

**A. CALL MEETING TO ORDER**

A Virtual Meeting of the City of Redondo Beach Planning Commission was called to order by Chair Elder at 7:00 p.m.

**B. ROLL CALL**

Commissioners Present: Hinsley, Toporow, Strutzenberg, Ung, Godek, Chair Elder

Officials Present: Brandy Forbes, Community Development Director  
Sean Scully, Planning Manager  
Lina Portolese, Planning Analyst

**C. SALUTE TO THE FLAG**

Commissioner Ung led in the Salute to the Flag.

Chair Elder called for a moment of silence in honor of those suffering from the global pandemic.

**D. APPROVAL OF ORDER OF AGENDA**

Motion by Commissioner Strutzenberg, seconded by Commissioner Toporow, to approve the Order of Agenda, as presented. Motion carried unanimously (6-0), by roll call vote.

**E. BLUE FOLDER ITEMS – ADDITIONAL BACK UP MATERIALS**

**E.1 Receive and File Blue Folder Items**

Motion by Commissioner Ung, seconded by Commissioner Strutzenberg, to receive and file Blue Folder Items. Motion carried unanimously (6-0), by roll call vote.

**F. CONSENT CALENDAR**

**F.1 Approve Affidavit of Posting of Planning Commission Regular Meeting of November 19, 2020**

**F.2 Approve Minutes of the Regular Planning Commission meeting of October 15, 2020**

**F.3 Receive and File Planning Commission Referrals to Staff Update**

Planning Analyst Lina Portolese announced there were no e-Comments or written communications received regarding the Consent Calendar.

Commissioner Hinsley pulled Items No. F.2 and F.3 from the Consent Calendar for separate consideration.

Motion by Commissioner Toporow, seconded by Commissioner Hinsley, to approve Item No. F.1 under the Consent Calendar. Motion carried unanimously (6-0), by roll call vote.

## **G. EXCLUDED CONSENT CALENDAR ITEMS**

### **G.1 (F.2) Approve Minutes of the Regular Planning Commission meeting of October 15, 2020**

Commissioner Hinsley referenced edits suggested by Chair Elder to the September meeting minutes of the Planning Commission at the October meeting and noted Chair Elder's edits were not incorporated into them.

Chair Elder noted they were minor corrections; supported the minutes as presented and suggested clarifying the process for when there are substantial edits.

Planning Analyst Portolese stated she would need to check the records to clarify what was approved, confirm the process, and return with additional information.

Motion by Commissioner Hinsley, seconded by Commissioner Toporow to approve Item No. F.2 under the Consent Calendar, as presented. Motion carried unanimously (6-0), by roll call vote.

### **G.2 (F.3) Receive and File Planning Commission Referrals to Staff Update**

Commissioner Hinsley asked about the status of a prior referral to staff regarding feedback on the legal direction that was provided in May and noted it was not included in the list of referrals to staff.

Community Development Director Brandy Forbes reported the question was answered; pointed out the City Attorney mentioned it at the City Council meeting and had explained it was an issue that the outside counsel gave instructions that were too conservative to the Planning Commission. She noted she will obtain additional information for the Commission.

Commissioner Strutzenberg confirmed it was included in the minutes and requested the information be provided at the next Commission meeting.

Motion by Commissioner Hinsley, seconded by Commissioner Toporow to approve Item No. F.3 under the Consent Calendar, as presented. Motion carried unanimously (6-0), by roll call vote.

## **H. PUBLIC PARTICIPATION NON-AGENDA ITEMS**

### **H.1 Receive and File Written Communications for the Planning Commission on Non-Agenda Items**

Planning Analyst Lina Portolese announced speakers wishing to address the Commission and noted the first speaker submitted documents which were provided as part of the agenda packet.

Lisa Agabian-Stock and her husband, William Stock referenced accessory structure size and setback requirements; asked that the Planning Commission review them, consider increasing the minimum setback, especially in dense R2 and R3 lots and discuss potential impacts to property values. She shared her experience with, and the history of a construction project at an adjacent neighbor's property and listed her concerns regarding impacts to property values and privacy.

