildings and uses are harmonious with the character of the area in which they are located;
- (f) Accommodate the development of regional-serving commercial uses in areas designated CR (Regional Commercial);
- (g) Ensure that the primary character of mixed-use developments should be commercial in nature so as to integrate with and enhance the quality of the surrounding business districts;

- (h) Ensure that high quality, usable, public open spaces are provided within mix-use developments for purposes of aesthetics, social interaction, internal and external connectivity.

Staff recommends some additional “purposes” be introduced to further incentivize small lot MU projects that would include “Live – Work” MU. Also some amendment may be needed to add more flexibility with respect to parking, building mass, and ensuring public open space is commercial centric.

§ 10-2.910 Land use regulations: MU-1, MU-3, MU-3A, MU-3B, and MU-3C mixed-use zones, and CR regional commercial zone.

In the following schedule the letter “P” designates use classifications permitted in the specified zone, the letter “C” designates use classifications permitted subject to approval of a Conditional Use Permit, as provided in Section 10-2.2506, and the letter “A” designates use classifications permitted subject to approval of an Administrative Use Permit, as provided in Section 10-2.2507. Where there is neither a “P,” a “C,” nor an “A” indicated under a specified zone, or where a use classification is not listed, that classification is not permitted. The “Additional Regulations” column references regulations located elsewhere in the Municipal Code.

Use Classifications	MU-1	MU-3	MU-3A MU-3B MU-3C	CR	Additional Regulations See Section:
Residential Uses					
Multi-family residential	C	C	C	C	10-2.911(b)
Condominiums	C	C	C	C	10-2.911(b)
Family day care home, small	P	P	P	P	
Family day care home, large	P	P	P	P	
Residential care, limited	P	P	P	P	
Commercial Uses					
Animal sales and services:					
Animal feed and supplies	P	P	P	P	
Animal grooming	C	C	C	C	10-2.911(a)
Animal hospitals	C	C	C	C	10-2.911(a)
Animal sales	C	C	C	C	10-2.911(a)
Artist’s studios	P	P	P	P	
Banks and savings and loans	P	P	P	P	
with drive-up service	C	C	C	C	10-2.911(a)
Bars and cocktail lounges	C	C	C	C	10-2.1600

Use Classifications	MU-1	MU-3	MU-3A MU-3B MU-3C	CR	Additional Regulations See Section:
Business and trade schools	C	C	C	C	
Commercial printing, limited	P	P	P	P	
Commercial recreation	C	C	C	C	10-2.1600
Communications facilities	C	C	C	C	
Drive-up services	C	C	C	C	10-2.911(a)
Food and beverage sales: 30,000 sq. ft. or less floor area	P	P	P	P	
More than 30,000 sq. ft. floor area	C	C	C	C	10-2.911(c)
Hotels	C	C	C	C	
Liquor stores	C	C	C	C	10-2.1600
Maintenance and repair services	P	P	P	P	
Offices	P	P	P	P	10-2.911(d)
Personal convenience services	P	P	P	P	
Personal improvement services: 1,000 sq. ft. or less floor area – max. 10 occupants	P	P	P	P	Except music studios 2,000 sq. ft. or less floor area require an AUP
1,001 - 2,000 sq. ft. floor area	A	A	A	A	10-2.2507
2,001 sq. ft. or greater floor area	C	C	C	C	
Plant nurseries	C	C	C	C	
Recycling collection facilities:					10-2.1616
Reverse vending machines	P	P	P	P	10-2.911(a)
Small collection facilities	C	C	C	C	10-2.911(a)
Restaurants: 2,000 sq. ft. or less floor area with no drive-up service	P	P	P	P	
More than 2,000 sq. ft. floor area or with drive-up service	C	C	C	C	

Use Classifications	MU-1	MU-3	MU-3A MU-3B MU-3C	CR	Additional Regulations See Section:
Retail sales: 30,000 sq. ft. or less floor area	P	P	P	P	
More than 30,000 sq. ft. floor area	C	C	C	C	10-2.911(c)
Snack shops	P	P	P	P	
Thrift shops	C	C	C	C	10-2.1600
Vehicle sales and services:					10-2.911(a); 10-2.1602
Service stations	—	C	—	—	
Car wash	—	C	C (Not MU- 3C)	—	
Other Uses					
Adult day care centers	C	C	C	C	
Antennae for public communications	C	C	C	C	
Child day care centers	C	C	C	C	
Churches	C	C	C	C	
Clubs and lodges	C	C	C	C	
Cultural institutions	C	C	C	C	
Government offices	P	P	P	P	10-2.911(d)
Parking lots	C	C	C	C	
Public safety facilities	C	C	C	C	
Public utility facilities	C	C	C	C	10-2.1614
Recreation facilities	C	C	C	C	
Schools, public or private	C	C	C	C	
Senior housing	C	C	C	C	10-2.1624

Staff recommends that “Live – Work” be included as a permitted use within the residential uses category. “Additional Regulations” would need to be added for this special category of MU project that would define and clarify this land use.

§ 10-2.911 Additional land use regulations: MU-1, MU-3, MU-3A, MU-3B, and MU-3C mixed-use zones, and CR regional commercial zone.

Staff is not recommending any changes to this section.

§ 10-2.912 Performance standards: MU-1, MU-3, MU-3A, MU-3B, and MU-3C mixed-use zones, and CR regional commercial zone.

Staff is not recommending any changes to this section.

- § 10-2.913 Development standards: MU-1 mixed-use zone.
- § 10-2.915 Development standards: MU-3 mixed-use zone.
- § 10-2.916 Development standards: MU-3A mixed-use zone.
- § 10-2.917 Development standards: MU-3B mixed-use zone.
- § 10-2.918 Development standards: MU-3C mixed-use zone.
- § 10-2.919 Development standards: CR regional commercial zone.
- § 10-5.914 Development standards: MU-2 mixed-use zone.
- § 10-5.915 Development standards: MU-3 mixed-use zone.
- § 10-5.917 Development standards: MU-3B mixed-use zone.
- § 10-5.918 Development standards: MU-3C mixed-use zone.

The following tables present the various development standards for all the MU Zones. Following the table is a summary of the recommended changes.

Development Standards	MU-1	MU-2	MU-3	MU-3A	MU-3B	MU-3C	CR
FAR Commercial	0.5	0.7	1.0	1.0	1.0	1.0	1.0
FAR Mixed Use	1.5	1.5	1.5	1.5	1.5	1.5	1.5
	>0.7 Shall be Residential	>0.7 Shall be Residential	>0.7 Shall be Residential	>0.7 Shall be Residential	>0.7 Shall be Residential	>0.7 Shall be Residential	>1.0 Shall be Residential
	Minimum Commercial FAR of 0.3	Minimum Commercial FAR of 0.3	Minimum Commercial FAR of 0.3	Minimum Commercial FAR of 0.3*	Minimum Commercial FAR of 0.3	Minimum Commercial FAR of 0.3	Minimum Commercial FAR of 0.3
FAR Residential	Residential Only permitted but "No Standard"	Residential Only permitted but "No Standard"	"Residential Only" not permitted.				
Residential Density	35 DU/AC	35 DU/AC	35 DU/AC	35 DU/AC	35 DU/AC	35 DU/AC	35 DU/AC
Minimum Lot Size	15,000 sf	15,000 sf	15,000 sf	15,000 sf	15,000 sf	15,000 sf	15,000 sf
Building Height Commercial	30'	30'	30'	30'	30'	45'	60**

Building Height Mixed Use	38' to 45' for portions subject to PCDR Approval.	45'	38' to 45' for portions subject to PCDR Approval.	38' to 45' for portions subject to PCDR Approval.	38' to 45' for portions subject to PCDR Approval.	45'	60**
Stories Commercial	Two (2)	Two (2)	Two (2)	Two (2)	Two (2)	Three (3)	Four (4)
Stories Mixed Use	Three (3)	Three (3)	Three (3)	Three (3)	Three (3)	Three (3)	Four (4)
Stories Residential	Three (3)	Three (3)	"Residential Only" not permitted.	"Residential Only" not permitted.			
Front Setback Minimum	5' Average. No < 3'.*	15'.**	10'. Unenclosed features may project 7' into setback.*	10'. Unenclosed features may project 7' into setback.*	10'. Unenclosed features may project 7' into setback.*	3**	As determined by PC (PCDR).
Front Setback Maximum	No > 15' for 50% of Frontage.	No > 15' for 50% of Frontage.	No > 15' for 50% of Frontage.	No > 15' for 50% of Frontage.	No > 15' for 50% of Frontage.	No > 10' for 50% of Frontage.	As determined by PC (PCDR).
Side Setback	Street side 10'. Interior side 0'. Adjacent to Residential 20' or as per PCDR.	Street side 10'. Interior side 0'.	Street side 10'. Interior side 0'. Adjacent to Residential 20' or as per PCDR.	Street side 10'. Interior side 0'. Adjacent to Residential 20' or as per PCDR.	Street side 10'. Interior side 0'. Adjacent to Residential 20' or as per PCDR.	Street side 10'. Interior side 0'. Adjacent to Residential 20' or as per PCDR.	As determined by PC (PCDR).
Rear Setback	0'. Adjacent to Residential 20' or as per PCDR.	10'.	0'. Adjacent to Residential 20' or as per PCDR.	0'. Adjacent to Residential 20' or as per PCDR.	0'. Adjacent to Residential 20' or as per PCDR.	0'. Adjacent to Residential 20' or as per PCDR.	As determined by PC (PCDR).
Second Story Setback	15' from any street lot line.	25' from any street lot line.	18' from any street lot line.	18' from any street lot line.	18' from any street lot line.	All residential Per PC.	As determined by PC (PCDR).
Third Story Setback	Within 30' of PL, setback 5' from 2nd	Within 30' of PL, setback 5' from 2nd	Within 30' of PL, setback 5' from 2nd	Within 30' of PL, setback 5' from 2nd	Within 30' of PL, setback 5' from 2nd	Within 30' of PL, setback 5' from 2nd	As determined by PC (PCDR).

	floor building face.	floor building face.	floor building face.	floor building face.	floor building face.	floor building face.	
Outdoor Living Space	Minimum 200 sf per DU.	Minimum 200 sf per DU.	Minimum 200 sf per DU.	Minimum 200 sf per DU.	Minimum 200 sf per DU.	Minimum 200 sf per DU.	Minimum 200 sf per DU.
Usable Public Open Space*	10% of FAR.	No Usable Public Open Space Required.	10% of FAR.				
General Regulations	Per Article 3.	Per Article 3.	Per Article 3.	Per Article 3.	Per Article 3.	Per Article 3.	Per Article 3.
Parking Regulations	Per Article 5.	Per Article 5.	Per Article 5.	Per Article 5.	Per Article 5.	Per Article 5.	Per Article 5.
Sign Regulations	Per Article 6.	Per Article 6.	Per Article 6.	Per Article 6.	Per Article 6.	Per Article 6.	Per Article 6.
Landscaping Regulations	Per Article 7.	Per Article 7.	Per Article 7.	Per Article 7.	Per Article 7.	Per Article 7.	Per Article 7.
Procedures	Per Article 12.	Per Article 12.	Per Article 12.	Per Article 12.	Per Article 12.	Per Article 12.	Per Article 12.
Coastal Development Permits	Not Applicable	Per Article 10.	Per Article 10.	Not Applicable	Per Article 10.	Per Article 10.	Not Applicable

Staff recommends that the Planning Commission consider staff's directions as presented in the following table.

MU Zoning Development Standard	Recommendation
FAR Commercial	No change.
FAR Mixed Use	No change.
FAR Residential	No change.
Residential Density	Consider amending to a density to 30 DU/AC with allowances for increases in density if MU Development meets all other

	development standards and exhibits exceptional design with amenities as determined by the Planning Commission.
Minimum Lot Size	Consider the elimination of 15,000 sf lot size minimum. No lot size minimum required.
Building Height Commercial	No change.
Building Height Mixed Use	Consider a "varied building height standard" that would be based upon design. Flat roof designs would have a maximum height limit of 36'. Pitched roof designs would need to hold at 38' and the 45' maximum could be eliminated.
Stories Commercial	No change.
Stories Mixed Use	No change.
Stories Residential	No change.
Front Setback Minimum	No change.
Front Setback Maximum	No change.
Side Setback	No change.
Rear Setback	No change.
Second Story Setback	Consider the elimination of a second story setback. Potentially allows for more ground floor public open space. Not a significant massing issue.
Third Story Setback	Consider the reduction of the third story setback. Potentially allows for more ground floor public open space. Not a significant massing issue.
Outdoor Living Space	No change.
Usable Public Open Space*	Consider adding language to incentivize the Public Open Space be focused upon ground floor commercial uses. Consider density bonus for commercially centered/focused courtyards and plazas.
General Regulations	No change.
Parking Regulations	Consider "revisiting" the MU parking standards for additional relaxations for small unit and smaller scale MU developments and MU developments that incorporate public open space that includes commercially focused/centered courtyards/plazas.

	See below for the existing parking regulations.
Sign Regulations	No change.
Landscaping Regulations	No change.
Procedures	No change.
Coastal Development Permits	No change.

Article 5. Parking Regulations

§ 10-5.1704 (a)(3)a. Mixed-use developments visitor parking spaces.

Additional visitor parking spaces may be required if determined to be necessary due to unique characteristics of the project and/or the surrounding neighborhood.

§ 10-2.1706 (d) Overlap parking requirements, nonresidential uses.

