

**CITY OF HERMOSA BEACH**  
**RESOLUTION NO. RES-25-XX**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HERMOSA BEACH, CALIFORNIA, APPROVING A CONVEX SLOPE DETERMINATION (CSD 25-01) AND A PRECISE DEVELOPMENT PLAN (PDP 25-04), TO ALLOW A STRUCTURAL REHABILITATION, REMODEL, AND MINOR ADDITION TO AN EXISTING 3,319-SQUARE-FOOT LEGAL NON-CONFORMING FOUR-UNIT APARTMENT BUILDING LOCATED AT 3232 HERMOSA AVENUE IN THE MULTIPLE-FAMILY RESIDENTIAL (R-3) ZONE AND DETERMINING THAT THE PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).**

The Planning Commission of the City of Hermosa Beach does hereby resolve, and order as follows:

**WHEREAS**, an application was filed on June 11, 2025, by the applicant William J. Ready of 3232 Hermosa LLC seeking approval of a Convex Slope Determination (CSD 25-01) to utilize alternate spot elevations rather than property corner elevations along property lines for the purpose of determining building height, and a Precise Development Plan (PDP 25-04) for a structural rehabilitation, remodel, and minor addition to an existing 3,319-square-foot legal non-conforming four-unit apartment building (the "project") located at 3232 Hermosa Avenue (the "project site"); and

**WHEREAS**, Hermosa Beach Municipal Code (HBMC) sections 17.04.040 and 17.46.015 provide the definitions of "building height" and "grade" and establish the "by-right/straight line interpolation" method for calculating building height. The grade used for height measurements is based on surveyed elevation points at the property corners; and

**WHEREAS**, the HBMC allows the consideration of alternate spot elevation points along the property lines for lots with "convex" contours (where the grade level arches upward along the property line). In these situations, the grade of a lot may be based on a detailed topographical survey along the property lines with spot elevations called out

at a minimum of two-foot intervals in addition to property corner points. A determination that a convex slope exists allows use of alternate spot elevation points for calculating building height, if the evidence supports that grades at the top of the convex slope represent natural or unaltered grades, as determined by the Planning Commission; and

**WHEREAS,** the Planning Commission at its public meeting of October 13, 2025, continued the hearing on the application to a date certain of November 18, 2025; and

**WHEREAS,** the Planning Commission at its public meeting of November 18, 2025 considered all testimony and evidence regarding the application, both oral and written, that was presented to the Planning Commission; and

**WHEREAS,** the proposed project is categorically exempt from the California Environmental Quality Act (CEQA), as defined in Section 15302 of the State CEQA Guidelines, Class 2 Categorical Exemption, Replacement or Reconstruction, as the project consists of a structural rehabilitation, remodel, and minor addition of 188 square feet to an existing structure, where the new structure will be located on the same site and will have substantially the same purpose and capacity as the structure replaced. Moreover, none of the exceptions to the categorical exemption(s) apply to the project, as defined in section 15300.2 of the State CEQA Guidelines. The project would not result in a significant cumulative impact of successive projects of the same type in the same place over time; the project would not have a significant effect on the environment due to unusual circumstances; the project would not damage a scenic highway or scenic resources within a state scenic highway; the project is not located on a hazardous waste site; and the project would not cause a substantial adverse change in the significance of a historical resource as the site has not been identified as a current or potentially historic resource; and

**WHEREAS,** based on the testimony and evidence received, the Planning Commission further finds, determines and declares the following pertaining to the application for a Convex Slope Determination and Precise Development Plan.

**NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF HERMOSA BEACH,**

**CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:**

**SECTION 1.** The foregoing recitals are true and correct and are hereby incorporated into this Resolution.

**SECTION 2.** Based on the testimony and evidence received at its November 18, 2025, Planning Commission meeting, the Planning Commission hereby determines that the topographic survey and soils report provide evidence that slope of the lot is a natural occurrence, and a convex condition exists on the subject property. However, the evidence of some fill soils suggests the most accurate way to estimate the natural grades is to exclude the depth of the fill soils. Therefore, alternate points along the northern and southern property lines, excluding fill soil, shall be used for purposes of measuring building height.

