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Sent: Wednesday, September 21, 2022 9:19 AM
To: DG_PlanningCommission <DG_PlanningCommission@hermosabeach.gov>
Cc: Community-Development <CommunityDevelopment@hermosabeach.gov>
Subject: Comments on Draft Citywide Standards

Dear Planning Commissioners and City Staff,

Please find attached my comments on the Citywide Standards, which will be discussed on Thursday.

Amongst other things, I think Staff and Martha Miller did an excellent job capturing the intentions of preserving our downtown character and responsibly reducing parking burden!

If you would like me to clarify or expound on my comments, please feel free to email me or call me at (310) 997-8691.

Best Regards
Jon David

Dear Commissioners,

I appreciate the time and care Martha Miller and City Staff have been taking in updating our zoning code. Please my thoughts on the Preliminary Draft Citywide Standards:

SECTIONS ABOUT NON-CONFORMING USE, STRUCTURE, AND LOTS:

I like the focus on promoting adaptive reuse of existing structures, so developers and property owners are not prodded into tearing down structures unnecessarily, which would go against our character retention goal.

I have areas of concern and questions about the details in the area of abandonment. Page 33 states “the right to continue nonconforming use or structure shall not apply if the nonconforming use has been abandoned or vacated.” Use and structure are two completely different concepts. The only condition that should affect a properties legal, non-conforming structure status should be health and safety issues.

Also concerning abandonment, page 36 suggests a property would lose its legal nonconforming use status after one of the following: 1) 90 days of being vacated, 2) lapse of a business license, 3) termination of utilities or lease. I don’t think this criteria matches the intention. I will explain why by means of example. After a tenant moves out it might take 90 days or more to complete improvements before a property owner is ready to list the property for lease. This is highly dependent on availability of contractors. If a permit is required add another 90-180 days for permit issuance and inspections. Then once work is complete, spaces can take from 90-180 days, depending on the space type. In sum, it can easily take one year to get a new tenant in place.

I suggest a more appropriate timeline for a for a nonconforming use to be considered abandoned is 120 days after property is vacated by a tenant unless either of the following conditions are met:

1. The property is listed for rent (a sure sign it is not abandoned), or
2. A construction permit has been filed with the city, or
3. A new lease is in place

SECTIONS ABOUT OFF STREET PARKING

Staff and Martha Miller did a great job at modernizing our code to better meet current and future needs. My comments and suggestions are as follows:

17.08.020 Applicability, section B, left out recreational commercial (RC) zone, which was likely an oversight.

17.08.020 Applicability, section C2, addresses additions and expansions. This section allows expansions of 500 ft to any non-residential structure regardless of location, without the need for additional parking. I supported this idea when it was adopted and continue to support it.

With that stated, I would posit that no parking should be required for the first 5,000 ft of any floor in our pedestrian oriented downtown, as long as the ground floor is not used for residential, office or late night alcohol. This continues to incentivise pedestrian oriented uses while allowing above ground floor development on smaller lots, that have little ability to conform to parking standards. Downtown is a pedestrian zone that would benefit from more feet on the street that comes from the right kind (and scale) of vertical development.

Page 39 presents new parking requirements for residential. It appears a great step forward for the creation of new housing. I fully support the intention. However, I suggest tandem parking be allowed for cars from different households for smaller, multi-family units (1bdm and studios). This encourages the production of smaller units, which would help with both vibrancy and affordability, particularly in our downtown pedestrian zones.

Page 41 - (Section B, number 3) ties parking spaces to the **potential** number of bedrooms, not actually built bedrooms. This is arbitrary, creates uncertainty, and restricts design.

Page 42 (section B) addressed substitution of parking for a designated careshare parking spot. I like this idea of promoting car sharing and believe the car sharing spot can be behind a permanent car spot in a tandem lane. This is a logical choice since the crashing driver is always with his car.

Page 43 (section D) addresses required parking reduction with approved parking plan - taking into special conditions such as foot and bike traffic, mechanical lifts etc. For the pedestrian downtown districts, bike and foot traffic and the proximity to mass transit already exist so the Planning Commission could decide on parking reductions now, as opposed to requiring a CUP.

Page 44 (section C number 1) suggests parking for nonresidential uses can be located offsite provided the off-site parking facility is within 300 ft. Current code allows common parking to be allowed within ¼ mile of the lot in SPA-11 to incentivize second floor offices. Will this be carry forward?

Page 45 addresses bicycle parking requirements. I love promoting bike usage but do not think residential usages should require short-term parking nor do I think commercial uses should not require long term parking. For downtown pedestrian zones, bike spaces should SUBSTITUTE for parking, not be in addition to it. This supports smaller residential units where residents live and work downtown. A lifestyle without reliance on cars is the preferred one for many these days.

Page 48 addresses Alternative Parking Configurations. Section B suggests tandem be disallowed for where tandem lanes would be shared by different residential units. As previously suggested, tandem be allowed for smaller units (studios/1brm) to promote the creation of smaller units that add to both economic vibrance (more feet on the street) and affordability (by design).

Page 48 section C covers Mechanical lifts. I understand enclosing mechanical lifts in garages in the residential zones, but lifts not typically covered in commercial areas.

SECTION THAT DEALS WITH PERFORMANCE STANDARDS

Page 61 suggests that vibration transmission can be prohibited even if NOTmeasurable with instruments. On the surface, this is too subjective, creates uncertainty, and I would likely open the city and staff up to both frivolous complaints and potential legal issues.

SECTION THAT DEALS WITH SIGNS

This is an area that has a unique effect on the retail businesses. I would like to hear the planning commission discuss it but since the Chamber of Commerce president is out of the country I do not imagine there will be sufficient feedback from the business community to do the learning necessary to create optimal code.