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**Sent:** Thursday, September 22, 2022 9:58 AM  
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**Cc:** Jeannie Naughton <jnaughton@hermosabeach.gov>; Christy Teague <cteague@hermosabeach.gov>; Community-Development <CommunityDevelopment@hermosabeach.gov>  
**Subject:** Hb Citywide Standards Feedback

Hello Planning Commissioners and Staff,

I am providing written feedback regarding the Preliminary **DRAFT Citywide Standards** for today's Special Meeting. I appreciate all the effort from Martha Miller and Staff as to streamlining our Municipal Code. If I can be of further assistance please let me know.

Best Regards,  
Laura Pena

## Hb Zoning Draft Regulations: Citywide Provisions Feedback (LP)

September 22, 2022

### Nonconforming Uses, Structures, and Lots

1) Page 1: In the first paragraph it refers to **Code 17.56**. I think there is a typo **17.52** refers to Nonconforming Building and Uses, correct?

2) Page 2 & 4: In the Introductory Section and Parking Reductions and Flexibility Provisions, “the draft regulations offer *flexibility* for nonconforming structures in order to promote adaptive reuse of existing structures.” The proposed zoning does not fully support this idea. (see #14 remarks on **17.08.070** Location of Required Parking)

3) Page 3: Do we want to incentivise more smaller or larger units in our downtown? As recommended, changes incentivise fewer and larger size units. This may be preferred in the Single Family Residential Zones but it against Economic Development in our pedestrian-oriented downtown where we are looking to put more feet on the street.

FOR EXAMPLE: In 3,500 Sq Ft or less

- a. One -> Single Unit = 2 Parking Spots (ONE LANE)
- b. Two -> Single Units = 4 Parking Spots (TWO LANES)
- b. Four -> 1 Bedroom Units = 4 Parking Spots (FOUR LANES)
- c. Eight Studios = 8 Parking Spots (EIGHT LANES)

**RECOMMENDATION:** We want to encourage more feet on the street in our pedestrian-oriented city while incentivising flexible mobility options (i.e., walking, ride share, bicycles, etc.) and more smaller units would serve that purpose. Larger units can be counter productive in our downtown.

4) Page 5: **Parking Area Design and Development Standards**. Clarification is needed regarding the “requiring 10 percent of the parking area to be landscaped.” We want to make sure we don’t limit parking spots because of planters and vegetation that may not be possible on smaller lots.

### Chapter 17.07 Nonconforming Uses, Structures, and Lots

5) Page 34: **17.07.060 Repair and Replacement of Damaged or Destroyed Nonconforming Structures**. Why would we create an arbitrary “50 percent value” clause of assessed damaged immediately proceeding event in regards to restoration? This would create an unnecessary burden in meeting irrelevant thresholds relating to repair and reconstruction costs. Plus, as currently written in the code, “*should the restoration deviate in any respect from the pre-damaged condition of the building, any such deviation shall conform in all respects with the current requirements of this title.*”

6) Page 36. **17.07.080 Abandonment of Nonconforming Uses**. In order to attract new business and provide the necessary flexibility for property owners to lease out space in our commercial corridors, the suggested 90 day nonconforming use standard may create unintended consequences (i.e., discourage property owner improvements, wrong tenant selection, etc.). This would not allow property owners the time to make improvements to the space. Obtaining permits with the city can take over 60 days. In addition, depending on the business, applications to outside agencies (i.e., health department, ABC)

require submitting plans in advance or adhering to changing health codes may eliminate the opportunity to meet this timeframe.

**RECOMMENDATION:** If a property has been vacant for 6 months and does not have an active lease in place, or an advertisement for lease, or active construction permit with the city than the nonconforming use can be considered to be abandoned. In addition, nonconforming use and structure needs to be delineated and discussed further as legal, nonconforming structures are a separate and equally important matter.

### Chapter 17.08 Off-Street Parking

7) Page 37. **17.08.020 Applicability (Off-Street Parking).** In the DT and NC Districts, ground floor office should be encouraged to move to upper stories.

**RECOMMENDATION:** In existing non-residential building under “C. **Other Uses**” it would be helpful to incentivize ground floor offices to move to the upper floor by recommending any addition or expansion to the existing building will not require additional parking spaces if the square footage is within the first 5000 square feet and is non-residential, non-office, and non late night alcohol on the ground floor.

