

**CITY OF REDONDO BEACH
PLANNING COMMISSION AGENDA
Thursday, January 21, 2021**

REGULAR MEETING OF THE PLANNING COMMISSION - 7:00 PM

ALL COMMISSION MEMBERS ARE PARTICIPATING BY VIRTUAL MEETING. MEMBERS OF THE PUBLIC MAY ONLY PARTICIPATE BY ZOOM, EMAIL OR eCOMMENT.

Commission meetings are broadcast live through Spectrum Cable, Channel 8, and Frontier Communications, Channel 41. Live streams and indexed archives of meetings are available via internet. Visit the City's office website at www.Redondo.org/rbtv.

TO WATCH MEETING LIVE ON CITY'S WEBSITE:

<https://redondo.legistar.com/Calendar.aspx>

*Click "In Progress" hyperlink under Video section of meeting

TO WATCH MEETING LIVE ON YOUTUBE:

<https://www.youtube.com/c/CityofRedondoBeachIT>

TO JOIN ZOOM MEETING (FOR PUBLIC COMMENT ONLY):

Register in advance for this meeting:

https://us02web.zoom.us/webinar/register/WN_Q_tVz2DWScmiFs4q3Xa_Ew

After registering, you will receive a confirmation email containing information about joining the meeting.

If you are participating by phone, be sure to provide your phone # when registering. You will be provided a Toll Free number and a Meeting ID to access the meeting. Note; press # to bypass Participant ID. Attendees will be muted until the public participation period is opened. When you are called on to speak, press *6 to unmute your line. Note, comments from the public are limited to 3 minutes per speaker.

eCOMMENT: COMMENTS MAY BE ENTERED DIRECTLY ON WEBSITE AGENDA PAGE:

- 1) Public comments can be entered before and during the meeting.
- 2) Select a SPECIFIC AGENDA ITEM to enter your comment;
- 3) Public will be prompted to Sign-Up to create a free personal account (one-time) and then comments may be added to each Agenda item of interest.
- 4) Public comments entered into eComment (up to 2200 characters; equal to approximately 3 minutes of oral comments) will become part of the official meeting record. Comments may be read out loud during the meeting.

EMAIL: TO PARTICIPATE BY WRITTEN COMMUNICATION WITH ATTACHED DOCUMENTS BEFORE 3PM DAY OF MEETING:

Written materials that include attachments pertaining to matters listed on the posted agenda received after the agenda has been published will be added as supplemental materials under the relevant agenda item. PlanningRedondo@redondo.org

REGULAR MEETING OF THE PLANNING COMMISSION - 7:00 PM

- A. CALL TO ORDER**
- B. ROLL CALL**
- C. SALUTE TO THE FLAG**
- D. APPROVE ORDER OF AGENDA**
- E. BLUE FOLDER ITEMS - ADDITIONAL BACK UP MATERIALS**

Blue folder items are additional back up material to administrative reports and/or public comments received after the printing and distribution of the agenda packet for receive and file.

F. CONSENT CALENDAR

Business items, except those formally noticed for public hearing, or those pulled for discussion are assigned to the Consent Calendar. The Commission Members may request that any Consent Calendar item(s) be removed, discussed, and acted upon separately. Items removed from the Consent Calendar will be taken up under the "Excluded Consent Calendar" section below. Those items remaining on the Consent Calendar will be approved in one motion. The Chair will call on anyone wishing to address the Commission on any Consent Calendar item on the agenda, which has not been pulled by the Commission for discussion. Each speaker will be permitted to speak only once and comments will be limited to a total of three minutes.

- F.1. [APPROVE AFFIDAVIT OF POSTING OF THE PLANNING COMMISSION REGULAR MEETING OF JANUARY 21, 2021](#)**
- F.2. [APPROVE MINUTES OF THE PLANNING COMMISSION REGULAR MEETING OF NOVEMBER 19, 2020](#)**
- F.3. [RECEIVE AND FILE PLANNING COMMISSION REFERRALS TO STAFF UPDATE](#)**

G. EXCLUDED CONSENT CALENDAR ITEMS

H. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

This section is intended to provide members of the public with the opportunity to comment on any subject that does not appear on this agenda for action. This section is limited to 30 minutes. Each speaker will be afforded three minutes to address the Commission. Each speaker will be permitted to speak only once. Written requests, if any, will be considered first under this section.

- H.1. [RECEIVE AND FILE WRITTEN COMMUNICATIONS FOR THE PLANNING COMMISSION ON NON-AGENDA ITEMS](#)**

I. EX PARTE COMMUNICATION

This section is intended to allow all officials the opportunity to reveal any disclosure or ex parte communication about the following public hearings.

J. PUBLIC HEARINGS

K. ITEMS CONTINUED FROM PREVIOUS AGENDAS

L. ITEMS FOR DISCUSSION PRIOR TO ACTION

- L.1. [DISCUSSION REGARDING REGULATIONS RELATED TO OUTDOOR LIVING SPACE AND OPEN SPACE](#)**

CONTACT: SEAN SCULLY, PLANNING MANAGER

M. ITEMS FROM STAFF

N. COMMISSION ITEMS AND REFERRALS TO STAFF

O. ADJOURNMENT

The next meeting of the Redondo Beach Planning Commission will be a regular meeting to be held at 7:00 p.m. on Thursday February 18, 2021, in the Redondo Beach Council Chambers, at 415 Diamond Street, Redondo Beach, California via Virtual Meeting.

It is the intention of the City of Redondo Beach to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this meeting you will need special assistance beyond what is normally provided, the City will attempt to accommodate you in every reasonable manner. Please contact the City Clerk's Office at (310) 318-0656 at least forty-eight (48) hours prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible. Please advise us at that time if you will need accommodations to attend or participate in meetings on a regular basis.

An agenda packet is available 24 hours at www.redondo.org under the City Clerk.

CONSENT CALENDAR

The Planning Commission has placed cases, which have been recommended for approval by the Planning Department staff, and which have no anticipated opposition, on the Consent Calendar section of the agenda. Any member of the Planning Commission may request that any item on the Consent Calendar be removed and heard, subject to a formal public hearing procedure, following the procedures adopted by the Planning Commission.

All cases remaining on the Consent Calendar will be approved by the Planning Commission by adopting the findings and conclusions in the staff report, adopting the Exemption Declaration or certifying the Negative Declaration, if applicable to that case, and granting the permit or entitlement requested, subject to the conditions contained within the staff report.

Cases which have been removed from the Consent Calendar will be heard immediately following approval of the remaining Consent items, in the ascending order of case number.

RULES PERTAINING TO PUBLIC TESTIMONY

1. No person shall address the Commission without first securing the permission of the Chairperson; provided, however, that permission shall not be refused except for a good cause.
2. Speakers may be sworn in by the Chairperson.
3. After a motion is passed or a hearing closed, no person shall address the Commission on the matter without first securing permission of the Chairperson.
4. Each person addressing the Commission shall step up to the lectern and clearly state his/her name and city for the record, the subject he/she wishes to discuss, and proceed with his/her remarks.
5. Unless otherwise designated, remarks shall be limited to three (3) minutes on any one agenda item. The time may be extended for a speaker(s) by the majority vote of the Commission.
6. In situations where an unusual number of people wish to speak on an item, the Chairperson may reasonably limit the aggregate time of hearing or discussion, and/or time for each individual speaker, and/or the number of speakers. Such time limits shall allow for full discussion of the item by interested parties or their representative(s). Groups are encouraged to designate a spokesperson who may be granted additional time to speak.
7. No person shall speak twice on the same agenda item unless permission is granted by a

majority of the Commission.

8. Speakers are encouraged to present new evidence and points of view not previously considered, and avoid repetition of statements made by previous speakers.

9. All remarks shall be addressed to the Planning Commission as a whole and not to any member thereof. No questions shall be directed to a member of the Planning Commission or the City staff except through, and with the permission of, the Chairperson.

10. Speakers shall confine their remarks to those which are relevant to the subject of the hearing. Attacks against the character or motives of any person shall be out of order. The Chairperson, subject to appeal to the Commission, shall be the judge of relevancy and whether character or motives are being impugned.

11. The public participation portion of the agenda shall be reserved for the public to address the Planning Commission regarding problems, question, or complaints within the jurisdiction of the Planning Commission.

12. Any person making personal, impertinent, or slanderous remarks, or who shall become boisterous while addressing the Commission, shall be forthwith barred from future audience before the Commission, unless permission to continue be granted by the Chairperson.

13. The Chairperson, or majority of the members present, may at any time request that a police officer be present to enforce order and decorum. The Chairperson or such majority may request that the police officer eject from the place of meeting or place under arrest, any person who violates the order and decorum of the meeting.

14. In the event that any meeting is willfully interrupted so as to render the orderly conduct of such meeting unfeasible and order cannot be restored by the removal of individuals willfully interrupting the meeting, the Commission may order the meeting room cleared and continue its session in accordance with the provisions of Government Code subsection 54957.9 and any amendments.

APPEALS OF PLANNING COMMISSION DECISIONS

All decisions of the Planning Commission may be appealed to the City Council. Appeals must be filed, in writing, with the City Clerk's Office within ten (10) days following the date of action of the Planning Commission. The appeal period commences on the day following the Commission's action and concludes on the tenth calendar day following that date. If the closing date for appeals falls on a weekend or holiday, the closing date shall be the following business day. All appeals must be accompanied by an appeal fee of 25% of original application fee up to a maximum of \$500.00 and must be received by the City Clerk's Office by 5:00 p.m. on the closing date.

Planning Commission decisions on applications which do not automatically require City Council review (e.g. Zoning Map Amendments and General Plan Amendments), become final following conclusion of the appeal period, if a written appeal has not been filed in accordance with the appeal procedure outline above.

No appeal fee shall be required for an appeal of a decision on a Coastal Development Permit application.



Administrative Report

F.1., File # PC21-1945

Meeting Date: 1/21/2021

TITLE

APPROVE AFFIDAVIT OF POSTING OF THE PLANNING COMMISSION REGULAR MEETING OF JANUARY 21, 2021



Administrative Report

F.1., File # PC21-1945

Meeting Date: 1/21/2021

TITLE

APPROVE AFFIDAVIT OF POSTING OF THE PLANNING COMMISSION REGULAR MEETING OF JANUARY 21, 2021



Community Development
Planning Division

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Redondo Beach, California 90277-0270
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STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF REDONDO BEACH)

AFFIDAVIT OF POSTING

In compliance with the Brown Act, the following materials have been posted at the locations indicated below.

Legislative Body Planning Commission
Posting Type Regular Meeting Agenda – Virtual Meeting
Posting Locations 415 Diamond Street, Redondo Beach, CA 90277
 ✓ City Hall Bulletin Board, Door “4”
Meeting Date & Time Thursday January 21, 2021 7:00 p.m.

As Planning Analyst of the City of Redondo Beach, I declare, under penalty of perjury, the document noted above was posted at the date displayed below.

Lina Portolese, Planning Analyst

Date: January 14, 2021



Administrative Report

F.2., File # PC21-1946

Meeting Date: 1/21/2021

TITLE

APPROVE MINUTES OF THE PLANNING COMMISSION REGULAR MEETING OF NOVEMBER 19, 2020



Administrative Report

F.2., File # PC21-1946

Meeting Date: 1/21/2021

TITLE

APPROVE MINUTES OF THE PLANNING COMMISSION REGULAR MEETING OF NOVEMBER 19, 2020

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,

Brandy Forbes
Community Development Director



Administrative Report

F.3., File # PC21-1947

Meeting Date: 1/21/2021

TITLE

RECEIVE AND FILE PLANNING COMMISSION REFERRALS TO STAFF UPDATE



Administrative Report

F.3., File # PC21-1947

Meeting Date: 1/21/2021

TITLE

RECEIVE AND FILE PLANNING COMMISSION REFERRALS TO STAFF UPDATE

PLANNING COMMISSION REFERRALS TO STAFF

<u>REFERRAL TOPIC</u>	<u>DATE REFERRAL MADE</u>	<u>COMMENTS</u>	<u>STATUS</u>
Discuss recommendations for design guidelines related to open space, FARs, views	1/16/2020	Staff will provide follow-up to the Commission when the consultant has been selected to update the Residential Design Guidelines, which is a Strategic Plan Item.	Pending
Status of email addresses and business cards for Commissioners	7/16/2020	It has been determined that these will be addressed after the local emergency	Pending
Agendize discussion of accessory structures and preservation of trees	10/15/2020	Will be agendized for the February 2021 meeting	Will be agendized for February 18, 2021
Provide information regarding the Brown Act for Commission review	11/19/2020	Item must be coordinated with the City Attorney's and City Clerk offices and is subject to workloads in both those divisions. Will be provided to the Planning Commission by the March 2021 meeting,	Will be provided for March 18, 2021 meeting
Information on Planning Commission Academy	11/19/2020	League of California Cities was scheduled to hold their Planning Commissioner's Academy on March 24 – March 26, 2021 but it appears to be postponed as they are not accepting registrations. The League hosts a variety of other online classes and roundtables, information on upcoming online events can be found on their webpage at the following link: https://www.cacities.org/Education-Events/Calendar	Complete



Administrative Report

H.1., **File #** PC21-1948

Meeting Date: 1/21/2021

TITLE

RECEIVE AND FILE WRITTEN COMMUNICATIONS FOR THE PLANNING COMMISSION ON NON-AGENDA ITEMS



Administrative Report

H.1., **File #** PC21-1948

Meeting Date: 1/21/2021

TITLE

RECEIVE AND FILE WRITTEN COMMUNICATIONS FOR THE PLANNING COMMISSION ON NON-AGENDA ITEMS

From: Mark Nelson

Sent: Monday, November 23, 2020 1:32 PM

To: Communications <communications@bchd.org>; EIR <eir@bchd.org>

Cc: jane.diehl@bchd.org; vanessa.poster@bchd.org; noel.chun@bchd.org; michelle.bholat@bchd.org; CityClerk <CityClerk@redondo.org>; CityClerk@torranceca.gov

Subject: Comment to the BCHD Board - BCHD has no demonstrated need or viability for a PACE facility to serve Manhattan, Hermosa and Redondo Beach Taxpayer Owners

TO: BCHD Board

CC: Redondo Beach and Torrance Mayors, Councils, and Planning Commissioners as a Public Comment

On June 12, 2020, BCHD provided a never before seen plan for the Healthy Living Campus that included a 400 person PACE facility. After only 3 business days of public review, analysis and comment, the BCHD Board approved the plan.

Subsequently, I filed a CPRA requesting all studies by BCHD of the need for PACE service in the specific BCHD owner cities footprint of Manhattan, Hermosa, and Redondo Beach. BCHD has failed to respond.

BCHD has a \$7.6M pre-development budget for HLC activity that is ample for BCHD to process California Public Records Act requests in a timely fashion. Yet, BCHD failed. Furthermore, BCHD has a \$10,000 per month communications consultant that could also allow BCHD to comply with the CPRA. Yet, BCHD failed.

Cain Bros., the \$300,000 contracted investment bankers for BCHD, without data, suggested that BCHD PACE could be patient funded, instead of Medicare+Medicaid, since many/most local residents are not Medicaid eligible. However, according to the National PACE Association, only 1% of PACE users are self-funded. 90% of users are Medicare+Medicaid, while 9% are Medicaid only. That suggests that only a total of 4 Beach Cities participants out of the 400 proposed users will meet the suggested Cain Bros. criteria of being a "cash" patient.

BCHD and its Cain Bros. consultants appear to have deliberately truncated the review and comment time of the public to summarily approve its ill-researched, and apparently non-financially viable PACE scheme.

Mark Nelson

Redondo Beach Property Owner

3+ Year BCHD HLC CWG Volunteer

From: Mark Nelson

Sent: Monday, November 23, 2020 6:41 PM

To: Communications <communications@bchd.org>

Cc: noel.chun@bchd.org; michelle.bholat@bchd.org; vanessa.poster@bchd.org; jane.diehl@bchd.org;

CityClerk <CityClerk@redondo.org>; CityClerk@torranceca.gov; David Rosenfeld

<drosenfeld@scng.com>; Lisa Jacobs <lisa.jacobs@tbrnews.com>; Judy Rae

<easyreader@easyreadernews.com>

Subject: Re: Save the Date: Community Working Group Virtual Meeting Dec. 7

To the CWG with copies to the Media, and Redondo Beach and Torrance Mayors, Councils and Planning Commissioners as public comment:

I've provided a series of California Public Records Act requests to BCHD that will undoubtedly result in untimely replies from BCHD regarding communications with Youssef and payments for this "prudent" finding. This is a meaningless letter.

BCHD framed the question as: "BCHD finds that continued use with seismic retrofit is NOT cost-effective, therefore, we plan to tear down the building. If you accept our findings of 1) seismic retrofit is required, and 2) it is not cost-effective, then is it appropriate to tear down 514?" It is outside the scope of Youssef's role as a consulting engineer to choose between abandonment in place, demolition, or continued use without retrofit. Youssef's prior reports acknowledged that continued use of 514 was acceptable, and Youssef made no engineering safety finding that required 514 to be retrofitted, demolished, or abandoned. Youssef conditioned its reply on the fact that there are no ordinances supporting BCHDs perceived requirement to demolish 514. Therefore, this conditioned letter has no bearing on the future use of 514 for HLC.

The appropriate question is, "if it is cost-effective to continue operation of 514 without seismic retrofit, does Youssef find that act to be IMPRUDENT, absent any ordinances requiring retrofit from a narrow engineering safety perspective."

I assert that Youssef's prior reports already condone continued use of 514 absent retrofits. If posed the question above, Youssef's only consistent response with its reports must be to reinforce that continued use of the building is not unsafe. BCHD is doing a large, purely elective project that will have widespread environmental and economic damages to the surrounding communities, based on their misconception that seismic retrofit is REQUIRED. Per Youssef's letter and prior report, retrofit is NOT required and is a discretionary act that results in environmental carnage.

On Mon, Nov 23, 2020 at 5:55 PM Beach Cities Health District <communications@bchd.org> wrote:

Dear Mark,

With the upcoming release - in early 2021 - of the Draft Environmental Impact Report (EIR) for the Healthy Living Campus project, please save the date for **our next CWG meeting Monday, December 7 at 6 p.m.** An agenda and Zoom link will be sent prior to the meeting.

We recently received a letter ([click here to view](#)) from Nabih Youssef Associates, our seismic consultant and thought you would be interested. We will discuss this letter at the meeting on December 7. I hope you will be able to join us!

Thank you again for volunteering your time and energy to serve as our community sounding board.

Best wishes for a Happy Thanksgiving to you and your family.

Sincerely,

Dan Smith

Communications Manager

Beach Cities Health District

Ph: 310-374-3426, x156

Creating a healthy beach community.

From: Mark Nelson

Sent: Friday, November 27, 2020 10:17 AM

To: Communications <communications@bchd.org>; vish.chatterji@bchd.org; jane.diehl@bchd.org; vanessa.poster@bchd.org; michelle.bholat@bchd.org; noel.chun@bchd.org; Martha Koo <drkoo@neurowellnessspa.com>; CityClerk <CityClerk@redondo.org>; CityClerk@torranceca.gov; Brandy Forbes <Brandy.Forbes@redondo.org>

Cc: Lisa Jacobs <lisa.jacobs@tbrnews.com>; Judy Rae <easyreader@easyreadernews.com>; David Rosenfeld <drosenfeld@scng.com>; rosanna.xia@latimes.com

Subject: Wood PLCs Lack of Environmental Credibility to Protect California and the Neighborhoods Surrounding Beach Cities Health District

TO: BCHD Board; Mayor, Council, Planning Commissions of Redondo Beach and Torrance; Media (cc); NGOs (bcc)

Through a loophole in State law that needs to be corrected, BCHD is allowed to both conduct and approve its own Environmental Impact Report (EIR) regarding its South Bay Galleria-sized, 793,000 sqft development complete with an 8-story parking garage. In an apparent effort to assure that BCHD was able to approve their over-sized development, they chose Wood PLC, a UK-based energy-engineering company to conduct the analysis that will “protect” the neighbors from environmental and economic injustice impacts and write the EIR. BCHD has never conducted an environmental analysis, and the City of Redondo Beach, an experienced agency, conducted the analyses for the prior two projects on the BCHD campus, the 510 and 520 Medical Office Buildings.

The California Legislature established policies in Public Resources Code (PRC) Sections 21000, 21001, 21002, and 21002.1 (collectively the California Environmental Quality Act or CEQA) concerning the maintenance of a quality environment for the people of the state as well as the enhancement of the environment and control of environmental pollution. This is broadly the task of the EIR process and CEQA.

To support their CEQA obligations, BCHD chose a firm with over 75% oil and chemical revenues to conduct the analysis. Here are some of Wood PLCs “environmental accomplishments”:

Wood specializes in offshore oil exploration, drilling and pumping (think – Deepwater Horizon debacle). Wood even has a catalog of their offshore oil rig designs.

https://www.woodplc.com/data/assets/pdf_file/0027/117099/Topsides-Design-Catalog.pdf

Wood is “Proud” to be working in the Tar Sands – the dirtiest oil area on

Earth. <https://www.woodplc.com/news/2019/wood-opens-new-office-in-edmonton,-alberta>

<https://www.nrdc.org/resources/stop-tar-sands-oil-expansion-and-infrastructure>

Wood was one of the firms developing the environmentally destructive and socially irresponsible Dakota Access Pipeline hauling fracking and tar sands oil.

https://www.woodplc.com/investors?a=8183&fbclid=IwAR1P84W90wivgzna_Vra0SBHLjwfZWudyNCTZXDLA0HUdpU2VXeVOoWHig

https://www.nrdc.org/experts/dan-west/huge-win-standing-rock-and-national-environmental-policy-act?fbclid=IwAR3yv6Q9IUlw4jxwZiWFTa6rE5KbAWfqjBN_BMXNBoP_0795Tv1MCWvC4c

Wood is an active partner in the first new oil refinery in decades – the Davis Refinery, being built next to

the Theodore Roosevelt National Park to process fracked oil.