(1) Parking space requirements applicable to two (2) or more separate building sites or uses may be permitted to overlap subject to Administrative Review and conditions (2)(a) through (e) as listed below.

(2) Parking space requirements applicable to two (2) or more uses sharing parking on a building site or parcel may be permitted to overlap subject to Administrative Review and conditions (a) through (e) as listed below.

a. The total parking provided for the uses sharing parking shall not be less than fifty (50%) percent of the parking requirement for the same uses with no shared parking;

b. The total parking provided for the uses sharing parking shall not be less than the parking requirement applicable to any single use with no shared parking;

c. The applicant shall provide the Community Development Department information on the proposed hours of operation of each use and anticipated maximum number of employees and customers for each use typically generated during each hour of the day and day of the week;

d. The Community Development Department may approve shared parking subject to a determination that the typical utilization of the parking area would be staggered or shared to such an extent that the reduced number of parking spaces would be adequate to serve all uses on the site or parcel. If the site is in a pedestrian-oriented commercial zone, the Community Development Department may also approve shared parking subject to a determination that the use mix is conducive to customers parking and walking to visit more than one business on the same trip;

e. A minimum two (2) week (fourteen (14) day) parking utilization survey, covering the existing and proposed business hours of operation, including hourly counts of vehicles shall be submitted along with a parking analysis of the subject property, which includes the number of tenants spaces and the number of parking spaces that these uses require, shall be submitted for review and approval of the Community Development Director.

Staff recommends that the Planning Commission consider adding language to both sections above that will provide for additional flexibility with respect to parking MU projects to ensure that this development standard is adequately addressed but is not a severe impediment.

General Plan MU Land Use Element

At this time the specific General Plan amendments that may be required are unknown. Staff recommends that any required General Plan amendments be brought forth with the specific Zoning Ordinance amendments at the February 18, 2016 Planning Commission Meeting. It is anticipated some changes to the Land Use Element will be required for consistency purposes.

RHNA

Although a reduction in density is being considered, the allowance for a density bonus for MU developments that include additional amenities with respect to reduced height, exceptional design, and additional public open space inclusive of commercial courtyards and plazas, there exists the potential for no change in density and therefor no impact with respect to RHNA.

The City is currently compliant with RHNA and the considerations as presented will not change this standing.

Election Requirement

To address the past concerns (which remain today) it was proposed by the Community Development Department and recommended by the Planning Commission in 2010 to decrease the maximum residential density requirement to one unit for every 1,452 square feet of lot area or 30 units per acre.

While the Planning Commission and Staff recommended to the City Council a reduction in residential density to 30 units per acre, it was determined that such a change would trigger the requirement for a general election under Article 27 of the City Charter. The City Council accepted all recommendations of the Planning Commission except the density reduction due to the estimated \$180,000 cost of a public vote.

The proposal herein to reduce density generally to 30 DU/AC, but maintain the current density allowance at 35 DU/AC for qualifying projects (MU density bonus worthy) could

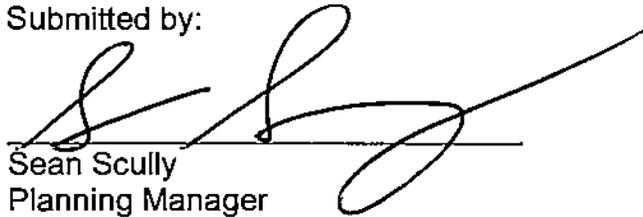
alleviate the necessity for a general election on this matter. Further investigations are needed to clearly articulate the standards that must be met in order for a MU project to be awarded additional density. In turn this further allowance for a density bonus would need to be vetted with the City Attorney's office to confirm absolutely if this would alleviate the requirement for a general election on the matter.

The Mixed Use Discussion

The Community Development Department was directed to look at the issue of Mixed-Use development standards to see if they are still appropriate for our community. As a result of the 12-17-15 Planning Commission Public Meeting, input from the MU development community and further staff analysis, some "refinements" are proposed for consideration herein.

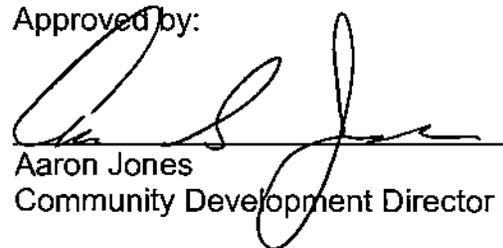
Staff recommends that the Planning Commission provide staff with specific direction on any recommended zoning and land use plan amendments. Staff will then advertise a public hearing and draft amendments to be considered at a public hearing before the Planning Commission on February 18, 2016.

Submitted by:



Sean Scully
Planning Manager

Approved by:



Aaron Jones
Community Development Director

Attachments:

1. Planning Commission Minutes (12-17-15);
2. "Real World Examples of Mixed Use Developments";
3. Invitation to Meet and Confer_Mixed Use Discussion_1-12-16
4. Mixed Use Dev Prof Presentation_1-12-16
5. Existing General Plan Goals-Objectives-Policies for Mixed Use Development;
6. Current Noncoastal and Coastal Mixed Use Zoning Regulations.

GROUP 1 - MU ZONING



APN	Current Land Use	General Plan	Zoning	Current DU	30 DU/AC	35 DU/AC	Acres	Lot Area (SqFt)	Total Sq Ft	Sum Lot Area (SqFt)	Sum Acres	Sum Current Units	Sum 30 DU/AC	Sum 35 DU/AC
4155029023	Commercial	MU-1	MU-1	0	3	4	0.13	5589.99	< 15,000 Sq. Ft.	370,383.08	8.50	89	240	286
4155029025	Commercial	MU-1	MU-1	0	8	10	0.30	12998.48	< 15,000 Sq. Ft.					
4155029028	Commercial	MU-1	MU-1	0	4	4	0.14	6110.03	< 15,000 Sq. Ft.	Land Use Commercial 21 Mixed Use Residential/Commercial 5 Residential 1 Utility 1 Sum 28	Parcel Count			
4155029029	Commercial	MU-1	MU-1	0	4	5	0.15	6499.99	< 15,000 Sq. Ft.					
4155029030	Commercial	MU-1	MU-1	0	4	5	0.15	6499.99	< 15,000 Sq. Ft.					
4155029031	Commercial	MU-1	MU-1	0	4	5	0.15	6500.03	< 15,000 Sq. Ft.					
4155029032	Commercial	MU-1	MU-1	0	4	5	0.15	6503.12	< 15,000 Sq. Ft.					
4155029033	Mixed Use Residential/Commercial	MU-1	MU-1	6	4	5	0.15	6500.03	< 15,000 Sq. Ft.					
4155029038	Commercial	MU-1	MU-1	0	20	23	0.68	29631.56	> 15,000 Sq. Ft.					
4155029070	Commercial	MU-1	MU-1	0	18	21	0.61	26396.25	> 15,000 Sq. Ft.					
4155030017	Mixed Use Residential/Commercial	MU-1	MU-1	1	4	5	0.15	6470.66	< 15,000 Sq. Ft.					
4155030018	Mixed Use Residential/Commercial	MU-1	MU-1	1	4	5	0.15	6499.99	< 15,000 Sq. Ft.					
4155030019	Commercial	MU-1	MU-1	0	8	10	0.30	13003.15	< 15,000 Sq. Ft.					
4155030020	Commercial	MU-1	MU-1	0	4	5	0.15	6499.68	< 15,000 Sq. Ft.					
4155030021	Commercial	MU-1	MU-1	0	4	5	0.15	6499.99	< 15,000 Sq. Ft.					
4155030022	Mixed Use Residential/Commercial	MU-1	MU-1	1	4	5	0.15	6499.99	< 15,000 Sq. Ft.					
4155030023	Commercial	MU-1	MU-1	0	4	5	0.15	6503.16	< 15,000 Sq. Ft.					
4155030061	Mixed Use Residential/Commercial	MU-1	MU-1	49	17	20	0.60	25966.03	> 15,000 Sq. Ft.					
4156002006	Commercial	MU-1	MU-1	0	4	5	0.15	6499.99	< 15,000 Sq. Ft.					
4156002007	Commercial	MU-1	MU-1	0	4	5	0.15	6476.90	< 15,000 Sq. Ft.					
4156002020	Residential	MU-1/R-3	MU-1/R-3	31	14	16	0.48	21021.27	> 15,000 Sq. Ft.					
4156002021	Commercial	MU-1	MU-1	0	22	26	0.75	32515.66	> 15,000 Sq. Ft.					
4156003006	Commercial	MU-1	MU-1	0	4	5	0.15	6499.99	< 15,000 Sq. Ft.					
4156003021	Commercial	MU-1	MU-1	0	17	20	0.60	26003.36	> 15,000 Sq. Ft.					
4156003022	Commercial	MU-1	MU-1	0	17	20	0.60	25996.88	> 15,000 Sq. Ft.					
4156003805	Utility	MU-1/R-3	MU-1/R-3	0	23	27	0.79	34458.22	> 15,000 Sq. Ft.					
4156004001	Commercial	MU-1	MU-1	0	9	10	0.30	13159.33	< 15,000 Sq. Ft.					
4156004002	Commercial	MU-1	MU-1	0	4	5	0.15	6579.36	< 15,000 Sq. Ft.					



GROUP 2 - MU ZONING



APN	Current Land Use	General Plan	Zoning	Current DU	30 DU/AC	35 DU/AC	Acres	Lot Area (SqFt)	Total Sq Ft	Sum Lot Area (SqFt)	Sum Acres	Sum Current Units	Sum 30 DU/AC	Sum 35 DU/AC
7505022031	Commercial	MU-3	MU-3	0	5	6	0.18	7,645.35	< 15,000 Sq. Ft.	396,005.45	9.09	43	253	301
7505020015	Commercial	MU-3	MU-3	0	5	6	0.18	7,771.13	< 15,000 Sq. Ft.					
7505019011	Mixed Use Residential/Commercial	MU-3	MU-3	5	5	6	0.18	7,675.31	< 15,000 Sq. Ft.	Land Use	Parcel Count			
7505020044	Commercial	MU-3	MU-3	0	15	18	0.52	22,550.46	> 15,000 Sq. Ft.	Commercial	20			
7505019010	Mixed Use Residential/Commercial	MU-3	MU-3	1	5	6	0.17	7,561.86	< 15,000 Sq. Ft.	Mixed Use Residential/Commercial	7			
7505019008	Mixed Use Residential/Commercial	MU-3	MU-3	2	7	9	0.26	11,344.54	< 15,000 Sq. Ft.	Residential	12			
7505019007	Mixed Use Residential/Commercial	MU-3	MU-3	1	2	3	0.09	3,771.83	< 15,000 Sq. Ft.	Sum	39			
7505020043	Commercial	MU-3	MU-3	0	7	9	0.26	11,488.76	< 15,000 Sq. Ft.					
7505019006	Residential	MU-3	MU-3	1	5	5	0.17	7,440.34	< 15,000 Sq. Ft.					
7505019005	Residential	MU-3	MU-3	3	5	6	0.17	7,526.75	< 15,000 Sq. Ft.					
7505020051	Commercial	MU-3	MU-3	0	20	24	0.69	30,139.80	> 15,000 Sq. Ft.					
7505019001	Residential	MU-3	MU-3	6	7	8	0.26	11,146.98	< 15,000 Sq. Ft.					
7505020034	Commercial	MU-3	MU-3	0	14	16	0.48	21,087.85	> 15,000 Sq. Ft.					
7505019038	Commercial	MU-3	MU-3	0	11	13	0.38	16,561.47	> 15,000 Sq. Ft.					
7505020027	Commercial	MU-3	MU-3	0	3	3	0.11	4,737.77	< 15,000 Sq. Ft.					
7505020033	Commercial	MU-3	MU-3	0	5	6	0.18	7,639.47	< 15,000 Sq. Ft.					
7505020028	Mixed Use Residential/Commercial	MU-3	MU-3	1	3	3	0.11	4,960.21	< 15,000 Sq. Ft.					
7505022032	Commercial	MU-3	MU-3	0	6	7	0.22	9,762.36	< 15,000 Sq. Ft.					
7505021033	Commercial	MU-3	MU-3	0	7	8	0.25	10,977.39	< 15,000 Sq. Ft.					
7505022013	Mixed Use Residential/Commercial	MU-3	MU-3	1	4	4	0.14	6,164.32	< 15,000 Sq. Ft.					
7505022012	Mixed Use Residential/Commercial	MU-3	MU-3	1	3	4	0.13	5,561.67	< 15,000 Sq. Ft.					
7505022011	Commercial	MU-3	MU-3	0	5	5	0.17	7,432.56	< 15,000 Sq. Ft.					
7505022008	Residential	MU-3	MU-3	1	2	3	0.09	3,830.89	< 15,000 Sq. Ft.					
7505022007	Residential	MU-3	MU-3	2	5	6	0.18	7,690.27	< 15,000 Sq. Ft.					
7505021022	Commercial	MU-3	MU-3	0	2	3	0.09	3,925.76	< 15,000 Sq. Ft.					
7505022006	Residential	MU-3	MU-3	1	2	3	0.09	3,956.40	< 15,000 Sq. Ft.					
7505021023	Commercial	MU-3	MU-3	0	5	5	0.17	7,352.61	< 15,000 Sq. Ft.					
7505022005	Residential	MU-3	MU-3	2	2	3	0.09	3,806.62	< 15,000 Sq. Ft.					
7505022004	Residential	MU-3	MU-3	3	5	6	0.18	7,632.41	< 15,000 Sq. Ft.					
7505021037	Commercial	MU-3	MU-3	0	10	12	0.36	15,492.32	> 15,000 Sq. Ft.					
7505022003	Residential	MU-3	MU-3	4	3	4	0.12	5,408.27	< 15,000 Sq. Ft.					
7505022002	Residential	MU-3	MU-3	6	2	3	0.10	4,273.64	< 15,000 Sq. Ft.					
7505022001	Commercial	MU-3	MU-3	0	4	5	0.15	6,723.43	< 15,000 Sq. Ft.					
7505021028	Commercial	MU-3	MU-3	0	5	5	0.17	7,419.17	< 15,000 Sq. Ft.					
7505021031	Residential	MU-3	MU-3	1	1	2	0.07	2,871.34	< 15,000 Sq. Ft.					
7505021030	Residential	MU-3	MU-3	1	1	1	0.05	2,387.71	< 15,000 Sq. Ft.					
7505021029	Commercial	MU-3	MU-3	0	1	2	0.06	2,824.62	< 15,000 Sq. Ft.					
7505021043	Commercial	MU-3	MU-3	0	41	48	1.39	60,579.22	> 15,000 Sq. Ft.					
7505019063	Commercial	MU-3	MU-3	0	13	15	0.43	18,882.56	> 15,000 Sq. Ft.					