**SECTION 3.** Based on the testimony and evidence received at its November 18, 2025 Planning Commission meeting, the Planning Commission finds, determines and declares the following pertaining to the application for a Precise Development Plan pursuant to the defined review considerations for Precise Development Plans in HBMC Section 17.58.030 and the required findings for Precise Development Plans in HBMC Section 17.58.040:

**Findings:**

**A. The design, layout, and other physical features of the project comply with all other applicable provisions of this Title [Title 17, Zoning] and all other titles of the Hermosa Beach Municipal Code;**

The subject property is zoned for Multiple-Family Residential (R-3), which permits single-family residences, multiple-family dwelling units, multiple dwellings, single-room occupancy facilities, and condominiums. The proposed project would rehabilitate an existing structure and the project site. The existing structure and use are legally nonconforming with regard to use, density, setbacks, parking, and open space. The project proposes alterations to the walls and a retrofit of an existing 2 car garage to become more functional and make the property more code compliant. Retrofitting the garage to make it usable for vehicle storage is further consistent with PDP review consideration number 3 in HBMC Section 17.58.030 pertaining to transportation-oriented site design. Additionally, no existing non-

conformities would be made worse via this project and is thus compliant with HBMC Section 17.52 pertaining to non-conforming buildings.

**B. The design, layout, and other physical features of the project are consistent with the General Plan, and any applicable specific plan or design guidelines; and**

The subject property has a General Plan land use designation of High Density, and is not subject to a specific plan. This designation includes single-family residences, duplexes, and triplexes. The subject property is legal nonconforming in regard to use and density, and the project proposes to continue its existing density and use, without any expansion in these areas. Additionally, the project has been evaluated for its consistency with relevant goals and policies of the General Plan. As discussed below, the architectural elements of this project contribute to an eclectic and diverse neighborhood which further supports PDP review consideration number 1 in HBMC Section 17.58.030 pertaining to building massing and architecture.

<b>General Plan Consistency</b>	
<b>Land Use Element</b>	<b>Findings</b>
<b>Goal 2:</b> Provide for diverse needs of residents of all ages and abilities	The proposal is consistent with policy 2.5 as the project enhances the quality of a residential neighborhood by eliminating walls currently non-conforming to setback requirements as well as brings open space and on-site parking closer to compliance with current standards.
<b>Policy 2.5</b> Neighborhood preservation- Preserve and enhance the quality of residential neighborhoods by avoiding or abating the intrusion of disruptive non-conforming buildings or uses	
<b>Goal 5:</b> Quality and authenticity in architecture and site design in all construction and renovation of buildings	The proposal put forth is consistent with policy 5.6 as it enhances neighborhood character by boosting the aesthetic appeal of the structure through creative use of architectural elements which would contribute to an eclectic and diverse neighborhood.
<b>Policy 5.6</b> Eclectic and diverse architecture- Seek to maintain and enhance neighborhood character through eclectic and diverse architectural styles.	
<b>Land Use Element</b>	<b>Findings</b>

<b>Issue Area 1-</b> Conservation of Existing Affordable Housing	The proposed project would maintain and improve the existing housing stock within a local neighborhood. Furthermore, condition of approval #4 in this resolution would require two (2) units to be deed restricted to lower-income households for a period of no less than 55 years, further preserving affordability.
<b>Policy 1.1-</b> The City will continue to encourage the maintenance and improvement of the existing housing stock within the local neighborhoods.	

