

1994

**LAND USE ELEMENT
REVISION**

Volume II

**City of Hermosa Beach
Planning Department**

March 1994

**1994 Land Use Element Revision
Volume II**

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INTRODUCTION

INTRODUCTION

LEGAL AUTHORITY

The General Plan is a comprehensive planning document which serves as the officially adopted statement of local policy regarding each community's future growth. Government Code Section 65300 requires every city and county to draw up and adopt "a comprehensive, long-term general plan for the physical development" of the community. The community's General Plan must contain at least the following seven mandatory elements listed in Government Code Section 65302:

1. Land Use Element
2. Circulation Element
3. Housing Element
4. Conservation Element
5. Open Space Element
6. Noise Element
7. Safety Element

The State mandated requirements for the Land Use Element are set forth in Government Code Section 65302(a), which states that the General Plan shall include "a land use element which designates the proposed general distribution and general location and extent of the uses of the land for housing, business, industry, open space, including agriculture, natural resources, recreation, and enjoyment of scenic beauty, education, public buildings and grounds, solid and liquid waste disposal facilities, and other categories of public and private uses of land. The land use element shall include a statement of the standards of population density and building intensity recommended for the various districts and other territory covered by the plan. The land use element shall identify areas covered by the plan which are subject to flooding and shall be reviewed annually with respect to those areas." Furthermore, Government Code Section 65303 states that "the general plan may . . . address any other subjects which, in the judgment of the legislative body, relate to the physical development of the county or city."

The Land Use Element has the broadest scope of the seven mandatory elements. It is often perceived as the most representative element of the General Plan since its goals, objectives, policies and programs relate directly to the other elements. It theoretically sets forth a set of coherent development policies for all local land use issues. As an integral part of the General Plan, the Land Use Element should be a document that is primarily concerned with the future development of the community.

According to the General Plan Guidelines prepared by the State Office of Planning and Research, the legal requirements for an adequate Land Use Element are as follows: (1) the land use

diagram (map); (2) standards for population density; (3) standards for building intensity; (4) identification of future solid waste disposal sites (if applicable); and (5) a discussion of the relationship between the Land Use Element and the Circulation and Noise Elements.

LAND USE DIAGRAM

The Land Use Diagram is a conceptual map that shows the specific land use designations for all properties within the community boundaries. The Land Use Element should contain a sufficient number of land use categories to conveniently classify the various land uses identified by the General Plan. It is not necessary that there be an equal number of land use designations and zoning classifications, since it is sometimes appropriate to have more than one zoning classification consistent with a particular land use designation.

Based on the ruling from Las Virgenes Homeowners Association v. Los Angeles County (1986), the Land Use Diagram is intended to be used as a general guide to land use distribution and need not be a parcel specific map to be considered legally adequate. As with all General Plan diagrams, the Land Use Diagram must be consistent with the General Plan text.

POPULATION DENSITY

Although a General Plan must contain standards for population densities, the courts and the State legislature have not precisely defined this standard. Twain Harte Homeowners Association v. Tuolumne County (1982), which is considered the landmark case for this issue, defined population density as the "numbers of people in a given area and not the dwelling units per acre, unless the basis for correlation between the measure of dwelling units per acre and numbers of people is set forth explicitly in the plan."

The General Plan Guidelines state that quantifiable standards of population density must be provided for each General Plan land use category, which "can best be expressed as the relationship between two factors: the number of dwellings per acre and the number of residents per dwelling." This latter requirement is easily obtainable under the title "Average Persons Per Household" from either the State Department of Finance estimates of the U.S. Census.

Maximum dwelling units per acre has become the most commonly used standard for residential land uses designations. The linkage between Average Persons Per Household and dwelling units per acre provides a convenient standard that is both easy to quantify and understandable to the public.

While readily applicable to residential land use designations, population density standards may also be used for nonresidential categories, although this is not a legal requirement. However, the widely diverse employment and other human resource demands

for various commercial and industrial land uses make it difficult to accurately estimate daily population usage for these land uses.

