

P.C. Resolution 18-16

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HERMOSA BEACH, CALIFORNIA, APPROVING AMENDMENTS TO A PLANNED UNIT DEVELOPMENT, CONDITIONAL USE PERMIT 18-4 AND VESTING TENTATIVE PARCEL MAP NO. 082040 TO ACCOMMODATE AN ADDITION/REMODEL AT AN EXISTING TWO-UNIT DETACHED PLANNED UNIT DEVELOPMENT PROJECT AT 160 AND 168 HILL STREET, ALSO DESCRIBED AS LOT 2 OF TRACT 22392, CITY OF HERMOSA BEACH AND DETERMINING THAT THE PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

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

Section 1. An application was filed on March 16, 2016 by the property owner/applicant Kelly Goulden C/O Randy Buzzeli, for an addition/ remodel of a property located at 160 Hill Street, seeking approval of an amendment to an existing approved Planned Unit Development, Conditional Use Permit 18-4, and Vesting Tentative Parcel Map #082040 for a two-unit detached Planned Unit Development project.

Section 2. The Planning Commission conducted a duly noticed public hearing to consider the subject application on June 25, 2018, at which time testimony and evidence, both written and oral, was presented to and considered by the Planning Commission.

Section 3. The project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 (e) (1), Class 1 Exemption, Existing Facilities, because the project is an addition to an existing structure that will not result in an increase of more than 50 percent of the floor area of the structures before the addition.

Section 5. The project is processed as Planned Unit Development pursuant to HBMC Section 16.050. Based on the testimony and evidence received, the Planning Commission makes the following findings pertaining to the application for a Vesting Tentative Parcel Map pursuant to the California Government Code Section 66474 and Section 16.08.060 of the Municipal Code:

Section 6. Based on the testimony and evidence received, the Planning Commission makes the following findings pertaining to the application for an amendment to Planned Unit Development, Conditional Use Permit pursuant to Sections 17.56.020 of the Municipal Code.

1. *Distance from existing residential uses in relation to negative effects;*

The subject site is zoned for and contains residential uses, and surrounding properties are zoned and contain residential uses, including R-1 One-Family Residential to the north, RPD Residential Planned Development to the west, and R-2 Two-Family

Residential to the east of the block. Similar residential development is found in the surrounding area comprised primarily of multi-story, multi-family residences.

The existing two-unit Planned Unit Development is a nonconforming use insofar as it contains two dwelling units though it is zoned for a single dwelling unit, and the existing structures are nonconforming insofar as they do not provide the minimum number of parking spaces nor the minimum required storage area. The proposed addition/remodel to 160 Hill Street is conforming to all current zoning requirements, which will reduce the impacts to neighboring properties. The proposed use is generally consistent with the existing residential development type and densities, therefore no adverse impacts are identified.

2. ***The amount of existing or proposed off-street parking in relation to actual need;***
The existing two-unit detached Planned Unit Development at the subject lot currently provides two two-car garage parking spaces per unit and does not meet HBMC minimum requirement of a total of five on-site parking spaces. The proposed scope of work makes no changes to the current parking spaces at the subject property. Due to the existing built structures, it is not feasible to provide a guest parking space that conforms to the current zoning code.
3. ***The combination of uses proposed, as they relate to compatibility;***
The existing use is a two-unit detached residential Planned Unit Development, which is generally consistent with the surrounding properties in the vicinity that contain residential uses of similar density.
4. ***The relationship of the estimated generated traffic volume and the capacity and safety of streets serving the area;***
Additional traffic volume is not anticipated by the proposed remodel/addition to the existing Planned Unit Development because the number of dwelling units is not proposed to change. The General Plan designates Hill Street as a local street, and it is currently designed and has sufficient capacity to serve the existing development and surrounding neighborhood.
5. ***The proposed exterior signs and decor, and the compatibility thereof with existing establishments in the area;***
There are no signs proposed. The existing two-unit Planned Unit Development was designed and approved with a building height of 35 feet, and the proposed addition/remodel will not exceed the current maximum height limit of 25 feet as required per the R-1 development standards.
6. ***Building and driveway orientation in relation to sensitive uses, e.g., residences, schools, churches, hospitals and playgrounds;***
The existing project building entrance to both units is at the Hill Street frontage, and the existing vehicle access for both units is provided by a driveway on Hill Street for each unit, all of which is consistent with the design of the surrounding residential developments. The existing residential development does not have a negative impact

on the schools, churches, playgrounds or hospitals in the area, as those institutions and facilities are designed and designated to serve the residents of the area.

