



# Administrative Report

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L.1., File # 22-4382

Meeting Date: 8/2/2022

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**To:** MAYOR AND CITY COUNCIL

**From:** BRANDY FORBES, COMMUNITY DEVELOPMENT DIRECTOR

## **TITLE**

PUBLIC HEARING FOR INTRODUCTION AND FIRST READING OF ORDINANCES AMENDING REDONDO BEACH MUNICIPAL CODE (RBMC) TITLE 10 CHAPTER 2 ZONING AND LAND USE AND TITLE 10 CHAPTER 5 COASTAL LAND USE PLAN IMPLEMENTING ORDINANCE SECTIONS 10-2.2500 AND 10-5.2500 PERTAINING TO THE PROCEDURES FOR ADMINISTRATIVE DESIGN REVIEW AND CONSIDERATION OF A CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) EXEMPTION FOR THE PROPOSED AMENDMENTS IN ACCORDANCE WITH SECTION 15308 OF THE CEQA GUIDELINES

## **PROCEDURES:**

1. Open the public hearing and take testimony;
2. Close the public hearing and deliberate;
3. Introduce the following two ordinances: and
4. Adopt the resolution submitting ordinance to the Coastal Commission;

INTRODUCE BY TITLE ONLY ORDINANCE NO. 3236-22 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA, ADOPTING AN ORDINANCE AMENDING TITLE 10, CHAPTER 2, ZONING AND LAND USE PERTAINING TO THE PROCEDURES FOR ADMINISTRATIVE DESIGN REVIEW

INTRODUCE BY TITLE ONLY ORDINANCE NO. 3237-22 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA, ADOPTING AN ORDINANCE AMENDING TITLE 10, CHAPTER 5, COASTAL LAND USE IMPLEMENTING ORDINANCE PERTAINING TO THE PROCEDURES FOR ADMINISTRATIVE DESIGN REVIEW

ADOPT RESOLUTION NO. 2208-060 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA, REQUESTING CERTIFICATION BY THE CALIFORNIA COASTAL COMMISSION OF AMENDMENTS TO THE COASTAL LAND USE PLAN IMPLEMENTING ORDINANCE (TITLE 10, CHAPTER 5 OF THE MUNICIPAL CODE) CONSISTENT WITH STATE LAW, WHICH IS INTENDED TO BE CARRIED OUT IN A MANNER FULLY IN CONFORMITY WITH THE COASTAL ACT; AND PROVIDING THAT THE AMENDMENTS TO THE CITY'S LOCAL COASTAL PROGRAM WILL TAKE EFFECT AUTOMATICALLY UPON COASTAL COMMISSION APPROVAL PURSUANT TO PUBLIC RESOURCES CODE SECTION 30514 AND TITLE 14, SECTION 13551 OF THE CALIFORNIA CODE OF REGULATIONS

**EXECUTIVE SUMMARY**

Redondo Beach's current land use regulations have thresholds of what size of project triggers Planning Commission Design Review for multi-family residential units and for commercial / industrial / mixed use / public development. This type of review has public hearing requirements and specific criteria to be met for Planning Commission approval. If a project does not trigger Planning Commission Design Review and does not otherwise require a public hearing (such as a Conditional Use Permit or Variance), it would follow the Administrative Design Review process and be reviewed and approved by the Community Development Director.

A recent project for a commercial office followed the Administrative Design Review process. Based on responses from neighbors to the property, it was discovered that there was no appeal process for commercial / non-residential projects (except by the applicant).

As a referral to staff at the January 4, 2022 City Council meeting, and as part of the current Strategic Plan, this discussion item was brought to City Council on April 5, 2022 to consider draft language to amend the Administrative Design Review process to include notice of pending decisions and appeal requirements for qualifying non-residential projects. City Council provided direction for amending the ordinances. The ordinance revisions were reviewed by the Planning Commission at the June 16, 2022 meeting and the Commission recommended adoption of the amendments and a determination of California Environmental Quality Act (CEQA) exemption.

The noticed Public Hearing provides the City Council the opportunity to introduce and approve the recommended ordinances for first reading, and forward the coastal regulations to the California Coastal Commission for certification.