BUILDING INTENSITY

The Camp v. County of Mendocino (1981) decision held that an adequate General Plan must contain standards for building intensities. To date, the Twain Harte court case has provided the most complete interpretation of "building intensity," which includes the following requirements:

1. Building intensity must be defined in quantifiable terms for each land use designation;
2. Generalized land use titles such as "commercial recreation" or "neighborhood commercial" are by themselves insufficient measures of building intensity; and
3. Building intensity is not synonymous with population density.

The courts have not provided any precise definitions of proper building intensity measurements since intensity is often dependent upon local planning conditions. Building intensity may be based upon a combination of such variables as maximum dwelling units per acre, height and size limitations, and use restrictions.

The General Plan Guidelines recommend that each building intensity standard include these variables: (1) permitted land uses and building types; and (2) concentration of use. Permitted uses and building types is a qualitative measure while concentration of use can be defined by one or more quantitative measures that relate directly to physical development. For residential land use designations, maximum dwelling units per acre is considered an acceptable building intensity standard. For commercial and industrial land use designations, floor area ratio (FAR) is recommended as a useful and convenient intensity measure. FAR is the mathematical ratio of the building floor area to the total area of the building site. For limited development land uses such as open space or recreational designations, the dual standard of maximum lot coverage and maximum building height is suitable.

SOLID WASTE SITES

Since the purpose of the Land Use Element is to designate the proposed general distribution and general location and extent of land uses, this Element must identify future solid waste sites. If the community has no designated sites for future solid waste disposal, this should be noted in the Element.

RELATIONSHIP TO CIRCULATION AND NOISE ELEMENTS

Based on recent court decisions, the General Plan must reflect both the anticipated level of land development (represented in the Land Use Element) and the road system necessary to serve that level (represented in the Circulation Element). The court in Concerned Citizens v. Calaveras County held that the road system proposed in the Circulation Element must be "closely, systematically, and reciprocally related to the Land Use Element."

Government Code Section 65302(f) states that the Noise Element is to be used as "a guide for establishing a pattern of land uses in the Land Use Element." The Camp decision determined that when the Noise Element is inadequate, the Land Use Element may also be invalid.

While the relationship between the Land Use Element and the Noise and Circulation Elements deserves emphasis, this discussion should not be interpreted as implying that other General Plan elements may be inconsistent with the Land Use Element. Government Code Section 65300.5 clearly states that "the general plan and elements and parts thereof comprise an integrated, internally consistent and compatible statement of policies for the adopting agency." All elements of the General Plan have equal legal status and all general plan elements, whether mandatory or optional, must be consistent with each other.

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CURRENT LAND USE ELEMENT

CURRENT LAND USE ELEMENT

The Land Use Element in its current form was originally adopted in 1967 and has since been subject to several revisions. The Land Use Element has been slightly modified since the 1979 revision. These recent text changes are as follows: (1) lowering the maximum density in the High Density land use designation to 33 dwelling units per acre from 40 units per acre; (2) replacing the Multi-Use Corridor designation with the Commercial Corridor designation; (3) adding an Industrial land use designation; (4) adding a Specific Plan Area land use designation; and (5) adding definitions for the following terms: mixed residential/commercial, public open space acquisition overlay, and public beach parking.

In its present form, the City's Land Use Element does not meet the minimum requirements of State law as set forth in Government Code Section 65302(a) and discussed in the General Plan Guidelines by the Office of Planning and Research (OPR). The basic requirements for a legally adequate Land Use Element, as discussed in the Introduction section of this Land Use Element revision, involve the following components: (1) the land use diagram; (2) standards for population density; (3) standards for building intensity; (4) identification of future solid waste disposal sites (if applicable); and (5) a discussion of the relationship between the Land Use Element and the Circulation and Noise Elements. The present Element's compliance with these required components is discussed below.

LAND USE DIAGRAM

While the City's General Plan Map (as amended) adequately displays the various land use designations of all properties in the City, the Land Use Element text is not consistent with these designations. These discrepancies, which reflect deficiencies in the Land Use Element document rather than the diagram, are as follows:

Mobile Home Park - Although the diagram includes this land use designation, there is no mention of mobile home land uses anywhere in the text.