<https://meridianenergygroupinc.com/wood-selected-by-meridian-energy-group-inc-to-partner-for-the-davis-refinery/>

Wood made the 2020 list of “Wreckers of the Earth” - quite an accomplishment for BCHDs “environmental” firm. <https://corporatewatch.org/wreckers-of-the-earth-london-company-directory/>

Wood earns the vast majority of its Americas revenues from oil and chemical exploration (45%), and extraction and processing support (30%).

https://www.woodplc.com/_data/assets/pdf_file/0027/124974/Wood_Annual_Report_and_Accounts_2019_SCREEN.pdf

https://www.woodplc.com/_data/assets/pdf_file/0016/50920/Wood-brochure-Rio-Oil-and-Gas-2018.pdf

BCHDs choice of a firm that draws the majority of its revenues, and therefore its executive management, Board, and investor support from toxic and environmentally damaging oil exploration, drilling and refining activities to “PROTECT” the surrounding neighborhoods is reason enough to REJECT BCHDs Oversized Development Scheme.

Mark Nelson

3+ Year Volunteer, BCHD Community Working Group

Redondo Beach Property Owner

Expert Witness

Current or former member of: NRDC, EDF, Sierra Club, TURN

Khatirah Nazif

From: Mark Nelson (Home Gmail) [REDACTED]
Sent: Sunday, December 6, 2020 6:15 PM
To: Communications
Cc: CityClerk; CityClerk@torranceca.gov; Steven Keller; Tim Stowe; Brandy Forbes
Subject: Re: Community Working Group Comments 12-7-2020 (3rd Edition, 12/6/2020)

Categories: Khatirah



ATTN: Email is from an external source; **Stop, Look, and Think** before opening attachments or links.

According to a zoning map kindly provided by Director Forbes of Redondo Beach, there are only 7 P-CF zoned parcels in Redondo Beach. NONE of them tower 8-15 stories above the surrounding neighborhoods. BCHD must conform with local height limits, which appear to be roughly 30 feet for the vast majority of bordering zoning of BCHD, especially since the only use ever approved by voters was for an emergency hospital sized exclusively for the use of the 3 beach cities that own, fund and funded South Bay Hospital and the subsequent BCHD that renamed SBHD after South Bay Hospital failed.

The P-CF parcels are:

Kensington
Broadway Fire Station
BCHD
Police shooting range
Andrews Park
Grant Fire Station
North Library

On Sun, Dec 6, 2020 at 3:07 PM Mark Nelson (Home Gmail) [REDACTED] wrote:

BCHD is proposing to build on the far edges of campus, adjacent to neighborhoods, with heights of 8-15 stories above surrounding residences



Mark Nelson (Home Gmail) [REDACTED]

to Communications, cityclerk, CityClerk, Brandy, EIR



ADDRESS	BASE ELEVATION (feet)	BCHD PROPOSED HEIGHT OVER HOMES (feet)	BCHD PROPOSED HEIGHT OVER HOMES (stories)
514 N Prospect Ave, Redondo Beach, California, 90277	169		
19714 Mildred Ave, Torrance, California, 90503	96	148	15
5607 Towers St, Torrance, California, 90503	97	147	15
19502 Tomlee Ave, Torrance, California, 90503	118	126	13
1200 Diamond St, Redondo Beach, California, 90277	119	125	13
1210 Diamond St, Redondo Beach, California, 90277	120	124	12
19338 Tomlee Ave, Torrance, California, 90503	126	118	12
1410 Diamond St, Redondo Beach, California, 90277	134	110	11
1400 Diamond St, Redondo Beach, California, 90277	136	108	11
1112 Beryl St, Redondo Beach, California, 90277	139	105	11
1219 Beryl St, Redondo Beach, California, 90277	142	102	10
1321 Beryl St, Redondo Beach, California, 90277	143	101	10
501 N Prospect Ave, Redondo Beach, California, 90277	153	91	9
601 N Prospect Ave, Redondo Beach, California, 90277	162	82	8

Elevations from USGS

On Sat, Dec 5, 2020 at 2:54 PM Mark Nelson (Home Gmail [REDACTED]) wrote:
 Public Comments to BCHD, CWG, City of Torrance, City of Redondo Beach, TUSD, RBUSD and Media

Due to a medical conflict, I am unable to attend the December 7, 2020 BCHD Community Working Group meeting.

These comments for the December 7, 2020 CWG meeting are with respect to the BCHD never before seen design that was released at 605PM on June 12, 2020 and board-approved on June 17, 2020 after only 3 business days of public review, analysis and input despite the project having an 11-year history and no public meetings, Zoom or otherwise, for months and months. The plan moved 160,000 sq ft of parking to the upper 4 stories of an 8-story parking structure at Prospect and Diamond, placed a 75-foot tall, 6-story, "upscale" \$12,000 monthly senior apartment building on the north lot line from the 520 building to Flagler, added a never before seen aquatic center, and lined Prospect from Diamond to the north entrance with buildings. This never before seen design with significantly different features and environmental damages than that disclosed in the NOP was only allowed 3 business days for the public before approval by the Board.

1. BCHD is proposing to do significant environmental damage to the surrounding neighborhoods by its voluntary early retirement, demolition, and rebuilding of the 514 building.

2. The City of Redondo, County of Los Angeles, and the State of California have no ordinances that require demolition or seismic retrofit of the 514 for non-hospital use. The environmental damage, landfilling of debris, and rebuilding of the 514 building is an exclusively discretionary, non-required act by BCHD.
3. Youssef Associates clearly states that retrofit or demolition is a voluntary act by BCHD. Further, Youssef also states that under the best practices ordinance of the City of LA (not applicable) the 514 would have approximately 20 years of existing life prior to retrofit or demolition. Absent BCHD internal decision that retrofit is required, Youssef would have no opinion.
4. BCHD and BCHD alone determined that 514 must be retrofitted or demolished. There is no Youssef determination in any Youssef reports.
5. BCHD has no professional opinion that 514 is unsafe for continued use and must be effectively "red tagged."
6. BCHD has conducted no Economic Justice analysis of its damages on the surrounding neighborhoods.
7. BCHD has conducted no Environmental Justice analysis of its damages on the surrounding neighborhoods.
8. BCHD has less than 1000 sqft of the campus at the building height of 75 feet (the penthouse), that highest point is nearly dead-center in the campus lot, and BCHD is using that 0.3% of the campus sqft to establish the proposed height to be built on the perimeter.
9. 75-foot tall perimeter construction is the equivalent of 300-foot tall construction at the campus center.
10. BCHD is weaponizing economic and environmental injustice by proposing the 75 foot, 6-story, "up-scale" senior apartments on the far north side of the campus against residential neighborhoods made up of young, economically disadvantaged renters with a larger minority fraction than the other "beach cities" that own and fund BCHD. These renters do not have the economic means to effectively oppose BCHD and that's likely why they were selected as powerless opponents to BCHD.
11. BCHD is proposing environmentally damaging noise, light, and particulate pollution of the surrounding neighborhoods at Prospect and Diamond with its 8-story, 800+ car parking structure.
12. When counting relevant, above ground development, BCHD June 17, 2020 Board approved design is more sqft than prior designs as BCHD moved 160,000 sqft of parking structure from underground to above ground atop the 8-story structure.

13. BCHD, RBUSD and TUSD are all aware that PM 2.5 pollution from construction and traffic lodges in the brainstems of children, causing Alzheimer's like conditions and delayed development, yet BCHD continues to propose to add to the PM 2.5 burden of Towers and Beryl Heights schools.

<https://pubmed.ncbi.nlm.nih.gov/27567860/>

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6138768/>

14. 95% of the housing BCHD has proposed serves persons outside of Redondo Beach 90277 according to MDS's study.

15. 80% of the housing BCHD has proposed serves non-residents of the 3 beach cities.

16. 100% of the Economic and Environmental Injustice burden of the proposed project to the 3 beach cities occurs in Redondo Beach 90277.

17. The South Bay Hospital was approved and funded by voters. After its failure in 1984 as a public hospital and subsequent failure in the mid-1990s as a leased facility (cite: Daily Breeze) it retained all voter approved assets and changed its name to BCHD.

18. South Bay Hospital provided a quid pro quo for its economic and environmental damages to the surrounding neighborhoods of an emergency hospital, as approved by voters. BCHD has no such approval nor emergency benefits to the surrounding neighborhoods. BCHDs location is not required to be at the Prospect campus.

19. There is a 1200 signature petition opposing BCHD development.

20. BCHD Board Member Vanessa I. Poster, caregiver to her 93 year old father, was unable to keep Covid out of her personal household. There will be over 700 tenants and PACE patients in the proposed BCHD facility and the demonstrated ineptitude of one Board member sends a clear signal of the ineptitude of the organization.

21. BCHD's so-called environmental firm, Wood PLC, earns the vast majority of its income supporting oil and chemicals business, including but not limited to the tar sands, fracking, and refining. Wood PLC is an immoral and unfit choice for environmental protection and CEQA execution.

TAR SANDS

<https://www.woodplc.com/news/2019/wood-opens-new-office-in-edmonton,-alberta>

FRACKING

<https://meridianenergygroupinc.com/wood-selected-by-meridian-energy-group-inc-to-partner-for-the-davis-refinery/>

REFINING

<https://minnesota.cbslocal.com/2020/01/10/planned-n-d-refinery-by-theodore-roosevelt-national-park-hurt-by-funding-lawsuits/>

Mark Nelson
3+ Year Volunteer to BCHD CWG
Redondo Beach Property Owner
Expert Witness
Member Sierra Club, NRDC, EDF, Nature Conservancy

From: Mark Nelson

Sent: Monday, December 7, 2020 9:48 AM

To: CityClerk <CityClerk@redondo.org>; CityClerk@torranceca.gov; Brandy Forbes <Brandy.Forbes@redondo.org>

Cc: Communications <communications@bchd.org>; Judy Rae <easyreader@easyreadernews.com>; Lisa Jacobs <lisa.jacobs@tbrnews.com>

Subject: Public Comment - Map of BCHD Neighborhood Impacts

Redondo Beach and Torrance Mayor, City Council and Planning Commissions:

I have used USGS to map the impacts of the 6-story, \$12,500 per month apartments and 8-story, 800-car parking ramp on the surrounding neighborhoods. As you can see, the perimeter locations of BCHD over-development greatly increase the invasion into the local neighborhoods from the previous 514 Building. BCHD is planning to have 100,000s of square feet of perimeter 75-foot tall development on the site that previously had one single 900 sqft mechanical penthouse at 75-feet.

Given the elevation of the BCHD site, BCHDs over-development will create an 8-15 story elevation over the top of surrounding neighborhoods.



Khatirah Nazif

From: Mark Nelson (Home Gmail) [REDACTED]
Sent: Monday, December 7, 2020 6:28 PM
To: CityClerk; CityClerk@torranceca.gov; Brandy Forbes
Subject: Public Comments to Torrance and Redondo Beach Mayor, Council and Planning Commissions
Attachments: Redondo North Branch Library P-CF.PNG; Broadway Fire Station P-CF.PNG; Beryl Yard P-CF.PNG; Andrews Park P-CF.PNG; Grant Fire Station P-CF.PNG; Kensington P-CF.PNG
Categories: Khatirah



ATTN: Email is from an external source; **Stop, Look, and Think** before opening attachments or links.

BCHD is the only incompatible zoning use in Redondo Beach in a P-CF zone. Structurally it is 3 times the height of surrounding neighborhoods, and due to the elevation of the site, it is 80 to 150 feet higher than visible homes, thereby devastating privacy and generating visual blight and noise. Historically, BCHD assumed the assets of the failed South Bay Hospital. Since South Bay Hospital was an emergency hospital, its location was relevant and a direct life-saving service as a quid pro quo to the surrounding community for the Environmental and Economic Injustice impacts. BCHD provides no such benefits and will only provide 5% of its planned services to south Redondo Beach 90277 while that same area suffers 100% of the damages.

There are only 7 parcels zoned P-CF in the City. Of the 7, only BCHD is incompatible with the surrounding neighborhoods visually and operationally and provides no quid pro quo.

BCHD will have 80% out of district tenants and up to 91% out of district daily PACE patients, thereby rendering its location largely irrelevant. Furthermore, its disparate services could be broken apart into various locations or privatized.

The following 6 locations are the other P-CF parcels. Note that NONE of them invades their areas the way the BCHD is planning with a 75 foot structure on a 35 foot elevated site, moved from the center of the campus to the extreme perimeters.

BCHD is an incompatible future use for the parcel.

Mark Nelson
3+ Year Volunteer BCHD CWG
Redondo Beach Property Owner
Expert Witness
Retired VP and Planning Director





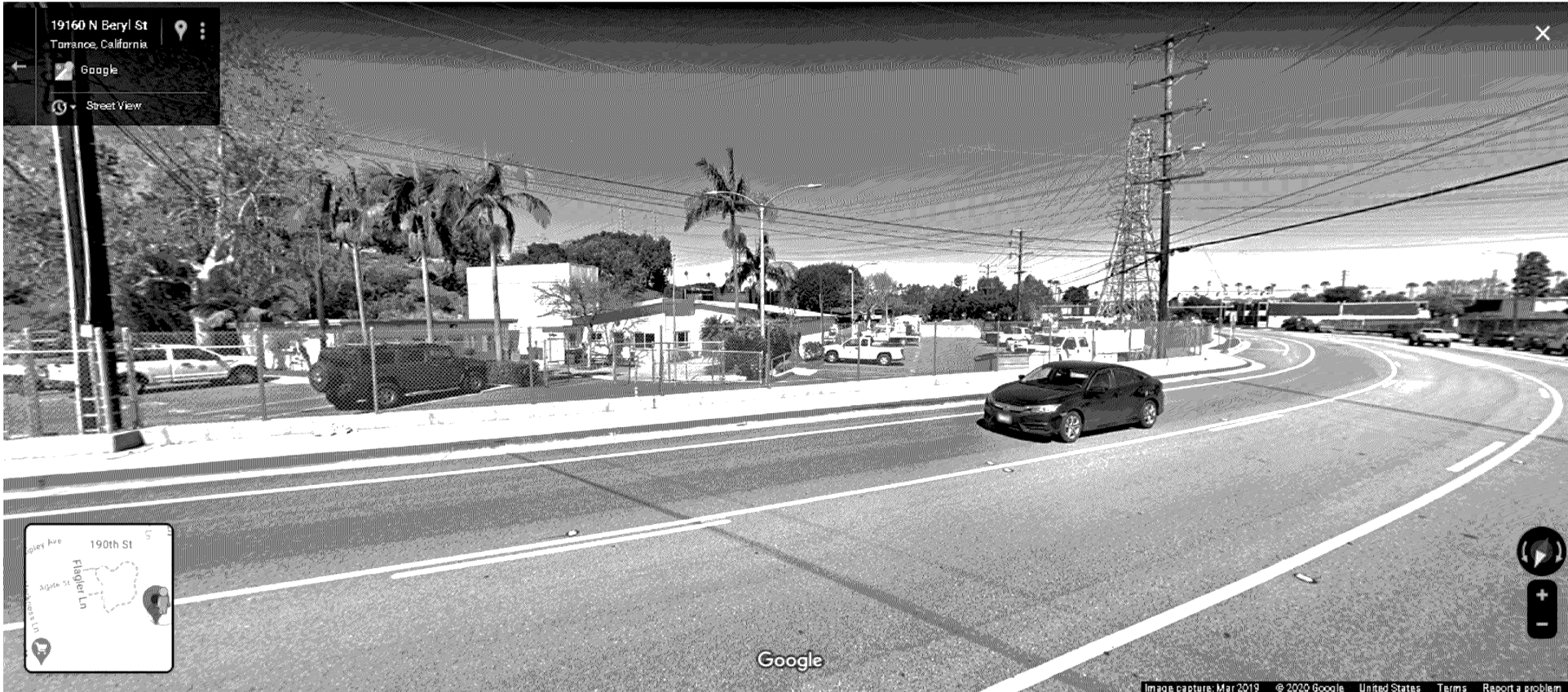


Image capture: Mar 2019 © 2020 Google United States Terms Report a problem







Khatirah Nazif

From: Mark Nelson (Home Gmail) [REDACTED]
Sent: Monday, December 7, 2020 9:48 AM
To: CityClerk; CityClerk@torranceca.gov; Brandy Forbes
Cc: Communications; Judy Rae; Lisa Jacobs
Subject: Public Comment - Map of BCHD Neighborhood Impacts
Attachments: BCHD Stories.png

Categories: Khatirah



ATTN: Email is from an external source; **Stop, Look, and Think** before opening attachments or links.

Redondo Beach and Torrance Mayor, City Council and Planning Commissions:

I have used USGS to map the impacts of the 6-story, \$12,500 per month apartments and 8-story, 800-car parking ramp on the surrounding neighborhoods. As you can see, the perimeter locations of BCHD over-development greatly increase the invasion into the local neighborhoods from the previous 514 Building. BCHD is planning to have 100,000s of square feet of perimeter 75-foot tall development on the site that previously had one single 900 sqft mechanical penthouse at 75-feet.

Given the elevation of the BCHD site, BCHDs over-development will create an 8-15 story elevation over the top of surrounding neighborhoods.

December 11, 2020

Redondo Beach Planning Commission

by email to Brandy.Forbes@redondo.org

Dear Commissioners:

Beach Cities Health District's proposed development fails to interface with the surrounding neighborhoods that are generally zoned R-1 and RMD, both of which are 30-foot zoning limits. In fact, one could strongly argue that BCHD has elected to maximize, not minimize, its neighborhood impacts.

This is now important because the City of Redondo Beach had previously executed the environmental documents on behalf of BCHD/SBHD for the 510 and 520 buildings and BCHD has now elected to be the lead agency. As such, it self-certifies and overrides any environmental impacts. The only meaningful checks and balances on BCHD will be the City of Redondo Beach and the courts, and since BCHD has in a practical sense limitless taxpayer resources for litigation, the City of Redondo Beach needs to protect surrounding residents if the risk to taxpayer funds is to be limited.

Unlike South Bay emergency Hospital with 24/7 ER services, BCHD serves no emergency purpose and has no need to be located in any specific place within Redondo Beach or the three beach cities. In fact, BCHD's consultant, MDS, projects that 80% of RCFE tenants will be from outside the 3 beach cities, so it's unclear that the assisted living facility, a generally for-profit activity, should even be located in the 3 beach cities. Why should 100% of the environmental and economic injustice damages be borne in the beach cities for only 20% of the benefits? Further, Redondo Beach bears 100% of the damages for under 10% of the benefits. And the worst environmental and economic injustice is that south Redondo Beach 90277 receives under 5% of the benefit and 100% of the damages.

BCHD has no forecast of the home zip codes of the PACE facility users. According to the national trade organization, 90% of PACE users have both Medicare and Medicaid eligibility, while 9% have Medicaid only, and less than 1% are cash customers. It's difficult to imagine that a preponderance of the users will be from the 3 beach cities given the need for both Medicare and Medicaid eligibility.

The current proposed BCHD project, which increased height, moved 80% of site parking into an 8-story structure at Prospect and Diamond, and develops a 4-story health club pavilion against the western residential neighbors was developed in a vacuum by BCHD, with no input on those features from its community working group of nearly four years. We, the CWG members, were just as blindsided as the general public and also limited to 3 business days of comment on the \$400M plan.

I provide three examples below of how the current design fails to meet any reasonable standard of interface with the surrounding neighborhoods:

Example 1: Project Maximum Height

CURRENT: As a precursor, the existing height of the former South Bay Hospital building is irrelevant, since the plan is to tear it down. No past approval, especially in the case of a small mechanical room, ensures future project approval.

BCHD currently has a single, 900 sqft mechanical room (the "Penthouse") at a height of 75-feet on the campus. All other heights are 1-story or more shorter. The Penthouse is atop the 514 building, nearly

centered in the campus. Elementary geometry can easily demonstrate that the emergency hospital was placed in a position on the 10 acre parcel to reduce its visual impact. It was not until the leasing of the land for the 510 building and subsequent construction that South Bay Hospital ceased attempting to interface with the neighborhood.

PROPOSED: BCHD proposes to put 253,700 sqft at the 75-foot height, or over 250-times as many square feet at the maximum height as the current facility. Furthermore, BCHD has placed that 250,000+ sqft on the far north perimeter with no attempt to minimize its community impacts. The RMD zoned neighborhood that BCHD plans to exploit is generally renters, younger, less affluent, and composed of more residents of color per US Census block level data. As such, besides maximizing their impact on the community in general with the apartment building height and location, BCHD is also creating a significant environmental and social injustice burden. It is disappointing to see our public agency weaponizing environmental justice.

Example 2: Parking

CURRENT: BCHD currently has an approximately 3 story parking structure at the corner of Prospect and Diamond. The structure is up against the homes on Diamond. That structure is approximately 200 vehicles and represents 25% of the total parking available on the site. The other 75% of the parking is generally accessible through the 514 entrance and the driveway north of the 520 building.