**RECOMMENDATION:** Under 2. **Additions or Expansions of Existing Non-Residential Buildings.** The same incentive to move ground floor offices to upper stories should be provided for additions or expansions within the non-residential building within the first 5000 square feet. The restriction of having to provide parking for additions that are greater than 500 square feet will not encourage offices to move to upper stories.

8) Page 38. **17.08.030 General Provisions. Existing Parking to be Maintained.** In our DT Zone, if the pedestrian-oriented district encourages bicycle and ride sharing, why are you recommending against change in design for existing parking?

**RECOMMENDATION:** In our DT Zone, if changing the design of the existing parking allows for bicycle and ride sharing opportunities, it should be strongly encouraged.

9) Page 40. **17.08.040 Required Parking Spaces.** Upon further review of these parking recommendations, there is confusion about how you define our commercial Downtown area.

**RECOMMENDATION:** Create a comprehensive, pedestrian-oriented Downtown (DT) Zone which includes Recreational Commercial, Pier Avenue, and Hermosa Avenue. If you need to highlight differences then use a special overlay when necessary. In doing so, when we are discussing our downtown area we would be talking about the same district.

10) Page 40: In the “**Table TBD: Required Number of Parking Spaces**” “Eating and Drinking Establishments” have a “1 per 100 square feet of floor area plus 1 per 200 square feet of on-site

outdoor seating area in excess of 400 square feet” which does not take into account current ride sharing and bicycle mobility trends.

**RECOMMENDATION:** As recommended in the ROMA study, *“there should be a reduced amount of required parking for restaurant uses within the pedestrian-oriented district...cities such as Redondo Beach utilizes a one space per 250 SF for pedestrian-oriented districts, which should be considered in Hermosa Beach as well.”* Due to mobility trends, other Commercial Uses in the Community Commercial and Recreational Commercial zones should be considered with similar revisions.

11) Page 40: In the **“Table TBD: Required Number of Parking Spaces”** the Short Term Rental (STR) Studios are required one parking spot per unit. This recommendation should be consistent with residential parking requirements.

**RECOMMENDATION:** If we want to encourage various accommodation options, the parking requirements should be the same as the actual residential dwelling units which is proposed as .5 spaces per unit. Also, since STR’s are only permitted in the commercial corridors it would help incentivize walking within our downtown.

12) Page 41: In the **“Table TBD: Required Number of Parking Spaces”** the Calculation of Required Spaces for three (3) Bedrooms is unclear. As stated, *“where a parking requirement is stated as a ratio of parking spaces to bedrooms, any rooms having the potential of being a bedroom and meeting the standards of the Building Code as a sleeping room shall be counted as a bedroom.”* What features affect the determination of meeting the standards of a sleeping room?

**RECOMMENDATION:** As written this recommendation is vague and unclear. In order to clarify this part of the recommendation a specific definition should be provided for the requirements of a bedroom. In addition, we should be careful to not discourage open space design in our development with unnecessary parking restrictions.

13) Page 41-42. **17.08.050 Parking Reductions.** Additional clarification and specification needs to be added.

**RECOMMENDATION:** If we want to encourage use of Common Parking Facilities, please specify what proximity and accessibility requirements are needed.

14) Page 44. **17.08.070 Location of Required Parking.** Allowance for Off-Site Parking. Required parking for nonresidential uses may be located off-site provided the off-site parking facility is located within 300 feet.

**RECOMMENDATION:** Instead of recommending parking located off-site within 300 feet, we should encourage shared parking and public parking facilities which are located in our downtown. The stated recommendations also go against the ROMA study, which states *“Parking requirements for commercial uses within the pedestrian-oriented district should be allowed in common facilities within a quarter mile walking distance....as an incentive to conserve iconic buildings in SPA-11 zone along Pier Avenue.”* We want to encourage walking in our downtown not discourage it. The 300 feet

limitation is overly prescriptive and doesn't encourage feet on the street throughout our commercial corridors.

