

**RESOLUTION NO. 2022-\*\*-PCR-\*\***

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF REDONDO BEACH, CALIFORNIA, APPROVING AN EXEMPTION DECLARATION AND GRANTING THE REQUEST FOR A CONDITIONAL USE PERMIT TO ALLOW THE OPERATION OF A SNACK SHOP WITH AN OUTDOOR DINING AREA THAT EXCEEDS 150 SQUARE FEET IN SIZE ON PROPERTY LOCATED IN A COMMERCIAL (C-2) ZONE AT 1328 AVIATION BOULEVARD**

WHEREAS, an application was filed on behalf of the owner of property located at 1328 Aviation Boulevard for consideration of an Exemption Declaration and Conditional Use Permit to allow the operation of a snack (coffee) shop with an outdoor dining area that exceeds 150 square feet in size on property located in a Commercial (C-2) zone;

WHEREAS, notice of the time and place of the public hearing where the Exemption Declaration and application would be considered was given pursuant to State law and local ordinance by publication in the Easy Reader, by posting the subject property, and by mailing notices to property owners within 300 feet of the exterior boundaries of the subject property; and

WHEREAS, the Planning Commission of the City of Redondo Beach has considered evidence presented by the applicant, the Planning Division, and other interested parties at the public hearing held on the 18<sup>th</sup> day of August, 2022 with respect thereto.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF REDONDO BEACH DOES HEREBY FIND:

1. In accordance with Section 10-2.1622 of the Redondo Beach Municipal Code, outdoor dining areas that exceed 150 square feet in size are conditionally permitted within the Commercial (C-2) zone.
2. In accordance with Section 10-2.2506(b) of the Redondo Beach Municipal Code, a Conditional Use Permit is in accord with the criteria set forth therein for the following reasons:
  - a) The site for the proposed use shall be in conformity with the General Plan and shall be adequate in size and shape to accommodate such use and all setbacks, spaces, walls and fences, parking, loading, landscaping, and other features required by this chapter to adjust such use with the land and uses in the neighborhood.

*The project is consistent with the Comprehensive General Plan of the City. It is Policy 1.3.1 of the Land Use Element to allow for the development of commercial*

*services which provide for the needs of current and future residents. The proposed snack shop use is allowed by right and the outdoor dining area of more than 150 square feet in size is conditionally permitted in the C-2 zone. The outdoor dining area of 419 square feet faces Aviation Boulevard and is approximately 80 feet way from the abutting, southerly property line of the residences. A new three-foot tall wrought iron fence and a metal-framed awning will delineate the outdoor dining area. Adequate parking is provided on site and bicycle racks will be provided for customers and employees. The existing planter area will be largely replaced with pavers and new landscaping will be installed at the corner. The existing commercial building is set back from adjacent residential properties to the rear by approximately twelve feet at the closest point and mixed-construction walls at the rear property line separate the subject property from the residential lots.*

- b) The site for the proposed use shall have adequate access to a public street or highway of adequate width and pavement to carry the quantity and kind of traffic generated by the proposed use.

*The site is accessed from Aviation Boulevard, a major arterial street.*

- c) The proposed use shall have no adverse effect on abutting property or the permitted use thereof.

*The outdoor dining area is approximately 80 feet way from the abutting, southerly property line of the residences and is not expected to generate noise or odors, that would be a nuisance to the neighboring residences because of the position of the existing building. A new mechanical equipment screen is proposed to visually screen the new mechanical equipment. The new screens will also serve to baffle the noise from the new mechanical units.*

- d) The conditions stated in the resolution or design considerations integrated into the project shall be deemed necessary to protect the public health, safety, and general welfare. Such conditions may include, but shall not be limited to:

- i.* Additional setbacks, open spaces, and buffers;
- ii.* Provision of fences and walls;
- iii.* Street dedications and improvements, including service roads and alleys;
- iv.* The control of vehicular ingress, egress, and circulation;
- v.* Sign requirements or a sign program, consistent with the Sign Regulations Criteria in Section 10-2.1802;
- vi.* Provision of landscaping and the maintenance thereof;
- vii.* The regulation of noise, vibration, odor and the like;
- viii.* Requirements for off-street loading facilities;
- ix.* A time period within which the proposed use shall be developed;
- x.* Hours of permitted operation and similar restrictions;
- xi.* Removal of existing billboards on the site, subject to the findings required by Section 10-2.2006(b)(7); and

xii. Such other conditions as will make possible the development of the City in an orderly and efficient manner and in conformity with the intent and purposes set forth in this chapter and the General Plan.