GROUP 3 - MU ZONING



APN	Current Land Use	General Plan	Zoning	Current DU	30 DU/AC	35 DU/AC	Acres	Lot Area (SqFt)	Total Sq Ft		Sum Lot Area (SqFt)	Sum Acres	Sum Current Units	Sum 30 DU/AC	Sum 35 DU/AC	
7511007016	Commercial	MU-3	MU-3C(RIV)	0	9	10	0.31	13,523.54	< 15,000 Sq. Ft.		98,809.04	2.27	12	63	75	
7511007015	Commercial	MU-3	MU-3C(RIV)	0	4	5	0.16	7,003.05	< 15,000 Sq. Ft.							
7511007052	Mixed Use Residential/Commercial	MU-3	MU-3C(RIV)	12	14	17	0.49	21,423.04	> 15,000 Sq. Ft.							
7511007038	Commercial	MU-3	MU-3C(RIV)	0	10	12	0.35	15,361.53	> 15,000 Sq. Ft.							
7511007056	Commercial	MU-3	MU-3C(RIV)	0	5	6	0.19	8,292.70	< 15,000 Sq. Ft.							
7511007047	Commercial	MU-3	MU-3C(RIV)	0	10	12	0.36	15,807.75	> 15,000 Sq. Ft.							
7511007045	Commercial	MU-3	MU-3C(RIV)	0	11	13	0.40	17,397.43	> 15,000 Sq. Ft.							
											Land Use	Parcel Count				
											Commercial	6				
											Mixed Use Residential/Commercial	1				
											Sum	7				



Existing General Plan Goals-Objectives-Policies for Mixed Use Development

Issue	WHAT TYPES OF LAND USE SHOULD BE PERMITTED IN THE CITY OF REDONDO BEACH?
Goal 1A General	Provide for the types and mix of land uses necessary to serve the needs of existing and future residents.
Objective 1.1	Ensure that lands are designated to accommodate the housing, commercial, employment, educational, recreational, cultural, social, and aesthetic needs of the residents and that they are developed to maintain and enhance the quality and character of the City awareness, efficient planning, and effective response to these continually evolving issues.
Objective 1.2	Provide for the continuation of existing and new development of housing to meet the diverse economic and physical needs of the City's residents.
Policies 1.2.3	Allow for the development of housing types intended to meet the special needs of senior citizens, the physically challenged, and low and moderate income households in areas classified as Multi-Family Residential (“R-2,” “R-3,” “RMD,” and “RH”), Mixed Use (“MU-1,” “MU-2,” and “MU-3”) and Commercial Regional (“CR”) on the Land Use Plan map provided that they are designed to be compatible with adjacent residential structures and other areas designated for other categories of use provided that no substantial adverse impacts will occur (<i>II.1</i>).
Policies 1.2.4	Allow for the development of housing for senior citizens by permitting such housing to vary from the development standards in the zone in which it is located (subject to approval of a Conditional Use Permit and Planning Commission Design Review) in areas classified as Multi-Family Residential (“R-3,” “RMD,” and “RH”), Commercial (“C-2,” “C-3” and “C-4”), Mixed Use (“MU-1,” “MU-2,” and “MU-3”) and Commercial Regional (“CR”) on the Land Use Plan map provided that a) it is appropriate at the proposed location; b) it is located within a reasonable walking distance of commercial retail, professional, and social and community services patronized by senior citizens, or has its own private shuttle bus that will provide daily access to these services, or be within a reasonable walking distance of a bus or transit stop providing access to these services; and c) the project includes units affordable to lower-income or moderate-income households to the extent feasible.

Existing General Plan Goals-Objectives-Policies for Mixed Use Development

<p>Goal 1H General Corridor</p>	<p>Artesia Boulevard: Continue and enhance existing commercial districts which contribute revenue to the City and are compatible with adjacent residential neighborhoods.</p> <p>In addition to establishing policies to assure quality design, the principal strategy for Artesia Boulevard is to divide the corridor into four sub-areas. This has been done in an attempt to change Artesia Boulevard from a long, largely undifferentiated corridor into distinct Sub-areas, each with its own functional and design emphasis. Each sub-area was developed to be compatible with the prevailing character of existing development and to enhance trends that were already occurring.</p> <p>The implementation of these sub-areas should allow future development in each area to be more coordinated and compatible, while creating a discernible pattern of diversity as one travels the length of the corridor.</p>
<p>Objective 1.15</p>	<p>Provide for the evolutionary development of Artesia Boulevard into four distinct sub-areas which reflect and reinforce the existing primary activity areas and adjacent land uses, are oriented and accessible to the needs of nearby residents, and differentiated by use, density/intensity, and physical form and character.</p>
<p>Policies 1.15.1 <i>Function and Permitted Uses</i></p>	<p>Accommodate land uses and provide for a physical form and scale of development which differentiates Artesia Boulevard into the four following sub-areas: Blossom Lane to west of Flagler Lane: developed as a mixed-use node, integrating residential with community-serving commercial uses (Sub-Area 3);</p>
<p style="text-align: center;">Artesia Boulevard Corridor</p> <p style="text-align: center;">Sub-Area 3: Mixed-Use Corridor-Blossom to West of Flagler Lane</p> <p>This is one of several areas within the City that has been designated for "mixed use." The mixed use designation permits commercial development by itself (and is therefore a commercial designation), but also permits the option of constructing residential units on the upper floors of a development with commercial uses on the ground floor. To complement the incorporated residential units, an emphasis is placed on a "pedestrian-oriented" character of the commercial component as described under the preceding sub-area.</p> <p>The concept of mixing commercial and residential uses has been gaining in popularity in many cities. Traditional planning practice has dictated that residential uses should be physically separated and buffered from other types of "conflicting" uses. More recent experience, however, has shown that when properly planned and designed, mixed use</p>	

Existing General Plan Goals-Objectives-Policies for Mixed Use Development

developments can create a unique and positive environment for residents and businesses alike.

In mixed use developments, residential units are located and designed to provide sufficient privacy and security, while commercial uses are located and designed to provide easy accessibility and good visibility to the public.

While separated in this manner, the two types of uses also enjoy the benefits of their mutual proximity. For residents, they have the convenience and added dimension of having desirable retail businesses within a short walk. For businesses, they can draw vitality from having a "round-the-clock" source of patronage. This adds a type of "energy" to a development that would not exist if it were strictly commercial.

There are also several other potential benefits of mixed use development. These include (1) enhancing the opportunities for redevelopment of an area that may be currently lacking in vitality; (2) introducing a new and interesting form of development into the city; (3) increasing affordable housing opportunities and providing an alternative type of housing; and (4) helping to curb traffic congestion by decreasing the need for automobile trips.

This segment of Artesia Boulevard was designated for mixed use primarily because it is in substantial need of revitalization, and mixed use is viewed as a viable means of achieving this. Within this area only ("MU-1"), an option has also been provided for strictly residential development, provided that the entire side of a block is developed for this use. This is intended to provide yet another option for the revitalization of this area.

Objective 1.18	Provide for the development of local-serving pedestrian-oriented commercial uses and integration of multi-family residential on the upper floors or in intervening clusters along the corridor, provided that they are compatible with adjacent commercial uses.
Policies 1.18.1 <i>Permitted Uses</i>	Accommodate the development of pedestrian-oriented retail, professional office, and other related land uses as permitted by Policies 1.16.1 and 1.17.2 on parcels designated as "MU-1" (<i>II.1</i>).
Policies 1.18.2 <i>Permitted Uses</i>	Accommodate residential uses on the second floor or higher of structures developed with commercial uses on the lower levels on parcels designated as "MU-1" (<i>II.1</i>).
Policies 1.18.3 <i>Permitted Uses</i>	Allow for the development of multi-family residential uses where the entirety of the block frontage is developed for this use on parcels designated as "MU-1" (<i>II.1</i>).
Policies 1.18.4 <i>Density/ Intensity and Height</i>	Permit development of sites exclusively for commercial uses to a maximum intensity of a floor area ratio of 0.5 and height of two stories (30 feet) (<i>II.1</i>).

Existing General Plan Goals-Objectives-Policies for Mixed Use Development

<p>Policies 1.18.5 <i>Density/ Intensity and Height</i></p>	<p>Permit the development of mixed-use structures integrating residential with commercial uses to a maximum intensity of a floor area ratio of 1.5 and three stories (45 feet), providing that:</p> <ul style="list-style-type: none"> a. all floor area exceeding the ratio of 0.7 is developed for residential units; b. the maximum residential density does not exceed 35 units per net acre; and c. a minimum floor area ratio of 0.3 is developed for commercial uses (II.1).
<p>Policies 1.18.6 <i>Density/ Intensity and Height</i></p>	<p>Permit the development of sites exclusively for residential uses to a maximum density of 35 units per net acre and three stories (45 feet) provided that the entire designated block frontage is developed for this use (I 1.1).</p>
<p>Policies 1.18.7 <i>Design and Development</i></p>	<p>Require that commercial and mixed-use structures be designed to promote pedestrian activity in accordance with Policy 1.17.5 (II.1, II.7, I 1.18).</p>
<p>Policies 1.18.8 <i>Design and Development</i></p>	<p>Require that mixed-use (commercial and residential) structures be designed to mitigate potential conflicts between the commercial and residential uses (e.g., noise, lighting, security, and automobile access) and provide adequate amenities for residential occupants (II.1, II.7, II.18).</p>
<p>Policies 1.18.9 <i>Design and Development</i></p>	<p>Require that building elevations above the second floor be set back in accordance with Policy 1.16.3 (II.1).</p>
<p>Policies 1.18.10 <i>Design and Development</i></p>	<p>Require that sites developed exclusively for residential use incorporate elements to ensure their compatibility with adjacent commercial uses, including the following:</p> <ul style="list-style-type: none"> a. buffer the residential from the commercial use by the use of walls, landscape, horizontal and vertical setbacks; b. adequately mitigate the noise, traffic, and lighting impacts of adjacent commercial uses; c. provide passive recreation open space on-site; d. provide adequate security; and e. prevent impacts on the integrity and continuity of other commercial uses (II.1, II.7, II.8).
<p>Policies 1.18.11 <i>Design and Development</i></p>	<p>Require that projects developed exclusively for residential use be designed and sited to convey a high quality character in accordance with Policy 1.13.3 (II.1, II.7, II.18).</p>

Existing General Plan Goals-Objectives-Policies for Mixed Use Development

Policies 1.18.12 <i>Design and Development</i>	Require that sites exclusively developed for residential use provide on-site open space amenities which are designed and sized to be accessible to and usable by tenants (II.1) .
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Existing General Plan Goals-Objectives-Policies for Mixed Use Development

<p>Goal 1H General Corridor</p>	<p>Pacific Coast Highway: Continue and enhance existing commercial districts which contribute revenue to the City and are compatible with adjacent residential neighborhoods.</p> <p>Pacific Coast Highway is South Redondo's main commercial street and north-south artery. Previously, almost the entire length of Pacific Coast Highway was under one commercial zoning designation. In the development of the General Plan, one of the objectives for Pacific Coast Highway was to differentiate sections of the corridor in terms of both the types and intensities of uses. The intent of this strategy was to (1) provide aesthetic relief and contrast along this long linear corridor, and (2) enhance the economic vitality of the corridor by "breaking up" the supply of land for different uses.</p> <p>The economic study prepared for the General Plan showed that there was too much commercial development capacity in relation to forecasted demand. By changing some portions of Pacific Coast Highway to multiple-family residential, this creates a better balance between the supply of land and the economic demand for commercial and residential uses</p>
<p align="center">Sub-Area 1: Mixed-Use Node-Palos Verdes Boulevard and South</p> <p>For a general discussion of mixed use development, see Artesia Boulevard: Sub-Area 3.</p> <p>This area was designated for mixed use development ("MU-3") primarily because of its physical suitability for development of this scale. In particular, this area features lot depths in excess of 300 feet and is adjoined to the rear by high density apartment complexes situated at a higher elevation. Because of these factors, this area is more capable of supporting larger scale, higher intensity development without creating undue impacts. This fairly large area also provides a significant opportunity for the production of new affordable multiple-family housing.</p> <p>The standards for this area include a few differences from other mixed use areas. These are (1) residential units can be developed on the ground floor of buildings located behind buildings with ground floor commercial uses; and (2) the minimum commercial floor area ratio of 0.3 applies only the first 130 feet of property depth. These standards were instituted since it was not felt to be economically or physically practicable to extend commercial uses entirely to the rear of these relatively deep sites.</p>	
<p>Objective 1.21</p>	<p>Provide for the development of community-serving retail and office commercial and mixed-use projects integrating residential with commercial uses southeast of Palos Verdes Boulevard as a primary activity center of the City.</p>

