



Administrative Report

J.1., File # PC22-4354

Meeting Date: 6/16/2022

To: PLANNING COMMISSION
From: BRANDY FORBES, COMMUNITY DEVELOPMENT DIRECTOR

TITLE

A PUBLIC HEARING FOR CONSIDERATION OF AMENDMENTS TO TITLE 10, CHAPTER 2 ZONING AND LAND USE AND TITLE 10, CHAPTER 5 COASTAL LAND USE PLAN IMPLEMENTING ORDINANCE OF THE REDONDO BEACH MUNICIPAL CODE SECTIONS 10-2.2500 AND 10-5.2500 PERTAINING TO THE PROCEDURES FOR ADMINISTRATIVE DESIGN REVIEW

RECOMMENDATION:

1. Open Public Hearing and take testimony from staff, and other interested parties, and deliberate;
2. Close Public Hearing; and
3. Adopt a resolution by title only subject to the findings contained therein:

ADOPT A RESOLUTION BY TITLE ONLY OF A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF REDONDO BEACH, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL ADOPT ORDINANCES AMENDING TITLE 10, CHAPTER 2 ZONING AND LAND USE AND TITLE 10, CHAPTER 5 COASTAL LAND USE PLAN IMPLEMENTING ORDINANCE PERTAINING TO PROCEDURES FOR ADMINISTRATIVE DESIGN REVIEW

BACKGROUND

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 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 residential 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 discussion item was brought to City Council for consideration at the April 5, 2022 meeting. City Council provided direction to add non-residential projects to the notification requirement, which in turn then makes those projects eligible for appeal. As well, City Council expanded the notification area from 100' to 300' for all projects requiring an Administrative Design Review and a notice of pending decision. The ordinance is now before Planning Commission for review and recommendation to City Council.

The Redondo Beach Municipal Code (RBMC) Sections 10-2.2502 and 10-5.2502 establish the procedures for Planning Commission Design Review (PCDR) for multi-family residential (4 or more units or an addition of 1,000 square feet of gross floor area) and for commercial / industrial / mixed use / public development new construction and additions (10,000 square feet of land area). This is in addition to those projects that may also require a Conditional Use Permit or Variance or otherwise required to be considered by Planning Commission. Projects requiring PCDR have a public hearing before the Planning Commission and are appealable to the City Council.

If a project does not trigger Planning Commission Design Review and does not otherwise require a public hearing (such as Conditional Use Permit or Variance), it would be considered under Administrative Design Review procedures (either RBMC 10-2.2500 for inland or 10-5.2500 for coastal), and be reviewed and approved by the Community Development Director. For those projects subject to ADR, an appeal can only be filed by non-applicants/owners if it is a project subject to a "notice of pending decision." Otherwise, there is no appeal process available to concerned members of the public. In the current Redondo Beach regulations, the only ADR applications where a notice of pending decision is issued is for new multiple-family developments (two (2) or three (3) dwelling units on a lot). Therefore, non-residential projects that do not meet the threshold of Planning Commission Design Review, regardless of their proximity to residential zones or other criteria, are not required to provide notice to neighboring properties and are not appealable, except by the owner or applicant.

As a referral to staff at the January 4, 2022 City Council meeting, and subsequently as part of the current Strategic Plan, City Council requested this discussion item to consider draft language to amend the Administrative Design Review process to include notice of pending decision and appeal requirements for qualifying non-residential projects. City Council considered the potential revisions at their April 5, 2022 meeting and provided direction to add non-residential projects to the notification requirement, which in turn then makes those projects eligible for appeal. As well, City Council expanded the notification area from 100' to 300'. The ordinance is now before Planning Commission for review and recommendation to City Council.

Below is the proposed text amendment to the zoning ordinance. Note that the proposed changes are identical for Title 10, Chapter 2 Zoning and Land Use and Title 10, Chapter 5 Coastal Land Use Plan Implementing Ordinance therefore the text amendment noted below is proposed for both Chapters and both are included in the proposed Planning Commission Resolution.

Title 10, Chapter 2 Section 10-2.2500 "Administrative Design Review" Subsection (e) to be amended as follows (NOTE: Additions are noted as underlined and deletions are noted in ~~strikeout~~):

(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

(2) By posting such notice in at least one prominent place on or about each parcel which is the subject of the proposed action, or upon utility poles or sticks along or about the street line of such parcel.

(3) The content of the notice of pending decision for an Administrative Design Review shall contain the following information:

- a. The date of filing of the application and the name of the applicant;
- b. The file number assigned to the application;
- c. A description of the proposed development and its location;
- d. The date at which the application is expected to be approved; and

e. A statement that revisions to the proposed project will be considered by the Planning Director upon the written request of any person provided that such written request is received by the Planning Director within ten (10) working days from the date of sending the notice.

ENVIRONMENTAL STATUS:

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.

ATTACHMENTS

Draft Resolution

City Council Administrative Report April 5, 2022

Minutes City Council April 5, 2022 (excerpt)

Legal Ad Proof