*The conditions of approval are necessary to prevent impacts to surrounding residential uses and ensuring adequate sight distance for vehicular traffic including a limit for vegetation and fences along the street frontage and a prohibition of outdoor meal preparation.*

3. The plans, specifications and drawings submitted with the application have been reviewed by the Planning Commission, and are approved.
4. Pursuant to Chapter 3, Title 10 of the Redondo Beach Municipal Code, the project is exempt from the preparation of environmental documents pursuant to Section 15301(a) Existing Facilities of the Guidelines for Implementation of the California Environmental Quality Act (CEQA), which exempts interior and exterior alterations of existing structures including interior partitions, plumbing, and electrical, with no expansion, from environmental review. The project does not propose any floor area expansion, and work will be limited to interior and exterior renovations, consistent with those items specified as exempt under this section.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF REDONDO BEACH DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Based on the above findings, the Planning Commission does hereby approve the Exemption Declaration and grant the Conditional Use Permit, pursuant to the plans and applications considered by the Planning Commission at its meeting on the 18<sup>th</sup> day of August, 2022.

Section 2. This permit shall be void in the event that the applicant does not comply with the following conditions:

1. The approval granted herein is for the operation of a snack shop with an outdoor dining area greater than 150 feet square feet in size. The coffee (snack) shop is allowed by right and shall be maintained and operated in substantial conformance with the application and plans reviewed and approved by the Planning Commission at its meeting of August 18<sup>th</sup>, 2022.
2. The interior tenant improvement shall require submittal of full architectural and structural drawings and documents to the City's Building and Safety Division for plan check. No work shall commence prior to the full approval of plans by all required City divisions with all required permits issued.
3. A covenant and agreement to hold the property (portions of lots 1, 2, 3 and 4 of Block 2, Redondo Villa Tract – Assessor Parcel Numbers 4161-012-010, 4161-

012-011 & 4161-012-022) as one parcel, shall be recorded prior to building permit issuance. (Building Division)

4. Fire sprinklers and a fire alarm system, subject to review and approval by the Fire Department, may be required if the change of use is deemed a change of occupancy.
5. A kitchen hood fire extinguishing system shall be required if the kitchen includes the use of a cook top and/or fryer, subject to review and approval by the Fire Department.
6. Provide ADA compliant curb ramp per SPPWC Plan 111-5 at the street corner. Provide easement of the private property for said curb ramp, as required.
7. A landscape plan, including irrigation and planting in compliance with the State's Model Water Efficient Landscape Ordinance for approval prior to issuance of building permits.
8. No fence, hedge, or wall over forty-two (42) inches in height shall be permitted within any required front or exterior side setback. No fence, hedge, or wall greater than six (6) feet in height shall be permitted within any required rear setback or side setback.
9. No outdoor food preparation shall be permitted.
10. Change of copy and normal maintenance shall be permitted but not replacement or alteration of the sign structures, including but not limited to the housing.
11. Signage plans shall be submitted for approval by the Planning Division under a separate permit. All signage shall comply with the commercial Sign Regulations as specified in the Zoning Code, Title 10, Chapter 2, Article 6.
12. Construction work shall occur only between the hours of 7 a.m. and 6 p.m. Monday through Friday, between 9 a.m. and 5 p.m. on Saturday, with no work occurring on Sunday and holidays or observance of holidays.
13. The Community Development Department is authorized to approve minor changes.
14. In the event of a disagreement in the interpretation and/or application of these conditions, the issue shall be referred back to the Planning Commission for a decision prior to the issuance of a building permit. The decision of the Planning Commission shall be final.

15. The Planning Commission shall retain jurisdiction of the matter for the purpose of enforcing compliance with these conditions and for the purpose of modification thereof as circumstances may subsequently indicate.

Section 3. The approved Conditional Use Permit shall become null and void if not vested within 36 months after the Planning Commission's approval.

Section 4. Prior to seeking judicial review of this resolution, the applicant is required to appeal to the City Council. The applicant has ten (10) days from the date of adoption of this resolution in which to file the appeal.

FINALLY RESOLVED, that the Planning Commission forward a copy of this resolution to the City Council so the Council will be informed of the action of the Planning Commission.

PASSED, APPROVED AND ADOPTED this 18<sup>th</sup> day of August, 2022.

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Chair  
Planning Commission  
City of Redondo Beach

ATTEST:

STATE OF CALIFORNIA        )  
COUNTY OF LOS ANGELES    )    SS  
CITY OF REDONDO BEACH     )

I, Brandy Forbes, Community Development Director of the City of Redondo Beach, California, do hereby certify that the foregoing Resolution No. 2022-\*\*-PCR-\*\* was duly passed, approved, and adopted by the Planning Commission of the City of Redondo Beach, California, at a regular meeting of said Planning Commission held on the 18<sup>th</sup> day of August, 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Brandy Forbes, AICP  
Community Development Director

APPROVED AS TO FORM:

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City Attorney's Office