Existing General Plan Goals-Objectives-Policies for Mixed Use Development

<p>Policies 1.21.1 <i>Permitted Uses</i></p>	<p>Accommodate the development of pedestrian-oriented retail, professional office, and related land uses as permitted by Policies 1.16.1 and 1.17.2 on parcels designated as “MU-3” (II.1).</p>
<p>Policies 1.21.2 <i>Permitted Uses</i></p>	<p>Accommodate residential uses according to the following standards: a. along the street frontage: on the second floor or higher of structures developed with commercial uses on the lower levels; and b. structures located behind street-facing mixed retail and residential buildings: on any floor (including the ground floor) or on the second level or higher with retail or parking located on the ground floor (II.1).</p>
<p>Policies 1.21.3 <i>Density/Intensity and Height</i></p>	<p>Permit development of sites exclusively for commercial uses to a maximum intensity of a floor area ratio of 1.0 and height of two stories (30 feet) (II.1).</p>
<p>Policies 1.21.4 <i>Density/Intensity and Height</i></p>	<p>Permit the development of mixed-use structures integrating residential with commercial uses to a maximum intensity of a floor area ratio of 1.5 and three stories (45 feet), providing that: a. all floor area exceeding the ratio of 0.7 is developed for residential units; b. the maximum residential density for “market-rate” units does not exceed 35 units per net acre; c. residential densities exceeding 35 units per net acre shall be developed for units affordable for low and moderate income households; and d. a minimum floor area ratio of 0.3, applied to the first 130 feet of property depth from Pacific Coast Highway, is developed for commercial uses. (This shall not be interpreted to limit the siting of commercial uses to the first 130 feet of lot depth) (I 1.1).</p>
<p>Policies 1.21.5 <i>Design and Development</i></p>	<p>Require that commercial and mixed-use structures be designed to promote pedestrian activity in accordance with Policy 1.17.5 (II.1, II.7, I 1.18).</p>
<p>Policies 1.21.6 <i>Design and Development</i></p>	<p>Require that mixed-use structures be designed to mitigate potential conflicts in accordance with Policy 1.18.8 (II.1, II.7, II.18).</p>
<p>Policies 1.21.7 <i>Design and Development</i></p>	<p>Require that new development be sited and designed to convey a “village” character, including the: a. siting of structures on common pedestrian walkways, courtyards, and other open spaces; b. incorporation of arcades and other setbacks along the street frontage;</p>

Existing General Plan Goals-Objectives-Policies for Mixed Use Development

	<p>c. use of multiple building volumes and masses to reduce the “sense” of large scale “boxes” and create a visual fabric of multiple buildings;</p> <p>d. incorporation of extensive facade modulation and articulation and design details;</p> <p>e. use of roofline and height variations to break up massing and provide visual interest;</p> <p>f. use of unified architectural design styles;</p> <p>g. clear identification of building entrances;</p> <p>h. extensive use of landscape (planting beds, raised planters, containers, or window boxes) which provides a three-dimensional character; and</p> <p>i. use of pedestrian-oriented signage (e.g., projecting signs) (<i>II.1, II.7, I 1.18</i>).</p>
<p>Policies 1.21.8 <i>Design and Development</i></p>	<p>Require that building elevations above the second floor be set back in accordance with Policy 1.16.3 (<i>II.1</i>).</p>

Existing General Plan Goals-Objectives-Policies for Mixed Use Development

Sub-Area 7: Mixed-Use Node-Torrance Boulevard Intersection

For a general discussion of mixed use development, see Artesia Boulevard: Sub-Area 3.

Pacific Coast Highway and Torrance Boulevard is the most prominent and highly trafficked intersection in South Redondo. Taking advantage of this, this area was designated for mixed use ("MU-3") to make this location into a focal point of activity within South Redondo. Special attention will be given to encourage the type of design and uses that will make the area distinctive in terms of both appearance and activity.

Reference should also be made to the Harbor/Civic Center Specific Plan, Pacific Coast Highway Sub-Area, Zone 6, which establishes additional standards and policies for this area.

Objective 1.27	Provide for the development of a higher intensity pedestrian-oriented activity node containing community-oriented commercial uses and/or mixed-use development projects, integrating residential with commercial uses, as a primary activity area of the City.
Policies 1.27.1 Permitted Uses	Accommodate the development of pedestrian-oriented retail, professional office, and related land uses as permitted by Policies 1.16.1 and 1.17.2 on parcels designated as "MU-3" (II.1).
Policies 1.27.2 Permitted Uses	Accommodate residential uses in accordance with Policy 1.18.2 (II.1).
Policies 1.27.3 Density/Intensity and Height	Permit development of sites exclusively for commercial uses to a maximum intensity of a floor area ratio of 1.0 and height of two stories (30 feet) (II.1).
Policies 1.27.4 Density/Intensity and Height	Permit the development of mixed-use structures integrating residential with commercial uses to a maximum intensity of a floor area ratio of 1.5 and three stories (45 feet), providing that: a. all floor area exceeding the ratio of 0.7 is developed for residential units; b. the maximum residential density does not exceed 35 units per net acre; and c. a minimum floor area ratio of 0.3 is developed for commercial uses (I 1.1).
Policies 1.27.5 Design and Development	Require that commercial and mixed-use structures be designed to promote pedestrian activity in accordance with Policy 1.17.5 (II.1, II.7, I 1.18).
Policies 1.27.6 Design and Development	Require that mixed-use structures be designed to mitigate potential conflicts in accordance with Policy 1.18.8 (II.1, II.7, II.18).

Existing General Plan Goals-Objectives-Policies for Mixed Use Development

Policies 1.27.7 <i>Design and Development</i>	Require that building elevations above the second floor be set back in accordance with Policy 1.16.3 (II.1).
Policies 1.27.8 <i>Design and Development</i>	Require that any development projects involving multiple parcels site and design buildings to convey a “village” character, in accordance with Policy 1.21.7(II.1, II.7, II.18).
Policies 1.27.9 <i>Design and Development</i>	Implement streetscape improvements in the public areas at the intersection of Pacific Coast Highway and Torrance Boulevard including, but not limited to the use of decorative/aesthetic materials and colors for crosswalks and/or sidewalks, distinctive public signage, street trees, street furniture, and similar elements (II.17).

Redondo Beach Municipal Code[Up](#)[Previous](#)[Next](#)[Main](#)[Collapse](#)[Search](#)[Print](#)[No Frames](#)[Title 10 PLANNING AND ZONING](#)[Chapter 2 ZONING AND LAND USE](#)[Article 2. Zoning Districts](#)**Division 7. MU Mixed-Use and CR Regional Commercial Zones***

* **CodeAlert:** This topic has been affected by Ordinance No. [3146-15](#). To view amendments and newly added provisions, please refer to the [CodeAlert Amendment List](#).

10-2.900 Specific purposes, MU-1, and MU-3 mixed-use zones, and CR regional commercial zone.

In addition to the general purposes listed in Section 10-2.102, the specific purposes of the MU-1 and MU-3 mixed-use zones and the CR regional commercial zone regulations are to:

- (a) Encourage residential uses in conjunction with commercial activities in order to create an active street life, enhance the vitality of businesses, and reduce vehicular traffic;
- (b) Provide appropriately located areas consistent with the General Plan for a full range of neighborhood and community-oriented retail sales, services, professional offices, and other commercial uses;
- (c) Strengthen the City's economic base, and provide employment opportunities close to home for residents of the City;
- (d) Ensure that commercial and residential uses in a development are designed to be compatible with each other;
- (e) Ensure that the appearance and effects of buildings and uses are harmonious with the character of the area in which they are located;
- (f) Accommodate the development of regional-serving commercial uses in areas designated CR (Regional Commercial);
- (g) Ensure that the primary character of mixed-use developments should be commercial in nature so as to integrate with and enhance the quality of the surrounding business districts;
- (h) Ensure that high quality, usable, public open spaces are provided within mix-use developments for purposes of aesthetics, social interaction, internal and external connectivity.

(Ord. 2756 c.s., eff. January 18, 1996, as amended by § 3, Ord. 3076 c.s., eff. July 7, 2011)

 10-2.910 Land use regulations: MU-1, MU-3, MU-3A, MU-3B, and MU-3C mixed-use zones, and CR regional commercial zone.

In the following schedule the letter "P" designates use classifications permitted in the specified zone, the letter "C" designates use classifications permitted subject to approval of a Conditional Use Permit, as provided in Section 10-2.2506, and the letter "A" designates use classifications permitted subject to approval of an Administrative Use Permit, as provided in Section 10-2.2507. Where there is neither a "P," a "C," nor an "A" indicated under a specified zone, or where a use classification is not listed, that classification is not permitted. The "Additional Regulations" column references regulations located elsewhere in the Municipal Code.

Use Classifications	MU-1	MU-3	MU-3A MU-3B MU-3C	CR	Additional Regulations See Section:
Residential Uses					
Multi-family residential	C	C	C	C	10-2.911(b)
Condominiums	C	C	C	C	10-2.911(b)
Family day care home, small	P	P	P	P	
Family day care home, large	P	P	P	P	
Residential care, limited	P	P	P	P	
Commercial Uses					
Animal sales and services:					
Animal feed and supplies	P	P	P	P	
Animal grooming	C	C	C	C	10-2.911(a)
Animal hospitals	C	C	C	C	10-2.911(a)
Animal sales	C	C	C	C	10-2.911(a)
Artist's studios	P	P	P	P	
Banks and savings and loans with drive-up service	P C	P C	P C	P C	10-2.911(a)
Bars and cocktail lounges	C	C	C	C	10-2.1600
Business and trade schools	C	C	C	C	
Commercial printing, limited	P	P	P	P	
Commercial recreation	C	C	C	C	10-2.1600
Communications facilities	C	C	C	C	
Drive-up services	C	C	C	C	10-2.911(a)
Food and beverage sales:					
30,000 sq. ft. or less floor area	P	P	P	P	
More than 30,000 sq. ft. floor area	C	C	C	C	10-2.911(c)
Hotels	C	C	C	C	
Liquor stores	C	C	C	C	10-2.1600
Maintenance and repair services	P	P	P	P	
Offices	P	P	P	P	10-2.911(d)
Personal convenience services	P	P	P	P	
Personal improvement services:					Except music studios 2,000 sq. ft. or less

Use Classifications	MU-1	MU-3	MU-3A MU-3B MU-3C	CR	Additional Regulations See Section:
1,000 sq. ft. or less floor area – max. 10 occupants	P	P	P	P	floor area require an AUP
1,001 - 2,000 sq. ft. floor area	A	A	A	A	10-2.2507
2,001 sq. ft. or greater floor area	C	C	C	C	
Plant nurseries	C	C	C	C	
Recycling collection facilities:					10-2.1616
Reverse vending machines	P	P	P	P	10-2.911(a)
Small collection facilities	C	C	C	C	10-2.911(a)
Restaurants:					
2,000 sq. ft. or less floor area with no drive-up service	P	P	P	P	
More than 2,000 sq. ft. floor area or with drive-up service	C	C	C	C	
Retail sales:					
30,000 sq. ft. or less floor area	P	P	P	P	
More than 30,000 sq. ft. floor area	C	C	C	C	10-2.911(c)
Snack shops	P	P	P	P	
Thrift shops	C	C	C	C	10-2.1600
Vehicle sales and services:					10-2.911(a); 10-2.1602
Service stations	—	C	—	—	
Car wash	—	C	C (Not MU-3C)	—	
Other Uses					
Adult day care centers	C	C	C	C	
Antennae for public communications	C	C	C	C	
Child day care centers	C	C	C	C	
Churches	C	C	C	C	
Clubs and lodges	C	C	C	C	
Cultural institutions	C	C	C	C	
Government offices	P	P	P	P	10-2.911(d)
Parking lots	C	C	C	C	

Use Classifications	MU-1	MU-3	MU-3A MU-3B MU-3C	CR	Additional Regulations See Section:
Public safety facilities	C	C	C	C	
Public utility facilities	C	C	C	C	10-2.1614
Recreation facilities	C	C	C	C	
Schools, public or private	C	C	C	C	
Senior housing	C	C	C	C	10-2.1624

(Ord. 2756 c.s., eff. January 18, 1996, as amended by Ord. 2801 c.s., eff. June 5, 1997, § 2, Ord. 2818 c.s., eff. May 21, 1998, § 9, Ord. 2927 c.s., eff. March 17, 2004, § 4, Ord. 3076 c.s., eff. July 7, 2011, and § 8, Ord. 3077 c.s., eff. July 7, 2011)

10-2.911 Additional land use regulations: MU-1, MU-3, MU-3A, MU-3B, and MU-3C mixed-use zones, and CR regional commercial zone.

(a) **Commercial uses prohibited in mixed-use projects.** The following commercial uses are prohibited when located on a site containing both residential and commercial uses:

- (1) Animal grooming; animal hospitals; animal sales.
- (2) Bars and cocktail lounges.
- (3) Drive-up services associated with any commercial use.
- (4) Liquor stores.
- (5) Recycling collection facilities.
- (6) Service stations.
- (7) Thrift shops.
- (8) Car wash.