PROPOSED: BCHD proposes a replacement 8-story, 800 car structure at that same location. This structure will also be up against the homes on Diamond, however, it will be approximately 110-feet above the height of local homes on Diamond and anywhere from 80 to 150-feet above other surrounding homes. As a 24/7/365 parking structure for employees, it will be a constant source of noise, headlights, PM2.5, toxic brake dust, auto emissions, and other environmental hazards. Furthermore, the traffic entering and exiting BCHD will now be 80% adjacent to the northbound Prospect intersection with Diamond, a location that is frequently backed up from RUHS traffic as is.

Example 3: Health Club

CURRENT: The current Center for Health and Fitness is approximately 1 floor internal to the existing 514 building that is centered in the campus.

PROPOSED: The proposed health club and pavilion is a stair stepped 80,000 sqft structure (approximately the size of the 510 and 520 buildings combined), and it is STAIR STEPPED AWAY from the residential neighborhoods to the west. Instead of attempting to minimize the height and bulk of the building and interface with surrounding neighborhoods, BCHD appears to have used the stair step feature “backwards” to minimize the building’s impact on the internal campus, while maximizing its impact on surrounding neighborhoods.

As noted above, a case can be made that BCHD has ignored its obligation, especially as a public agency, to interface appropriately with surrounding neighborhoods. In fact, based on the three examples, BCHD has instead only concerned itself with its own benefits, and maximized its impact on the surrounding neighborhoods. BCHD has retained an investment banker supported the 6-story, ocean view, “upscale” senior apartments. It’s entirely possible BCHD’s investment banker has also encouraged BCHD to ignore environmental and economic justice as well.

The other P-CF zoned parcels in Redondo Beach have all been designed and developed far more thoughtfully and appropriately according to codes. Kensington is 2-story and architecturally consistent with upgrades going on in the surrounding residential neighborhoods. The Broadway and Grant fire

stations are both roughly the same height as the surrounding neighbors, perhaps lower. The north Library is also consistent with the surrounding RMD and light commercial zoning. The Beryl Street City yard across from Towers school is largely in an “industrial” area near the Edison 220Kv towers. And the last P-CF is Andrews Park. Clearly, none of these facilities has ignored or abused its neighborhood obligation to interface in a compatible manner with the local neighborhoods as BCHD plans to do.

Sincerely,

Mark Nelson
Retired VP and Director of Planning SCE and subsidiaries
Redondo Beach Property Owner
3+ Year BCHD Planning Volunteer
Expert Witness
Member - Sierra Club, NRDC, EDF, Nature Conservancy

From: [Brandy Forbes](#)
To: [Lina Portolese](#)
Subject: FW: PUBLIC COMMENT Fwd: Thank You for Your Service: CWG Dec. 7 Meeting
Date: Monday, December 14, 2020 8:45:21 AM
Attachments: [image001.png](#)

Lina,

Please provide to the Planning Commission.

Thank you,

Brandy Forbes
Community Development Director

Department of Community Development
415 Diamond Street
Redondo Beach, CA 90277
(310) 318-0637 x2200
brandy.forbes@redondo.org
www.redondo.org



From: Mark Nelson (Home Gmail) [REDACTED]
Sent: Saturday, December 12, 2020 11:41 AM
To: Lisa Jacobs <lisa.jacobs@tbrnews.com>; Judy Rae <easyreader@easyreadernews.com>; CityClerk <CityClerk@redondo.org>; CityClerk@torranceca.gov; Brandy Forbes <Brandy.Forbes@redondo.org>
Subject: PUBLIC COMMENT Fwd: Thank You for Your Service: CWG Dec. 7 Meeting

 *ATTN: Email is from an external source; Stop, Look, and Think before opening attachments or links.*

Public Comment to Redondo Beach and Torrance Mayor, City Council and Planning Commissions:

----- Forwarded message -----

From: **Mark Nelson** [REDACTED]
Date: Fri, Dec 11, 2020 at 11:08 PM
Subject: Fwd: Thank You for Your Service: CWG Dec. 7 Meeting
To: <Al.Muratsuchi@asm.ca.gov>

FYI - the current design by BCHD is theirs and theirs alone. We, the Community Working Group had the same 3 business days to review, analyze and comment as the general public on the never-before-seen design.

----- Forwarded message -----

From: **Mark Nelson** [REDACTED]

Date: Fri, Dec 11, 2020 at 10:57 PM

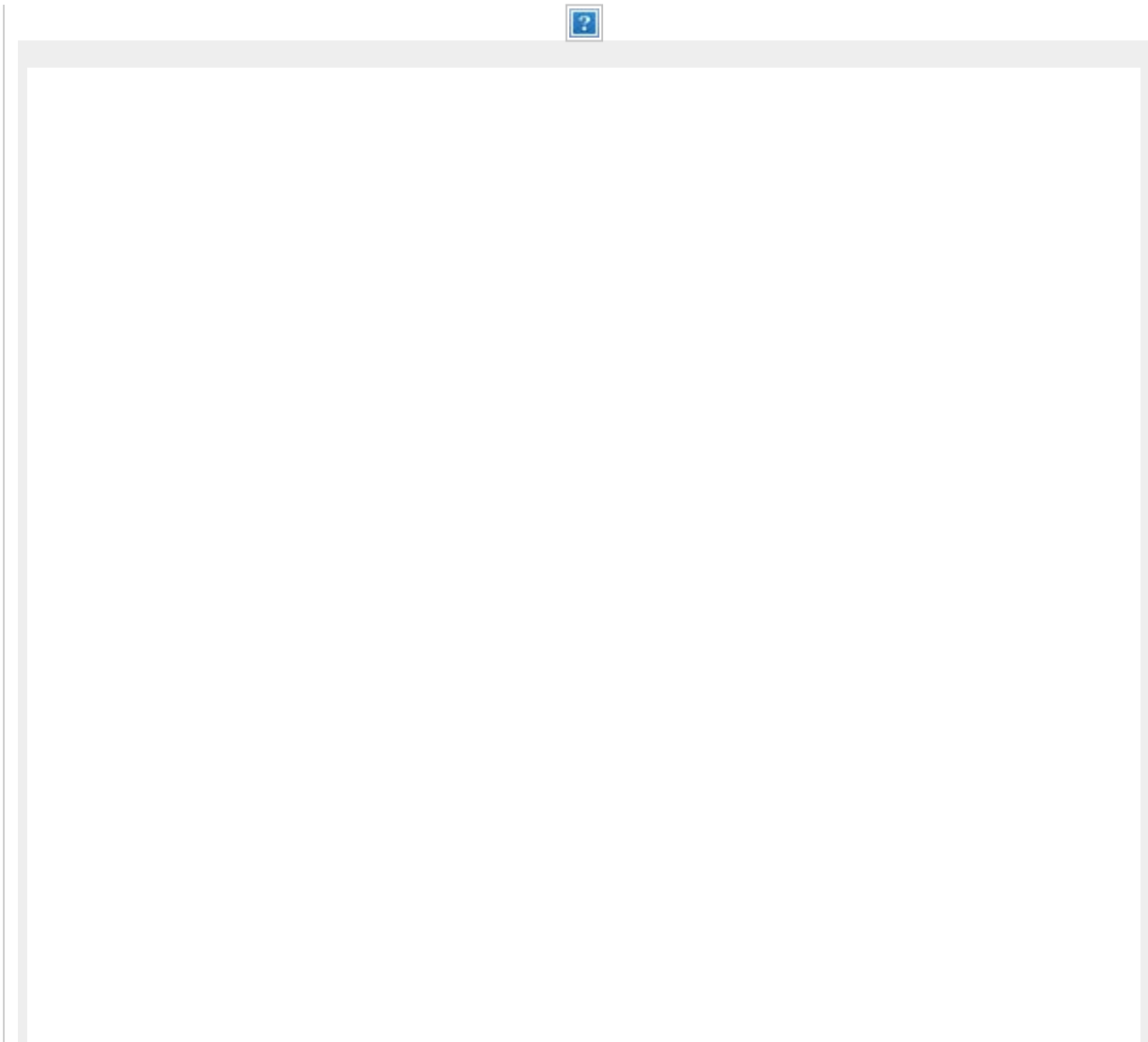
Subject: Re: Thank You for Your Service: CWG Dec. 7 Meeting

To: Tom Bakaly <tom.bakaly@bchd.org>

BCC: CWG

I want to be very clear, the CWG did not agree to, nor play any role in BCHDs redesign of the 2019 plan that resulted in the June 12, 2020 never-before-seen plan. The CWG had no role in BCHD's creation of "expansive view" and "upscale" (Cain's language) 6-story, 75-foot tall apartments on the north lot line, nor with BCHDs creation of an 8-story, 800-car parking structure on the Prospect and Diamond corner, nor BCHDs creation of a 4-story, 65-foot health club pavilion lining Prospect from 510 to 520. Those were solely the act of BCHD and its consultants. The CWG, like the public, received that final, Board approved design at 605PM on June 12, 2020 and was afforded 3-business days to review, analyze and comment on it, the same as the general public.

On Thu, Dec 10, 2020 at 3:59 PM Tom Bakaly, Beach Cities Health District <tom.bakaly@bchd.org> wrote:



**Thank You for Your Service on Our Healthy Living Campus
Community Working Group**

Dear Mark,

Thank you for your participation during the past three years of planning and conceptual design refinement of the Healthy Living Campus project.

The Community Working Group process helped refine the Draft Master Plan that attempts to address community input, while aligning with the project objectives and pillars, protects the future of BCHD's health and wellness programs and services we provide to Beach Cities residents. Several trade-offs were made,

including:

- Reduced assisted living units from 420 to 220 and repositioning buildings away from neighbors living near the eastern border of the Campus.
- Expanded green space to 2.5 acres by creating a more compact building area, which could possibly increase building heights.
- Construction time reduced from three phases over nine years to two phases in five years.
- Total new developed building area (square footage) reduced 18% in the 2020 plan (665,820 sq. ft.) compared to the 2019 version (815,000 sq. ft.).

The December 7 meeting was our 17th Community Working Group Meeting and will be our last for now. There may be other opportunities in the future to participate - please stay tuned for more information on this.

Please keep in mind we are currently in the midst of the EIR process, so no final decisions regarding the proposed campus have been made.

For those unable to attend the final CWG meeting on December 7, our agenda included:

- Draft Environmental Impact Report (EIR) Timeline & Program Phase II
- General Updates & PACE
- Draft Master Plan FAQ
- Community Working Group Future Opportunities
- Questions/Comments

Please view the materials, presentation and video from the December 7 meeting here:

- [December 7 CWG Presentation](#)
- [December 7 CWG Summary Report](#) *(includes link to video of the meeting)*

Healthy Living Campus project materials are available at bchdcampus.org/campus, and Board Meeting agendas, minutes and videos can be found at bchd.org/board-directors-meetings.

Please contact me at tom.bakaly@bchd.org at any time to share ideas, concerns and/or to request a presentation to a community group.

Thank you again for your collaboration over the last three years. We appreciate the time you took to contribute to the Healthy Living Campus.

In Health,

Tom Bakaly

Chief Executive Officer

Beach Cities Health District

Ph: 310 374-3426, x118

www.bchd.org

www.facebook.com/beachcitieshealth

Creating a healthy beach community.



Beach Cities Health District | 514 N. Prospect Ave., 1st Floor, Redondo Beach, CA 90277

[Unsubscribe menelson@gmail.com](#)

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Sent by tom.bakaly@bchd.org powered by



[Try email marketing for free today!](#)

From: Mark Nelson

Sent: Monday, December 14, 2020 5:33 PM

To: Communications <communications@bchd.org>

Cc: CityClerk <CityClerk@redondo.org>; CityClerk@torranceca.gov; Brandy Forbes <Brandy.Forbes@redondo.org>

Subject: Public Comments - Excessive Visual Height and Mass of the BCHD Proposed Development

Because the public and the Community Working Group were only afforded a scant 3 business days to review, analyze and comment on the never-before-seen BCHD HLC plan that was released at 605PM on Friday night June 12, and approved by the Board on June 17, 2020 without inclusion of an architectural visualizations, intelligent participation was denied to the public. In order to help inform the public of the excess height of the proposed BCHD HLC Board approved redesign, and in light of the recent dissolving of the CWG, I have used my personal time to approximate the design and heights and completed before and after visualizations from various neighborhoods. As an experienced developer, I fully expected BCHD and its fleet of consultants to provide this type of information prior to their Board approval to assist the public, however, that was not the case. BCHD is operating under a misconception that the CEQA comment process is the appropriate time and place to provide the public with information. Any experienced developer knows that is not the case, and that the project description that is used in the EIR process should be well vetted (not just 3 business days) prior to its commitment to CEQA. As an agency that has never served as a CEQA lead agency (BCHD deferred to the City of Redondo for the 510 and 520 medical office buildings), BCHD demonstrates little experience or understanding of the CEQA process.

This representation of the BCHD campus buildings is now known to be too short, that is, the BCHD proposed buildings are in fact taller than released on June 12, 2020 based on BCHDs CWG information release showing a series of mechanical penthouses on the roof. I expect the honest height of the project is approximately 88-feet above grade, or, 256-feet above sea level. That will place it between 150-feet and 200-feet above surrounding Torrance home levels.

The following visualizations are being entered into the record at BCHD and to a variety of other jurisdictions, agencies and organizations in order to demonstrate how BCHDs development fails to interface in any meaningful way with the surrounding residential neighborhoods. The design is simply too tall and in most cases exceeds 8-10 stories visually when interpreted at the 514 location due to the BCHD-selected lot-line perimeter locations of the 6-story \$12,000 monthly rent "upscale, expansive view" (Cain language) apartments; the 8-story 800 vehicle parking structure; and the 4-story 65-foot health club/pavilion that is stair-stepped away from the surrounding neighborhoods - exactly the opposite of a visual interface minimization strategy.

In short, BCHD appears not to have considered its significant impacts on the surrounding neighborhoods caused by its June 12, 605PM, Board approved campus design.

Perhaps most disappointing is BCHDs exploitation of the multifamily, modest-income, low average age, neighborhood of color directly to the north of the high-rise apartments between Beryl and Anita/190th. US Census block-level demographics easily demonstrate that of the surrounding areas, that one has the least economic and social power to battle a well-funded public agency that can self-certify its self-completed environmental report and declare any significant environmental impacts as insufficient to halt their project. BCHD must reduce the height of its development to a reasonable, neighborhood zoning consistent level. Environmental justice is a required attribute of CEQA and EIRs in California.

The attached link provides the visualizations and they are also attached as files.

Attachment: Dec 2020 Visualization of the Mass and Height of BCHDs Proposed Development

<https://bit.ly/BCHDHeight>

<https://www.facebook.com/bigbadbchd/posts/136497831570443>

https://nextdoor.com/news_feed/?post=170740285

CC: Public Record of Redondo Beach and Torrance Mayors and Councils, and Planning Commissions

Visual Simulations of BCHD 793,000 SQFT Proposed Development

Simulated using Google Earth Pro
December 2020

BCHD Today 312,000 sqft

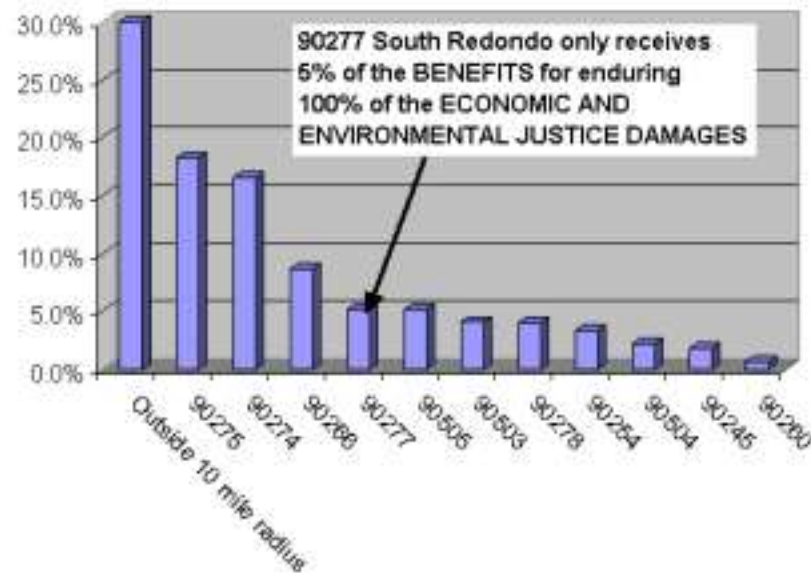
BCHD Proposed 792,000 sqft



SUMMARY

- BCHD proposes to allow a development built by a commercial 3rd party on publicly owned land at the failed South Bay Hospital campus.
- Land was bought and paid for with bond revenues approved by voters for an emergency hospital, not for commercial real estate development.
- The original emergency hospital study sized the facility for the 3 beach cities that formed and funded BCHD.
- The land that BCHD plans to lease will be encumbered for generations and unavailable for future use by taxpayer-owners of BCHD.
- 80% of expected tenants of the \$12,000 per month "upscale" "expansive view" apartments will be from outside the 3 beach cities.
- 95% of expected tenants of the \$12,000 per month "upscale" "expansive view" apartments will be from outside of 90277, the area that bear 100% of the environmental and economic injustice damages and had borne 100% of the EJ damages from the failed hospital and BCHD for 60 years.

BCHD Consultant MDS Targeted Renters for Senior Housing Project are 80% Outside Manhattan, Hermosa, and Redondo Beach that OWN BCHD



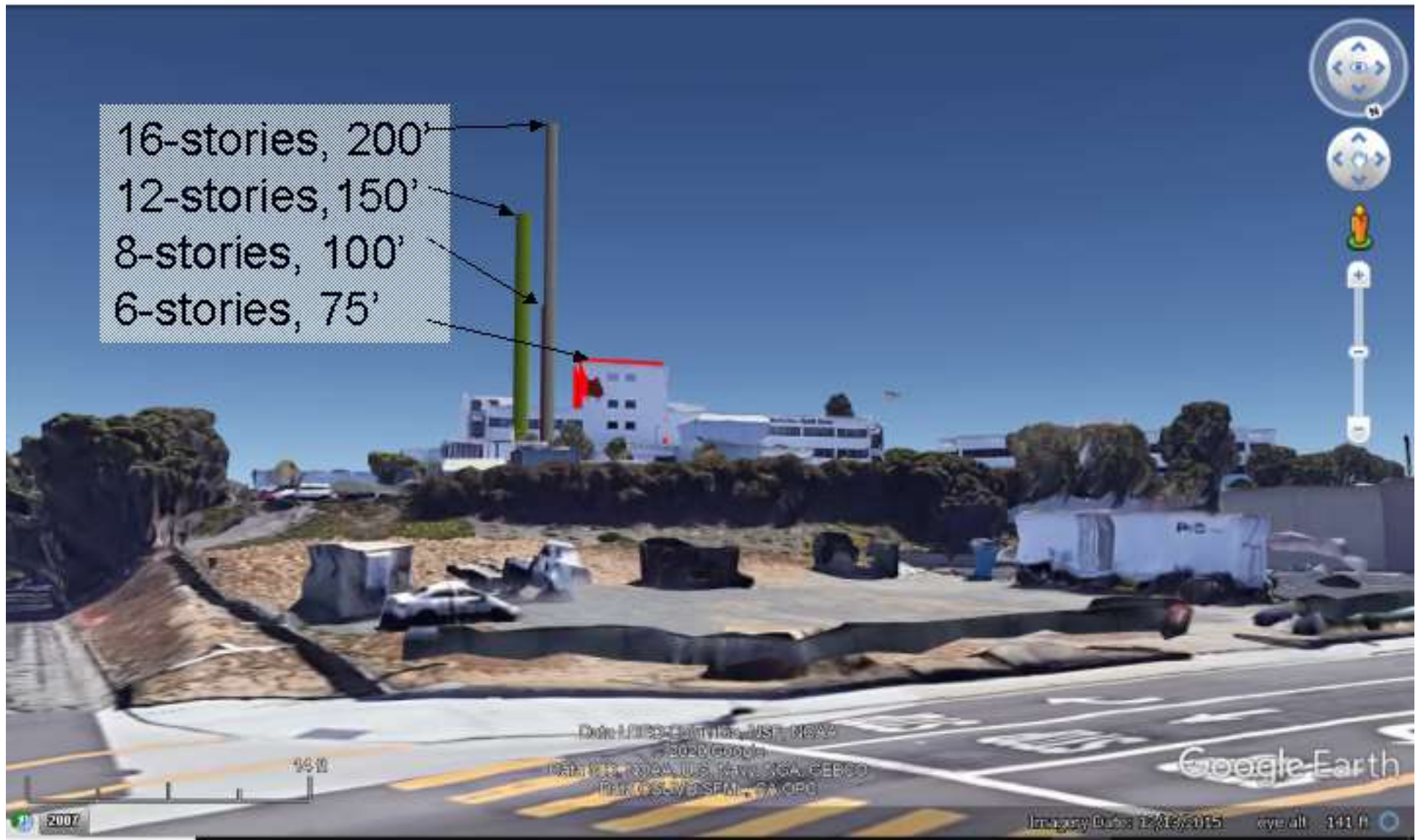
**Current BCHD Campus View from Beryl & Prospect – RED is 75 foot tall
“900sqft Penthouse” ILLUSTRATIVE MARKER POLES are 100 foot, 150
foot and 200 foot**