**C. The design, layout, and other physical features of the project comply with any design or development standards applicable to the zone, unless waived or modified pursuant to the provisions of this Title.**

The proposed exterior modifications include replacing windows, eliminating non-conforming setbacks, modifying the exterior aesthetic, and reconfiguring walls to make the property more code compliant. Additionally, the proposed landscaping consisting of 14 Silver Sheen Kohuhu plants as well as 21 Coastal Rosemary plants fronting Hermosa Avenue helps meet the City goal of effective site design consistent with PDP review consideration number 5 in HBMC Section 17.58.030. Further, no existing non-conformities would be made worse via this project and is thus compliant with HBMC 17.52 pertaining to non-conforming buildings. No additional waivers or modifications are requested as part of the project.

**SECTION 4.** Based on the foregoing, the Planning Commission **hereby approves** the subject Convex Slope Determination (CSD 25-01) to utilize alternate spot elevations rather than property corner elevations along northern and southern property lines, excluding fill soil, for the purpose of determining building height, and Precise Development Plan (PDP 25-04) to allow a structural rehabilitation, remodel, and minor addition to an existing 3,319-square-foot legal non-conforming four-unit apartment building located at 3232 Hermosa Avenue in the Multiple-Family Residential (R-3) zone subject to the following **Conditions of Approval:**

**General:**

1. The development and continued use of the property shall be in conformance with submitted plans received and reviewed by the Planning Commission at its meeting of November 18, 2025, revised in accordance with the conditions below. The Community Development Director may approve minor modifications that do not otherwise conflict with the HBMC or requirements of this approval.
2. The project shall fully comply with all requirements of the R-3 Zone as applicable including but not limited to:
  - a) Height, including required roof deck railings, shall fully comply with the 30-foot height limit. Precise building height compliance shall be reviewed at the time of Plan Check, to the satisfaction of the Community Development Director taking into account the approved Convex Slope Determination.
  - b) Conduit to accommodate roof-mounted alternative energy equipment for solar energy and solar thermal shall also be supplied per Section 15.32.140.
  - c) All parking dimensions shall comply with Chapter 17.44. Roll-up automatic garage doors shall be installed on all garage door openings and clearly indicated on floor plans.
  - d) Driveway transitions shall comply with Section 17.44.120(D).
  - e) All exterior lighting shall be downcast, fully shielded and illumination shall be contained within the property boundaries. Lighting shall be energy conserving and motion detector lighting shall be used for all lighting except low-level (3 feet or less in height) security lighting and porch lights. Lamp bulbs and images shall not be visible from within any onsite or offsite residential unit. Exterior lighting shall not be deemed finally approved until 30 days after installation, during which period the building official may order the dimming or modification of any illumination found to be excessively brilliant or impacting to nearby properties.
  - f) Any satellite dish antennas and/or similar equipment shall comply with Section 17.46.240.

- g) Architectural treatments shall be as shown on building elevations, site and floor plans.
- 3. The project shall comply with all requirements of the Building Division, Public Works Department, Fire Department, and HBMC.
- 4. Prior to issuance of a building permit, the owner shall execute a covenant to the satisfaction of the Community Development Director to make two (2) units available for rent to "Lower Income Households" as defined by California Health and Safety Code 50079.5 for a period of at least 55 years. Such units must be of an "equivalent size" as defined by California Government Code Section 65915. Enforcement of the terms of said covenant shall be the responsibility of the City of Hermosa Beach and its authorized agents. The Applicant shall submit a copy of the recorded covenant to the Community Development Department for inclusion in this file.
- 5. The applicant shall comply with all applicable mitigation measures of the General Plan Program EIR (SCH No. 201581009) as adopted by the City Council including:
  - a) Construction projects within the city shall demonstrate compliance with all applicable standards of the Southern California Air Quality Management District, including the following provisions of District Rule 403:
    - i. All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD Rule 403. Wetting could reduce fugitive dust by as much as 50 percent.
    - ii. The construction area shall be kept sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind.
    - iii. All clearing, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust.
    - iv. All dirt/soil loads shall be secured by trimming, watering, or other

appropriate means to prevent spillage and dust.