(b) **Residential uses.** Residential dwelling units may only be located on the second floor and higher of structures developed with commercial uses on the lower levels, with the following exceptions:

(1) **MU-1 zone.** In the MU-1 zone, lots may be developed exclusively for residential use where the entirety of the block frontage is developed exclusively for residential use.

(2) **MU-3A zone.** In the MU-3A zone, residential dwelling units may be located on any floor in structures located behind street-facing commercial or mixed-use structures, or above parking on the ground floor in structures located behind street-facing commercial or mixed-use structures.

(c) **Uses exceeding 30,000 square feet.** In the MU-1, MU-3, MU-3A, MU-3B, and MU-3C zones, uses exceeding 30,000 square feet shall be prohibited except where they are designed to be compatible with the intended pedestrian-oriented character of the zone, pursuant to the requirements for a Conditional Use Permit (Section 10-2.2506).

(d) **Offices.** Offices may occupy up to a maximum of fifty (50%) percent of the linear frontage of the building in all mixed-use zones, except that such ground floor uses along the street frontage are permitted in the MU-3C zone within the Riviera Village overlay zone (see Section 10-2.1315).

(Ord. 2756 c.s., eff. January 18, 1996, as amended by § 3, Ord. 2818 c.s., eff. May 21, 1998, and § 5, Ord. 3076 c.s., eff. July 7, 2011)

10-2.912 Performance standards: MU-1, MU-3, MU-3A, MU-3B, and MU-3C mixed-use zones, and CR regional commercial zone.

(a) **Purpose.** The purpose of this section is to ensure that residential uses in mixed-use zones are not adversely impacted by the adjacent commercial uses, including, but not limited to, traffic, noise, and safety impacts. In the interests of both the residents and the businesses, no Conditional Use Permit shall be approved for a mixed-use project combining residential and commercial uses on the same site, unless the project is designed to meet the following performance standards, in addition to all other applicable regulations of this chapter.

(1) **Noise.**

a. Residential units shall be constructed so that interior noise levels do not exceed an Ldn of 45 dB(A) in any habitable room.

b. Commercial uses shall be designed and operated, and hours of operation limited where appropriate, so that neighboring residents are not exposed to offensive noise, especially from traffic or late-night activity. No amplified music shall be audible to neighboring residents.

c. Common walls between residential and nonresidential uses shall be constructed to minimize the transmission of noise and vibration.

(2) **Security.**

a. The residential units shall be designed to ensure the security of residents, including, but not limited to, the provision of separate and secured entrances and exits that are directly accessible to secured parking areas.

b. Nonresidential and residential uses located on the same floor shall not have common entrance hallways or common balconies.

c. Parking spaces for nonresidential and residential uses shall be specifically designated by posting, pavement marking, and/or physical separation.

(3) **Lighting.**

a. All outdoor lighting associated with commercial uses shall be designed so as not to adversely impact surrounding residential uses, while also providing a sufficient level of illumination for access and security purposes. Such lighting shall not blink, flash, oscillate, or be of unusually high intensity of brightness.

b. Parking areas shall be illuminated so as to provide appropriate visibility and security during hours of darkness.

(4) **Odors, dust, vibration.** No commercial use shall be designed or operated so as to expose residents to offensive odors, dust, electrical interference, and/or vibration.

(5) **Refuse storage and location.** The residential units shall maintain a separate refuse storage container from that used by the commercial uses. It shall be clearly marked for residential use only and use by commercial uses is prohibited.

(Ord. 2756 c.s., eff. January 18, 1996, as amended by Ord. 2786 c.s., eff. January 2, 1997, and § 6, Ord. 3076 c.s., eff. July 7, 2011)

10-2.913 Development standards: MU-1 mixed-use zone.

(a) **Floor area ratio.** (See definition of floor area ratio in Section 10-2.402.)

(1) **Commercial uses.** For projects containing only commercial uses, the floor area ratio (F.A.R.) of all buildings on a lot shall not exceed 0.5.

(2) **Mixed-use.** For projects including both commercial and residential uses, the floor area ratio (F.A.R.) of all buildings on a lot shall not exceed 1.5. The following shall also apply:

a. **Maximum commercial floor area.** All floor area exceeding a floor area ratio of 0.7 shall be developed for residential uses.

b. **Minimum commercial floor area.** The commercial component of mixed-use projects shall have a minimum floor area ratio of 0.3.

(b) **Residential density.** The maximum number of dwelling units on a lot shall be no more than one unit for each 1,245 square feet of lot area.

(c) **Minimum lot size, mixed-use projects.** 15,000 square feet of lot area.

(d) **Building height.** (See definition of building height in Section 10-2.402.)

(1) **Commercial uses.** For projects containing only commercial uses, no building or structure shall exceed a height of thirty (30) feet.

(2) **Mixed-use.** For projects including both commercial and residential uses, no building or structure shall exceed a height of thirty-eight (38) feet, except that building heights or structures up to a maximum of forty-five (45) feet may be approved upon portions of the lot, subject to Planning Commission Design Review.

(3) **Residential uses.** For projects containing only residential uses, no building or structure shall exceed a height of thirty-eight (38) feet, except that building heights or structures up to a maximum of forty-five (45) feet may be approved upon portions of the lot, subject to Planning Commission Design Review.

(e) **Stories.** (See definition of story in Section 10-2.402.)

(1) **Commercial uses.** For projects containing only commercial uses, no building shall exceed two (2) stories.

(2) **Mixed-use.** For projects including both commercial and residential uses, no building shall exceed three (3) stories.

(3) **Residential uses.** For projects containing only residential uses, no building shall exceed three (3) stories.

(f) **Setbacks.** The minimum setback requirements shall be as follows:

(1) **Front setback.**

a. **Minimum required.** There shall be a minimum front setback average of five (5) feet, but at no point less than three (3) feet the full width of the lot, except as follows (see setback averaging in Section 10-2.1520):

1. Display windows may project three (3) feet into the required front setback provided that the bottom of the projection is no less than three (3) feet above the adjacent sidewalk grade.

2. Where a lot is contiguous to a residentially zoned lot fronting on the same street, the required front setback shall be the same as required for the contiguous residential lot.

b. **Maximum permitted.** In commercial or mixed-use projects, the front setback shall not exceed fifteen (15) feet for fifty (50%) percent of the linear frontage of the building, except areas contiguous with the structure and used for outdoor dining or courtyards shall be exempt from this requirement. This setback area shall not be used for parking.

(2) **Side setback.**

a. There shall be a minimum side setback of ten (10) feet the full length of the lot on the street side of a corner or reverse corner lot.

b. No side setback shall be required along the interior lot lines, except where the side lot line is contiguous to a residential zone, in which case the following standards shall apply:

1. There shall be a minimum side setback of twenty (20) feet the full length of the lot;

2. The required side setback may be modified pursuant to Planning Commission Design Review (Section 10-2.2502).

(3) **Rear setback.** No rear setback shall be required, except where the rear lot line is contiguous to a residential zone, in which case the following standards shall apply:

a. There shall be a minimum rear setback of twenty (20) feet the full width of the lot; and

b. The required rear setback may be modified pursuant to Planning Commission Design Review (Section 10-2.2502).

(4) **Second story setback.** The second story shall have a minimum setback of fifteen (15) feet from any property line abutting a street.

(5) **Third story setback.** Within the first thirty (30) feet of property depth, all building elevations above the second floor shall have a minimum average setback of five (5) feet from the second floor building face.

(g) **Outdoor living space.** Each dwelling unit shall be provided a minimum of 200 square feet of outdoor living space (see standards for outdoor living space in Section 10-5.1510).

(h) **Usable public open space.** Spaces such as public plazas, public walkways and other public spaces of at least ten (10%) percent of the F.A.R. shall be provided.

(1) Public open space shall be accessible to the public and not be fenced or gated so as to prevent public access.

(2) Public open space shall be contiguous to the maximum extent feasible.

(3) Areas less than ten (10) feet in width shall not count as public open space.

(4) The requirement of ten (10%) percent public open space may be modified by the Planning Commission for projects developed on lots less than 20,000 square feet in size.

(i) **General regulations.** See Article 3 of this chapter.

(j) **Parking regulations.** See Article 5 of this chapter.

(k) **Sign regulations.** See Article 6 of this chapter.

(l) **Landscaping regulations.** See Article 7 of this chapter.

(m) **Procedures.** See Article 12 of this chapter.

(Ord. 2756 c.s., eff. January 18, 1996, as amended by § 7, Ord. 3076 c.s., eff. July 7, 2011)

10-2.915 Development standards: MU-3 mixed-use zone.

(a) **Floor area ratio.** (See definition of floor area ratio in Section 10-2.402.)

(1) **Commercial uses.** For projects containing only commercial uses, the floor area ratio (F.A.R.) of all buildings on a lot shall not exceed 1.0.

(2) **Mixed-use.** For projects including both commercial and residential uses, the floor area ratio (F.A.R.) of all buildings on a lot shall not exceed 1.5. The following shall also apply:

a. **Maximum commercial floor area.** All floor area exceeding a floor area ratio of 0.7 shall be developed for residential uses.

b. **Minimum commercial floor area.** The commercial component of mixed-use projects shall have a minimum floor area ratio of 0.3.

(b) **Residential density.** The maximum number of dwelling units on a lot shall be no more than one unit for each 1,245 square feet of lot area.

(c) **Minimum lot size, mixed-use projects.** 15,000 square feet of lot area.

(d) **Building height.** (See definition of building height in Section 10-2.402.)

(1) **Commercial uses.** For projects containing only commercial uses, no building or structure shall exceed a height of thirty (30) feet.

(2) **Mixed-use.** For projects including both commercial and residential uses, no building or structure shall exceed a height of thirty-eight (38) feet, except that building heights or structures up to a maximum of forty-five (45) feet may be approved upon portions of the lot, subject to Planning Commission Design Review.

(e) **Stories.** (See definition of story in Section 10-2.402.)

(1) **Commercial uses.** For projects containing only commercial uses, no building shall exceed two (2) stories.

(2) **Mixed-use.** For projects including both commercial and residential uses, no building shall exceed three (3) stories.

(f) **Setbacks.** The minimum setback requirements shall be as follows:

(1) **Front setback.**

a. **Minimum required.** There shall be a minimum front setback of ten (10) feet the full width of the lot, except as follows:

1. Display windows may project three (3) feet into the required front setback provided that the bottom of the projection is no less than three (3) feet above the adjacent sidewalk grade.

2. Unenclosed pedestrian arcades, outdoor dining areas, and similar unenclosed features contributing to a pedestrian-oriented environment may project seven (7) feet into the required setback.

3. Where a lot is contiguous to a residentially zoned lot fronting on the same street, the required front setback shall be the same as required for the contiguous residential lot.

b. **Maximum permitted.** In commercial or mixed-use projects, the front setback shall not exceed fifteen (15) feet for fifty (50%) percent of the linear frontage of the building, except areas contiguous with the structure and used for outdoor dining or courtyards shall be exempt from this requirement. This setback area shall not be used for parking.

(2) **Side setback.**

a. There shall be a minimum side setback of ten (10) feet the full length of the lot on the street side of a corner or reverse corner lot.

b. No side setback shall be required along the interior lot lines, except where the side lot line is contiguous to a residential zone, in which case the following standards shall apply:

1. There shall be a minimum side setback of twenty (20) feet the full length of the lot;

2. The required side setback may be modified pursuant to Planning Commission Design Review (Section 10-2.2502).

(3) **Rear setback.** No rear setback shall be required, except where the rear lot line is contiguous to a residential zone, in which case the following standards shall apply:

a. There shall be a minimum rear setback of twenty (20) feet the full width of the lot;

b. The required rear setback may be modified pursuant to Planning Commission Design Review (Section 10-2.2502).

(4) **Second story setback.** The second story shall have a minimum setback of eighteen (18) feet from any property line abutting a street.

(5) **Third story setback.** Within the first thirty (30) feet of property depth, all building elevations above the second floor shall have a minimum average setback of five (5) feet from the second floor building face.

(g) **Outdoor living space.** Each dwelling unit shall be provided a minimum of 200 square feet of outdoor living space (see standards for outdoor living space in Section 10-5.1510).

(h) **Usable public open space.** Spaces such as public plazas, public walkways and other public spaces of at least ten (10%) percent of the F.A.R. shall be provided.

(1) Public open space shall be accessible to the public and not be fenced or gated so as to prevent public access.

(2) Public open space shall be contiguous to the maximum extent feasible.

(3) Areas less than ten (10) feet in width shall not count as public open space.

(4) The requirement of ten (10%) percent public open space may be modified by the Planning Commission for projects developed on lots less than 20,000 square feet in size.

(i) **General regulations.** See Article 3 of this chapter.

(j) **Parking regulations.** See Article 5 of this chapter.

(k) **Sign regulations.** See Article 6 of this chapter.

(l) **Landscaping regulations.** See Article 7 of this chapter.

(m) **Procedures.** See Article 12 of this chapter.

(Ord. 2756 c.s., eff. January 18, 1996, as amended by § 8, Ord. 3076 c.s., eff. July 7, 2011)

10-2.916 Development standards: MU-3A mixed-use zone.

(a) **Floor area ratio.** (See definition of floor area ratio in Section 10-2.402.)

(1) **Commercial uses.** For projects containing only commercial uses, the floor area ratio (F.A.R.) of all buildings on a lot shall not exceed 1.0.