Motion by Commissioner Hinsley, seconded by Commissioner Ung to extend the time for Ms. Agabian-Stock comments. Motion carried unanimously (6-0), by roll call vote.

Ms. Agabian-Stock suggested that once an issue is identified, Code Enforcement take ownership and not rely on citizens to police the situation and enforce existing ordinances from the start. She discussed environmental impacts, runoff, and debris from the illegal structure roof, potential for violation of the City's noise ordinance; reiterated her requests and urged that the Planning Commission work with the Planning Department to expedite Code Enforcement.

Holly Osborne agreed with the prior speaker; referenced pictures she submitted under Blue Folder Items and discussed houses in R1A areas in North Redondo Beach, the implications of SB 1120, design standards and differences in FARs in similar neighborhoods.

Motion by Commissioner Hinsley, seconded by Commissioner Toporow to extend the time for Ms. Osborne's comments. Motion carried unanimously (6-0), by roll call vote.

Ms. Osborne noted the need for design standards to preserve neighborhoods and maintain open space requirements; spoke about inconsistencies in design standards; mentioned the existence of shipping container houses and suggested the Planning Commission enforce design standards in the City.

Planning Analyst Portolese announced there were no other speakers and no eComments received.

Commissioner Hinsley noted accessory structures will be on the Planning Commission's agenda for February 2021 and design guidelines will be considered at a future meeting.

Community Development Director Brandy Forbes clarified that R1A is not included in the City's current residential design guidelines.

## **I. EX PARTE COMMUNICATIONS**

Commissioner Godek reported speaking with Chair Elder regarding the Items No. J.1. and L.1.

Chair Elder confirmed speaking with Commissioner Godek regarding the Items No. J.1. and L.1. In terms of the latter, he reported speaking with two staff members of Cal Water, Councilmember Lowenstein, and multiple residents.

## **J. PUBLIC HEARINGS**

**J.1. PUBLIC HEARING TO CONSIDER ADOPTION OF RESOLUTIONS RECOMMENDING THAT THE CITY COUNCIL AMEND TITLE 10, CHAPTER 5 OF THE MUNICIPAL CODE PERTAINING TO ACCESSORY DWELLING UNITS IN RESIDENTIAL ZONES IN THE COASTAL ZONE, CONSISTENT WITH STATE LAW AND AMENDING TITLE 10, CHAPTER 2 OF THE MUNICIPAL CODE PERTAINING TO ACCESSORY DWELLING UNITS IN RESIDENTIAL ZONES CONSISTENT WITH STATE LAW AND THAT THE CITY COUNCIL ADOPT A FINDING THAT THE AMENDMENTS ARE STATUTORILY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

**PROCEDURES:**

- a) Open Public Hearing, administer oath to the public, take testimony, and deliberate;
- b) Close Public Hearing; and
- c) Adopt a resolution by title only recommending that the City Council amend Title 10 Chapter 5 of the Municipal Code pertaining to accessory dwelling units in residential zones in the Coastal Zone consistent with State law with a finding that the amendments are statutorily exempt from CEQA; and
- d) Adopt a resolution by title only recommending that the City Council amend Title 10 Chapter 2 of the Municipal Code pertaining to Accessory Dwelling Units in residential zones consistent with State law with a finding that the amendments are statutorily exempt from CEQA.

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

Motion by Commissioner Ung, seconded by Commissioner Toporow, to open the public hearing. Motion carried unanimously (6-0), by roll call vote.

Chair Elder administered the Audience Oath for those members of the public wishing to address the Commission.

Community Development Director Forbes presented details of the report; addressed previous Commission discussions regarding the subject; reported City Council introduced the ordinances at its October 6th meeting; stated that the California Department of Housing and Community

Development (HCD) provided comments and suggested revisions which staff incorporated into the revised ordinances; provided a recap on the background on legislation, key changes to the legislation, streamlined ADUs vs. non-streamlined ADUs; discussed the HCD comments and the City's responses and specific revisions and noted the need to ensure the City's ordinances meet State regulations. She discussed additional revisions and comments and conclusions, procedures, and recommendations.

