

**RESOLUTION NO. 2021-\*\*-PCR-\*\*\***

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF REDONDO BEACH, CALIFORNIA, APPROVING AN EXEMPTION DECLARATION AND GRANTING THE REQUEST FOR PLANNING COMMISSION DESIGN REVIEW TO ALLOW A STRUCTURAL ALTERATION AND ADDITION TO AN EXISTING, LEGAL NON-CONFORMING PROPERTY LOCATED WITHIN A LOW-DENSITY MULTIPLE-FAMILY RESIDENTIAL (R-3) ZONE AT 2303 ROCKEFELLER LANE UNIT A**

WHEREAS, an application was filed on behalf of the owner of property located at 2303 Rockefeller Lane Unit A for approval of an Exemption Declaration and Planning Commission Design Review to allow the structural alteration and construction of an 80 square-foot, minor addition (study) to an existing legal non-conforming property located within a Low-Density Multiple-Family Residential (R-3) zone;

WHEREAS, notice of the time and place of the public hearing where the Exemption Declaration and applications would be considered was given pursuant to State law and local ordinances by publication in the Beach Reporter, 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 16<sup>th</sup> day of September, 2021, with respect thereto.

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

1. In accordance with Section 10-2.2002(b) Nonconforming Uses of the Redondo Beach Municipal Code, structural alterations and minor additions to a nonconforming use may be approved subject to Planning Commission Design Review, pursuant to Section 10-2.2502, and subject to the following criteria:
  - a) *The alteration or addition shall not adversely impact surrounding property proposed addition would not adversely impact surrounding properties.* The proposed addition is within the allowable building envelope and would not adversely affect neighboring properties.
  - b) *The alteration or addition shall not increase the degree of nonconformity with respect to the standards of property development for the zone in which the property is located, including, but not limited to, density, building height, floor area ratio, and setback requirements.* The addition does not increase the

number of units on the property, nor does it increase the building height, nor remove any existing parking spaces. The existing nonconformity, in terms of density is not exacerbated. The condominium complex is built with four units and will remain as a four-unit condominium complex.

- c) *The alteration or addition shall not decrease the future capability of the structure to provide off-street parking at a ratio that could reasonably allow replacement by a conforming use.* The proposed addition would not decrease the capability to provide off-street parking, since the addition is located in an area within the building envelope where more parking spaces cannot be accommodated. Recently adopted state legislation does not allow the net loss of housing units. Thus a development that conforms to the maximum density allowed in the zone cannot not be permitted.
  - d) *The alteration or addition shall not cause or increase a deficiency in the number of parking spaces required for the existing use.* The minor addition does not cause a deficiency in parking spaces for the existing residential uses. A total of eight parking spaces (seven garage and one surface parking space) are provided for the existing uses per the development standards that were in place at the time of construction.
  - e) *That if the structure containing the nonconforming use is nonconforming with respect to the standards of property development for the zone in which the property is located, including, but not limited to, density, building height, floor area ratio, or provision of off-street parking, the alteration or addition shall not substantially increase the useful life of the nonconforming structure.* The nonconforming building is nonconforming with respect to density and provision of off-street parking. The proposed addition does not affect the useful life of the non-conforming structure as it is a minor addition to the residential unit.
  - f) *The alteration or addition is not inconsistent with the General Plan.* The proposed minor addition to the existing condominium complex conforms with the City's General Plan in that the improvement maintains and enhances the existing viable housing stock within Redondo Beach (Housing Element Goal 1.0).
2. The plans, specifications and drawings submitted with the applications have been reviewed by the Planning Commission and are approved.
  3. 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 of the Guidelines for Implementation of the California Environmental Quality Act (CEQA).

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 adopt the Exemption Declaration and grant the Planning Commission Design Review pursuant to the plans and applications considered by the Planning Commission at its meeting of the 16<sup>th</sup> day of September, 2021.

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 construction of an 80 square-foot addition (studio) to an existing, legal non-conforming residential building. The addition shall be constructed in substantial compliance with the proposal and plans reviewed and approved by the Planning Commission at its meeting of September 16, 2021.
2. The building addition shall comply with all applicable codes, regulations and requirements and the applicant shall obtain all necessary permits from the Building Department, Engineering Department, Fire Department and any other agency with jurisdiction over interior and exterior improvements to the site.
3. The Community Development Department is authorized to approve minor changes.
4. 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.
5. 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. That the approved Planning Commission Design Review shall become null and void if not vested within 36 months after the Planning Commission's approval.

Section 4. That, prior to seeking judicial review of this resolution, the applicant is required to appeal to the City Council. The applicant has ten 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 16<sup>th</sup> day of September, 2021.

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Planning Commission Chair  
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. 2021-\*\*-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 16<sup>th</sup> day of September, 2021, by the following vote:

AYES:

NOES:

ABSENT:

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Brandy Forbes, AICP  
Community Development Director

APPROVED AS TO FORM:

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City Attorney's Office