(2) **Mixed-use.** For projects including both commercial and residential uses, the floor area ratio (F.A.R.) of all buildings on a lot shall not exceed 1.5. The following shall also apply:

a. **Maximum commercial floor area.** All floor area exceeding a floor area ratio of 0.7 shall be developed for residential uses.

b. **Minimum commercial floor area.** The commercial component of mixed-use projects shall have a minimum floor area of 0.3 multiplied by the lot area within 130 feet of the property line abutting Pacific Coast Highway.

(b) **Residential density.** The maximum number of dwelling units on a lot shall be no more than one unit for each 1,245 square feet of lot area.

(c) **Minimum lot size, mixed-use projects.** 15,000 square feet of lot area.

(d) **Building height.** (See definition of building height in Section 10-2.402.)

(1) **Commercial uses.** For projects containing only commercial uses, no building or structure shall exceed a height of thirty (30) feet.

(2) **Mixed-use.** For projects including both commercial and residential uses, no building or structure shall exceed a height of thirty-eight (38) feet, except that building heights or structures up to a maximum of forty-five (45) feet may be approved upon portions of the lot, subject to Planning Commission Design Review.

(e) **Stories.** (See definition of story in Section 10-2.402.)

(1) **Commercial uses.** For projects containing only commercial uses, no building shall exceed two (2) stories.

(2) **Mixed-use.** For projects including both commercial and residential uses, no building shall exceed three (3) stories.

(f) **Setbacks.** The minimum setback requirements shall be as follows:

(1) **Front setback.**

a. **Minimum required.** There shall be a minimum front setback of ten (10) feet the full width of the lot, except as follows:

1. Display windows may project three (3) feet into the required front setback provided that the bottom of the projection is no less than three (3) feet above the adjacent sidewalk grade.

2. Unenclosed pedestrian arcades, outdoor dining areas, and similar unenclosed features contributing to a pedestrian-oriented environment may project seven (7) feet into the required setback.

3. Where a lot is contiguous to a residentially zoned lot fronting on the same street, the required front setback shall be the same as required for the contiguous residential lot.

b. **Maximum permitted.** In commercial or mixed-use projects, the front setback shall not exceed fifteen (15) feet for fifty (50%) percent of the linear frontage of the building, except areas contiguous with the structure and used for outdoor dining or courtyards shall be exempt from this requirement. This setback area shall not be used for parking.

(2) **Side setback.**

a. There shall be a minimum side setback of ten (10) feet the full length of the lot on the street side of a corner or reverse corner lot.

b. No side setback shall be required along the interior lot lines, except where the side lot line is contiguous to a residential zone, in which case the following standards shall apply:

1. There shall be a minimum side setback of twenty (20) feet the full length of the lot;

2. The required side setback may be modified pursuant to Planning Commission Design Review (Section 10-2.2502).

(3) **Rear setback.** No rear setback shall be required, except where the rear lot line is contiguous to a residential zone, in which case the following standards shall apply:

- a. There shall be a minimum rear setback of twenty (20) feet the full width of the lot;
- b. The required rear setback may be modified pursuant to Planning Commission Design Review (Section 10-2.2502).

(4) **Second story setback.** The second story shall have a minimum setback of eighteen (18) feet from any property line abutting a street.

(5) **Third story setback.** Within the first thirty (30) feet of property depth, all building elevations above the second floor shall have a minimum average setback of five (5) feet from the second floor building face.

(g) **Outdoor living space.** Each dwelling unit shall be provided a minimum of 200 square feet of outdoor living space (see standards for outdoor living space in Section 10-5.1510).

(h) **Usable public open space.** Spaces such as public plazas, public walkways and other public spaces of at least ten (10%) percent of the F.A.R. shall be provided.

(1) Public open space shall be accessible to the public and not be fenced or gated so as to prevent public access.

(2) Public open space shall be contiguous to the maximum extent feasible.

(3) Areas less than ten (10) feet in width shall not count as public open space.

(4) The requirement of ten (10%) percent public open space may be modified by the Planning Commission for projects developed on lots less than 20,000 square feet in size.

(i) **General regulations.** See Article 3 of this chapter.

(j) **Parking regulations.** See Article 5 of this chapter.

(k) **Sign regulations.** See Article 6 of this chapter.

(l) **Landscaping regulations.** See Article 7 of this chapter.

(m) **Procedures.** See Article 12 of this chapter.

(Ord. 2756 c.s., eff. January 18, 1996, as amended by § 9, Ord. 3076 c.s., eff. July 7, 2011)

10-2.917 Development standards: MU-3B mixed-use zone.

(a) **Floor area ratio.** (See definition of floor area ratio in Section 10-2.402.)

(1) **Commercial uses.** For projects containing only commercial uses, the floor area ratio (F.A.R.) of all buildings on a lot shall not exceed 1.0.

(2) **Mixed-use.** For projects including both commercial and residential uses, the floor area ratio (F.A.R.) of all buildings on a lot shall not exceed 1.5. The following shall also apply:

a. **Maximum commercial floor area.** All floor area exceeding a floor area ratio of 0.7 shall be developed for residential uses.

b. **Minimum commercial floor area.** The commercial component of mixed-use projects shall have a minimum floor area ratio of 0.3.

(b) **Residential density.** The maximum number of dwelling units on a lot shall be no more than one unit for each 1,245 square feet of lot area.

(c) **Minimum lot size, mixed-use projects.** 15,000 square feet of lot area.

(d) **Building height.** (See definition of building height in Section 10-2.402.)

(1) **Commercial uses.** For projects containing only commercial uses, no building or structure shall exceed a height of thirty (30) feet.

(2) **Mixed-use.** For projects including both commercial and residential uses, no building or structure shall exceed a height of thirty-eight (38) feet, except that building heights or structures up to a maximum of forty-five (45) feet may be approved upon portions of the lot, subject to Planning Commission Design Review.

(e) **Stories.** (See definition of story in Section 10-2.402.)

(1) **Commercial uses.** For projects containing only commercial uses, no building shall exceed two (2) stories.

(2) **Mixed-use.** For projects including both commercial and residential uses, no building shall exceed three (3) stories.

(f) **Setbacks.** The minimum setback requirements shall be as follows:

(1) **Front setback.**

a. **Minimum required.** There shall be a minimum front setback of ten (10) feet the full width of the lot, except as follows:

1. Display windows may project three (3) feet into the required front setback provided that the bottom of the projection is no less than three (3) feet above the adjacent sidewalk grade.

2. Unenclosed pedestrian arcades, outdoor dining areas, and similar unenclosed features contributing to a pedestrian-oriented environment may project seven (7) feet into the required setback.

3. Where a lot is contiguous to a residentially zoned lot fronting on the same street, the required front setback shall be the same as required for the contiguous residential lot.

b. **Maximum permitted.** In commercial or mixed-use projects, the front setback shall not exceed fifteen (15) feet for fifty (50%) percent of the linear frontage of the building, except areas contiguous with the structure and used for outdoor dining or courtyards shall be exempt from this requirement. This setback area shall not be used for parking.

(2) **Side setback.**

a. There shall be a minimum side setback of ten (10) feet the full length of the lot on the street side of a corner or reverse corner lot.

b. No side setback shall be required along the interior lot lines, except where the side lot line is contiguous to a residential zone, in which case the following standards shall apply:

1. There shall be a minimum side setback of twenty (20) feet the full length of the lot;

2. The required side setback may be modified pursuant to Planning Commission Design Review (Section 10-2.2502).

(3) **Rear setback.** No rear setback shall be required, except where the rear lot line is contiguous to a residential zone, in which case the following standards shall apply:

a. There shall be a minimum rear setback of twenty (20) feet the full width of the lot;

b. The required rear setback may be modified pursuant to Planning Commission Design Review (Section 10-2.2502).

(4) **Second story setback.** The second story shall have a minimum setback of eighteen (18) feet from any property line abutting a street.

(5) **Third story setback.** Within the first thirty (30) feet of property depth, all building elevations above the second floor shall have a minimum average setback of five (5) feet from the second floor building face.

(g) **Outdoor living space.** Each dwelling unit shall be provided a minimum of 200 square feet of outdoor living space (see standards for outdoor living space in Section 10-5.1510).

(h) **Usable public open space.** Spaces such as public plazas, public walkways and other public spaces of at least ten (10%) percent of the F.A.R. shall be provided.

(1) Public open space shall be accessible to the public and not be fenced or gated so as to prevent public access.

(2) Public open space shall be contiguous to the maximum extent feasible.

(3) Areas less than ten (10) feet in width shall not count as public open space.

(4) The requirement of ten (10%) percent public open space may be modified by the Planning Commission for projects developed on lots less than 20,000 square feet in size.

(i) **General regulations.** See Article 3 of this chapter.

(j) **Parking regulations.** See Article 5 of this chapter.

(k) **Sign regulations.** See Article 6 of this chapter.

(l) **Landscaping regulations.** See Article 7 of this chapter.

(m) **Procedures.** See Article 12 of this chapter.

(Ord. 2756 c.s., eff. January 18, 1996, as amended by § 10, Ord. 3076 c.s., eff. July 7, 2011)

10-2.918 Development standards: MU-3C mixed-use zone.

(a) **Floor area ratio.** (See definition of floor area ratio in Section 10-2.402.)

(1) **Commercial uses.** For projects containing only commercial uses, the floor area ratio (F.A.R.) of all buildings on a lot shall not exceed 1.0.

(2) **Mixed-use.** For projects including both commercial and residential uses, the floor area ratio (F.A.R.) of all buildings on a lot shall not exceed 1.5. The following shall also apply:

a. **Maximum commercial floor area.** All floor area exceeding a floor area ratio of 0.7 shall be developed for residential uses.

b. **Minimum commercial floor area.** The commercial component of mixed-use projects shall have a minimum floor area ratio of 0.3.

(b) **Residential density.** The maximum number of dwelling units on a lot shall be no more than one unit for each 1,245 square feet of lot area.

(c) **Minimum lot size, mixed-use projects.** 15,000 square feet of lot area.

(d) **Building height.** For projects including both commercial and residential uses, no building or structure shall exceed a height of thirty-eight (38) feet, except that building heights or structures up to a maximum of forty-five (45) feet may be approved upon portions of the lot, subject to Planning Commission Design Review.

(e) **Stories.** No building shall exceed three (3) stories (see definition of story in Section 10-2.402).

(f) **Setbacks.** The minimum setback requirements shall be as follows:

(1) **Front setback.**

a. **Minimum required.** There shall be a minimum front setback of three (3) feet the full width of the lot, except that display windows may project to the front property line, provided that the bottom of the projection is no less than three (3) feet above the adjacent sidewalk grade. However, where a lot is contiguous to a residentially zoned lot fronting on the same street, the required front setback shall be the same as required for the contiguous residential lot.

b. **Maximum permitted.** The front setback shall not exceed ten (10) feet for fifty (50%) percent of the linear frontage of the building, except areas contiguous with the structure and used for outdoor dining or courtyards shall be exempt from this requirement. This setback area shall not be used for parking.

(2) **Side setback.**

a. There shall be a minimum side setback of ten (10) feet the full length of the lot on the street side of a corner or reverse corner lot.

b. No side setback shall be required along the interior lot lines, except where the side lot line is contiguous to a residential zone, in which case the following standards shall apply:

1. There shall be a minimum side setback of twenty (20) feet the full length of the lot;

2. The required side setback may be modified pursuant to Planning Commission Design Review (Section 10-2.2502).

(3) **Rear setback.** No rear setback shall be required, except where the rear lot line is contiguous to a residential zone, in which case the following standards shall apply:

a. There shall be a minimum rear setback of twenty (20) feet the full width of the lot;

b. The required rear setback may be modified pursuant to Planning Commission Design Review (Section 10-2.2502).

(4) **Second story setback for residential uses.** All residential uses on the second floor shall be set back from the first floor building elevation facing the street, pursuant to Planning Commission Design Review (Section 10-2.2502), in order to provide appropriate separation from activity in the public right-of-way.

(5) **Third story setback.** Within the first thirty (30) feet of property depth, all building elevations above the second floor shall have a minimum average setback of five (5) feet from the second floor building face.

(g) **Outdoor living space.** Each dwelling unit shall be provided a minimum of 200 square feet of outdoor living space (see standards for outdoor living space in Section 10-5.1510).

(h) **Usable public open space.** Spaces such as public plazas, public walkways and other public spaces of at least ten (10%) percent of the F.A.R. shall be provided.

(1) Public open space shall be accessible to the public and not be fenced or gated so as to prevent public access.

(2) Public open space shall be contiguous to the maximum extent feasible.

(3) Areas less than ten (10) feet in width shall not count as public open space.

(4) The requirement of ten (10%) percent public open space may be modified by the Planning Commission for projects developed on lots less than 20,000 square feet in size.

(i) **General regulations.** See Article 3 of this chapter.

(j) **Parking regulations.** See Article 5 of this chapter.

(k) **Sign regulations.** See Article 6 of this chapter.

(l) **Landscaping regulations.** See Article 7 of this chapter.

(m) **Procedures.** See Article 12 of this chapter.

(§ 4, Ord. 2818 c.s., eff. May 21, 1998, as amended by § 11, Ord. 3076 c.s., eff. July 7, 2011)

10-2.919 Development standards: CR regional commercial zone.

(a) **Floor area ratio.** (See definition of floor area ratio in Section 10-2.402.)

(1) **Commercial uses.** For projects containing only commercial uses, the floor area ratio (F.A.R.) of all buildings on a lot shall not exceed 1.0.