- v. All dirt/soil materials transported off-site shall be required to cover their loads as required by California Vehicle Code Section 23114 to prevent excessive amount of dust.
  - vi. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.
  - vii. Trucks having no current hauling activity shall not idle but shall be turned off (MM 4.2-2A).
- b) In accordance with Section 2485 in Title 13 of the California Code of Regulations, the idling of all diesel-fueled commercial vehicles (weighing over 10,000 pounds) during construction shall be limited to 5 minutes at any location (MM 4.2-2b).
  - c) Construction projects within the city shall comply with South Coast Air Quality Management District Rule 1113 limiting the volatile organic compound content of architectural coatings (MM 4.2-2c).

For any project where earthmoving or ground disturbance activities are proposed at depths that encounter older Quaternary terrace deposits (depths between 15 and 35 feet), a qualified paleontologist shall be present during excavation or earthmoving activities (MM 4.4- 3).

- d) If paleontological resources are discovered during earthmoving activities, the construction crew shall immediately cease work in the vicinity of the find and notify the City. The project applicant(s) shall retain a qualified paleontologist to evaluate the resource and prepare a recovery plan in accordance with Society of Vertebrate Paleontology guidelines (1996). The recovery plan may include, but is not limited to, a field survey, construction monitoring, sampling and data recovery procedures, museum storage coordination for any specimen recovered, and a report of findings. Recommendations in the recovery plan that are determined by the lead agency to be necessary and feasible shall be implemented before construction activities can resume at the site where the paleontological resources were discovered (MM 4.4-3).
- e) For development located at a distance within which acceptable vibration



standards pursuant to the Table 4.11-10 of the General Plan Program EIR, included below, the applicant at the time of plan check submittal shall submit a report prepared by a qualified structural engineer demonstrating the following:

- i. Vibration level limits based on building conditions, soil conditions, and planned demolition and construction methods to ensure vibration levels would not exceed acceptable levels where damage to structures using vibration levels in Draft EIR Table 4.11-4 as standards.
- ii. Specific measures to be taken during construction to ensure the specified vibration level limits are not exceeded.
- iii. A monitoring plan to be implemented during demolition and construction that includes post- construction and post- demolition surveys of existing structures that would be impacted. Examples of measures that may be specified for implementation during demolition or construction include but are not limited to:
  1. Prohibition of certain types of impact equipment.
  2. Requirement for lighter tracked or wheeled equipment.
  3. Specifying demolition by non-impact methods, such as sawing concrete.
  4. Phasing operations to avoid simultaneous vibration sources.
  5. Installation of vibration measuring devices to guide decision-making for subsequent activities (MM 4.11-2).

General Plan Program EIR TABLE 4.22-10

**Typical Vibration Source Levels for Construction  
Equipment**

<b>Equipment</b>	<b>Vibration Velocity Level at 25 Feet, in/sec</b>	<b>Distance from Equipment Within Which Standard is Exceeded</b>
Pile driver (impact)	0.158	158 feet
Pile driver (sonic)	0.045	68 feet

<b>Equipment</b>	<b>Vibration Velocity Level at 25 Feet, in/sec</b>	<b>Distance from Equipment Within Which Standard is Exceeded</b>
Clam shovel drop (slurry wall)	0.050	74 feet
Hydro mill (slurry wall)	0.002-0.006	9-17 feet
Vibratory roller	0.050	74 feet
Hoe ram	0.022	43 feet
Large bulldozer	0.022	43 feet
Caisson drilling	0.022	43 feet
Loaded trucks	0.020	40 feet
Jackhammer	0.009	24 feet
Small bulldozer	0.001	5 feet

**Building Plans:**

6. Two copies of a Final Landscape Plan, consistent with landscape plans approved by the Planning Commission, indicating size, type, quantity, and characteristics of landscape materials shall be submitted to the Community Development Department for review and approval prior to the issuance of Building Permits. The Final Plan shall also include the following:
  - a) The applicant shall provide a landscape plan to comply with Sections 8.60.060, and 8.60.070 to the satisfaction of the Community Development Director and Public Works Director.
  - b) An automatic landscape sprinkler system shall be provided and shall be shown on plans (Building Permits are required).
  