General Commercial - The only text reference to this land use designation is in the "Commercial Areas" paragraph on page 84. Commercial Areas, which is not included in the General Plan Map, is discussed in the text as a separate land use designation that includes "general commercial uses, the Central Business District, and related activities." It is not clear from the Land Use Element text whether this "Commercial Areas" designation is intended to represent the General Commercial designation on the diagram.

Additionally, the downtown commercial district, which is designated General Commercial in the General Plan Map, is discussed in the text (page 84) separately from the other commercial designations under the heading of the "Central Business District." This discussion delineates the downtown boundaries and asserts that the "concept of the General Plan is to recreate the downtown area into an unusual community shopping center, supplying the basic shopping needs of the City's residents and also supplying the needs of beach visitors." It is unclear from the Land Use Element text whether the "Central Business District," which is not included in the General Plan Map, was intended to be a separate land use designation.

Open Space - The land use diagram includes all community facilities, e.g. schools, government facilities, with all parks and open space areas in the Open Space land use designation. The current Land Use Element text, however, separates these uses into two distinct designations: (1) Community Facilities and Related Land Uses; and (2) Parks and Open Space.

POPULATION DENSITY

The Land Use Element has no deficiencies related to population density. The City's present standard of maximum dwelling units per acre is the most commonly used population density standard for residential designations and meets the minimum legal requirements for this Land Use Element component. However, the State OPR General Plan Guidelines recommends a correlation between the maximum dwelling unit standard and estimates of the number of persons per dwelling unit, e.g. the average persons per household in City from the 1990 Census, to clearly establish a density standard that better expresses the number of residents intended for a given area. This approach will be discussed further in this Land Use Element revision.

BUILDING INTENSITY

The most significant deficiency in the current Land Use Element is the complete lack of any building intensity standards for nonresidential land use designations. While the population density standard of maximum dwelling units per acre is also legally acceptable as a residential building intensity standard, the commercial, industrial and community facilities designations provide only generalized descriptions of permitted land uses with no quantifiable standards for building development.

As discussed in the Introduction section to this Land Use Element revision, previous court cases have established that an adequate general plan must contain standards for building intensity. However, the courts have demurred from defining proper building intensity measures. OPR recommends floor area ratio (the ratio of building floor area to the total site area) as an appropriate and useful measure of commercial and industrial building intensity. A standard combining maximum lot coverage and maximum

building height is considered suitable for areas intended for limited development, such as open space/public facility land uses.

SOLID WASTE SITES

While the courts have held that the general plan is not required to identify existing solid waste disposal sites, the Concerned Citizens v. Calaveras County (1985) decision ruled that since the purpose of the land use element is to designate "the proposed general distribution and general location and extent" of land uses, this element must identify future sites.

The current Land Use Element has no deficiencies in regard to solid waste disposal sites since no future disposal sites have been proposed since the 1979 amendment.

RELATIONSHIP TO CIRCULATION AND NOISE ELEMENTS

State court cases have identified the reciprocal relationship between the Land Use Element and the Circulation and Noise Elements. This Land Use Element update will provide a linkage between these Elements to establish a legally adequate reciprocal relationship.

OBJECTIVES AND IMPLEMENTATION POLICIES

PRIMARY OBJECTIVE 1: Revise the City's Land Use Element text to: (1) include discussion on the general types of permitted uses for the Mobile Home Park, General Commercial, and Open Space land use designations; and (2) include building intensity standards for all nonresidential land use designations.

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**INCONSISTENCIES BETWEEN ZONING AND GENERAL
PLAN MAP**

INCONSISTENCIES BETWEEN ZONING MAP AND GENERAL PLAN MAP

LEGAL BACKGROUND

Government Code Section 65860(a) requires consistency between a local government's zoning map and general plan land use diagram (a diagram is a generalized land use map rather than a parcel specific map). A city's zoning ordinance is deemed consistent with its general plan when: (1) the city has officially adopted such a plan; and (2) the various land uses authorized by the zoning ordinance are consistent with the objectives, policies, uses, and programs specified in the general plan. Any resident or property owner may initiate legal action to require that a city revise an inconsistent zoning ordinance as necessary to bring it into general plan consistency, and conditional use permits or other discretionary actions cannot be granted under inconsistent zoning ordinances.