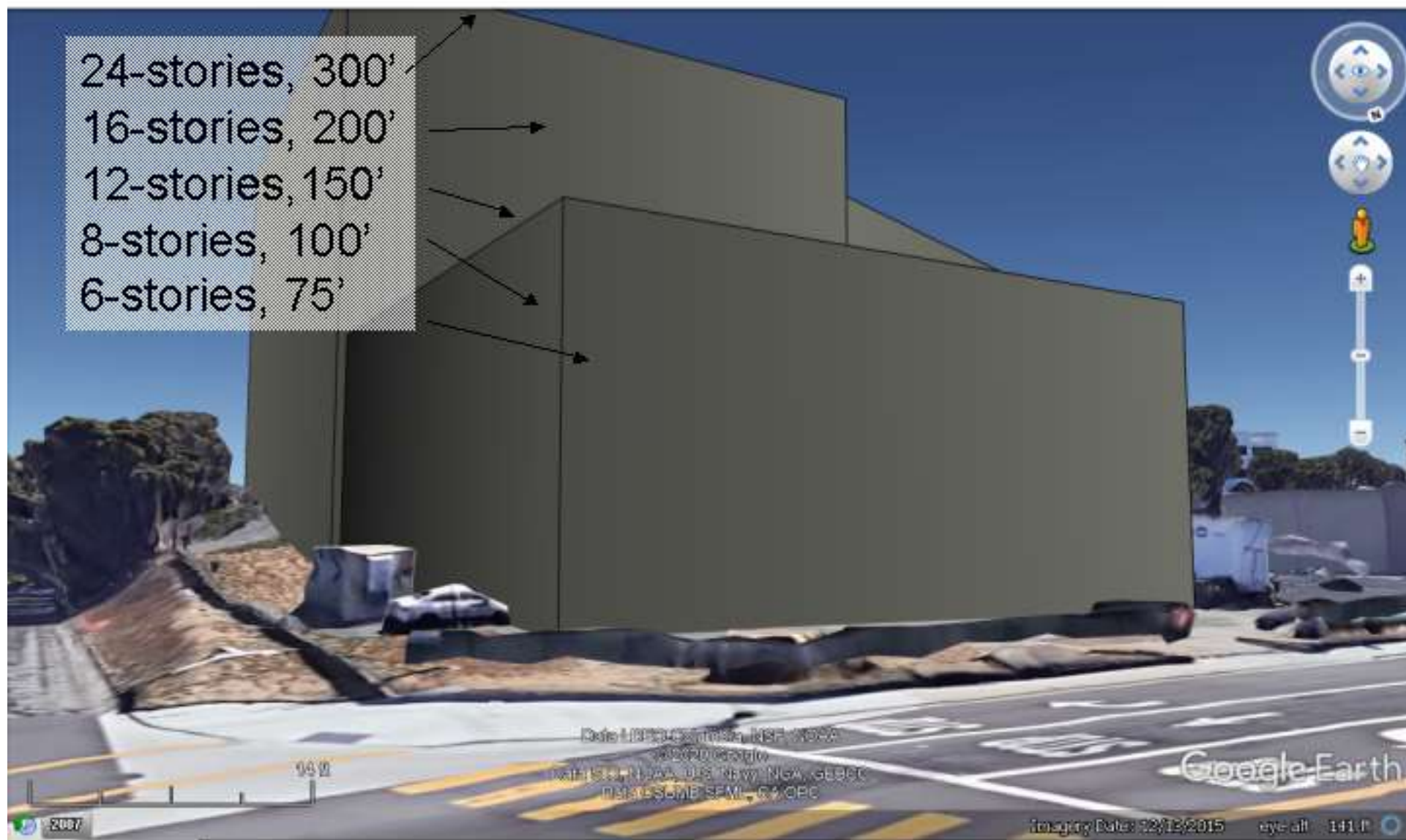
**Proposed BCHD Campus View from Beryl & Prospect – BCHD
PROPOSED BUILDINGS appear over 100 FEET TALL due to being BUILT
ON EXTREME EDGE OF CAMPUS instead of being BUILT IN THE MIDDLE!**



**Current BCHD Campus View from Beryl & Flagler – RED is 75 foot tall
“900sqft Penthouse” ILLUSTRATIVE MARKER POLES are 100 foot, 150
foot and 200 foot**



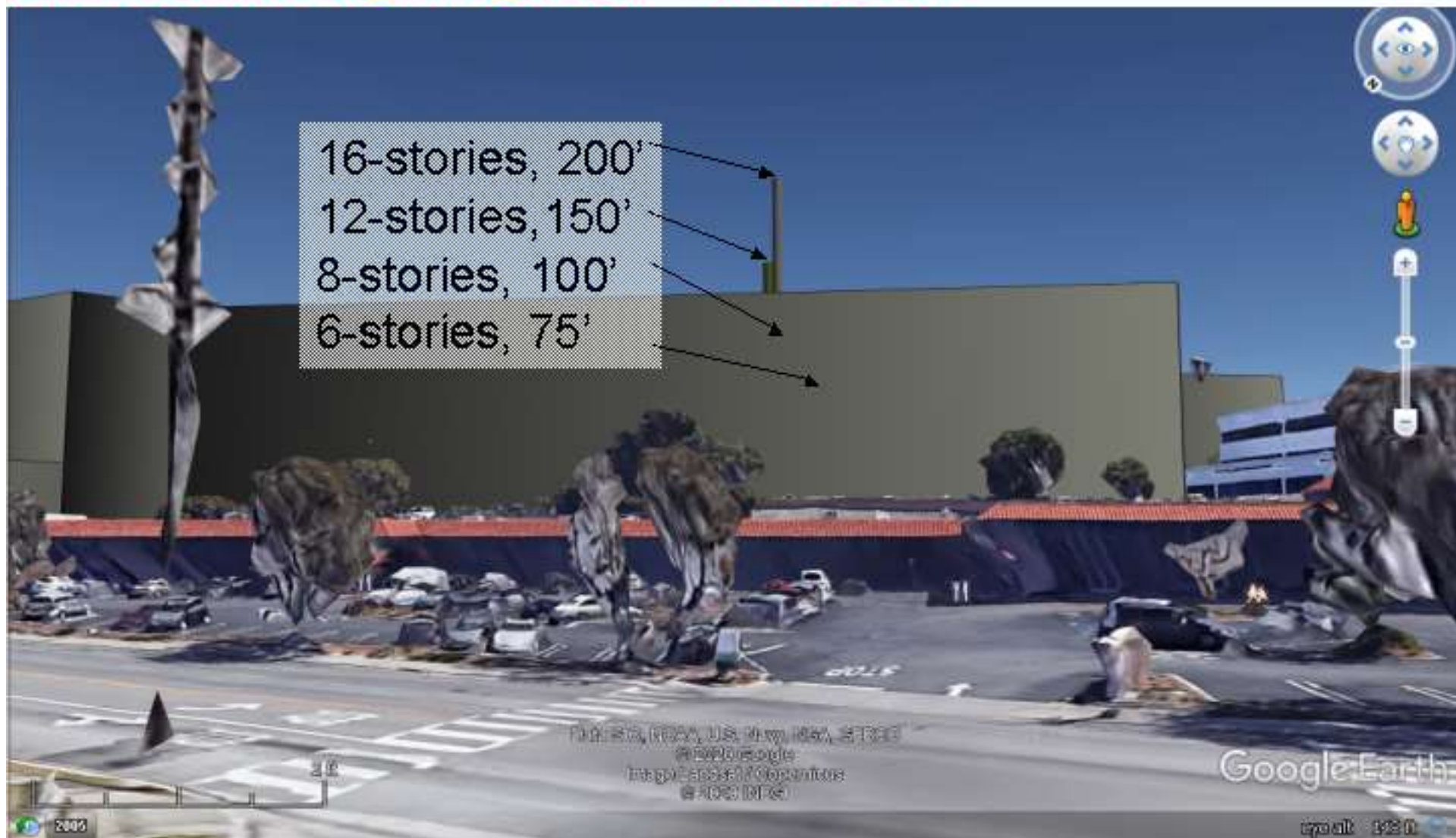
Proposed BCHD Campus View from Beryl & Flagler – BCHD PROPOSED BUILDINGS appear over 300 FEET TALL due to being BUILT ON EXTREME EDGE OF CAMPUS instead of being BUILT IN THE MIDDLE!



**Current BCHD Campus View from Beryl & Harkness – RED is 75 foot tall
“900sqft Penthouse” ILLUSTRATIVE MARKER POLES are 100 foot, 150
foot and 200 foot**



**Proposed BCHD Campus View from Beryl & Harkness – BCHD
PROPOSED BUILDINGS appear over 130 FEET TALL due to being BUILT
ON EXTREME EDGE OF CAMPUS instead of being BUILT IN THE MIDDLE!
VISUALLY JUST LIKE REBUILDING THE HOSPITAL AS 10-STORIES TALL
ALL THE WAY FROM PROSPECT TO FLAGLER!**



Current BCHD Campus View from Prospect & Diamond – RED is 75 foot tall “900sqft Penthouse” ILLUSTRATIVE MARKER POLES are 100 foot, 150 foot and 200 foot



**Proposed BCHD Campus View from Prospect & Diamond – BCHD
PROPOSED BUILDINGS appear over 100 FEET TALL due to being BUILT
ON EXTREME EDGE OF CAMPUS instead of being BUILT IN THE MIDDLE!
VISUALLY JUST LIKE REBUILDING THE HOSPITAL AS 9-STORIES TALL**



Current BCHD Campus View from 514 Prospect Entrance – RED is 75 foot tall “900sqft Penthouse” ILLUSTRATIVE MARKER POLES are 100 foot, 150 foot and 200 foot



**Proposed BCHD Campus View from 514 Prospect Entrance – BCHD
PROPOSED BUILDINGS are both TALLER than the existing hospital and
CLOSER to the street, appearin over 125 FEET TALL!**

**VISUALLY JUST LIKE REBUILDING THE HOSPITAL AS 10-STORIES TALL
FROM THE 510 to the 520 Medical Office Buildings**



Current BCHD Campus View from 514 Prospect Entrance – RED is 75 foot tall “900sqft Penthouse” ILLUSTRATIVE MARKER POLES are 100 foot, 150 foot and 200 foot



Proposed BCHD Campus View from 190th & Flagler – BCHD PROPOSED BUILDINGS TALLER than the existing hospital and CLOSER to the street, appearing over 100 FEET TALL!

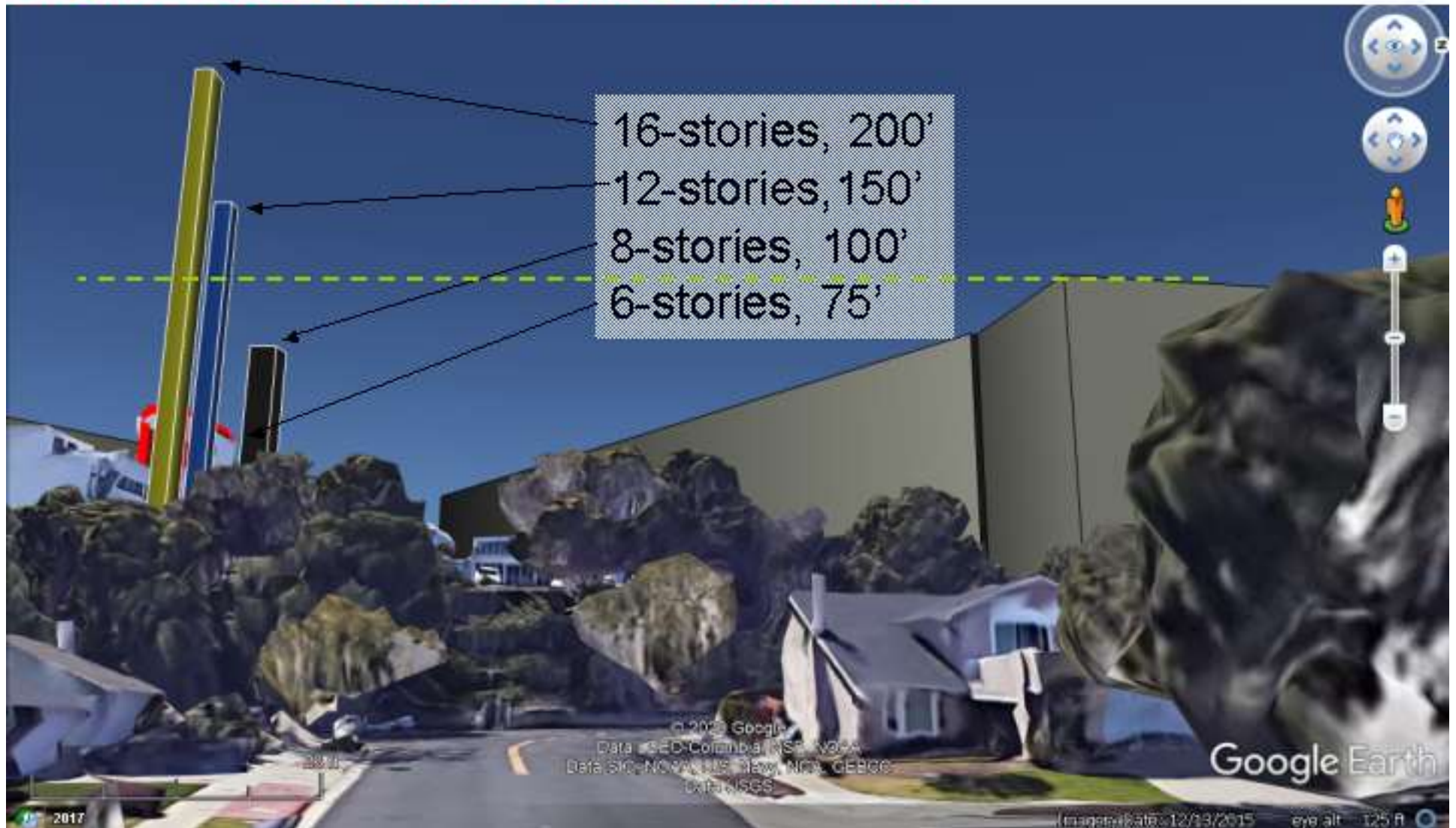
VISUALLY JUST LIKE REBUILDING THE HOSPITAL AS 8-STORIES TALL FROM PROSPECT TO FLAGLER



**Current BCHD Campus View from Towers & Tomlee – RED is 75 foot tall
“900sqft Penthouse” ILLUSTRATIVE MARKER POLES are 100 foot, 150
foot and 200 foot tall.**



**Proposed BCHD Campus View from Towers & Tomlee – BCHD
PROPOSED BUILDINGS TALLER than the existing hospital and CLOSER
to the street, appearing about 135 FEET TALL!
VISUALLY JUST LIKE REBUILDING THE HOSPITAL AS 10-STORIES
ALONG FLAGLER ABOVE TOMLEE RESIDENTS**

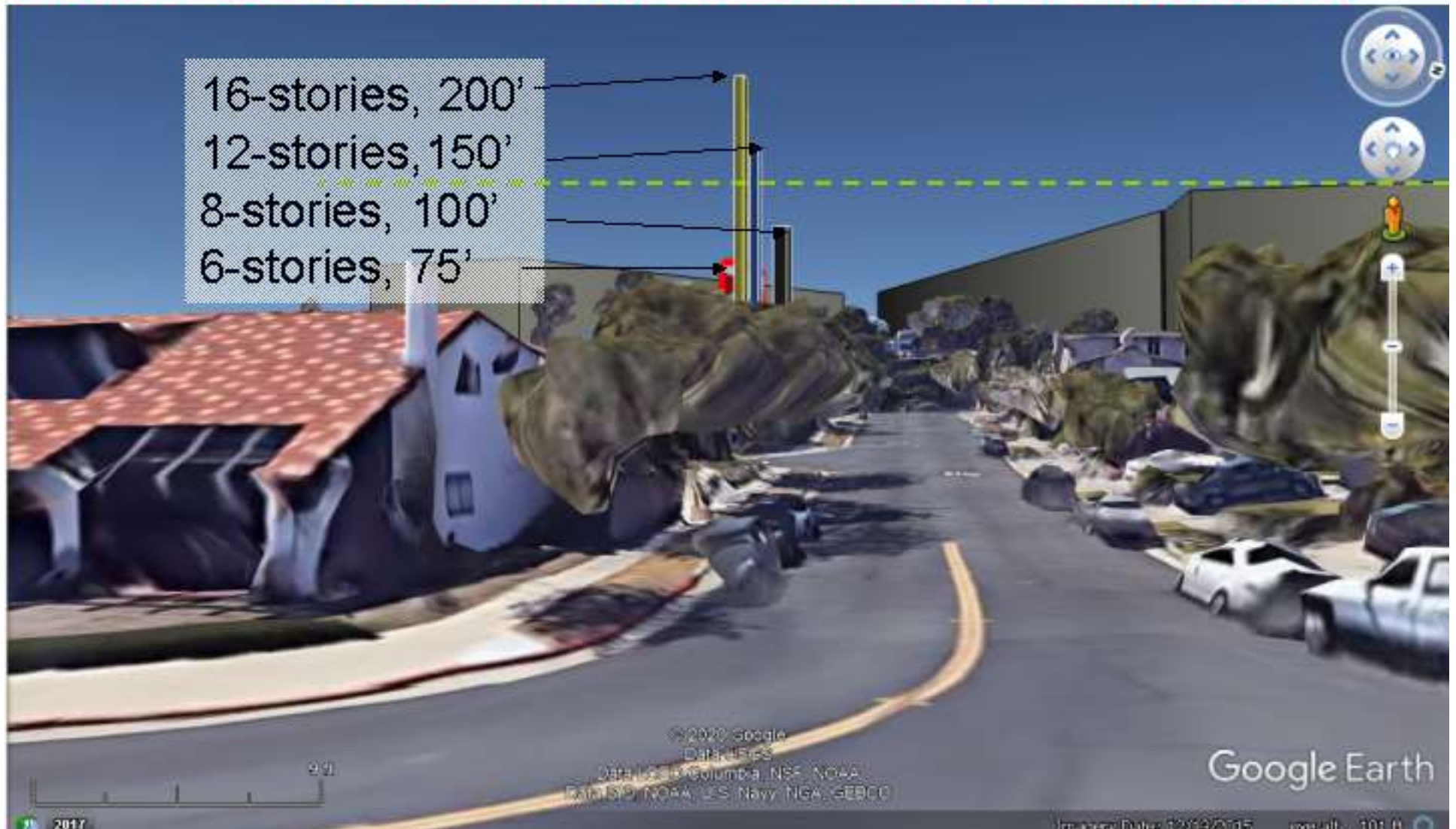


Current BCHD Campus View from Towers & Redbeam – RED is 75 foot tall
“900sqft Penthouse” ILLUSTRATIVE MARKER POLES are 100 foot, 150
foot and 200 foot tall.