7. The plans shall comply with Section 8.44.095 and install permeable surfaces to the maximum extent feasible. If providing water-permeable surfaces on at least 50% of exterior surface area is not feasible and incorporating measures in 8.44.095 to the

extent practicable to infiltrate the volume of runoff produced by an 0.80-inch twenty-four (24) hour rain event, then the applicant shall infiltrate runoff on-site. In the event that subsurface infiltration is required, plans shall designate the exact location of the subsurface infiltration system and the applicant shall enter into a maintenance agreement with the City for the ongoing infiltration and provide a surety bond to the City to guarantee that on-site, subsurface infiltration is achieved. The amount of the bond shall be determined by the Building Division. All other drainage shall be routed to an off-site facility or on-site permeable area approved by the City. To the extent possible, a portion of roof drainage shall be routed to on-site permeable areas. No drainage shall flow over any driveway or sidewalk.

If the drainage of surface waters onto the property requires a sump pump to discharge said waters onto the street, the property owner(s) shall record an agreement to assume the risk associated with use and operation of said sump pump, release the City from any liability, and indemnify the City regarding receipt of surface waters from the property. The recorded agreement must be filed with the City prior to issuance of the Certificate of Occupancy.

8. The plans and construction shall comply with all requirements of the Building Code in Title 15 and Green Building Standards in Chapter 15.48. Water conservation practices set forth in Section 8.56.070 shall be complied with and noted on construction plans.
9. Two copies of final construction plans, including site, elevation, and floor plans, which are consistent with the conditions of approval of this conditional use permit, shall be reviewed and approved by the Planning Division for consistency with Planning Commission approved plans and this Resolution prior to the submittal to the Building Division for Plan Check.
10. The applicant shall submit all required plans and reports to comply with the City's construction debris recycling program including manifests from both the recycler and County landfill at least 65% of demolition debris associated with demolition of the existing improvements and new construction shall be recycled.
11. The applicant shall pay all Parks and Recreation Facilities Area Dedication fees at the time of building permit issuance.

## **Public Works**

12. No new walls or foundation footing will be allowed to be constructed on or over the public right of way.
13. A Residential Encroachment Permit is required for any non-conforming structures located over or within the public right-of-way.
14. Prior to issuance of a Building Permit, an approved civil engineering plans prepared by a licensed civil engineer, and approved by Public Works, addressing grading, undergrounding of all utilities, pavement, sidewalk, curb and gutter improvements, on-site and off-site drainage (no sheet flow permitted), installation of utility laterals, and all other improvements necessary to comply with the Municipal Code and Public Works specifications, shall be filed with the Community Development Department.
15. Civil engineering plans shall include adjacent properties/structures, sewer laterals, and storm drain main lines on street.
16. Project construction shall protect private and public property in compliance with Sections 15.04.070 and 15.04.140. No work in the public right of way shall commence unless and until all necessary permits are attained from the Public Works Department including if required, an approved Residential Encroachment Permit.
17. Sewer flow rate for upstream and downstream manhole along with manhole rim/lid elevations must be submitted prior to grading and plan check. Sewer lateral video must be submitted with plan check submittal if the developer plans to use the existing sewer lateral. Sewer lateral work may be required after review of the sewer lateral video.
18. Sewer manhole/lid elevations must be submitted prior to grading and plan check.
19. Sewer lateral video must be submitted with plan check submittal if the developer plans to use the existing sewer lateral. Sewer lateral work may be required after review of the sewer lateral video.