Commissioner Strutzenberg noted that previously, it was said the City's entire regulation had become null and void but stated that going forward, if a single provision is found to conflict, the State would take it over, but not the entire package.

Chair Elder invited comments from the public.

Kevin McNealy thanked City Planning staff for their work and help on this item; referenced the 16-foot height limit and expressed concerns regarding potential loss of privacy to adjacent residences.

Chair Elder administered the Audience Oath to the following speaker.

Ilia Klinger thanked City staff for their hard work; discussed giving up density requirements, spoke about extending the Coastal Zone and opined this is something that can affect the City as well as the coastal area. He suggested adding a caveat stating the only reason for the City doing so is because of the State law and if the law is successfully challenged in court by other entities, the City would consider amending or appealing the ordinance and said there must be give and take on every part of the issue and the City needs to set a strong precedence.

Community Development Director Forbes noted there are two ordinances, one dealing with the Coastal Zone and the other dealing with the municipality; reported the City has flexibility, in terms of the former, with parking in the Coastal Zone, as access to the coast is the biggest concern of the Coastal Commission and indicated State regulations clearly specify that ADUs cannot be counted towards density.

Chair Elder administered the Audience Oath to the following speaker.

Laura McMoran referenced prior comments regarding second stories on detached garages; discussed the availability of other options for creating ADUs that would not create negative impacts on neighboring properties such as noise; urged the Commission to adopt the resolutions, as presented, and thanked Members of the Commission for their service.

In reply to Commissioner Hinsley's question regarding building ADUs over garages, Community Development Director Forbes reported that State's new regulations for non-streamlined ADUs allow building over garages and have no height or story limit; discussed criteria for grandfathering properties; spoke about height limits and setbacks for streamlined ADUs and addressed Junior ADUs.

Commissioner Strutzenberg referenced the resolution on the Coastal Zone amendments regarding conformance with the City's residential design guidelines (Section 3) and Community Development

Director Forbes clarified the section explains what was certified and is being entirely repealed; addressed proposed and existing amendments; explained owner/occupancy as it applies to Junior ADUs; commented on allowing the sale of ADUs; discussed allowing parking within setbacks, “permeable, all-weather surfaces”, where both ADUs and Junior ADUs are allowed and requirements for each in terms of separate access and restrooms. Additionally, she distinguished between ADUs and accessory structures and spoke about taking into consideration unique circumstances.

In response to Commissioner Hinsley’s question, Community Development Director Forbes spoke about the possibility of an applicant going through a variance process in terms of building ADUs above garages, noting they would have to meet the criteria for variances and discussed Coastal Commission certification of the ordinance.

Commissioner Ung commended staff for their work on this item and in response to his question, Community Development Director Forbes explained owner/occupancy requirements of primary units, ADUs and Junior ADUs.

In response to Commissioner Strutzenberg’s question regarding when the ordinance is sent to the Coastal Commission, Community Development Director Forbes reported the City will forward it to them after the City Council adopts it.

Chair Elder noted the matter will be revisited if the State gives the City additional options.

Chair Elder administered the Audience Oath to the following speaker.

Holly Osborne suggested the public take pictures of existing, ugly ADUs and those grossly abusing the regulations and send them to State representatives.

Planning Analyst Portolese announced there were no other public speakers or eComments.

Motion by Commissioner Ung, seconded by Commissioner Toporow, to close the public hearing. Motion carried unanimously (6-0), by roll call vote.

Motion by Commissioner Toporow, seconded by Commissioner Godek, to adopt a resolution by title only recommending that the City Council amend Title 10 Chapter 5 of the Municipal Code pertaining to accessory dwelling units in residential zones in the Coastal Zone consistent with State law with a finding that the amendments are statutorily exempt from CEQA; and adopt a resolution by title only recommending that the City Council amend Title 10 Chapter 2 of the Municipal Code pertaining to Accessory Dwelling Units in residential zones consistent with State law with a finding that the amendments are statutorily exempt from CEQA. Motion carried unanimously (6-0), by roll call vote.