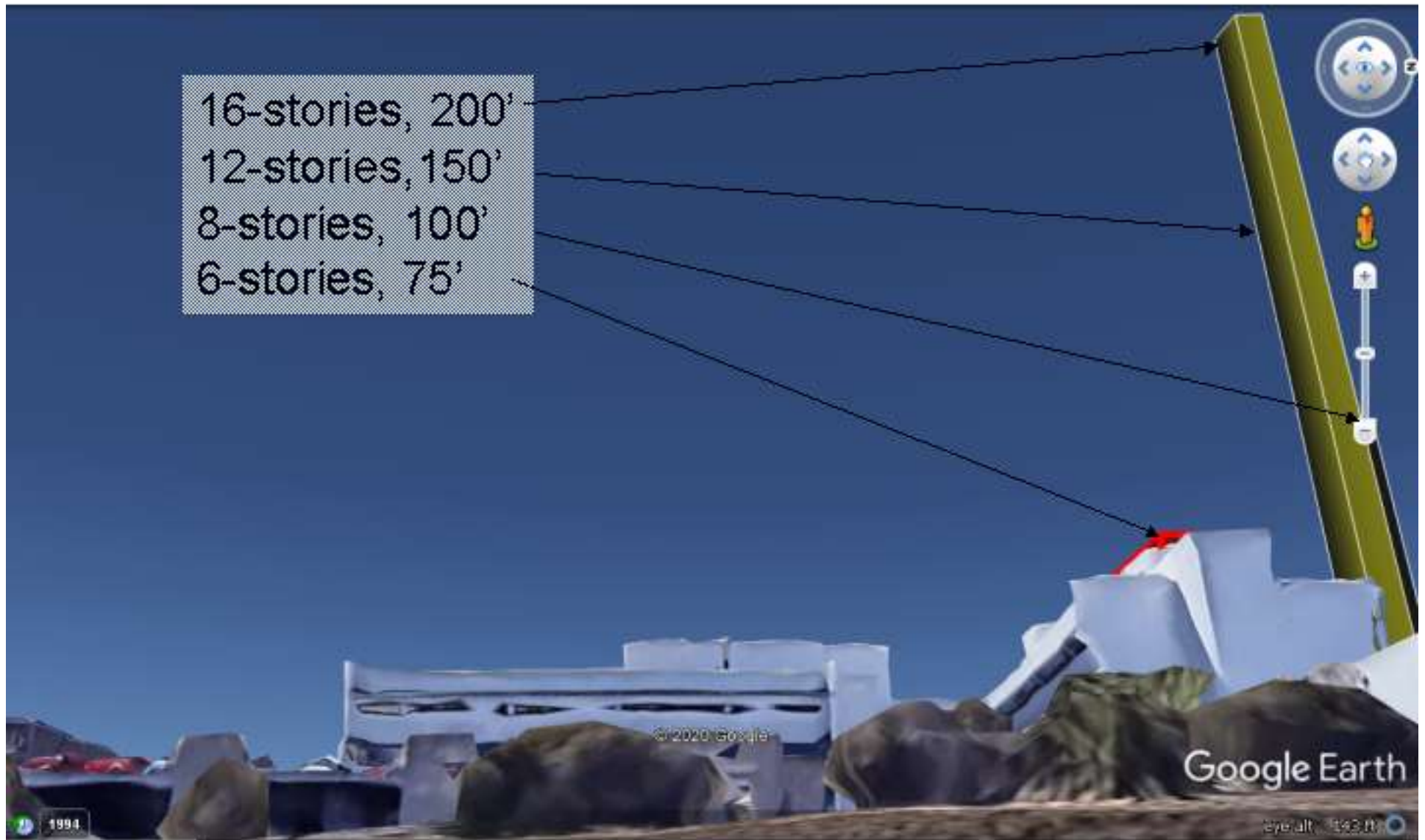


**Proposed BCHD Campus View from Towers & Redbeam – BCHD
PROPOSED BUILDINGS TALLER than the existing hospital and CLOSER
to the street, appearing about 135 FEET TALL!**

**VISUALLY JUST LIKE REBUILDING THE HOSPITAL AS 10-STORIES
ALONG FLAGLER ABOVE REDBEAM/MILDRED/TOMLEE RESIDENTS**

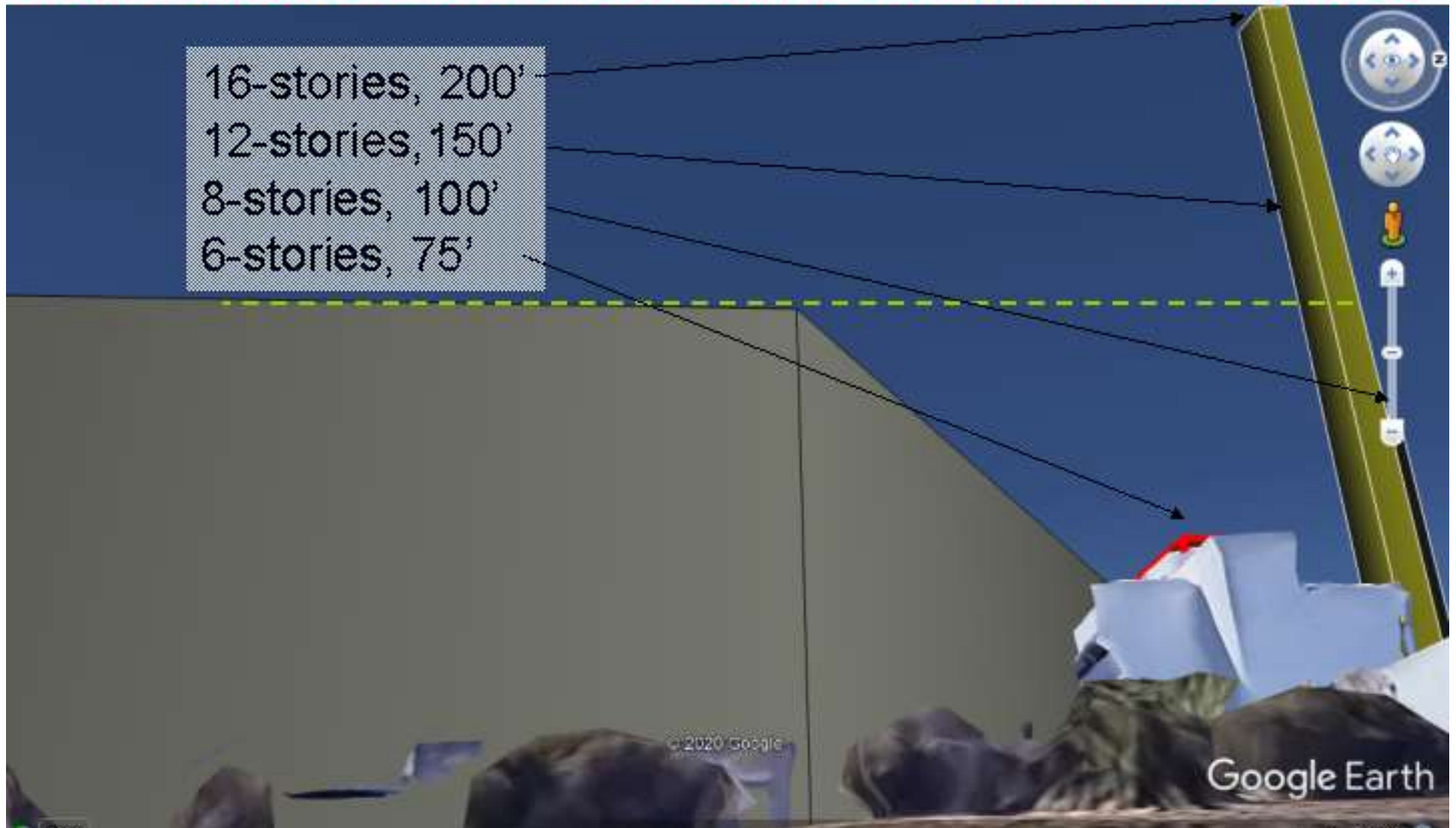


**Current BCHD Campus View from Diamond culdesac – RED is 75 foot tall
“900sqft Penthouse” ILLUSTRATIVE MARKER POLES are 100 foot, 150
foot and 200 foot tall.**



**Proposed BCHD Campus View from Diamond culdesac – BCHD
PROPOSED BUILDINGS TALLER than the existing hospital and CLOSER
to the street, appearing about 125 FEET TALL!**

**VISUALLY JUST LIKE REBUILDING THE HOSPITAL AS 10-STORIES
ALONG DIAMOND EAST OF PROSPECT AT 510 MOB PARKING LOT/CDC**





Administrative Report

L.1., File # PC21-1949

Meeting Date: 1/21/2021

TO: PLANNING COMMISSION
FROM: SEAN SCULLY, PLANNING MANAGER
SUBJECT: DISCUSSION REGARDING REGULATIONS RELATED TO OUTDOOR LIVING SPACE AND OPEN SPACE

TITLE

DISCUSSION REGARDING REGULATIONS RELATED TO OUTDOOR LIVING SPACE AND OPEN SPACE

EXECUTIVE SUMMARY

This will be a continued discussion for the Planning Commission members.

ATTACHMENTS

Outdoor Living Space Site Plan Examples
Commissioner Hinsley Comments
Planning Commission point of agreement OLS November 19, 2020
RBMC Section 10-2.1510 Outdoor living space requirements
Draft Minutes Planning Commission meeting November 19, 2020



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Draft Minutes Planning Commission meeting November 19, 2020

Scenario 1: Existing Site Conditions

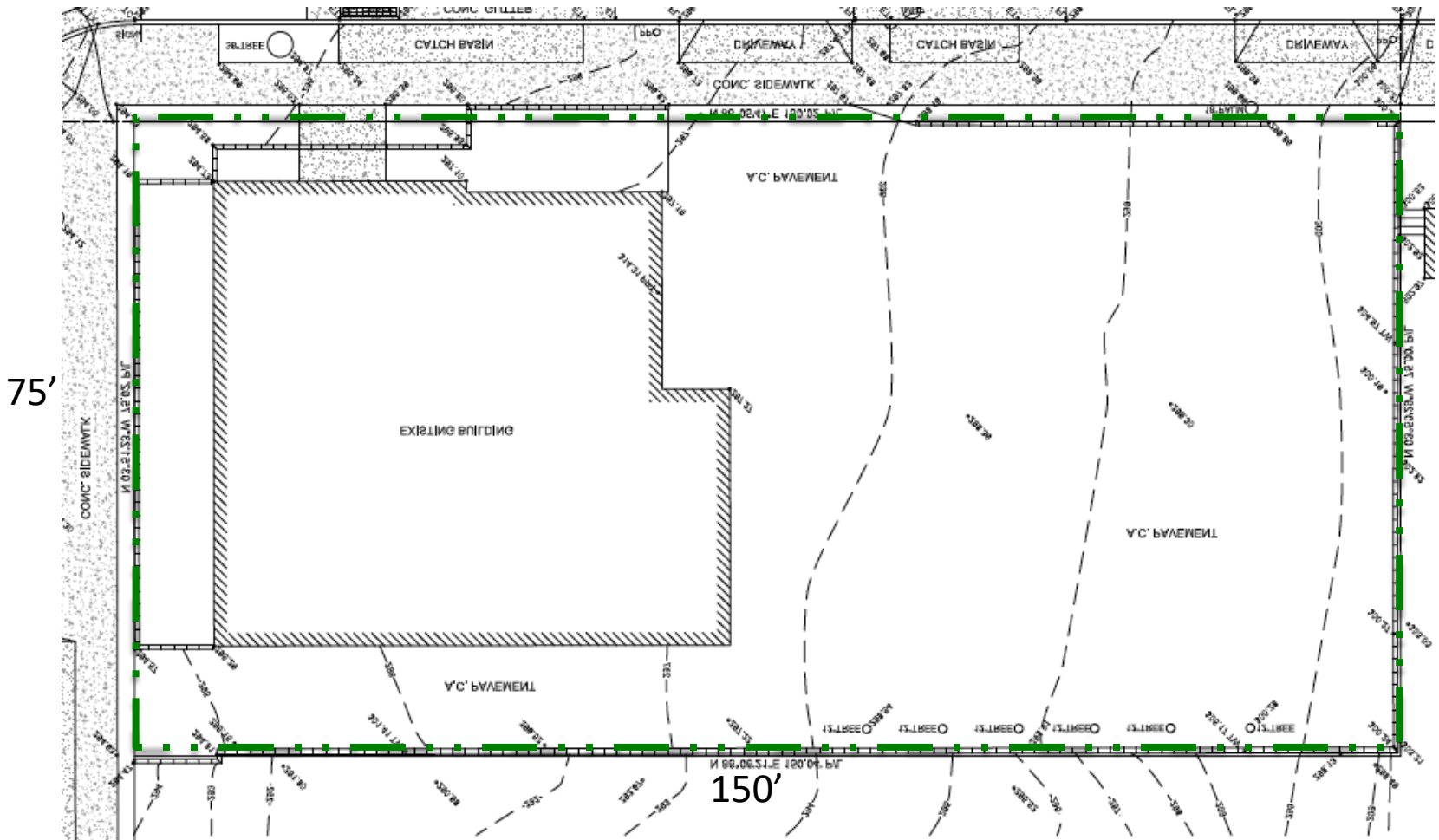
Property zoning, R-3. Total lot size, 11,250 SF. Allowed density, one (1) unit per 2,490 SF. Total number of units permitted, four (4).

Setbacks: Front 18', Sides 6', Rear 15'

OLS requirements 350 SF per condominium unit

The following four (4) slides present four (4) options for Outdoor Living Space (OLS) standards.

- 1. Option A: 300 SF in One Location-Bonuses Allowed (Existing OLS standards)**
- 2. Option B: 300 SF in One Location-No Bonuses Allowed (Planning Commission proposed area calculations applied)**
- 3. Option C: 300 SF NOT in One Location-No Bonuses Allowed (Planning Commission proposed area calculations applied)**
- 4. Option D: 350 SF in One Location-No Bonuses Allowed (Planning Commission proposed area calculations applied)**



Scenario 1: Current/Existing OLS Requirements

Option A: 300 SF in One Location-All Bonuses Allowed Per Existing OLS Ordinance

Property zoning, R-3. Total lot size, 11,250 SF. Allowed density, one (1) unit per 2,490 SF. Total number of units permitted, four (4).

Setbacks: Front 18', Sides 6', Rear 15'

Typical unit size: +/- 2,490 SF

1st Floor: 600 SF

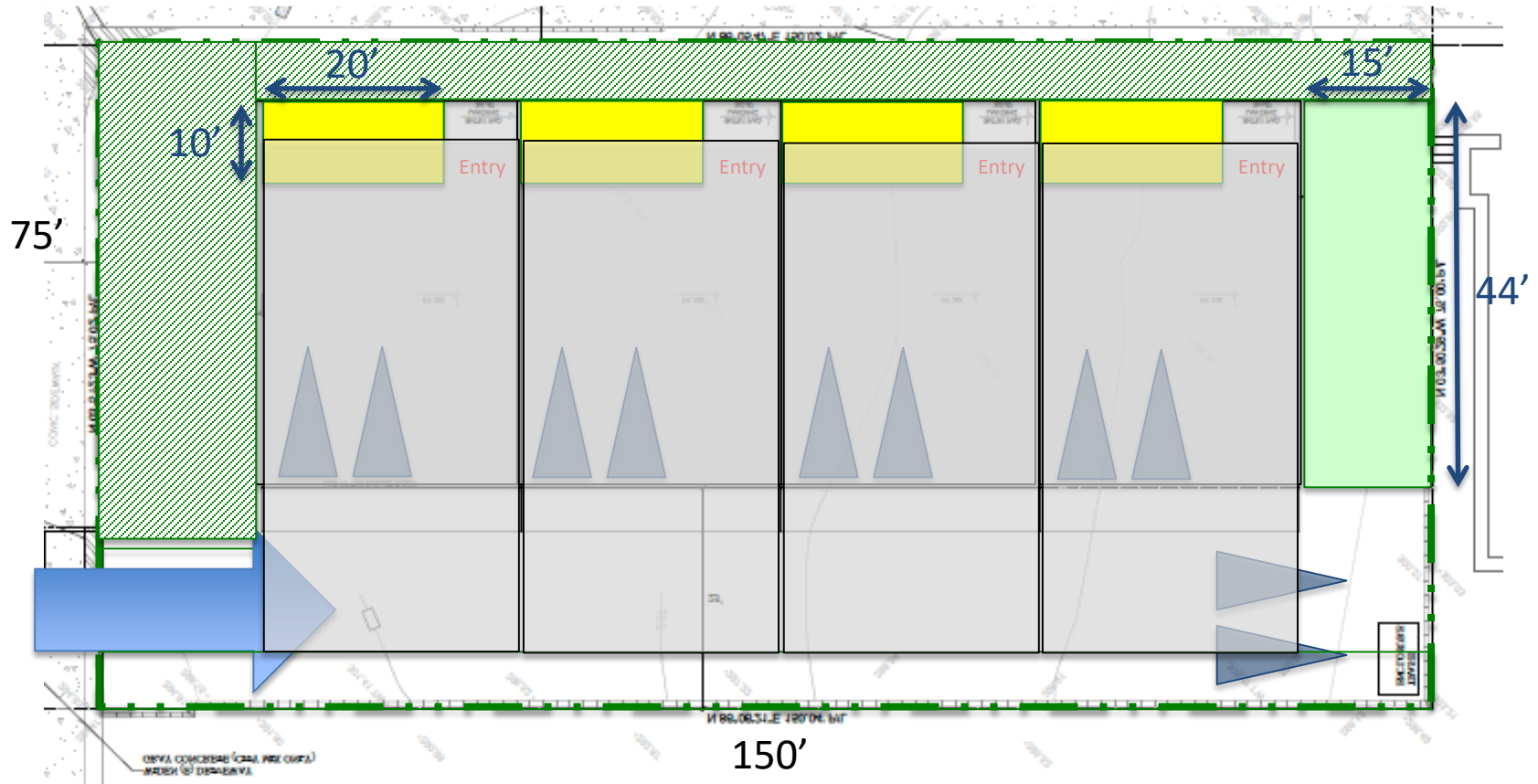
2nd Floor: 1,890 SF

Notes: Rear yard provides 660 sf which technically satisfies (exceeds) that rear units' OLS requirement per current regulations. The rear most unit isn't required to have the 10' x 20' ground floor space unless the rear yard setback area was excluded from the available area for OLS. Current OLS regulations allow the side, rear, and building separations setbacks to be counted towards OLS requirements.

RBMC 10-2.1510 Outdoor Living Space Requirements (Existing OLS Standards)

Each condominium unit is required to provide 350 sf of OLS total. 300 sf is required to be in one location –Bonuses Allowed.

Each unit provides a 10' x 20' = 200 sf actual outdoor living space area on the ground floor. Each outdoor living space area is located immediately adjacent to either a kitchen, dining room, living room or similar communal area and has the minimum dimensions of ten (10) feet by fifteen (15) feet. Therefore a "bonus" of 200 percent of the actual area is granted and as designed the provided OLS is 400 sf which complies with the existing zoning requirements for OLS.



Scenario 1: Proposed OLS Requirements Option B: 300 SF in One Location-No Bonuses Allowed (5'x10' calculated at 50%-7'x10' calculated at 75%-10'x15' or greater calculated at 100%-Space not accessed from communal area calculated at 50%)

Property zoning, R-3. Total lot size, 11,250 SF. Allowed density, one (1) unit per 2,490 SF. Total number of units permitted, four (4).

Setbacks: Front 18', Sides 6', Rear 15'

Typical unit size: +/- 2,215 SF

1st Floor: 600 SF – 100 SF = 500 SF

2nd Floor: 1,890 SF – 175 SF = 1,715 SF

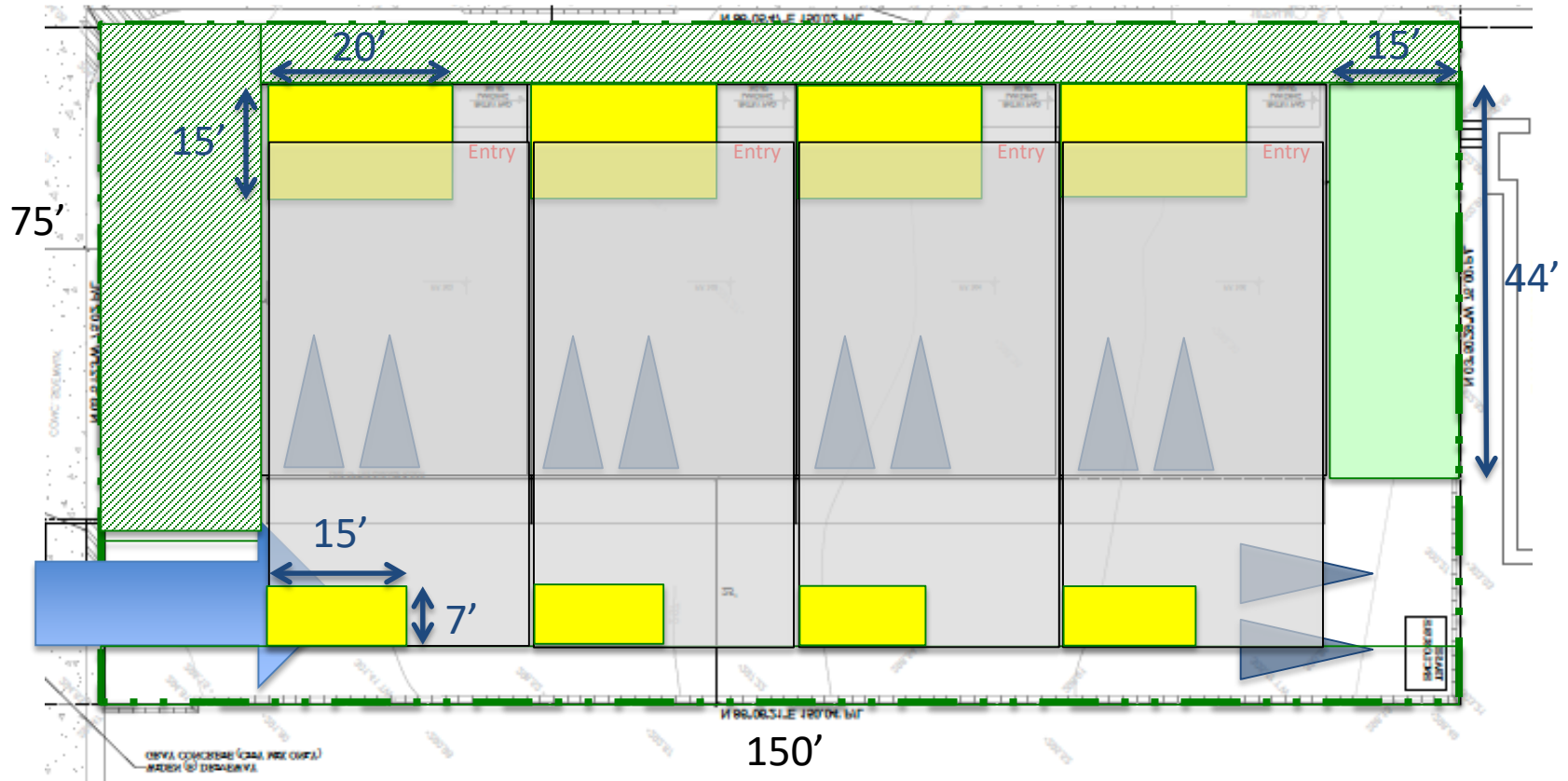
Note: No setback areas are included in this hypothetical OLS calculation.

RBMC 10-2.1510 Outdoor Living Space Requirements (Proposed OLS Standards-300 SF Required to be in One Location-No Bonuses Allowed)

Each condominium unit is required to provide 350 sf of OLS total. 300 sf is required to be in one location – No Bonuses.

Each unit provides a 15' x 20' (300 sf) outdoor living space area on the ground floor that is located immediately adjacent to either a kitchen, dining room, living room or similar communal area and has the minimum dimensions of ten (10) feet by fifteen (15) feet. Therefore 100% of the actual area is calculated as OLS (No Bonuses).

Changes from Scenario 1 Option A: 1st floor area is reduced by 100 SF, an additional 5' x 20' SF area is added to ground floor OLS. 2nd floor area is reduced by a total of 175 SF as 50% of ground floor OLS must be uncovered requiring that the 2nd floor be recessed an additional 2.5 feet and an additional 7' x 15' area calculated at 50% (not accessible from communal area) is required to meet the additional 50 SF for the total required amount of 350 SF of OLS.