20. Sewer main work may be required after review of sewer lateral video.
21. The project must comply with Storm Water and Urban Runoff Pollution Control Regulations (HBMC Ch. 8.44) and must implement Low Impact Development Standards and submit at time of grading and plan check along with an erosion control plan.

### **Construction**

22. Prior to issuance of a Building Permit, abutting property owners and residents within 100 feet of the project site shall be notified of the anticipated date for commencement of construction.
- a) The procedures for notification shall be provided by the Building and Safety Division of the Community Development Department.
  - b) Building permits will not be issued until the applicant provides an affidavit certifying mailing of the notice.
23. Project construction shall conform to the Noise Control Ordinance requirements in Section 8.24.050. Allowed hours of construction shall be printed on the building plans and posted at construction site.
24. Traffic control measures, including flagmen, shall be utilized to preserve public health, safety, and welfare.
25. A construction sign shall be posted conspicuously during the course of construction at the project site.

### **Fire:**

26. Replacement fire hydrants shall meet the dimensions of, and construction requirements outlined by AWWA standard C503.

27. Relocation of fire hydrants shall include required vehicular clearance be maintained, as provided by California Vehicle Code Chapter 9, Section 22514.

**Other:**

28. This approval shall not be effective for any purposes until the permittee and the owners of the property involved have filed at the office of the Planning Division of the Community Development Department their affidavits stating that they are aware of, and agree to accept, all of the conditions of this grant. The Precise Development Plan shall be recorded, and proof of recordation shall be submitted to the Community Development Department prior to the issuance of a building permit.

29. Approval of these permits shall expire twenty-four (24) months from the date of approval by the Planning Commission unless significant construction or improvements or the use authorized hereby has commenced. One or more extensions of time may be requested. No extension shall be considered unless requested, in writing to the Community Development Director including the reason therefore, at least 60 days prior to the expiration date. No additional notice of expiration will be provided.

30. The Planning Commission may review this Precise Development Plan and may amend the subject conditions or impose any new conditions if deemed necessary to mitigate detrimental effects on the neighborhood resulting from the project.

31. The subject property shall be developed, maintained, and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions.

32. To the extent permitted by law, Permittee shall defend, indemnify and hold harmless the City of Hermosa Beach, its City Council, its officers, employees and agents (the "indemnified parties") from and against any claim, action, or proceeding brought by a third party against the indemnified parties and the applicant to attack, set aside, or void any permit or approval for this project authorized by the City, including (without limitation) reimbursing the City its actual attorney's fees and costs in defense of the

litigation. The City may, in its sole discretion, elect to defend any such action with attorneys of its choice. The permittee shall reimburse the City for any court and attorney's fees which the City may be required to pay as a result of any claim or action brought against the City because of this permit. Although the permittee is the real party in interest in an action, the City may, at its sole discretion, participate at its own expense in the defense of the action, but such participation shall not relieve the permittee of any obligation under this condition.

**SECTION 5.** Each of the above conditions is separately enforced, and if one of the conditions of approval is found to be invalid by a court of law, all the other conditions shall remain valid and enforceable.

**SECTION 6.** Pursuant to the Code of Civil Procedure Section 1094.6, any legal challenge to the decision of the Planning Commission, after a formal appeal to the City Council, must be made within 90 days after the final decision by the City Council. The Hermosa Beach City Council may, on its own initiative, review all actions of the Planning Commission. If the City Council does not initiate review of this decision as set forth in Hermosa Beach Municipal Code Section 2.52.040, this decision will become final.

VOTE:           AYES:

                  NOES:

                  ABSTAIN:

                  ABSENT:

I hereby certify the foregoing Resolution P.C. 25-XX is a true and complete record of the action taken by the Planning Commission of the City of Hermosa Beach, California, at its regular meeting of November 18, 2025.

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Kate Hirsh, Chairperson

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Alison Becker, Secretary

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Date