(2) **Mixed-use.** For projects including both commercial and residential uses, the floor area ratio (F.A.R.) of all buildings on a lot shall not exceed 1.5. The following shall also apply:

a. **Maximum commercial floor area.** All floor area exceeding a floor area ratio of 1.0 shall be developed for residential uses.

b. **Minimum commercial floor area.** The commercial component of mixed-use projects shall have a minimum floor area ratio of 0.3.

(b) **Residential density.** The maximum number of dwelling units on a lot shall be one unit for each 1,245 square feet of lot area.

(c) **Minimum lot size, mixed-use projects.** 15,000 square feet of lot area.

(d) **Building height.** No building or structure shall exceed a height of sixty (60) feet (see definition of building height in Section 10-2.402).

(e) **Stories.** No building shall exceed four (4) stories (see definition of story in Section 10-2.402).

(f) **Setbacks.** Setbacks shall be determined pursuant to Planning Commission Design Review (see Section 10-2.2502).

(g) **Outdoor living space.** Each dwelling unit shall be provided a minimum of 200 square feet of outdoor living space (see standards for outdoor living space in Section 10-2.1510).

(h) **Usable public open space.** Spaces such as public plazas, public walkways and other public spaces of at least ten (10%) percent of the F.A.R. shall be provided.

(1) Public open space shall be accessible to the public and not be fenced or gated so as to prevent public access.

(2) Public open space shall be contiguous to the maximum extent feasible.

(3) Areas less than ten (10) feet in width shall not count as public open space.

(4) The requirement of ten (10%) percent public open space may be modified by the Planning Commission for projects developed on lots less than 20,000 square feet in size.

(i) **Parking requirements.** The parking provisions of Article 5 of this chapter shall apply, except that an allowance for overlapping the parking requirements of activities having non-simultaneous usage peaks may be permitted pursuant to Planning Commission Design Review.

(j) **General regulations.** See Article 3 of this chapter.

(k) **Parking regulations.** See Article 5 of this chapter.

(l) **Sign regulations.** See Article 6 of this chapter.

(m) **Landscaping regulations.** See Article 7 of this chapter.

(n) **Procedures.** See Article 12 of this chapter.

(Ord. 2756 c.s., eff. January 18, 1996, as amended by § 4, Ord. 2818 c.s., eff. May 21, 1998, and § 12, Ord. 3076 c.s., eff. July 7, 2011)

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Division 4. MU Mixed-Use Zones*

* **CodeAlert:** This topic has been affected by Ordinance No. [3147-15](#). To view amendments and newly added provisions, please refer to the [CodeAlert Amendment List](#).

10-5.900 Specific purposes: MU-2 and MU-3 mixed-use zones.

In addition to the general purposes listed in Section 10-5.102, the specific purposes of the MU-2 and MU-3 mixed use zones are to:

- (a) Encourage residential uses in conjunction with commercial activities in order to create an active street life, enhance the vitality of businesses, and reduce vehicular traffic;
- (b) Provide appropriately located areas consistent with the Coastal Land Use Plan for a full range of neighborhood and community-oriented and visitor serving retail sales, services, professional offices, and other commercial uses;
- (c) Strengthen the City’s economic base, and provide employment opportunities close to home for residents of the City;
- (d) Ensure that commercial and residential uses in a development are designed to be compatible with each other;
- (e) Ensure that the appearance and effects of buildings and uses are harmonious with the character of the area in which they are located.

(§ 1, Ord. 2905 c.s., eff. August 5, 2003, as amended by § 7, Ord. 2971 c.s., eff. September 2, 2005 [effective date pending subject to litigation])

 10-5.910 Land use regulations: MU-2, MU-3, MU-3B and MU-3C mixed-use zones.

In the following schedule the letter “P” designates use classifications permitted in the specified zone and the letter “C” designates use classifications permitted subject to approval of a Conditional Use Permit, as provided in Section 10-5.2506. Where there is neither a “P” nor a “C” indicated under a specified zone, or where a use classification is not listed, that classification is not permitted. The “Additional Regulations” column references regulations located elsewhere in the Municipal Code.

Use Classifications	MU-2	MU-3	MU-3B MU-3C	Additional Regulations See Section:
Residential Uses				
Multi-family residential	C	C	C	10-5.911(b)
Condominiums	C	C	C	10-5.911(b)
Family day care home, small	P	P	P	

Family day care home, large	P	P	P	
Residential care, limited	P	P	P	
Commercial Uses				
Animal sales and services:				
Animal feed and supplies	P	P	P	
Animal grooming	C	C	C	10-5.911(a)
Animal hospitals	C	C	C	10-5.911(a)
Animal sales	C	C	C	10-5.911(a)
Artist's studios	P	P	P	
Banks and savings and loans	P	P	P	
with drive-up service	C	C	C	10-5.911(a)
Bars and cocktail lounges	C	C	C	10-5.1600
Business and trade schools	C	C	C	
Commercial printing, limited	P	P	P	
Commercial recreation	C	C	C	10-5.1600
Communications facilities	C	C	C	
Drive-up services	C	C	C	10-5.911(a)
Food and beverage sales:				
30,000 sq. ft. or less floor area	P	P	P	
more than 30,000 sq. ft. floor area	C	C	C	10-5.911(c)
Hotels and motels	C	C	C	10-5.911(a)
Liquor stores	C	C	C	10-5.1600
Maintenance and repair services	P	P	P	
Offices	P	P	P	10-5.911(d)
Personal convenience services	P	P	P	
Personal improvement services	C	C	C	
Plant nurseries	C	C	C	
Recycling collection facilities:				10-5.1616
Reverse vending machines	P	P	P	10-5.911(a)
Small collection facilities	C	C	C	10-5.911(a)
Restaurants:				
2,000 sq. ft. or less floor area with no drive-up service	P	P	P	
more than 2,000 sq. ft. floor area or with drive-up service	C	C	C	

Retail sales: less than 30,000 sq. ft. floor area	P	P	P	
30,000 sq. ft. or more floor area	C	C	C	10-5.911(c)
Use Classifications	MU-2	MU-3	MU-3B MU-3C	Additional Regulations See Section:
Snack shops	P	P	P	
Thrift shops	C	C	C	10-5.1600
Vehicle sales and services: Service stations	—	C	—	10-5.1602; 10-5.911(a)
Other Uses				
Adult day care centers	C	C	C	
Antennae for public communications	C	C	C	
Child day care centers	C	C	C	
Churches	C	C	C	
Clubs and lodges	C	C	C	
Cultural institutions	C	C	C	
Government offices	P	P	P	10-5.911(d)
Parking lots	C	C	C	
Public safety facilities	C	C	C	
Public utility facilities	C	C	C	10-5.1614
Recreation facilities	C	C	C	
Schools, public or private	C	C	C	
Senior housing	C	C	C	10-5.1624

(§ 1, Ord. 2905 c.s., eff. August 5, 2003, as amended by § 10, Ord. 2985 c.s., eff. June 16, 2006, and § 7, Ord. 2971 c.s., eff. September 2, 2005 [effective date pending subject to litigation])

10-5.911 Additional land use regulations: MU-2 and MU-3 mixed-use zones.

(a) **Commercial uses prohibited in mixed-use projects.** The following commercial uses are prohibited when located on a site containing both residential and commercial uses:

- (1) Animal grooming, animal hospitals, animal sales;
- (2) Bars and cocktail lounges;
- (3) Drive-up services associated with any commercial use;
- (4) Hotels and motels;
- (5) Liquor stores;
- (6) Recycling collection facilities;

- (7) Service stations;
- (8) Thrift shops.

(b) **Residential uses.** Residential dwelling units may only be located on the second floor and higher of structures developed with commercial uses on the lower levels, with the following exception:

- (1) **MU-2 zone.** In the MU-2 zone lots may be developed exclusively for residential use.

(c) **Uses exceeding 30,000 square feet.** In the MU-3, MU-3B and MU-3C zones uses exceeding 30,000 square feet shall be prohibited except where they are designed to be compatible with the intended pedestrian-oriented character of the zone, pursuant to the requirements for a Conditional Use Permit (Section 10-5.2506).

(d) **Offices.** Offices are permitted only on the second floor and/or above, or on the ground floor to the rear of other permitted retail or service uses provided that the pedestrian character of the corridor is not disrupted, except that such ground floor uses along the street frontage are permitted in the MU-3C zone within the Riviera Village overlay zone (see Section 10-5.1315).

(§ 1, Ord. 2905 c.s., eff. August 5, 2003, as amended by § 7, Ord. 2971 c.s., eff. September 2, 2005 [effective date pending subject to litigation])

10-5.912 Performance standards: MU-2 and MU-3 mixed-use zones.

(a) **Purpose.** The purpose of this section is to ensure that residential uses in mixed-use zones are not adversely impacted by the adjacent commercial uses, including, but not limited to traffic, noise, and safety impacts. In the interests of both the residents and the businesses, no Conditional Use Permit shall be approved for a mixed-use project combining residential and commercial uses on the same site, unless the project is designed to meet the following performance standards, in addition to all other applicable regulations of this chapter.

- (1) **Noise.**

a. Residential units shall be constructed so that interior noise levels do not exceed an Ldn of 45 dB(A) in any habitable room.

b. Commercial uses shall be designed and operated, and hours of operation limited where appropriate, so that neighboring residents are not exposed to offensive noise, especially from traffic or late-night activity. No amplified music shall be audible to neighboring residents.

c. Common walls between residential and nonresidential uses shall be constructed to minimize the transmission of noise and vibration.

- (2) **Security.**

a. The residential units shall be designed to ensure the security of residents, including, but not limited to, the provision of separate and secured entrances and exits that are directly accessible to secured parking areas.

b. Nonresidential and residential uses located on the same floor shall not have common entrance hallways or common balconies.

c. Parking spaces for nonresidential and residential uses shall be specifically designated by posting, pavement marking, and/or physical separation.

- (3) **Lighting.**

a. All outdoor lighting associated with commercial uses shall be designed so as not to adversely impact surrounding residential uses, while also providing a sufficient level of illumination for access and security purposes. Such lighting shall not blink, flash, oscillate, or be of unusually high intensity or brightness.

b. Parking areas shall be illuminated so as to provide appropriate visibility and security during hours of darkness.

(4) **Odors, dust, vibration.** No commercial use shall be designed or operated so as to expose residents to offensive odors, dust, electrical interference, and/or vibration.

(5) **Refuse storage and location.** The residential units shall maintain a separate refuse storage container from that used by the commercial uses. It shall be clearly marked for residential use only and use by commercial uses is prohibited.

(§ 1, Ord. 2905 c.s., eff. August 5, 2003, as amended by § 7, Ord. 2971 c.s., eff. September 2, 2005 [effective date pending subject to litigation])

10-5.914 Development standards: MU-2 mixed-use zone.

(a) **Floor area ratio.** (See definition of floor area ratio in Section 10-5.402.)

(1) **Commercial uses.** For projects containing only commercial uses, the floor area ratio (FAR) of all buildings on a lot shall not exceed 0.7.

(2) **Mixed-use.** For projects including both commercial and residential uses, the floor area ratio (FAR) of all buildings on a lot shall not exceed 1.5. The following shall also apply:

a. **Maximum commercial floor area.** All floor area exceeding a floor area ratio of 0.7 shall be developed for residential uses.

b. **Minimum commercial floor area.** The commercial component of mixed-use projects shall have a minimum floor area ratio of 0.3.

(b) **Residential density.** The maximum number of dwelling units on a lot shall be one unit for each 1,245 square feet of lot area.

(c) **Minimum lot size, mixed-use projects.** No projects containing both commercial and residential uses shall be permitted on lots with less than 15,000 square feet of lot area.

(d) **Building height.** (See definition of building height in Section 10-5.402.)

(1) **Commercial uses.** For projects containing only commercial uses, no building or structure shall exceed a height of thirty (30) feet.

(2) **Mixed-use.** For projects including both commercial and residential uses, no building or structure shall exceed a height of forty-five (45) feet.

(3) **Residential uses.** For projects containing only residential uses, no building or structure shall exceed a height of forty-five (45) feet.

(e) **Stories.** (See definition of "story" in Section 10-5.402.)

(1) **Commercial uses.** For projects containing only commercial uses, no building shall exceed two (2) stories.

(2) **Mixed-use.** For projects including both commercial and residential uses, no building shall exceed three (3) stories.

(3) **Residential uses.** For projects containing only residential uses, no building shall exceed three (3) stories.

(f) **Setbacks.** The minimum setback requirements shall be as follows:

(1) **Front setback.**

a. **Minimum required.** There shall be a minimum front setback of fifteen (15) feet the full width of the lot, except that display windows may project three (3) feet into the required front setback provided that the bottom of the projection is no less than three feet above the adjacent sidewalk grade.

b. **Maximum permitted.** In commercial or mixed-use projects, the front setback shall not exceed fifteen (15) feet for fifty (50%) percent of the linear frontage of the building, except areas contiguous with the structure and used for outdoor dining or courtyards shall be exempt from this requirement. This setback area shall not be used for parking.

(2) **Side setback.** There shall be a minimum side setback of not less than ten (10) feet the full length of the lot on the street side of a corner or reverse corner lot. No side setback shall be required along the interior lot lines.

(3) **Rear setback.** There shall be a rear setback of not less than ten (10) feet the full length of the lot.

(4) **Second story setback.** The second story shall have a minimum setback of twenty-five (25) feet from any property line abutting a street.