Scenario 1: Proposed OLS Requirements Option C: 300 SF NOT in One Location-No Bonuses Allowed (5'x10' calculated at 50%-7'x10' calculated at 75%-10'x15' or greater calculated at 100%-Space not accessed from communal area calculated at 50%)

Property zoning, R-3. Total lot size, 11,250 SF. Allowed density, one (1) unit per 2,490 SF. Total number of units permitted, four (4).

Setbacks: Front 18', Sides 6', Rear 15'

Typical unit size: +/- 2,190 SF

1st Floor: 600 SF

2nd Floor: 1,890 SF – 300 SF = 1,590 SF

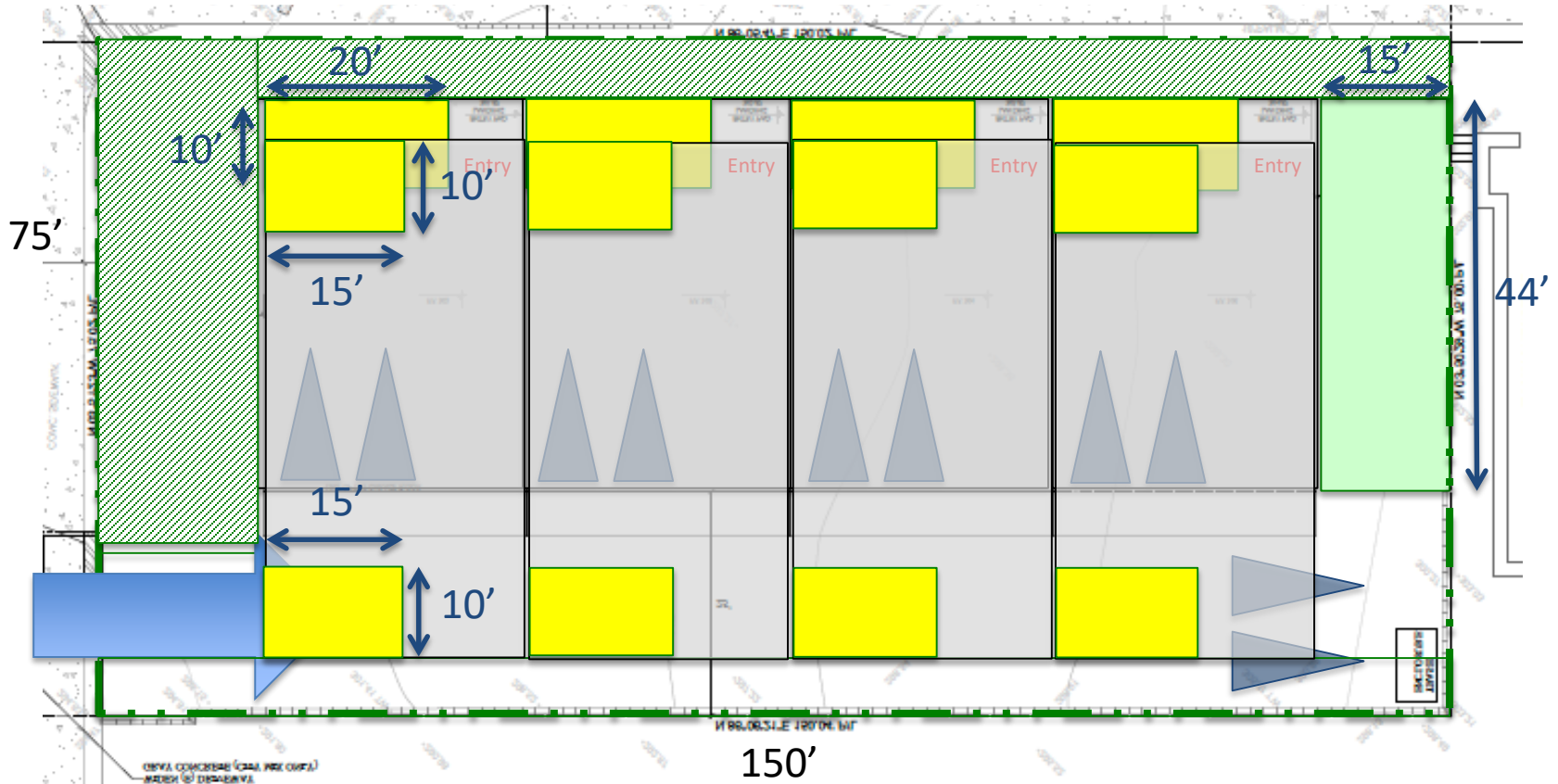
Note: No setback areas are included in this hypothetical OLS calculation.

RBMC 10-2.1510 Outdoor Living Space Requirements (Proposed OLS Standards-300 SF NOT Required to be in One Location-No Bonuses Allowed)

Each condominium unit is required to provide 350 sf of OLS total. This option does not include the requirement to have 300 SF in one location and does not allow bonuses.

Each unit provides a 10' x 20' = 200 sf actual outdoor living space area on the ground floor. Each outdoor living space area is located immediately adjacent to either a kitchen, dining room, living room or similar communal area and has the minimum dimensions of ten (10) feet by fifteen (15) feet. Therefore 100% of the actual area is calculated as OLS (No Bonuses). Each unit provides an additional two (2) 10' x 15' balconies that are not accessed by a communal area and therefore calculated at 50% for the remaining required 150 SF to provide the total required OLS of 350 SF per unit.

Changes from Scenario 1 Option A: No changes to the 1st floor. 2nd floor area is reduced by a total of 300 SF as two (2) additional 10' x 15' areas calculated at 50% (not accessible from communal area) are required to meet the additional 150 SF for the total required amount of 350 SF of OLS.



Scenario 1: Proposed OLS Requirements

Option D: 350 SF in One Location-No Bonuses Allowed (5'x10' calculated at 50%-7'x10' calculated at 75%-10'x15' or greater calculated at 100%-Space not accessed from communal area calculated at 50%)

Property zoning, R-3. Total lot size, 11,250 SF. Allowed density, one (1) unit per 2,490 SF. Total number of units permitted, four (4).

Setbacks: Front 18', Sides 6', Rear 15'

Typical unit size: +/- 2,232 SF

1st Floor: 600 SF – 150 SF = 450 SF

2nd Floor: 1,890 – 108 SF = 1,782 SF

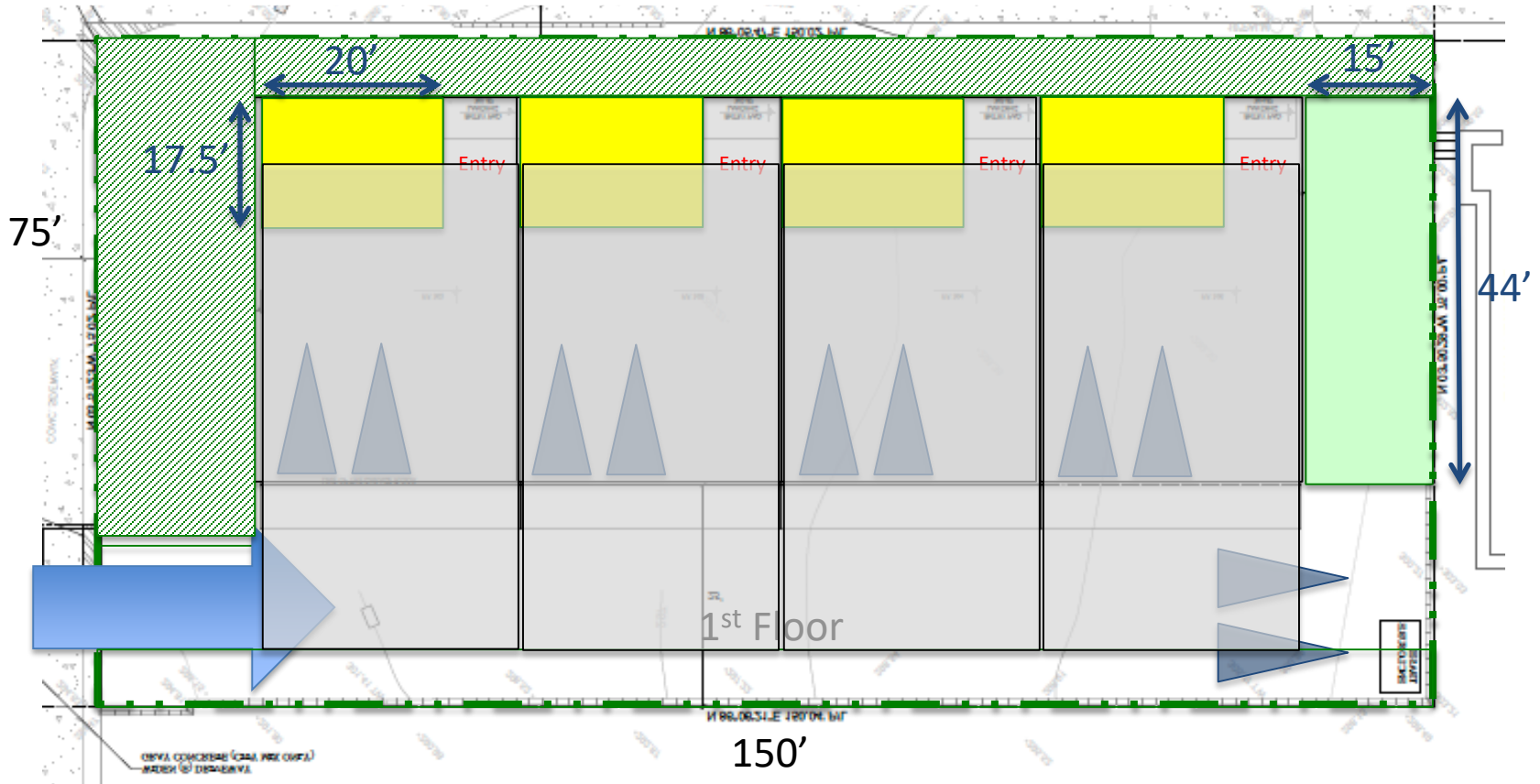
Note: No setback areas are included in this hypothetical OLS calculation.

RBMC 10-2.1510 Outdoor Living Space Requirements (Proposed OLS Standards-350 SF Required to be in One Location-No Bonuses Allowed)

Each condominium unit is required to provide 350 sf of OLS in one location – No Bonuses Allowed.

Each unit provides a 17.5' x 20' = 350 sf actual outdoor living space area on the ground floor. Each outdoor living space area is located immediately adjacent to either a kitchen, dining room, living room or similar communal area and has the minimum dimensions of ten (10) feet by fifteen (15) feet. Therefore 100% of the actual area is calculated as OLS (No Bonuses).

Changes from Scenario 1 Option A: 1st floor area is reduced by 150 SF, an additional 7.5' x 20' SF area is added to ground floor OLS. 2nd floor area is reduced by a total of 108 SF as 50% of ground floor OLS must be uncovered requiring that the 2nd floor be recessed an additional 3.75 feet.



Scenario 2: Existing Site Conditions

Property zoning, R-3. Total lot size, 7,500 SF. Allowed density, one (1) unit per 2,490 SF. Total number of units permitted, three (3).
Setbacks: Front 18', Sides 5', Rear 15'

OLS requirements 350 SF per condominium unit

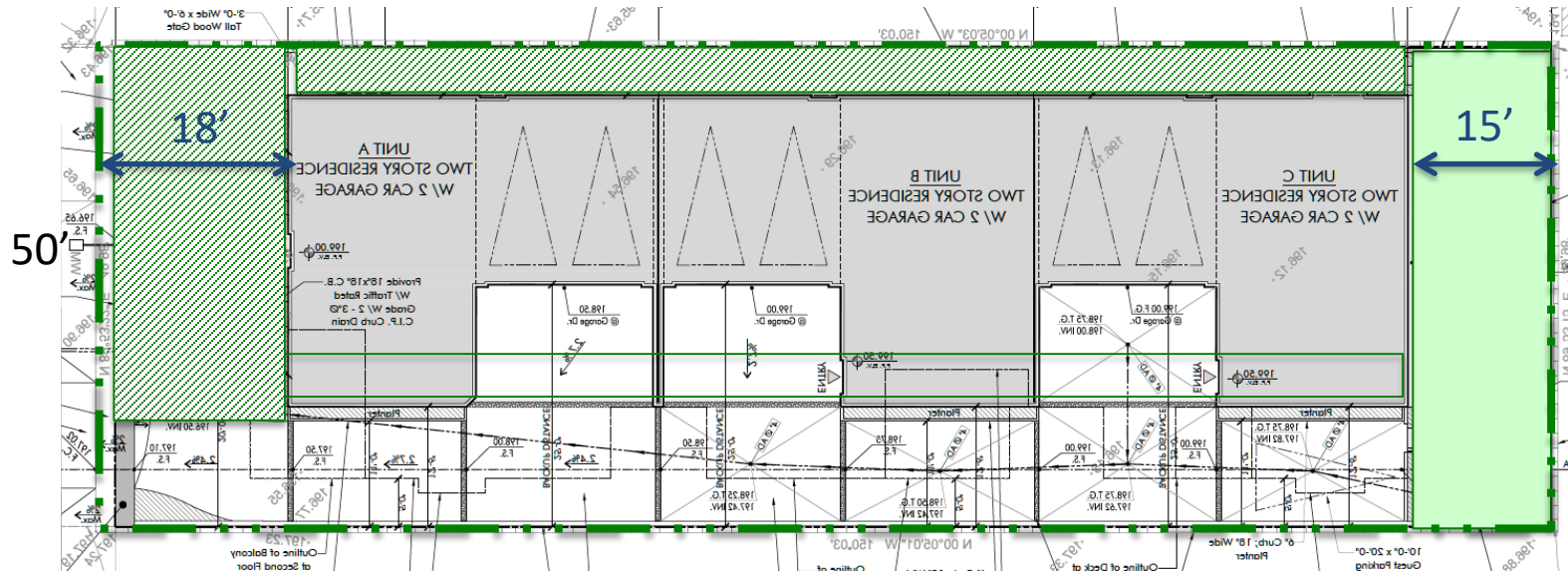
Typical unit size: +/- 2,040 SF

1st Floor: 660 SF

2nd Floor: 1,380SF

The following four (4) slides present four (4) options for Outdoor Living Space (OLS) standards.

- 1. **Option A: 300 SF in One Location-Bonuses Allowed (Existing OLS standards)**
- 2. **Option B: 300 SF in One Location-No Bonuses Allowed (Planning Commission proposed area calculations applied)**
- 3. **Option C: 300 SF NOT in One Location-No Bonuses Allowed (Planning Commission proposed area calculations applied)**
- 4. **Option D: 350 SF in One Location-No Bonuses Allowed (Planning Commission proposed area calculations applied)**



150'
Site Plan

Scenario 2: Current/Existing OLS Requirements

Option A: 300 SF in One Location-Bonuses Allowed

Property zoning, R-3. Total lot size, 7,500 SF. Allowed density, one (1) unit per 2,490 SF. Total number of units permitted, three (3).

Setbacks: Front 18', Sides 5', Rear 15'

Typical unit size: +/- 2,040 SF

1st Floor: 660 SF

2nd Floor: 1,380 SF

Notes: Rear unit provides 750 SF which technically satisfies (exceeds) that rear units' OLS requirement.

No setback areas are included in this hypothetical OLS calculation.

RBMC 10-2.1510 Outdoor Living Space Requirements (Existing OLS Standards)

Each condominium unit is required to provide 350 sf of OLS total. 300 sf is required to be in one location – Bonuses Allowed.

Each unit provides a 12' x 15' = 180 SF outdoor living space area on the second floor. Each outdoor living space area is located immediately adjacent to either a kitchen, dining room, living room or similar communal area and has the minimum dimensions of ten (10) feet by fifteen (15) feet. Therefore a "bonus" of 200 percent of the actual area is granted and as designed the provided OLS is 360 SF which complies with the existing zoning requirements for OLS.



Scenario 2: Proposed OLS Requirements Option B: 300 SF in One Location-No Bonuses Allowed (5'x10' calculated at 50%-7'x10' calculated at 75%-10'x15' or greater calculated at 100%-Space not accessed from communal area calculated at 50%)

**Property zoning, R-3. Total lot size, 7,500 SF.
 Allowed density, one (1) unit per 2,490 SF. Total number of units permitted, three (3).
 Setbacks: Front 18', Sides 5', Rear 15'**

**Typical unit size: +/- 1,585 SF
 1st Floor: 660 SF – 300 SF = 360 SF
 2nd Floor: 1,380 SF – 155 SF = 1,225 SF**

Note: No setback areas are included in this hypothetical OLS calculation.

RBMC 10-2.1510 Outdoor Living Space Requirements (Proposed OLS Standards-300 SF Required to be in One Location-No Bonuses Allowed)

Each condominium unit is required to provide 350 sf of OLS total. 300 sf is required to be in one location – No Bonuses Allowed.

Each unit provides a 15' x 20' = 300 sf actual outdoor living space area on the ground floor. Each outdoor living space area is located immediately adjacent to either a kitchen, dining room, living room or similar communal area and has the minimum dimensions of ten (10) feet by fifteen (15) feet. Therefore 100% of the actual area is calculated as OLS (No Bonuses). An additional 7' x 15' area calculated at 50% (not accessible from communal area) is required to meet the additional 50 SF for the total required amount of 350 SF.

Changes from Scenario 1 Option A: 1st floor area is reduced by 300 SF, an additional 15' x 20' SF area is added to ground floor OLS. 2nd floor area is decreased by 50 SF as 50% of ground floor OLS must be uncovered requiring that the 2nd floor be recessed an additional 2.5 feet and an additional 7' x 15' area calculated at 50% (not accessible from communal area) is required to meet the additional 50 SF for the total required amount of 350 SF.



**Scenario 2: Proposed OLS Requirements
Option C: 300 SF NOT in One Location-No
Bonuses Allowed (5'x10' calculated at 50%-
7'x10' calculated at 75%-10'x15' or greater
calculated at 100%-Space not accessed from
communal area calculated at 50%)**

**Property zoning, R-3. Total lot size, 7,500 SF.
Allowed density, one (1) unit per 2,490 SF.
Total number of units permitted, three (3).
Setbacks: Front 18', Sides 5', Rear 15'**

**Typical unit size: +/- 1,540 SF
1st Floor: 660 SF – 200 SF = 460 SF
2nd Floor: 1,380 SF – 300 SF = 1,080 SF**

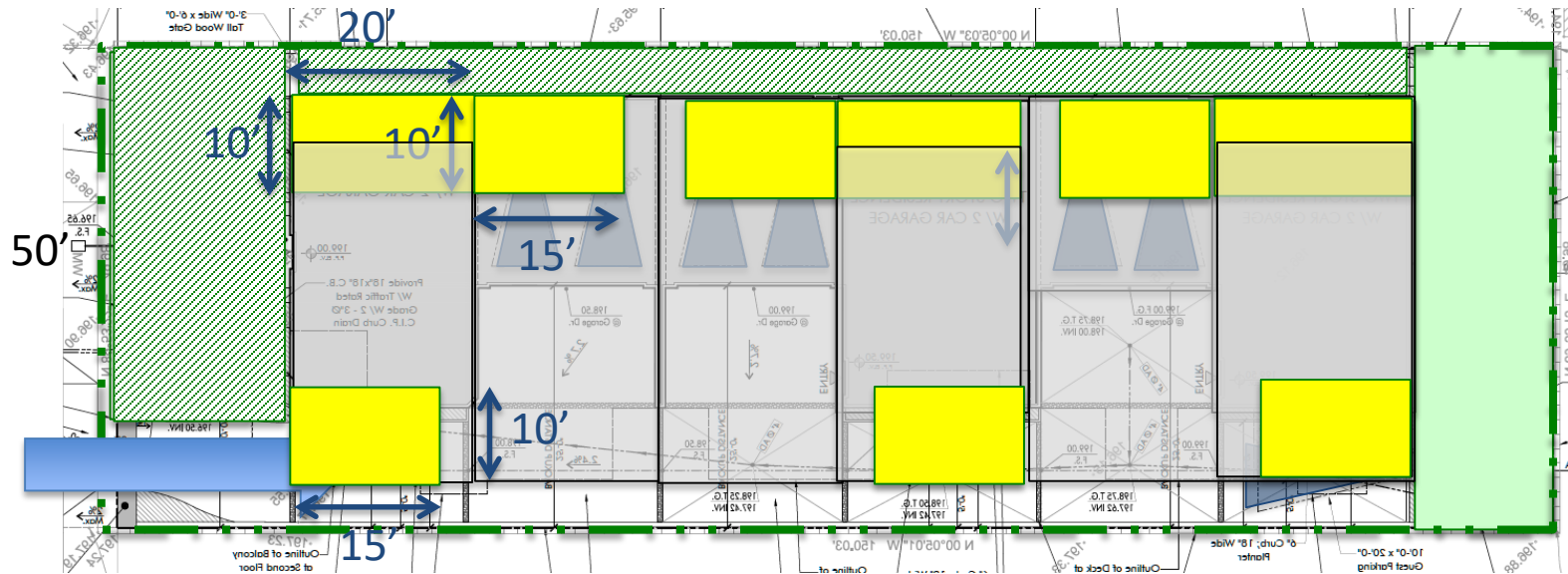
Note: No setback areas are included in this hypothetical OLS calculation.

RBMC 10-2.1510 Outdoor Living Space Requirements (Proposed OLS Standards-300 SF NOT Required to be in One Location-No Bonuses Allowed)

Each condominium unit is required to provide 350 sf of OLS total. This option does not include the requirement to have 300 SF in one location – No Bonuses Allowed.