Local government efforts to remediate inconsistencies between the zoning ordinance and general plan do not require that the zoning map must always be amended to conform to the general plan map. If a determination can be made that the existing zoning properly reflects current land use patterns, the character of the surrounding properties, and/or desired future development patterns, the general plan map may be amended to conform with the zoning map.

While both the zoning map and the general plan map should reflect a similar pattern of land use distribution, the California Office of Planning and Research (OPR) General Plan Guidelines states that the maps need not be identical if the general plan text provides for flexibility of interpretation. For example, a general plan land use diagram may designate an area for residential development while the zoning map may show the same area as predominately residential with a few pockets of commercial uses. Despite the residential designation, the commercial zoning could be found consistent with the general plan if the general plan text specifies policies and standards for neighborhood commercial development within residential areas and if the commercial zoning does not violate other general plan policies regarding commercial areas.

EXISTING INCONSISTENCIES

The following table lists all properties within the City that have zoning designations which are presently inconsistent with the General Plan land use designations.

**TABLE 1
ZONING INCONSISTENCIES**

<u>Area</u>	<u>Address</u>	<u>Zoning</u>	<u>General Plan</u>
1	737, 739 Longfellow Ave.	R-1	GC
2	734, 736, 738, 740, 744 Longfellow Ave.; 733, 735, 737, 739 30th St.	R-1	GC
3	1645 Valley Drive	R-3	OS
4	803, 805, 807, 809, 811, 813, 815, 817, 819 18th St.; 802, 804 19th St.; 1818, 1820, 1822, 1830, 1834, 1840, 1850 Pacific Coast Hwy.	R-2	CC
5	1906, 1918, 1924, 1934 Pacific Coast Hwy.	R-2	CC
6	825, 827, 831, 833, 835, 841, 844 13th St.; 830, 840, 850 14th St.	R-2	GC
7	1235, 1245, 1251, 1255 Prospect Ave.	C-3	LD
8	725 10th St.; 730 11th St.	C-3	MD
9	603 1st Pl.; 620 2nd St.; 112, 138, 142 Ardmore Ave.	M-1	MD
10	603, 605, 607, 609, 611, 613, 615, 623 3rd St.; 322, 330, 342 Ardmore Ave.	M-1	MD
11	611, 615, 635 4th St.; 422-436 Ardmore Ave.	M-1	MD

The exact location of all inconsistently zoned properties are shown in reference maps, one for each planning area, included at the end of this section.

ANALYSIS AND RECOMMENDATIONS

AREA 1

Addresses: 737, 739 Longfellow Ave.

Lot Numbers: Lots 4, 5, 6, and the eastern half of lot 7 of Southern California Convention Hall and Marine View Park Tract

These properties are presently zoned R-1 One Family Residential but designated GC, General Commercial, in the General Plan Land Use Map. These properties were included in a 1988 rezoning effort (ZC 87-11) as part of Rezoning Area #5. Both properties were already fully developed in conformity with the single-family residential character of the surrounding neighborhood. At the October 18, 1988 Planning Commission meeting, staff reported that rezoning these properties to conform with its commercial General Plan designation would be unrealistic due to the following: (1) the area is presently residential in character; (2) because of the multiple ownership of these properties, a "hodge-podge" mixture of commercial and residential developments could result; and (3) a commercial zoning could result in undesirable development that can only be accessed on a local street with no frontage on Pacific Coast Highway. The Planning Commission voted at this meeting to amend the General Plan designation from GC General Commercial to LD Low Density Residential. The City Council, at its November 22, 1988 meeting, voted to retain the R-1 zoning and to include with the General Plan revision study.

Proposal for Area 1

Both properties are currently occupied by residential uses that conform to the character of the surrounding residential neighborhood. Due to the existing uses and the reasons cited above, the most appropriate land use revision would be a General Plan redesignation to LD Low Density Residential from GC General Commercial.