(5) **Third story setback.** Within the first thirty (30) feet of property depth, all building elevations above the second floor shall have a minimum average setback of five (5) feet from the second floor building face.

(g) **Outdoor living space.** Each dwelling unit shall be provided a minimum of 200 square feet of outdoor living space (see standards for outdoor living space in Section 10-5.1510).

(h) **General regulations.** See Article 3 of this chapter.

(i) **Parking regulations.** See Article 5 of this chapter.

(j) **Sign regulations.** See Article 6 of this chapter.

(k) **Landscaping regulations.** See Article 7 of this chapter.

(l) **Coastal Development Permits.** See Article 10 of this chapter.

(m) **Procedures.** See Article 12 of this chapter.

(n) **Water Quality Measures.** See Chapter 7, Title 5 of the Redondo Beach Municipal Code.

(§ 7, Ord. 2971 c.s., eff. September 2, 2005 [effective date pending subject to litigation])

10-5.915 Development standards: MU-3 mixed-use zone.

(a) **Floor area ratio.** (See definition of floor area ratio in Section 10-5.402).

(1) **Commercial uses.** For projects containing only commercial uses, the floor area ratio (F.A.R.) of all buildings on a lot shall not exceed 1.0.

(2) **Mixed-use.** For projects including both commercial and residential uses, the floor area ratio (F.A.R.) of all buildings on a lot shall not exceed 1.5. The following shall also apply:

a. **Maximum commercial floor area.** All floor area exceeding a floor area ratio of 0.7 shall be developed for residential uses.

b. **Minimum commercial floor area.** The commercial component of mixed-use projects shall have a minimum floor area ratio of 0.3.

(b) **Residential density.** The maximum number of dwelling units on a lot shall be one unit for each 1,245 square feet of lot area, not to exceed thirty-five (35) dwelling units per net acre except one unit may be constructed on any legal lot as defined in Section 10-5.402 and Section 10-5.1528 of this chapter.

(c) **Minimum lot size, mixed-use projects.** No projects containing both commercial and residential uses shall be permitted on lots with less than 15,000 square feet of lot area.

(d) **Building height.** (See definition of “building height” in Section 10-5.402.)

(1) **Commercial uses.** For projects containing only commercial uses, no building or structure shall exceed a height of thirty (30) feet.

(2) **Mixed-use.** For projects including both commercial and residential uses, no building or structure shall exceed a height of forty-five (45) feet.

(e) **Stories.** (See definition of “story” in Section 10-5.402.)

(1) **Commercial uses.** For projects containing only commercial uses, no building shall exceed two (2) stories.

(2) **Mixed-use.** For projects including both commercial and residential uses, no building shall exceed three (3) stories.

(f) **Setbacks.** The minimum setback requirements shall be as follows:

(1) **Front setback.**

a. **Minimum required.** There shall be a minimum front setback of ten (10) feet the full width of the lot, except as follows:

1. Display windows may project three (3) feet into the required front setback provided that the bottom of the projection is no less than three (3) feet above the adjacent sidewalk grade.

2. Unenclosed pedestrian arcades, outdoor dining areas, and similar unenclosed features contributing to a pedestrian-oriented environment may project seven (7) feet into the required setback.

3. Where a lot is contiguous to a residentially zoned lot fronting on the same street, the required front setback shall be the same as required for the contiguous residential lot.

b. **Maximum permitted.** In commercial or mixed-use projects, the front setback shall not exceed fifteen (15) feet for fifty (50%) percent of the linear frontage of the building, except areas contiguous with the structure and used for outdoor dining or courtyards shall be exempt from this requirement. This setback area shall not be used for parking.

(2) **Side setback.**

a. There shall be a minimum side setback of ten (10) feet the full length of the lot on the street side of a corner or reverse corner lot.

b. No side setback shall be required along the interior lot lines, except where the side lot line is contiguous to a residential zone, in which case the following standards shall apply:

1. There shall be a minimum side setback of twenty (20) feet the full length of the lot;

2. The required side setback may be modified pursuant to Planning Commission Design Review (Section 10-5.2502).

(3) **Rear setback.** No rear setback shall be required, except where the rear lot line is contiguous to a residential zone, in which case the following standards shall apply:

a. There shall be a minimum rear setback of twenty (20) feet the full width of the lot;

b. The required rear setback may be modified pursuant to Planning Commission Design Review (Section 10-5.2502).

(4) **Second story setback.** The second story shall have a minimum setback of eighteen (18) feet from any property line abutting a street.

(5) **Third story setback.** Within the first thirty (30) feet of property depth, all building elevations above the second floor shall have a minimum average setback of five (5) feet from the second floor building face.

(g) **Outdoor living space.** Each dwelling unit shall be provided a minimum of 200 square feet of outdoor living space (see standards for outdoor living space in Section 10-5.1510).

(h) **General regulations.** See Article 3 of this chapter.

(i) **Parking regulations.** See Article 5 of this chapter.

(j) **Sign regulations.** See Article 6 of this chapter.

(k) **Landscaping regulations.** See Article 7 of this chapter.

(l) **Coastal Development Permits.** See Article 10 of this chapter.

(m) **Procedures.** See Article 12 of this chapter.

(n) **Water Quality Measures.** See Chapter 7, Title 5 of the Redondo Beach Municipal Code.

(§ 1, Ord. 2905 c.s., eff. August 5, 2003)

10-5.917 Development standards: MU-3B mixed-use zone.

(a) **Floor area ratio.** (See definition of “floor area ratio” in Section 10-5.402.)

(1) **Commercial uses.** For projects containing only commercial uses, the floor area ratio (F.A.R.) of all buildings on a lot shall not exceed 1.0.

(2) **Mixed-use.** For projects including both commercial and residential uses, the floor area ratio (F.A.R.) of all buildings on a lot shall not exceed 1.5. The following shall also apply:

a. **Maximum commercial floor area.** All floor area exceeding a floor area ratio of 0.7 shall be developed for residential uses.

b. **Minimum commercial floor area.** The commercial component of mixed-use projects shall have a minimum floor area ratio of 0.3.

(b) **Residential density.** The maximum number of dwelling units on a lot shall be one unit for each 1,245 square feet of lot area, not to exceed thirty-five (35) dwelling units per net acre except one unit may be constructed on any legal lot as defined in Section 10-5.402 and Section 10-5.1528 of this chapter.

(c) **Minimum lot size, mixed-use projects.** No projects containing both commercial and residential uses shall be permitted on lots with less than 15,000 square feet of lot area.

(d) **Building height.** (See definition of “building height” in Section 10-5.402.)

(1) **Commercial uses.** For projects containing only commercial uses, no building or structure shall exceed a height of thirty (30) feet.

(2) **Mixed-use.** For projects including both commercial and residential uses, no building or structure shall exceed a height of forty-five (45) feet.

(e) **Stories.** (See definition of “story” in Section 10-5.402.)

(1) **Commercial uses.** For projects containing only commercial uses, no building shall exceed two (2) stories.

(2) **Mixed-use.** For projects including both commercial and residential uses, no building shall exceed three (3) stories.

(f) **Setbacks.** The minimum setback requirements shall be as follows:

(1) **Front setback.**

a. **Minimum required.** There shall be a minimum front setback of ten (10) feet the full width of the lot, except as follows:

1. Display windows may project three (3) feet into the required front setback provided that the bottom of the projection is no less than three (3) feet above the adjacent sidewalk grade.

2. Unenclosed pedestrian arcades, outdoor dining areas, and similar unenclosed features contributing to a pedestrian-oriented environment may project seven (7) feet into the required setback.

3. Where a lot is contiguous to a residentially zoned lot fronting on the same street, the required front setback shall be the same as required for the contiguous residential lot.

b. **Maximum permitted.** In commercial or mixed-use projects, the front setback shall not exceed fifteen (15) feet for fifty (50%) percent of the linear frontage of the building, except areas contiguous with the structure and used for outdoor dining or courtyards shall be exempt from this requirement. This setback area shall not be used for parking.

(2) **Side setback.**

a. There shall be a minimum side setback of ten (10) feet the full length of the lot on the street side of a corner or reverse corner lot.

b. No side setback shall be required along the interior lot lines, except where the side lot line is contiguous to a residential zone, in which case the following standards shall apply:

1. There shall be a minimum side setback of twenty (20) feet the full length of the lot;

2. The required side setback may be modified pursuant to Planning Commission Design Review (Section 10-5.2502).

(3) **Rear setback.** No rear setback shall be required, except where the rear lot line is contiguous to a residential zone, in which case the following standards shall apply:

a. There shall be a minimum rear setback of twenty (20) feet the full width of the lot;

b. The required rear setback may be modified pursuant to Planning Commission Design Review (Section 10-5.2502).

(4) **Second story setback.** The second story shall have a minimum setback of eighteen (18) feet from any property line abutting a street.

(5) **Third story setback.** Within the first thirty (30) feet of property depth, all building elevations above the second floor shall have a minimum average setback of five (5) feet from the second floor building face.

(g) **Outdoor living space.** Each dwelling unit shall be provided a minimum of 200 square feet of outdoor living space (see standards for outdoor living space in Section 10-5.1510).

(h) **General regulations.** See Article 3 of this chapter.

(i) **Parking regulations.** See Article 5 of this chapter.

(j) **Sign regulations.** See Article 6 of this chapter.

(k) **Landscaping regulations.** See Article 7 of this chapter.

(l) **Coastal Development Permits.** See Article 10 of this chapter.

(m) **Procedures.** See Article 12 of this chapter.

(n) **Water Quality Measures.** See Chapter 7, Title 5 of the Redondo Beach Municipal Code. (§ 1, Ord. 2905 c.s., eff. August 5, 2003)

10-5.918 Development standards: MU-3C mixed-use zone.

- (a) **Floor area ratio.** (See definition of “floor area ratio” in Section 10-5.402.)
- (1) **Commercial uses.** For projects containing only commercial uses, the floor area ratio (F.A.R.) of all buildings on a lot shall not exceed 1.0.
- (2) **Mixed-use.** For projects including both commercial and residential uses, the floor area ratio (F.A.R.) of all buildings on a lot shall not exceed 1.5. The following shall also apply:
- a. **Maximum commercial floor area.** All floor area exceeding a floor area ratio of 0.7 shall be developed for residential uses.
- b. **Minimum commercial floor area.** The commercial component of mixed-use projects shall have a minimum floor area ratio of 0.3.
- (b) **Residential density.** The maximum number of dwelling units on a lot shall be one unit for each 1,245 square feet of lot area, not to exceed thirty-five (35) dwelling units per net acre except one unit may be constructed on any legal lot as defined in Section 10-5.402 and Section 10-5.1528 of this chapter.
- (c) **Minimum lot size, mixed-use projects.** No projects containing both commercial and residential uses shall be permitted on lots with less than 15,000 square feet of lot area.
- (d) **Building height.** No building or structure shall exceed a height of forty-five (45) feet (see definition of building height in Section 10-5.402).
- (e) **Stories.** No building shall exceed three (3) stories. (See definition of “story” in Section 10-5.402.)
- (f) **Setbacks.** The minimum setback requirements shall be as follows:
- (1) **Front setback.**
- a. **Minimum required.** There shall be a minimum front setback of three (3) feet the full width of the lot, except that display windows may project to the front property line, provided that the bottom of the projection is no less than three (3) feet above the adjacent sidewalk grade. However, where a lot is contiguous to a residentially zoned lot fronting on the same street, the required front setback shall be the same as required for the contiguous residential lot.
- b. **Maximum permitted.** The front setback shall not exceed ten (10) feet for fifty (50%) percent of the linear frontage of the building, except areas contiguous with the structure and used for outdoor dining or courtyards shall be exempt from this requirement. This setback area shall not be used for parking.
- (2) **Side setback.**
- a. There shall be a minimum side setback of ten (10) feet the full length of the lot on the street side of a corner or reverse corner lot.
- b. No side setback shall be required along the interior lot lines, except where the side lot line is contiguous to a residential zone, in which case the following standards shall apply:
1. There shall be a minimum side setback of twenty (20) feet the full length of the lot;
2. The required side setback may be modified pursuant to Planning Commission Design Review (Section 10-5.2502).
- (3) **Rear setback.** No rear setback shall be required, except where the rear lot line is contiguous to a residential zone, in which case the following standards shall apply:

a. There shall be a minimum rear setback of twenty (20) feet the full width of the lot;

b. The required rear setback may be modified pursuant to Planning Commission Design Review (Section 10-5.2502).

(4) **Second story setback for residential uses.** All residential uses on the second floor shall be set back from the first floor building elevation facing the street, pursuant to Planning Commission Design Review (Section 10-5.2502), in order to provide appropriate separation from activity in the public right-of-way.

(5) **Third story setback.** Within the first thirty (30) feet of property depth, all building elevations above the second floor shall have a minimum average setback of five (5) feet from the second floor building face.

(g) **Outdoor living space.** Each dwelling unit shall be provided a minimum of 200 square feet of outdoor living space. (See standards for outdoor living space in Section 10-5.1510.)

(h) **General regulations.** See Article 3 of this chapter.

(i) **Parking regulations.** See Article 5 of this chapter.

(j) **Sign regulations.** See Article 6 of this chapter.

(k) **Landscaping regulations.** See Article 7 of this chapter.

(l) **Coastal Development Permits.** See Article 10 of this chapter.

(m) **Procedures.** See Article 12 of this chapter.

(n) **Water Quality Measures.** See Chapter 7, Title 5 of the Redondo Beach Municipal Code.

(§ 1, Ord. 2905 c.s., eff. August 5, 2003)

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