**BACKGROUND**

As mentioned above, Redondo Beach's current land use regulations have thresholds of what size of project triggers Planning Commission Design Review for multi-family residential units and for commercial / industrial / mixed use / public development. This type of review has public hearing requirements and specific criteria to be met for Planning Commission approval. If a project does not trigger Planning Commission Design Review and does not otherwise require a public hearing (such as a Conditional Use Permit or Variance), it would follow the Administrative Design Review process and be reviewed and approved by the Community Development Director. A recent project for a new commercial office building followed the existing Administrative Design Review process pursuant to RBMC 10-2.2500.

The project was located immediately adjacent to a single-family residential neighborhood and when the neighbors saw the demolition at the property and inquired about the project, they wanted to know why they had not been officially notified. It was discovered that there is not a requirement for notice of pending decision of non-residential development under the Administrative Design Review procedures. As well, the only projects that are eligible for appeal under Administrative Design Review are those subject to a notice of pending appeal. Therefore, there is no appeal process for commercial / non-residential projects (except by the applicant) under the existing Administrative Design Review procedures (RBMC 10-2.2500).

As a referral to staff at the January 4, 2022 City Council meeting, and as part of the current Strategic

Plan, this topic was brought to City Council for discussion at the April 5, 2022 meeting. City Council provided direction to add non-residential projects to the notification requirement, which in turn makes those projects eligible for appeal. As well, the City Council directed the expansion of the notification area from 100' to 300' for all projects requiring an Administrative Design Review and a notice of pending decision. The ordinance revisions were reviewed by the Planning Commission at their June 16, 2022 meeting and the Commission recommended adoption of the amendments and a determination of California Environmental Quality Act (CEQA) exemption to City Council.

Below are the text amendments to the zoning ordinances (10-2 for inland and 10-5 for coastal). (NOTE: Additions are noted as underlined and deletions are noted in strikeout):

#### **10-2.2500 Administrative Design Review.**

(e) **Notice of pending decision.** Notice of a pending decision by the Planning Director shall be given as follows for all non-residential development under Section 10-2-2500(a)(9) and for new multiple-family developments. (For purposes of this section, new multiple-family developments shall mean development of two (2) or three (3) dwelling units on a vacant lot or in conjunction with demolition of fifty (50%) percent or more of the total floor area of existing development on the lot. New development shall not include a "second unit" as defined in Section 10-2.402.)

(1) By mailing a written notice thereof, not less than ten (10) working days prior to the date of pending approval to the applicant, to the owner of the subject property and to the owners of properties within ~~400 feet~~ 300 feet of the exterior boundary of the subject property or properties; such notices shall be sent by first class mail, with postage prepaid, using the addresses from the last adopted tax roll, if available; and

#### **10-5.2500 Administrative Design Review.**

(e) **Notice of pending decision.** Notice of a pending decision by the Community Development Director shall be given as follows for all non-residential development under Section 10-5.2500(a)(9) and for new multiple-family developments. (For purposes of this section, new multiple-family developments shall mean development of two (2) or three (3) dwelling units on a vacant lot or in conjunction with demolition of fifty (50%) percent or more of the total floor area of existing development on the lot. New development shall not include a "second unit" as defined in Section 10-5.402.)

(1) By mailing a written notice thereof, not less than ten (10) working days prior to the date of pending approval to the applicant, to the owner of the subject property and to the owners of properties within ~~400 feet~~ 300 feet of exterior boundary of the subject property or properties; such notices shall be sent by first class mail, with postage prepaid, using the addresses from the last adopted tax roll, if available.

The ordinance amendments are exempt from environmental review under the California Environmental Quality Act (CEQA), pursuant to Section 15060(c)(2) of the Guidelines for the Implementation of CEQA because the activity will not result in direct or reasonably foreseeable indirect physical change to the environment. Further, the activity is not considered a project under CEQA and therefore qualifies for the general rule exemption under Section 156061(b)(3) of the CEQA Guidelines.

#### **COORDINATION**

The preparation of the ordinances was done in coordination with the City Attorney's Office.

**FISCAL IMPACT**

Funding for the preparation of this report and the ordinances is available in the Departments' annual operating budget.

**APPROVED BY:**

*Mike Witzansky, City Manager*

**ATTACHMENTS**

- Ordinance Amending Inland Administrative Design Review
- Ordinance Amending Coastal Administrative Design Review
- Resolution Requesting Coastal Commission Certification for Administrative Design Review Amendments
- City Council Administrative Report April 5, 2022
- Planning Commission Resolution June 16, 2022
- Planning Commission Staff Report June 16, 2022
- Planning Commission Minutes June 16, 2022
- Proof of Legal Ad Public Hearing Notice