- 7. Noise, odor, dust and/or vibration that may be generated by the proposed use;**
There is no change to the existing use on the residential property, which does generate adverse impacts to surrounding properties, which are also residential uses.
- 8. Impact of the proposed use to the city's infrastructure, and/or services;**
The existing of the property is residential and there is no change in the proposed use, which is already served by the various utility companies, infrastructure, and municipal services. The proposed addition/remodel to the existing residential use is not anticipated to place additional burden on current infrastructure and services.
- 9. Adequacy of mitigation measures to minimize environmental impacts in quantitative terms;**
The existing Planned Unit Development project and the proposed additional/remodel does not create adverse environmental impacts because the residential use and building design is consistent with surrounding uses and development within the neighborhood and complies with applicable criteria set forth in the Hermosa Beach Municipal Code and General Plan.
- 10. Other considerations that, in the judgment of the planning commission, are necessary to assure compatibility with the surrounding uses, and the city as a whole.**
No issues.

Section 7. Based on the foregoing, the Planning Commission hereby approves the subject Planned Unit Development, Conditional Use Permit 18-4 and Vesting Tentative Parcel Map No. 082040 for an amendment to an existing two-unit detached Planned Unit Development project 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 June 25, 2018, revised in accordance with the conditions below. Minor modifications that do not affect scale, type, location or intensity of uses or impacts thereof may be approved by the Community Development Director when not in conflict with the findings or conditions of this permit.**
- 2. The project shall fully comply with all requirements of the R-1 zone as applicable, including but not limited to:**
 - a) Height, including required roof deck railings, shall fully comply with the 25-foot height limit. Precise building height compliance shall be reviewed at the time of Plan Check, to the satisfaction of the Community Development Director.**

- a) All parking dimensions shall comply with HBMC Chapter 17.44. Roll-up automatic garage doors shall be installed on all garage door openings and clearly indicated on floor plans.
 - b) Driveway transitions shall comply with HBMC Section 17.44.120(D).
 - c) 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.
 - d) Any satellite dish antennas and/or similar equipment shall comply with HBMC Section 17.46.240.
7. 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.
8. 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.
9. Prior to the submittal of structural plans to the Building Division for Plan Check an 'Acceptance of Conditions' affidavit and recording fees shall be filed with the Planning Division of the Community Development Department stating that the applicant/property owner is aware of, and agrees to accept, all of the conditions of this approval.
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 address of each condominium unit shall be conspicuously displayed on the street side of the buildings with externally or internally lit numbers and the method for illumination shall be shown on plans. Address numbering and display shall be subject to approval by the Community Development Department.

Final Map and Certificate of Occupancy

12. The Final Map shall comply with all requirements of the Subdivision Map Act and Chapter 16.08 of the Municipal Code.
13. Prior to filing of the Final Map, applicant shall pay to the City of Hermosa Beach Park and Recreation Area Dedication fees per unit in lieu of onsite parkland dedication pursuant to Chapter 16.12.
14. Prior to approval of the Final Map, and prior to issuance of a Certificate of Occupancy, outstanding assessments must either be paid in full or apportioned to any newly created parcels. Notice of same shall be provided to the Community Development Director. Assessment payoff amounts may be obtained by calling the City's Assessment Administrator at (800) 755-6864. Applications for apportionment may be obtained in the Public Works Department.
15. Prior to issuance of a building permit, written approval from each utility company associated with the relocation of the existing utility pole, down guy and utility boxes must be submitted for review and approval by the Public Works Department and the Community Development Department.

Construction

16. 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 form of the notification shall be provided by the Planning Division of the Community Development Department.
 - b) Building permits will not be issued until the applicant provides an affidavit certifying mailing of the notice.
17. Project construction shall conform to the Noise Control Ordinance requirements in HBMC Section 8.24.050. Allowed hours of construction shall be printed on the building plans and posted at construction site.
18. Traffic control measures, including flagmen, shall be utilized to preserve public health, safety, and welfare.

Other:

19. This permit 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 permit. The Conditional Use Permit, Precise Development Plan and Vesting Tentative Map shall be recorded, and proof of recordation shall be submitted to the Community Development Department prior to the issuance of a building permit.

20. 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.
21. The Planning Commission may review this Planned Unit Development, Conditional Use Permit, and Vesting Tentative Map and may amend the subject conditions or impose any new conditions if deemed necessary to mitigate detrimental effects on the neighborhood resulting from the subject use.
22. The subject property shall be developed, maintained and operated in full compliance with the conditions of this permit 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.

Section 8. This permit 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 permit.

The Conditional Use Permit, Planned Unit Development and Vesting Tentative Map shall be recorded, and proof of recordation shall be submitted to the Community Development Department prior to the issuance of a building permit.

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.

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