## **K. ITEMS CONTINUED FROM PREVIOUS AGENDAS - None**

## **L. ITEMS FOR DISCUSSION PRIOR TO ACTION**

### **L.1. DISCUSSION REGARDING REGULATIONS RELATED TO OUTDOOR LIVING SPACE AND OPEN SPACE**

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

Community Development Director Forbes stated there is no report and this item is a continuation of discussions from the Commission's meeting in October.

Chair Elder summarized his suggestions including going from 300 square feet to 350 square feet and from 10 feet to 15 square feet; referenced a table submitted by Commission Hinsley and thanked him for his contribution.

Commissioner Strutzenberg noted he had proposed focusing on outdoor living space in residential and mixed-use areas; noted open space and outdoor living space are two different things under the Municipal Code and suggested moving forward, accordingly.

In reply to Chair Elder's request, Community Development Director Forbes addressed the process for updating the Municipal Code and suggested the Commission make specific, precise recommendations to City Council in terms of what the Commission would like changed and how. She explained the ordinance would need to be considered by the Planning Commission as it deals with zoning; addressed the ordinance timeline and discussed next steps.

Chair Elder invited comments from the public.

Lisa Stalk spoke about open space affecting quality of life and noted the importance of preserving the environment and maintaining open space, especially during the current pandemic.

Holly Osborne summarized her comments on this matter at a recent City Council meeting; referenced a study mentioned in the New York Times about differences in the temperature in areas of cities with a lot of green space versus areas where there was none or little green space and stressed the need for trees and grass.

Planning Analyst Portolese announced there were no other public speakers or eComments.

Commissioner Hinsley summarized his process in developing the chart of suggested Municipal Code changes and agreed with Commissioner Godek's comments about encouraging roof-top decks.

Commissioner Toporow agreed with Ms. Osborne's comments adding that not only do massive concrete areas change the temperature, but also change climate patterns in cities and noted the importance of keeping the City as green as possible.

Commissioner Ung spoke about increasing open space and the need to restrict floor area ratios (FARs) to accomplish it; commented on outdoor living space and suggested reviewing a more-holistic solution.

In reply to Commissioner Strutzenberg's question, Planning Manager Sean Scully distinguished between outdoor living space associated with residential uses and public open space. He added there are FARs for residential mixed uses but not for other residential zones other than R1.

Commissioner Strutzenberg proposed keeping outdoor living space at a minimum of 300 square feet and tying it to the overall square footage of a structure.

Commissioner Hinsley referenced his table where he compares the different zones and noted they are all minimum requirements for outdoor living space and Planning Manager Scully reported they are development standards for the different zoning categories and commented on overall standards for outdoor living space.

Discussion followed regarding the Code providing that each structure (unit) must have a certain amount of outdoor living space, reducing or eliminating bonuses and the need for direction from City Council in considering a holistic approach.

Commissioner Toporow agreed with the need to eliminate all bonuses, especially considering the new State regulations on ADUs.

Commissioner Ung agreed with Commission Toporow's comments; discussed other types of outdoor living space uses (i.e., balconies) and suggested using decrements instead of density bonuses.

Chair Elder noted different definitions for coastal versus non-coastal; opined there should not be different definitions for outdoor living space in coastal versus non-coastal and suggested synchronizing both. Members of the Commission concurred.

Regarding the proposed, minimum size, Chair Elder supported tying it to a percentage of the structure; preferred a larger minimum size if the bonus system is maintained and stated smaller minimums would be fine if the bonus system is changed/eliminated.

Discussion followed regarding possible impacts of tying the size of the outdoor living space to a percentage of the structure. Planning Manager Scully noted it is not unusual to get input from development professionals, via a workshop or forum, to consider any impacts and noted they will be part of the public hearing process.

Commissioner Strutzenberg spoke about partially overlapping required outdoor living space with required setbacks and discussed cutting back on some of the massive structures trending.