15) Page 45. **17.08.080 Bicycle Parking.** The recommended location, size, accessibility, and security requirements of bicycle parking do not appear realistic in the our DT District. In addition, short-term bicycle parking space requirements listed for item A. "*Residential, Group Residential, and SRO with five or more units*" do not make sense since the time frame for use would not be considered short term. In regards to long-term parking, the security requirements with respect to item C. "*a rack or stand inside a building that is within view of an attendant, or security guard or visible from employee work areas*" does not make sense with smaller lots in our commercial corridors. Also, item D. "*Other secure area approved by the Director*" is vague and unclear."

**RECOMMENDATION:** Give visual examples to show how bicycle parking with stated size requirements be provided in our DT District given the two feet of clearance needed to adjacent walls, poles, street furniture, drive aisles, pedestrian ways and requirement of at least five feet away from vehicle parking spaces?

**RECOMMENDATION:** Under Short-Term Bicycle Parking Spaces Required, remove item A. Residential, Group Residential, and SRO with five or more units.

**RECOMMENDATION:** Under Long-Term Bicycle Parking Spaces Required, revise item C. to **encourage** instead of stating it **must** have "a rack or stand inside a building that is within view of an attendant, or security guard or visible from employee work areas..."

**RECOMMENDATION:** Under Long-Term Bicycle Parking Spaces Required, item D needs further discussion regarding what considerations would be appropriate to address by the Director. It is important to provide as much clarification as possible to avoid unnecessary ambiguous situations.

**RECOMMENDATION:** Under Bicycle Parking Reductions and Modifications, item C "*reduced bicycle parking is justified by reasonably anticipated demand*" needs further clarification. In addition, please state the "review authority" for these decisions. I assume its the Community Development Director, but I'm not sure.

16) Page 48. **17.08.110 Alternative Parking Configurations.** After further review of the parking recommendations, more clarification is needed as to constitutes ½ parking space. I appreciate the citywide standards encouraging alternative mobility options as well as parking configurations but more definition and clarity are needed.

**RECOMMENDATION:** I recommend our city code encourage a lifestyle of working and living in our pedestrian-oriented downtown that increases daily foot traffic without reliance on individual cars. Allowing for tandem parking that utilizes ½ of a parking lane for car sharing drop/pickup spots could be helpful.

**RECOMMENDATION:** Under Mechanical Lifts, the requirements state it must be in fully enclosed garage. I recommend allowing these Mechanical Lifts in outdoor surface parking lots with screens to shield from adjacent parcels.

17) Page 49. **17.08.120 Surface Parking Area Design and Development Standards.** Additional consideration is needed for the applicability of certain requirements (i.e., heat island reduction, landscape and screening) in regards to smaller lot sizes.

#### Chapter 17.09 Performance Standards

18) Page 53. **17.09.070 Heat and Humidity.** The description in regards to “*uses, activities, and processes shall not produce any emissions of heat or humidity that cause distress or physical discomfort*” is subjective and vague.

**RECOMMENDATION:** I recommend using a standard that is measurable in regards to heat and humidity that allows for an objective assessment and correction.

19) Page 53. **17.09.090 Liquid or Solid Waste.** Discharge to Water or Sewers include “*liquids and solids of any kind shall not be discharged...into the ground.*” Are car washes and auto dealerships exempt from this category?

20) Page 55. **17.09.130 Vibration.** The description in regards to “*no vibration shall be permitted so as to cause a noticeable tremor, measurable without instruments at the lot line*” is subjective and vague.

**RECOMMENDATION:** I recommend using a standard that is measurable so an objective assessment and correction can be accomplished.

#### Chapter 17.10 Signs

21) Page 56. **17.10.030 Exempt Signs.** What is the rationale of creating a (3) three flag minimum per lot in all zones besides residential zones?

**RECOMMENDATION:** As a member of our Economic Development Advisory Group, I recommend avoiding unnecessary regulations without cause. One of the Economic Strategies adopted by our city council this year was a Beautification Program. It would be helpful to encourage the potential use of beautifully, colored flags.

22) Page 58. **Murals.** Murals have the opportunity to tell the community’s story, create a unique experience, engage citizens, increase foot traffic and tourism, increase appreciation for the arts and artists, and increase overall attractiveness of the space. Our city code should allow a simple, affordable, and straightforward process.

**RECOMMENDATION:** As previously mentioned, I recommend not adding unnecessary regulations without cause. A mural application should be inexpensive and straightforward. Hashtags and QR Codes representing the artist should be allowed to provide information and social interaction with our community.

