

CITY OF HERMOSA BEACH
ORDINANCE NO. ORD-24-1481

AN ORDINANCE OF THE CITY COUNCIL APPROVE ZONE TEXT AMENDMENT (TA) 24-02 AND ORDINANCE TO AMEND PORTIONS OF TITLE 17 OF THE HERMOSA BEACH MUNICIPAL CODE FOR HOUSING ELEMENT-RELATED REGULATIONS PERTAINING TO MIXED USE DEVELOPMENTS, REVIEW PROCESSES, AND MULTI-FAMILY RESIDENTIAL PARKING REQUIREMENTS AND MAKE A DETERMINATION THAT THE ZONING TEXT AMENDMENT IS CONSISTENT WITH THE PLAN HERMOSA ENVIRONMENTAL IMPACT REPORT PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Section 17.39.030 (Minimum Density of Chapter 17.39 (HE Overlay) of Title 17 (Zoning) of the Hermosa Beach Municipal Code is hereby amended as follows:

17.39.030 Minimum Density

A. Sites designated as –HE used to satisfy lower income housing must be developed to a minimum density anticipated in the City's Housing Element, or twenty (20) dwelling units per acre, whichever is more.

B. If a site designated as –HE is developed at a density that is below the minimum residential density anticipated in the City's Housing Element, the City must either:

1. Make a finding that the remaining sites identified in the Housing Element are adequate to meet the City's remaining RHNA for the Housing Element planning period by income category. This finding should include a quantification of the remaining unmet need for the City's RHNA at each income level and the remaining capacity of sites identified in the Housing Element, to accommodate that need by income level; or
2. Makes available sufficient sites to accommodate the remaining unmet RHNA for the income category within 180 days or other time frame as established by law, whichever is later.

Section 17.40.180 (B)(1) is hereby added to Title 17 (Zoning) of the Hermosa Beach Municipal Code as follows:

1. Residential uses must occupy at least 50 percent of the floor area.

SECTION 2. Chapter 17.42.250 (C)(2) (Work/live developments.) is hereby added to Title 17 (Zoning) of the Hermosa Beach Municipal Code to read as follows:

2. For project sites in the Housing Element (--HE) Overlay, a minimum of 50% of the total floor area must be allowed for residential space.

SECTION 3. Section 17.44.020 (Off-street parking – Residential uses.) of Chapter 17.44 (Off-Street Parking) of Title 17 (Zoning) of the Hermosa Beach Municipal Code shall be replaced as follows:

The aggregate amount of off-street automobile parking spaces provided in connection with each of the following uses shall be not less than the following:

	Residential Housing Type	Parking Requirement
A.	One (1) family dwelling;	Two (2) off-street parking spaces plus one (1) guest space.
B.	Duplex or two (2) family dwelling; Exceptions: Section 17.44.020(F)	Two (2) off-street parking spaces for each unit plus one (1) guest space. One (1) additional space of on-site guest parking shall be provided for each on-street space lost because of new curb cuts and/or driveways.
C.	Multiple dwellings (three (3) or more units); Exception: Section 17.44.020(F)	Spaces per each dwelling unit: Zero to one bedroom: 1.5 spaces Two bedrooms: 2 spaces Three+ bedrooms: 2.5 spaces; plus one (1) additional space for each on-street space lost because of new curb cuts and/or driveways.
D.	Supportive or transitional housing-	Parking requirement for residential use. Exception: no parking required if within ½ mile of public transit stop.
E.	Junior accessory dwelling unit and accessory dwelling unit	Refer to Section 17.21.050(F).
F.	Density bonus projects; Projects with 15% or more lower-income affordable units; Projects with 25%	(Maximum Requirement per unit) (1) Zero to one bedroom: one (1) parking space.

	or more moderate-income housing;	(2) Two to three bedrooms: one and a half (1.5) parking spaces. (3) Four and more bedrooms: two and one-half (2.5) parking spaces.
G.	Residential Care Facilities – Small.	Same as the Residential Housing Type
H.	Residential Care Facilities – Large; Assisted Living Facility	1 for every 3 beds
I.	Emergency Shelters; Low Barrier Navigation Centers	One (1) space for each staff member or employee on duty.