Commissioner Toporow expressed concerns with having developers as stakeholders; felt that residents are the stakeholders; suggested getting input from architects rather than developers and discussed rooftop decks as open space rather than green space.

Commissioner Hinsley stated he would like to see staff develop an ordinance incorporating the changes agreed to by the Commission and have them present it at a future meeting for the Commission to review prior forwarding it to the City Council. He agreed with eliminating bonuses and spoke about distinguishing R1 and R3 lots and having some sort of separation between types of zoning.

Community Development Director Forbes explained staff will not prepare an ordinance unless it is directed by City Council but will present the Commission's recommendations to City Council for their consideration.

Commissioner Strutzenberg suggested discussing a few topics, developing consensus on them, and giving Members the opportunity to provide additional input and presenting additional recommendations at an upcoming meeting. He reiterated his suggestion to eliminate bonuses.

Commissioner Toporow supported eliminating the bonuses, entirely.

Commissioner Ung suggested not eliminating the bonuses, but rather decrementing them to incentivize proper placement and as large an outdoor living space as possible.

Planning Manager Scully reported there is still a requirement for a minimum of 300 square feet of outdoor living space in one location.

Discussion followed regarding the possibility of not specifying the 300 square feet having to be contiguous and specific percent bonuses at various square footages.

The Commission concurred to recommend the following bonus structure: 5'x10' at 50%; 7'x10' at 75% if adjacent to something useable, otherwise 50% and 10'x15' or above at 100%, otherwise 50% if not adjacent to a usable area.

Commissioner Hinsley questioned whether one specification will work for an R1 and high density and noted that one size does not fit all.

Chair Elder referenced porous pavement and discussed having actual green space.

In response to Commissioner Ung's question, Planning Manager Scully addressed FAR bonuses available within specific design guidelines. Commissioner Ung stated there could be incentives to promote the addition of green space.

Community Development Director Forbes suggested providing a bonus if a set percentage of the outdoor living space is permeable or a usable landscaped area. Commissioner Hinsley preferred it to be a rule rather than a bonus for R1 and R3.

Community Development Director Forbes indicated she will research examples from other cities to present to the Commission.

Commissioner Strutzenberg noted a streamlined ADU could potentially take over all the open space on a lot and discussed needing to maintain setback requirements.

Discussion followed regarding the importance of outdoor living space and staying in touch with nature, especially during the current pandemic, balconies and using side and rear setbacks as outdoor living space.

Commissioner Strutzenberg reiterated his recommendation to tie the amount of outdoor living space to the square footage of a structure.

Commissioner Hinsley expressed concern as it would apply to denser, R3 lots.

Commissioner Toporow noted the need to differentiate for the different zoning categories.

Commissioner Ung stated he would like to work on different scenarios to present at the next Commission meeting.

Community Development Director Forbes summarized the discussions and offered to provide additional information to the Commission in advance of the next meeting to review.

Planning Manager Scully discussed the possibility of providing specific examples to the Commission.

#### **M. ITEMS FROM STAFF - None**

#### **N. COMMISSION ITEMS AND REFERRALS TO STAFF**

Commissioner Strutzenberg asked staff to provide information regarding the Brown Act for the Commission to review at its meeting in January.

Chair Elder mentioned consideration of inclusionary housing; commended the City for shutting down the illegal cannabis dispensary and discussed applying the City's nuisance ordinance. He asked about the possibility of a virtual Planning Commissioner Academy and Community Development Director Forbes stated she will research the matter.

In response to Commissioner Hinsley's question, Community Development Director Forbes discussed an advisory committee working with the City Manager on cannabis issues and the subject is on the City's Strategic Plan.

**O. ADJOURNMENT**

There being no further business to come before the Commission, Commissioner Ung motioned, seconded by Commissioner Toporow, to adjourn at 11:01 p.m. to the next Planning Commission meeting on Thursday, January 21, 2021, at 7:00 p.m. Motion carried unanimously (6-0), by roll call vote.

Respectfully submitted,

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Brandy Forbes  
Community Development Director