Each unit provides a 10' x 20' = 200 sf actual outdoor living space area on the ground floor. This ground floor outdoor living space area is located immediately adjacent to either a kitchen, dining room, living room or similar communal area and has the minimum dimensions of ten (10) feet by fifteen (15) feet. Therefore 100% of the actual area is calculated as OLS (No Bonuses). Each unit provides two (2) additional 10' x 15' balconies not accessed by a communal area and therefore calculated at 50% for the remaining required 150 SF to provide the total required OLS of 350 SF per unit.

Changes from Scenario 1 Option A: 1st floor area is reduced by 200 SF, an additional 10' x 20' SF area is added to ground floor OLS. 2nd floor area is reduced by a total of 300 SF as two (2) additional 10' x 15' areas calculated at 50% (not accessible from communal area) are required to meet the additional 150 SF for the total required amount of 350 SF.



150'

Scenario 2: Proposed OLS Requirements
Option D: 350 SF in One Location-No Bonuses Allowed
(5'x10' calculated at 50%-7'x10' calculated at 75%-
10'x15' or greater calculated at 100%-Space not
accessed from communal area calculated at 50%)

Property zoning, R-3. Total lot size, 7,500 SF. Allowed density, one (1) unit per 2,490 SF. Total number of units permitted, three (3).
 Setbacks: Front 18', Sides 5', Rear 15'

Typical unit size: +/- 1,700 SF
 1st Floor: 660 SF – 350 SF = 310 SF
 2nd Floor: 1,380 + 10 SF = 1,390 SF

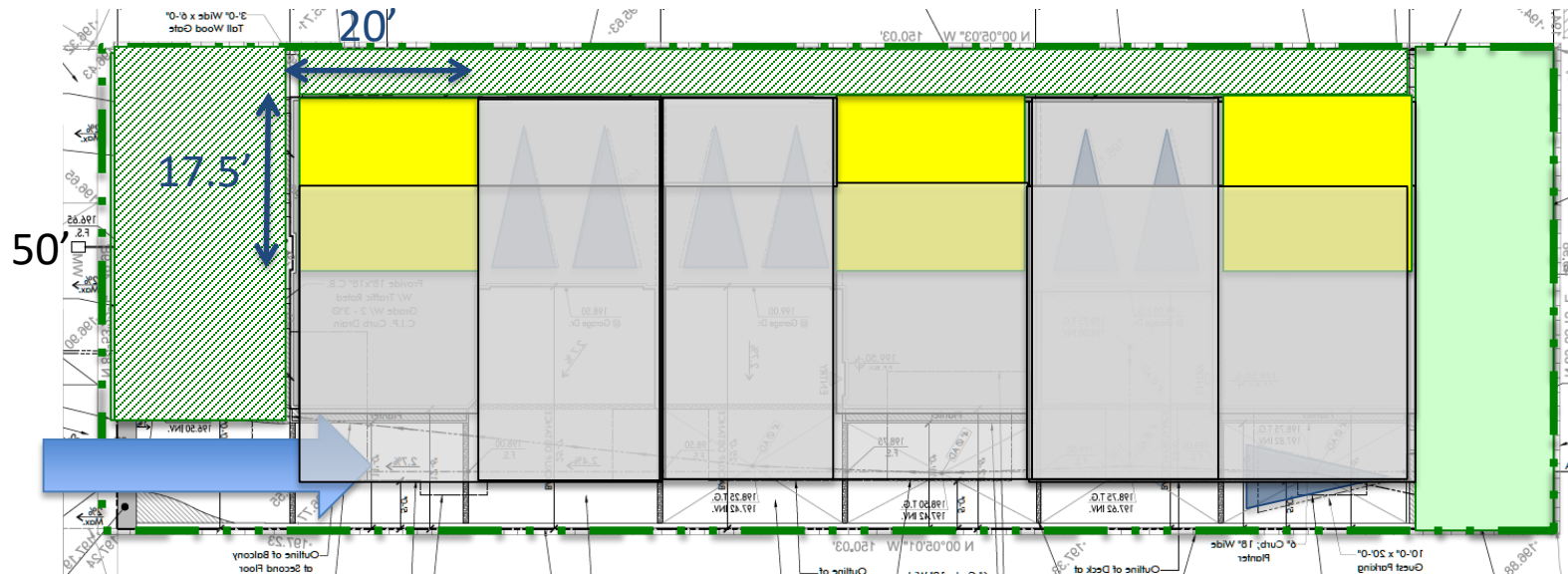
Note: No setback areas are included in this hypothetical OLS calculation.

RBMC 10-2.1510 Outdoor Living Space Requirements Proposed OLS Standards-350 SF Required to be in One Location-No Bonuses Allowed

Each condominium unit required to provide 350 sf of OLS in one location – No Bonuses Allowed.

Each unit provides a 17.5' x 20' = 350 sf actual outdoor living space area on the ground floor. Each outdoor living space area is located immediately adjacent to either a kitchen, dining room, living room or similar communal area and has the minimum dimensions of ten (10) feet by fifteen (15) feet. Therefore 100% of the actual area is calculated as OLS (No Bonuses).

Changes from Scenario 1 Option A: 1st floor area is reduced by 350 SF. 2nd floor area is increased by a total of 10 SF as 50% of ground floor OLS must be uncovered.



150'

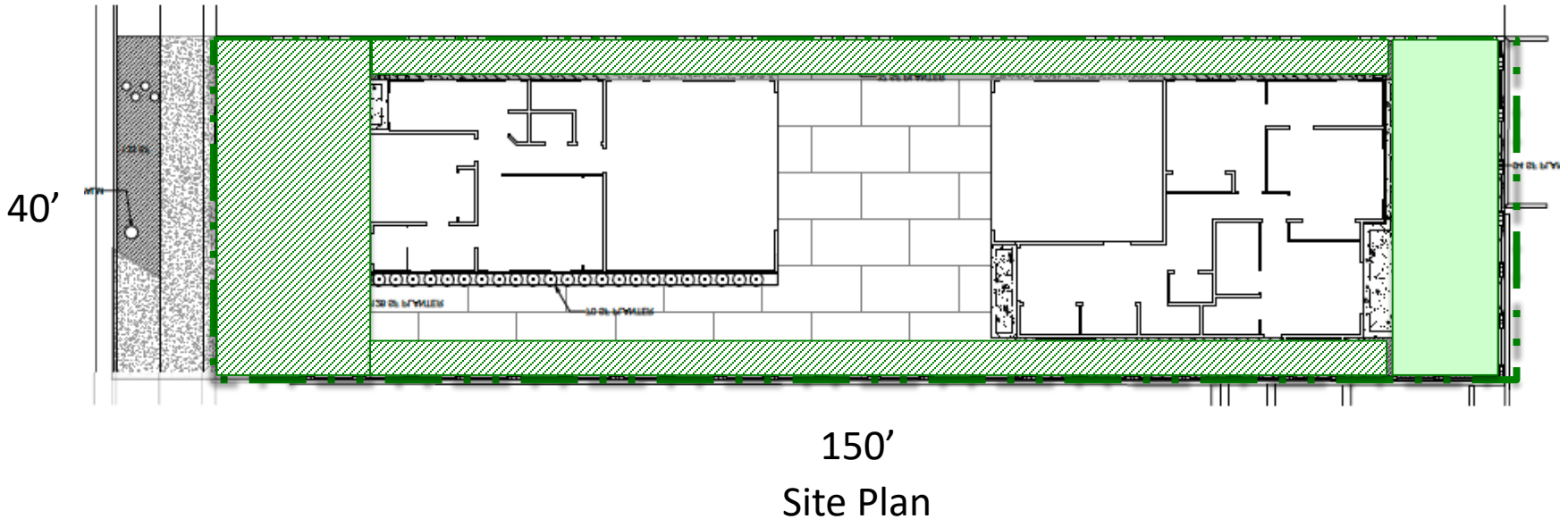
Scenario 3: Existing Site Conditions

Property zoning, R-2. Total lot size, 6,000 SF. Allowed density, one (1) unit per 2,490 SF. Total number of units permitted, two(2).
Setbacks: Front 20', Sides 5', Rear 15', Between Structures: 20'

OLS requirements 450 SF per condominium unit

The following four (4) slides present four (4) options for Outdoor Living Space (OLS) standards.

1. **Option A: 300 SF in One Location-Bonuses Allowed (Existing OLS standards)**
2. **Option B: 300 SF in One Location-No Bonuses Allowed (Planning Commission proposed area calculations applied)**
3. **Option C: 300 SF NOT in One Location-No Bonuses Allowed (Planning Commission proposed area calculations applied)**
4. **Option D: 450 SF in One Location-No Bonuses Allowed (Planning Commission proposed area calculations applied)**



Scenario 3: Current/Existing OLS Requirements

Option A: 300 SF in One Location-Bonuses Allowed

Property zoning, R-2. Total lot size, 6,000 SF. Allowed density, one (1) unit per 2,490 SF. Total number of units permitted, two (2).

Setbacks: Front: 20', Sides: 5', Rear 15', Between Structures: 20'

Typical unit size: +/- 2,005 SF

1st Floor: 760 SF

2nd Floor: 1,245 SF

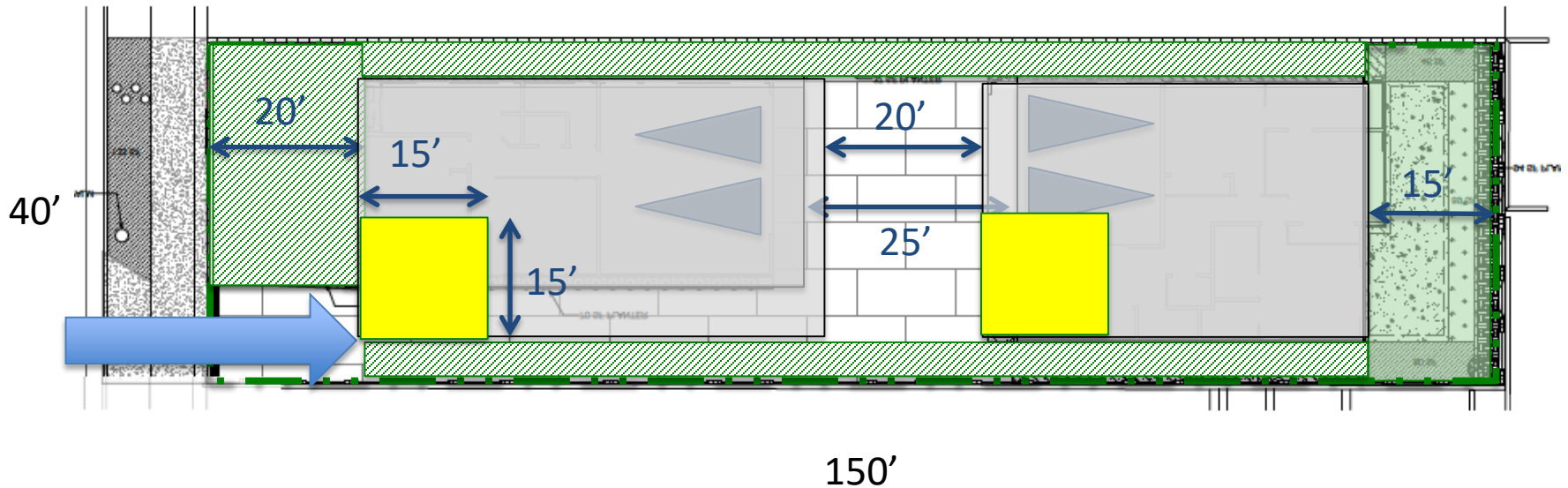
Notes: Rear unit provides 600 SF which technically satisfies (exceeds) that rear units' OLS requirement.

No setback areas are included in this hypothetical OLS calculation.

RBMC 10-2.1510 Outdoor Living Space Requirements (Existing OLS Standards)

Each condominium unit required to provide 450 sf of OLS total. 300 sf is required to be in one location – Bonuses Allowed.

Unit provides a 15' x 15' = 225 SF balcony as outdoor living space area on the second floor. Each outdoor living space area is located immediately adjacent to either a kitchen, dining room, living room or similar communal area and has the minimum dimensions of ten (10) feet by fifteen (15) feet. Therefore a "bonus" of 200 percent of the actual area is granted and as designed the provided OLS is 450 SF meets zoning requirements for OLS.



Scenario 3: Proposed OLS Requirements

Option B: 300 SF in One Location-No Bonuses Allowed (5'x10' calculated at 50%-7'x10' calculated at 75%-10'x15' or greater calculated at 100%-Space not accessed from communal area calculated at 50%)

Property zoning, R-2. Total lot size, 6,000 SF. Allowed density, one (1) unit per 2,490 SF. Total number of units permitted, two (2). Setbacks: Front 20', Sides 5', Rear 15'

Typical unit size: +/- 1,218 SF
1st Floor: 760 SF – 300 SF = 460 SF
2nd Floor: 1,245 SF – 487 SF = 758 SF

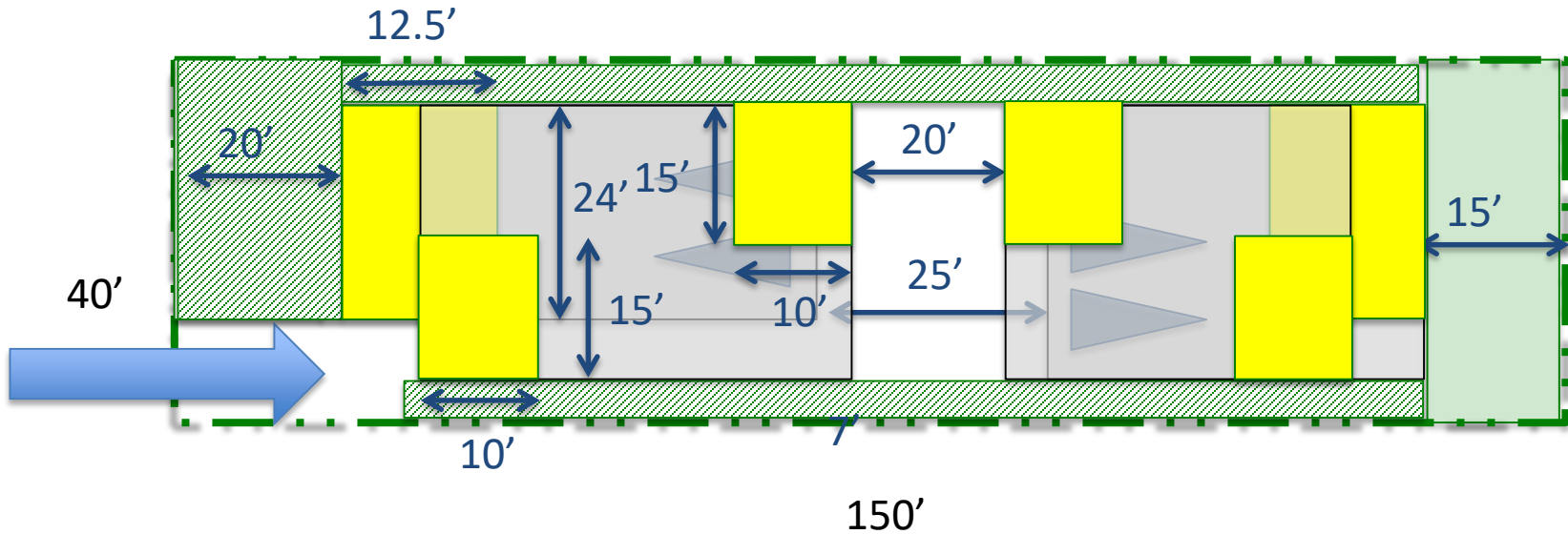
Notes: Rear unit provides 600 SF which technically satisfies (exceeds) that rear units' OLS requirement.
No setback areas are included in this hypothetical OLS calculation.

RBMC 10-2.1510 Outdoor Living Space Requirements (Proposed OLS Standards-300 SF Required to be in One Location-No Bonuses Allowed)

Each condominium unit is required to provide 450 sf of OLS total. 300 sf is required to be in one location – No Bonuses Allowed.

Unit A provides a 12.5' x 24' = 300 sf actual outdoor living space area on the ground floor. The outdoor living space area is located immediately adjacent to either a kitchen, dining room, living room or similar communal area and has the minimum dimensions of ten (10) feet by fifteen (15) feet. Therefore 100% of the actual area is calculated as OLS (No Bonuses).

Changes from Scenario 1 Option A: 1st floor area is reduced by 300 SF, an additional 12.5' x 24' SF area is added to ground floor OLS. 2nd floor area is decreased by 187 SF as 50% of ground floor OLS must be uncovered and two (2) additional areas each 15' x 10' (150 SF each/300 SF total) area calculated at 50% (not accessible from communal area) is required to meet the additional 150 SF for the total required amount of 450 SF.



Scenario 3: Proposed OLS Requirements

Option C: 300 SF NOT in One Location-No Bonuses Allowed (5'x10' calculated at 50%-7'x10' calculated at 75%-10'x15' or greater calculated at 100%-Space not accessed from communal area calculated at 50%)

Property zoning, R-2. Total lot size, 6,000 SF. Allowed density, one (1) unit per 2,490 SF. Total number of units permitted, two (2).

Setbacks: Front 20', Sides 5', Rear 15'

Typical unit size: +/- 1,225 SF

1st Floor: 760 SF – 240 SF = 520 SF

2nd Floor: 1,245 SF – 540 SF = 705 SF

Notes: Rear unit provides 600 SF which technically satisfies (exceeds) that rear units' OLS requirement. No setback areas are included in this hypothetical OLS calculation.

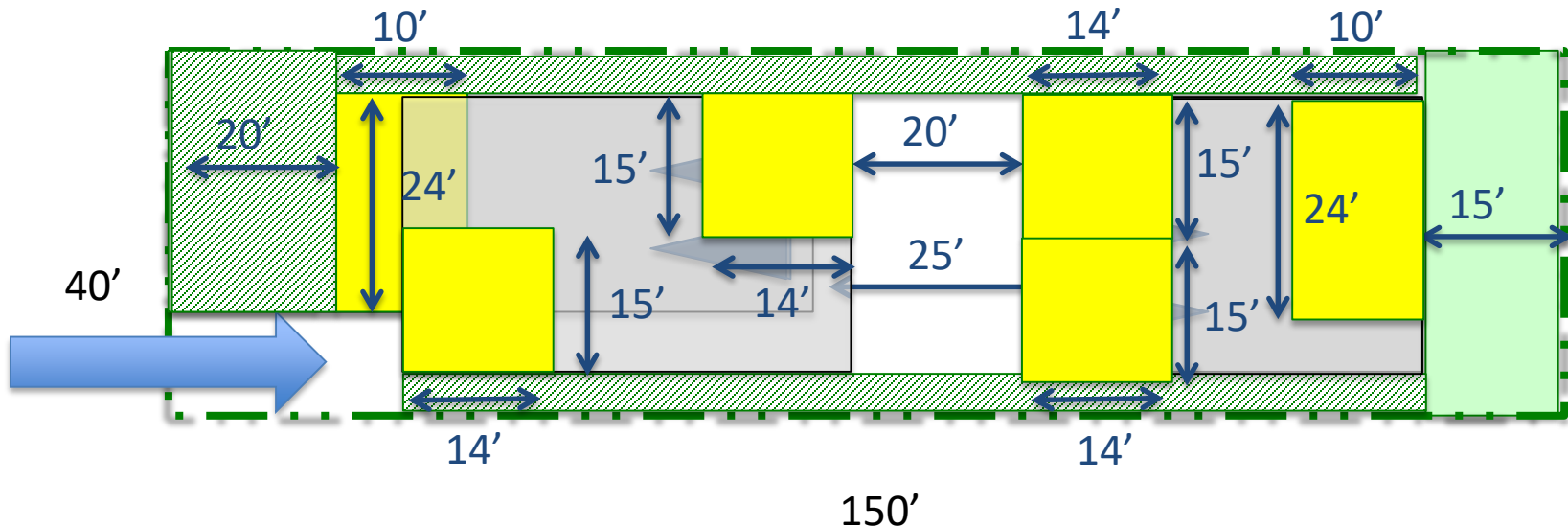
RBMC 10-2.1510 Outdoor Living Space Requirements (Proposed OLS Standards-300 SF NOT Required to be in One Location-No Bonuses Allowed)

Each condominium unit is required to provide 450 sf of OLS total. This option does not include the requirement to have 300 SF in one location – No Bonuses Allowed.

Each unit provides a 10' x 24' = 240 sf actual outdoor living space area on the ground floor. Each ground floor outdoor living space area is located immediately adjacent to either a kitchen, dining room, living room or similar communal area and has the minimum dimensions of ten (10) feet by fifteen (15) feet. Therefore 100% of the actual area is calculated as OLS (No Bonuses).

Each unit provides two (2) 14' x 15' balconies not accessed by a communal area and therefore calculated at 50% for the remaining required 210 SF to provide the total required OLS of 450 SF per unit.

Changes from Scenario 1 Option A: 1st floor area is reduced by 240 SF, an additional 10' x 24' SF area is added to ground floor OLS. 2nd floor area is reduced by a total of 540 SF as two (2) additional 14' x 15' areas calculated at 50% (not accessible from communal area) are required to meet the additional 210 SF for the total required amount of 450 SF.