23) Page 59. **17.10.040 Prohibited Signs.** Projecting signs should be allowed in our NEW DT Zone, not only in C-1 and C-2 Zones.

24) Page 60. **17.10.060 General Provisions.** Additional clarification is needed regarding “Changes to Copy of Approved Signs.” If changes to the name, date, or time are needed are they exempt from permitting pursuant to this chapter? It appears from the definition in the “Message Substitution” section of signs that it would be permitted, but the wording is confusing.

25) Page 62. **Illumination.** As recommended, “*the approval of an illuminated sign is not final until 30 days after installation, during which period the Building Official may order the dimming of any illumination found to be excessively*” is subjective and vague.

**RECOMMENDATION:** In order to provide clear guidelines for light intensity, lighting professionals use light meters to define a specific range depending on the time of day. I recommend using our Comprehensive Downtown Lighting Evaluation with complete photometric study and design to provide an accurate assessment of what light intensity would be beneficial for illumination in our commercial zones.

26) Page 65. **17.10.090 Signage Standards for Specific Sign Types.** Freestanding signs should be allowed in our NEW DT Zone, not only in NC, CC, RC, GC, SC, and M-1 Zones.

27) Page 65. **Projecting and Shingle Signs** are not allowed to be illuminated. As a member of our Economic Advisory Group, we want to enhance the eclectic character of our pedestrian-oriented downtown. If you allow this recommendation, it would prevent using an old fashion barber shop lighted poles projecting from our salons.

**RECOMMENDATION:** I recommend allowing our community director to provide discretion regarding the use of illuminated projecting signs to enhance the character of our downtown.

28) Page 66. **Window Signs.** There needs to be further discussion in regards to the efficacy of the 20% Maximum Allowable Sign of a window. Depending on the structure, the window could be the length of the entire building or have multiple smaller windows. In addition, shade covering are also utilized that may have unintended consequences of not providing any interest to the public.

**RECOMMENDATION:** I recommend allowing our businesses to incorporate signage that will both enhance engagement throughout our pedestrian-oriented district but also provide transparency into the ground floor. Considering our small downtown footprint, I recommend allowing our Community Development Director the discretion to make adjustments to the 20% Maximum Allowable Sign Area based on the overall design and placement of signs within a project to achieve a better result.

29) Pages 67-68. **Portable A-Frame Signs.** Under design and construction, item C. states the A-frame sign “*contains information and advertising for the business placing the sign only and shall not contain any endorsement or logos for any other businesses.*” The recommendation does not allow for cross promotion from the Chamber or neighboring businesses which will negatively affect economic vibrancy.

**RECOMMENDATION:** I recommend and strongly encourage our businesses to work together and cross promote each other by allowing logos and any other business names on their Portable A-Frame Signs.

30) Page 69. **17.10.110 Comprehensive Sign Program.** Applicability. *“It is applicable for all new nonresidential construction with two or more tenants and whenever a deviation from the standards of this Chapter are required.”* What are these deviations? In addition, are you stipulating “new construction” to mean any remodeling of the structure?

**RECOMMENDATION:** I recommend further feedback and review from our Chamber of Commerce before this program is recommended to city council.

31) Pages 70-71. **17.10.120 Nonconforming Signs.** I think there is a typo in section A. The paragraph refers to nonconforming structures instead of signs.

**RECOMMENDATION:** Considering this section will affect our current nonconforming signs if alterations are made in our business community, I recommend further feedback and review from our Chamber of Commerce before this program is recommended to city council.

32) Page 72. **17.10.140 Enforcement.** *“Signs that do not conform to the provisions of this Chapter and are erected after its effective date without obtaining required permits thereby are declared to be unlawful and a public nuisance.”* This recommendation is strongly discouraged because it will create unnecessary confusion if adopted. During our two years of Economic Advisory Meetings with city officials there were discussions of how our “Code Enforcement” should be called “Code Ambassadors” to help educate our business community. We need to work together to create win-win scenarios while reinforcing the message that our city representatives are here to help our business community.

**RECOMMENDATION:** Considering this section could possible affect signs erected after this code is adopted, I recommend further feedback and review from our Chamber of Commerce before any enforcement is allowed. We need to communicate with our businesses instead of creating rules without their knowledge and input.