SECTION 4. Section 17.58.020(B)(2) of Title 17 (Zoning) of the Hermosa Beach Municipal Code shall be amended as follows:

B. Precise Development Plans shall be decided upon by the Planning Commission with the following exceptions which shall be decided upon by the Community Development Director or designee:

1. New residential projects with two (2) or more dwelling units including a minimum of 20% lower-income units
2. Projects including minimum of 20% lower-income units that qualify for a density bonus pursuant to Section 17.42.100
3. Review for projects subject to said non-discretionary precise development plan shall:
 - a. Focus solely on physical design and ensuring conformance with objective development standards; and
 - b. Not constitute a 'project' pursuant to the California Environmental Quality Act (CEQA)

SECTION 5. Severability. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision will not affect the validity of the remainder of this ordinance. The City Council hereby declares that it would have adopted this ordinance, and each and every section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions,

sentences, clauses, phrases, or portions thereof is declared invalid or unconstitutional.

SECTION 6. Effective Date. This Ordinance shall take effect thirty (30) days after its passage and adoption pursuant to California Government Code section 36937, or upon certification of the City's 2021-2029 Housing Element (6th Cycle) by the California Department of Housing and Community Development, **whichever is later.**

SECTION 7. Relationship to Ordinance 24-1471 (adopted November 14, 2023). This Ordinance shall apply to language in Ordinance 24-1471 prior to both Ordinances taking effect at the same time. Whenever a conflict exists between this ordinance and Ordinance 24-1471, this Ordinance shall prevail.

SECTION 8. Certification. The City Clerk is directed to certify the passage and adoption of this Ordinance; cause it to be entered into the City's book of original ordinances; make a note of the passage and adoption in the records of this meeting; and, within fifteen (15) days after the passage and adoption of this Ordinance, cause it to be published or posted in accordance with California law.

PASSED, APPROVED and ADOPTED on this 23rd day of July, 2024.

- AYES:** Mayor Francois, Mayor Pro Tem Saemann, and Councilmembers Detoy, Jackson, and Massey
- NOES:** None
- ABSTAIN:** None
- ABSENT:** None



Mayor Dean Francois

PRESIDENT of the City Council and **MAYOR** of the City of Hermosa Beach, CA

ATTEST:



Myra Maravilla,
City Clerk

APPROVED AS TO FORM:



Patrick Donegan,
City Attorney

State of California)
County of Los Angeles)ss
City of Hermosa Beach)

July 30, 2024

Certification of Council Action

ORDINANCE NO. ORD-24-1481

AN ORDINANCE OF THE CITY COUNCIL APPROVE ZONE TEXT AMENDMENT (TA) 24-02 AND ORDINANCE TO AMEND PORTIONS OF TITLE 17 OF THE HERMOSA BEACH MUNICIPAL CODE FOR HOUSING ELEMENT-RELATED REGULATIONS PERTAINING TO MIXED USE DEVELOPMENTS, REVIEW PROCESSES, AND MULTI-FAMILY RESIDENTIAL PARKING REQUIREMENTS AND MAKE A DETERMINATION THAT THE ZONING TEXT AMENDMENT IS CONSISTENT WITH THE PLAN HERMOSA ENVIRONMENTAL IMPACT REPORT PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

I, Myra Maravilla, City Clerk of the City of Hermosa Beach, California, do hereby certify that the above and foregoing Ordinance No. ORD-24-1481 was duly approved and adopted by the City Council of said City at its regular meeting thereof held on the 23rd day of July, 2024, and passed by the following vote:

AYES: MAYOR FRANCOIS, MAYOR PRO TEM SAEMANN, AND COUNCILMEMBERS DETOY, JACKSON, and DETOY

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE



Myra Maravilla,
City Clerk

Intro: 07/09/2024
Adopted: 07/23/2024