Scenario 3: With Proposed OLS Requirements
Option D: 450 SF in One Location-No Bonuses Allowed
(5'x10' calculated at 50%-7'x10' calculated at 75%-10'x15' or greater calculated at 100%-Space not accessed from communal area calculated at 50%)

**Property zoning, R-2. Total lot size, 6,000 SF. Allowed density, one (1) unit per 2,490 SF. Total number of units permitted, two (2).
 Setbacks: Front 20', Sides 5', Rear 15'**

Typical unit size: +/- 1,560 SF
1st Floor: 760 SF – 450 SF = 310 SF
2nd Floor: 1,890 – 175 SF = 1,250 SF

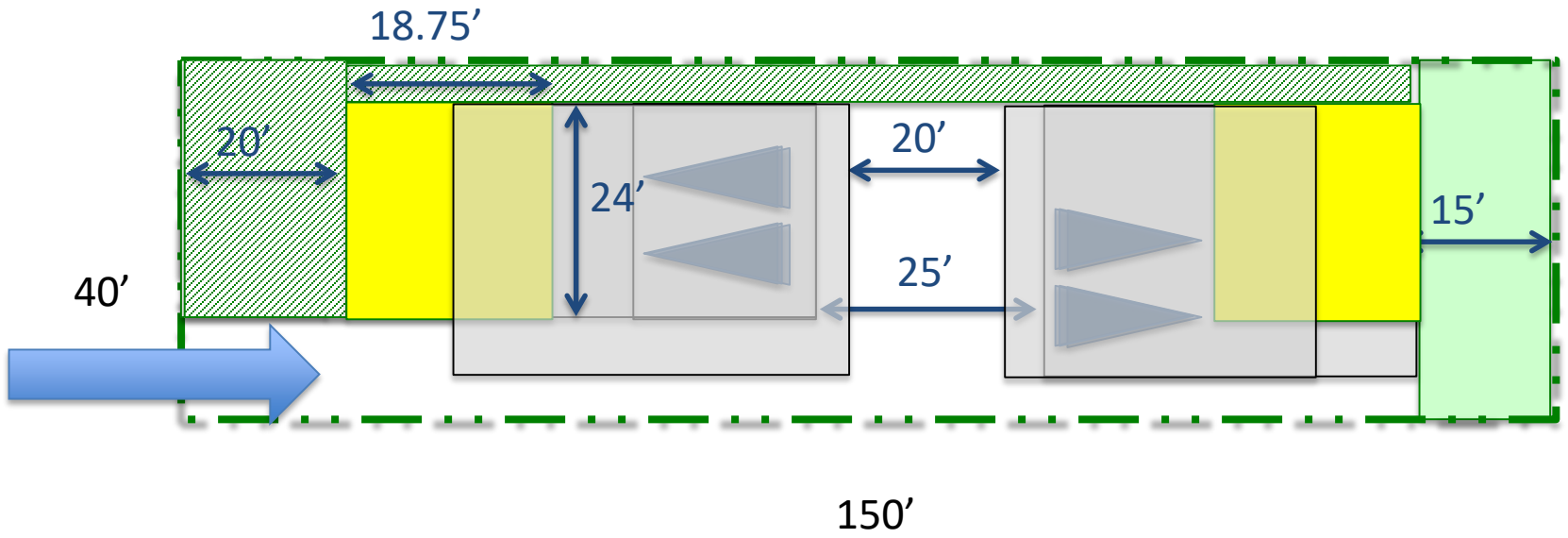
Note: Rear setback area OLS for Unit C in this hypothetical OLS calculation.

RBMC 10-2.1510 Outdoor Living Space Requirements: Proposed OLS Standards-450 SF Required to be in One Location-No Bonuses Allowed

Each condominium unit is required to provide 450 sf of OLS in one location – No Bonuses Allowed.

Unit A provides a 18.75' x 24' = 450 sf actual outdoor living space area on the ground floor. Each outdoor living space area is located immediately adjacent to either a kitchen, dining room, living room or similar communal area and has the minimum dimensions of ten (10) feet by fifteen (15) feet. Therefore 100% of the actual area is calculated as OLS (No Bonuses).

Changes from Scenario 1 Option A: 1st floor area is reduced by 450 SF. 2nd floor area is reduced by a total of 175 SF as 50% of ground floor OLS must be uncovered.



Bold (Red):	<u>Underline (Blue):</u>	Strikethrough:
Consensus new language	<u>Under consideration language</u>	Deleted language (Example)

10-2.1510 Outdoor living space requirements in residential and mixed-use zones.

(a) Purpose. Each residential and mixed-use zone establishes a minimum square footage of required outdoor living space per dwelling unit. Calculation of outdoor living space depends on the location and dimensions of the space. It is the purpose of these standards to encourage a design where all or most of the outdoor living space is private and that public outdoor living space is secondary.

(b) Minimum area requirements: R-1, R-1A, R-2, R-3, R-3A, and RMD zones. Notwithstanding the total outdoor living space required by the zone, each dwelling unit shall be developed with at least one private patio, balcony, deck (not including roof decks), or yard, as described in subsection (c) of this section, with a minimum area of 300 square feet or 20% of the building square footage, whichever is greater, ~~including bonuses,~~ and a minimum dimension of ten (10) feet.

(c) Qualifying outdoor living space areas: all residential and mixed use zones. The following types and sizes of space, developed to the following standards, shall qualify as outdoor living space for dwelling units in all residential and mixed-use zones:

(1) Private patios, balconies, and decks.

a. Location, dimensions, and design. Private patios and decks having a minimum dimension of ~~fifteen (15) ten (10) feet~~ by (10) feet and private balconies having a minimum dimension of five (5) feet by ten (10) feet shall qualify if they are located at approximately the same level as the dwelling unit which they serve, and are open to the sky for fifty (50%) percent of their actual area and enclosed by no more than three (3) building walls.

b. Calculating outdoor living space. Qualifying outdoor living space shall be counted based on the actual area of the space except as follows:

1. Private balconies not located immediately adjacent to either a kitchen, dining room, living room or similar communal area shall be counted at fifty (50%) percent of the actual area.

2. Minimum dimensions of five (5) feet by ten (10) feet and are located immediately adjacent to either a kitchen, dining room, living room or similar communal area shall be counted at 50% of the actual area.

~~3 2. A bonus of one hundred fifty (150%) percent of actual area shall be granted for private balconies which have~~ Minimum dimensions of seven (7) feet by ten (10) feet and are located immediately adjacent to either a kitchen, dining room, living room or similar communal area **shall be counted at 75% of the actual area.**

~~3. A bonus of 200 percent of actual area shall be granted for private patios, balconies, and decks which have minimum dimensions of ten (10) feet by fifteen (15) feet and are located immediately adjacent to either a kitchen, dining room, living room or similar communal area.~~

(2) Private and public roof decks.

a. Location, dimensions and design. Private and public roof decks shall qualify if they have a minimum dimension of fifteen (15) feet by fifteen (15) feet. Accessibility, surfacing, screening, and architectural treatment shall be compatible with the architectural design of the dwelling.

b. Calculating outdoor living space. Roof decks shall be counted at fifteen (15%) percent of their actual area.

(3) Public exterior courts, pools, and activity areas.

a. Location, dimensions and design. Public exterior courts, pools and activity areas shall qualify if they have a minimum dimension of twenty (20) feet by twenty (20) feet, and have not less than twenty (20%) percent of their total area devoted to decorative landscaping. Any portion of a public exterior court or activity area which is not devoted to decorative landscaping shall be either surfaced with decorative architectural materials or developed as sports, game, and/or play equipment areas, putting greens, gardens, reflection pools, fountains, or other similar uses.

Porous pavement or other similar water quality Best Management Practices (BMPs) shall be encouraged.

b. Calculating outdoor living space. Public exterior courts, pools and activity areas shall be counted at 100 percent of their actual area, but shall not comprise more than fifty (50%) percent of the total outdoor living space requirement for the development.

(4) Public interior recreation rooms.

a. Location, dimension, and design. Recreation rooms shall qualify if they are located immediately adjacent to a public space that qualifies as outdoor living space under the provisions of this section, such as an exterior court or pool, and have a minimum dimension of twenty (20) feet by twenty (20) feet. Interior recreation rooms shall be furnished and maintained with indoor recreational facilities and/or equipment, such as gymnastic equipment, sauna baths, and game tables, which are accessible to all tenants within the development.

b. Calculating outdoor living space. A recreation room shall be counted at 100 percent of its actual area, but shall not comprise more than twenty-five (25%) percent of the total outdoor living space requirement for the development.

(5) Required and non-required setbacks.

a. Location, dimensions, and design. Required side setbacks, required rear setbacks, required building separations, and non-required setback areas on the ground level shall qualify as outdoor living space **shall be counted at 75% of the actual area** if they are **at least** ten (10) feet or more in width. Required and non-required setbacks counted as outdoor living space shall be developed in accordance with the standards of one or more of the above specified types of outdoor living space.

b. Calculating outdoor living space. The creditable area of required and non-required setbacks, where they are for the sole use of one dwelling, shall be calculated in the same manner used for private patios and decks.

(6) Other types of outdoor living space. Space which does not fall within the above categories of outdoor living space may qualify as outdoor living space if:

- a. It conforms to the purpose and intent of this section; and
- b. It is not specifically prohibited in this section.

(7) Nonqualified outdoor living space. The following types of space shall not, under any circumstances, qualify as outdoor living space:

- a. Required front setbacks;
- b. Areas that do not have the minimum dimensions to qualify as outdoor living space under the provisions of this section;
- c. Pedestrian accessways, walkways, corridors, ramps, and catwalks if not an integral part of a space that qualifies as outdoor living space under the provisions of this section;
- d. Areas beneath pedestrian accessways, walkways, corridors, ramps, and catwalks if not an integral part of a space that qualifies as outdoor living space under the provisions of this section;
- e. Areas devoted to automobiles and other vehicles, including, but not limited to, driveways, parking spaces, turning radii, aisles, and required planters within open parking areas;
- f. Areas devoted to trash enclosures or containers;
- g. Areas devoted to public utility vaults, meters, pumps, and similar apparatus unless their existence is visually unapparent and functionally unobtrusive to an area that otherwise qualifies as outdoor living space under the provisions of this section;
- h. Areas devoted to ventilation and air shafts unless their existence is visually unapparent and functionally unobtrusive to an area that otherwise qualifies as outdoor living space under the provisions of this section;
- i. Areas with a slope greater than five (5%) percent with the exception of decoratively landscaped mounds within an area that otherwise qualifies as outdoor living space under the provisions of this section.

(Reference Table Summary for Jan. 2021 Planning Commission Discussion)

	Before (All Zones)	After R1 / R1A (Lower Density)	After R2 / R3 / RH (Higher Density)
RBMC Setback Info (Reference, not complete)			
Front Setbacks	25' / 25' 20' / 18' / 18'	25' / 25'	20' / 18' / 18'
Rear Setbacks	15' / 15' avg	15' / 15'	15' avg
Side Setbacks	5' / 3' / 5'	5' / 3'	5' / 5' / 5'
10-2.503 – 10-2.516	R1 / R1A: 800' / 400' R2/R3/RH: 450' / 350' / 200'	800' / 400'	450' / 350' / 200'
10-2.1510 (b)	300'	<u>300'</u>	<u>300'</u>
10-2-1510 (c)(1)(a) Minimum size	10' x 10' Patio, Deck, etc 5' x 10' Balcony	10' x 15' (Patio, Deck) 5' x 10' (Balcony)	10' x 10' Patio, Deck, etc 5' x 10' Balcony
10-2-1510 (c)(1)(b)(2)(3) Bonus/Decrement	5' x 10' : 100% 7' x 10' : 150% 10' x 15' : 200%	5' x 10' : 50% 7' x 10' : 75% 10' x 15' : 100%	←
Inland Zone(s) 10-2-1510 (3)(a)s <i>Public exterior courts, pools, and activity areas.</i>	No permeable surface language	<i>“Porous pavement or other similar water quality Best Management Practices (BMPs) shall be encouraged.”</i>	←
Coastal Zone 10-5-1510 (3)(a) <i>Public exterior courts, pools, and activity areas.</i>	<i>“Porous pavement or other similar water quality Best Management Practices (BMPs) shall be encouraged.”</i>	←	←
Types	Yards, Patio, Deck, Balconies	Yards, Patio, Deck, Balconies	Yards, Patio, Deck, Balconies
Bonus?	Yes	No	No
Discount?	50% (Not off living space(s))	Yes, for < 10' x 15' (150 sq ft) 50% (Not off living space(s)) <u>80% (In setbacks)</u>	Yes, for < 10' x 15' (150 sq ft) 50% (Not off living space(s)) <u>80% (In setbacks)</u>

POINTS OF AGREEMENT ON OUTDOOR LIVING SPACE:

1. The Inland and Coastal ordinances should be synchronized (concerning LID/Drainage)
2. Should discount the calculation of square footage of smaller balconies at only a fraction of the actual space:
 - a. 5'x10' should be counted at 50% of actual square footage
 - b. 7'x10' should be counted at 75% of actual square footage
 - c. 10'x15' or greater to be counted at 100% of actual square footage
 - d. If the space is not next to a kitchen/dining area, then reduce the percentage down to 50% of actual square footage regardless of the balcony size (in the measurements above, 5'X10' would be the same calculation)

Planning Commission still has to figure out the minimum size in one location. Right now it is 300 sf, but that is when bonuses are allowed.

Perhaps a requirement of at least a 10'x15' dimension in one location?

3. Consider requiring a percentage of the usable outdoor space as pervious surface. [Staff to provide examples]
4. Willing to consider decreasing the credited square footage if outdoor space is in a required setback area.
5. Willing to consider space requirement being a percentage of square footage of the structure with a "whichever is greater" statement.
6. Want to go over example projects [Staff to provide examples]
7. All agree there is likely not going to be a one size fits all for the zones.
8. Commissioner Hinsley will prepare first draft of revisions to municipal code to address these points of agreement.

EXAMPLES OF PERVIOUS SURFACE REQUIREMENT:

City of Hoboken, NJ

Municipal Code

§ 196-28.1. Rear decks, roof decks, patios and terraces. [Added 6-17-2015 by Ord. No. Z-350]

C. Patios and terraces.

(1) A patio or terrace shall be located in the rear or side yard of a principal building and shall be a landscaped or surfaced area at a height not more than 18 inches above finished grade.

(2) Patios and terraces without roof cover will not be considered lot or building coverage or rear yard or side yard encroachments. A patio or terrace with any form of cover, including but not limited to a pergola, fabric canopy or fixed plant material will be considered lot coverage and must meet the specification of an accessory structure.

(3) If a patio or terrace is made of impervious material such as but not limited to concrete pavement or pavers, no more than 30% of the yard area may be covered. The area of any impervious cover patio or terrace must be graded to a drain, and a drywell or detention tank with a capacity sufficient to capture runoff from the area of impervious cover that can accommodate a volume equal to or exceeding a fifty-year rain event shall be installed.

(4) If a patio or terrace is made of pervious materials such as but not limited to wood planks with a minimum of 0.25 inch spacing, pervious pavers, or chipped stone or gravel, up to 50% of the yard area may be covered.

(5) If located in an area of special flood hazard as defined in Chapter 104, a constructed patio or terrace must be securely anchored with footings or tie downs in accordance with Chapter 104, Flood Damage Prevention.

- Yard Area = An open portion of a lot, as may be required by this chapter, of uniform width or depth on the same lot with a building or a group of buildings, which open portion lies between the principal building or group of buildings and the nearest lot line and is unoccupied and unobstructed from the ground upward, except as herein permitted. Parking is not permitted in any required yard except as permitted herein.

Redondo Beach Municipal Code

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[Title 10 PLANNING AND ZONING](#)
[Chapter 2 ZONING AND LAND USE](#)
[Article 3. General Regulations](#)
[Division 2. Residential and Mixed-Use Zones](#)

10-2.1510 Outdoor living space requirements in residential and mixed-use zones.

(a) **Purpose.** Each residential and mixed-use zone establishes a minimum square footage of required outdoor living space per dwelling unit. Calculation of outdoor living space depends on the location and dimensions of the space. It is the purpose of these standards to encourage a design where all or most of the outdoor living space is private and that public outdoor living space is secondary.

(b) **Minimum area requirements: R-1, R-1A, R-2, R-3, R-3A, and RMD zones.** Notwithstanding the total outdoor living space required by the zone, each dwelling unit shall be developed with at least one private patio, balcony, deck (not including roof decks), or yard, as described in subsection (c) of this section, with a minimum area of 300 square feet including bonuses, and a minimum dimension of ten (10) feet.

(c) **Qualifying outdoor living space areas: all residential and mixed use zones.** The following types and sizes of space, developed to the following standards, shall qualify as outdoor living space for dwelling units in all residential and mixed-use zones:

(1) **Private patios, balconies, and decks.**

a. **Location, dimensions, and design.** Private patios and decks having a minimum dimension of ten (10) feet by (10) feet and private balconies having a minimum dimension of five (5) feet by ten (10) feet shall qualify if they are located at approximately the same level as the dwelling unit which they serve, and are open to the sky for fifty (50%) percent of their actual area and enclosed by no more than three (3) building walls.

b. **Calculating outdoor living space.** Qualifying outdoor living space shall be counted based on the actual area of the space except as follows:

1. Private balconies not located immediately adjacent to either a kitchen, dining room, living room or similar communal area shall be counted at fifty (50%) percent of the actual area.

2. A bonus of one hundred fifty (150%) percent of actual area shall be granted for private balconies which have minimum dimensions of seven (7) feet by ten (10) feet and are located immediately adjacent to either a kitchen, dining room, living room or similar communal area.

3. A bonus of 200 percent of actual area shall be granted for private patios, balconies, and decks which have minimum dimensions of ten (10) feet by fifteen (15) feet and are located immediately adjacent to either a kitchen, dining room, living room or similar communal area.

(2) **Private and public roof decks.**

a. **Location, dimensions and design.** Private and public roof decks shall qualify if they have a minimum dimension of fifteen (15) feet by fifteen (15) feet. Accessibility, surfacing, screening, and architectural treatment shall be compatible with the architectural design of the dwelling.

b. **Calculating outdoor living space.** Roof decks shall be counted at fifteen (15%) percent of their actual area.

(3) **Public exterior courts, pools, and activity areas.**

a. **Location, dimensions and design.** Public exterior courts, pools and activity areas shall qualify if they have a minimum dimension of twenty (20) feet by twenty (20) feet, and have not less than twenty (20%) percent of their total area devoted to decorative landscaping. Any portion of a public exterior court or activity area which is not devoted to decorative landscaping shall be either surfaced with decorative architectural materials or developed as sports, game, and/or play equipment areas, putting greens, gardens, reflection pools, fountains, or other similar uses.

b. **Calculating outdoor living space.** Public exterior courts, pools and activity areas shall be counted at 100 percent of their actual area, but shall not comprise more than fifty (50%) percent of the total outdoor living space requirement for the development.

(4) **Public interior recreation rooms.**

a. **Location, dimension, and design.** Recreation rooms shall qualify if they are located immediately adjacent to a public space that qualifies as outdoor living space under the provisions of this section, such as an exterior court or pool, and have a minimum dimension of twenty (20) feet by twenty (20) feet. Interior recreation rooms shall be furnished and maintained with indoor recreational facilities and/or equipment, such as gymnastic equipment, sauna baths, and game tables, which are accessible to all tenants within the development.

b. **Calculating outdoor living space.** A recreation room shall be counted at 100 percent of its actual area, but shall not comprise more than twenty-five (25%) percent of the total outdoor living space requirement for the development.

(5) **Required and non-required setbacks.**

a. **Location, dimensions, and design.** Required side setbacks, required rear setbacks, required building separations, and non-required setback areas on the ground level shall qualify as outdoor living space if they are ten (10) feet or more in width. Required and non-required setbacks counted as outdoor living space shall be developed in accordance with the standards of one or more of the above specified types of outdoor living space.

b. **Calculating outdoor living space.** The creditable area of required and non-required setbacks, where they are for the sole use of one dwelling, shall be calculated in the same manner used for private patios and decks.

(6) **Other types of outdoor living space.** Space which does not fall within the above categories of outdoor living space may qualify as outdoor living space if:

a. It conforms to the purpose and intent of this section; and

b. It is not specifically prohibited in this section.

(7) **Nonqualified outdoor living space.** The following types of space shall not, under any circumstances, qualify as outdoor living space:

a. Required front setbacks;

b. Areas that do not have the minimum dimensions to qualify as outdoor living space under the provisions of this section;

c. Pedestrian accessways, walkways, corridors, ramps, and catwalks if not an integral part of a space that qualifies as outdoor living space under the provisions of this section;

d. Areas beneath pedestrian accessways, walkways, corridors, ramps, and catwalks if not an integral part of a space that qualifies as outdoor living space under the provisions of this section;

e. Areas devoted to automobiles and other vehicles, including, but not limited to, driveways, parking spaces, turning radii, aisles, and required planters within open parking areas;

f. Areas devoted to trash enclosures or containers;

g. Areas devoted to public utility vaults, meters, pumps, and similar apparatus unless their existence is visually unapparent and functionally unobtrusive to an area that otherwise qualifies as outdoor living space under the provisions of this section;

h. Areas devoted to ventilation and air shafts unless their existence is visually unapparent and functionally unobtrusive to an area that otherwise qualifies as outdoor living space under the provisions of this section;

i. Areas with a slope greater than five (5%) percent with the exception of decoratively landscaped mounds within an area that otherwise qualifies as outdoor living space under the provisions of this section.

(Ord. 2756 c.s., eff. January 18, 1996, as amended by Ord. 2773 c.s., eff. August 1, 1996)

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,

Brandy Forbes
Community Development Director