AREA 2

Addresses: 734, 736, 738, 740, 744 Longfellow Ave.; 733, 735, 737, 739 30th St.

Lot Numbers: Lots 116, 117, 118, 119, 120, 121, 128, 129, 130, 131 of Southern California Convention Hall and Marine View Park Tract

These properties, zoned R-1 One Family Residential and designated GC General Commercial under the General Plan, were also included in Rezoning Area #5 from the 1988 rezoning study (ZC 87-11). These properties, which are all single-family residential, were also subject to the same Planning Commission and City Council determinations.

Proposal for Area 2

Since these properties are also single-family residential in character and surrounded by a single-family residential neighborhood, the same factors discussed for Area #1 also hold true for this area. Therefore, the most appropriate land use revision would also be a General Plan redesignation to LD Low Density Residential from GC General Commercial.

AREA 3

Address: 1645 Valley Drive

Lot Numbers: Lots 1-20 of the Hermosa Garden Tract and Lot 10 of Block 71 to the Second Addition to Hermosa Beach

These properties represent the grassy undeveloped northerly portion of the Hermosa Valley School site. Currently owned by the Hermosa Beach School District, these properties are zoned R-3 Multiple-Family Residential with an OS Open Space General Plan designation. The existing and anticipated future uses of these properties are public in nature, specifically educational buildings and playgrounds, rather than residential.

Proposal for Area 3

The subject properties are an integral part of the Hermosa Valley School property. Since a local voter initiative was approved to designate the school properties OS Open Space on the General Plan map, the most appropriate action would be to rezone these properties to OS Open Space.

AREA 4

Addresses: 803, 805, 807, 809, 811, 813, 815, 817, 819 18th St.; 802, 804 19th St.; 1818, 1820, 1822, 1830, 1834, 1840, 1850 Pacific Coast Hwy.

Lot Numbers: Lots 1, 2, 3, 26, 27 and 28 of Johnson and Newman's Camino Real Tract; Lots 1, 3, 4 and 5 of Tract No. 6054

These properties, zoned R-2 Two-Family Residential and designated CC Commercial Corridor General Plan designation, are located in the only portion of Pacific Coast Highway that is predominately residential in character (between 17th and 21st Streets). These properties are part of the properties located on the east side of Pacific Coast Highway between 18th and 20th Streets that were rezoned to R-2 Two-Family Residential from R-3 Multi-Family Residential by the City Council on June 12, 1990 (Ordinance No. 90-1031) based on the findings that: (1) rezoning the properties to commercial uses would be inappropriate due to the existing residential character; (2) rezoning to R-2 would prevent the construction of commercial projects which could potentially impact adjacent residential neighborhoods; and (3) the character of residential development allowed under the R-2 zoning would be compatible with the surrounding residential development.

Proposal for Area 4

Since these properties are residential in character and part of the residential neighborhood fronting Pacific Coast Highway, the most appropriate revision would be a General Plan redesignation to MD Medium Density Residential.

AREA 5

Addresses: 1906, 1918, 1924, 1934 Pacific Coast Hwy.

Lot Numbers: Lots 1, 2 and 3 of Tract No. 8476; Lots 62, 63, 64 and the western one-third of 61 of Tract No. 2548

These properties, which all contain single-family residences, are presently zoned R-2 Two-Family Residential and designated CC Commercial Corridor. These properties were also included in the June 1990 rezoning to R-2 from R-3 through the City Council adoption of Ordinance No. 90-1031.

Proposal for Area 5

These properties are also residential in character and part of the residential neighborhood fronting Pacific Coast Highway. Therefore, the most appropriate revision would also be a General Plan redesignation to MD Medium Density Residential, for the same reasons as noted for Area #4.

AREA 6

Addresses: 825, 827, 831, 833, 835, 841, 844 13th St.; 830, 840, 850 14th St.

Lot Numbers: Lots 4, 5, 6 of Hermosa Knob Hill Tract; Lots 5, 8, 9, 11, 12 and a portion of lot 10 of Tracy Tract

All properties, with the exception of Tracy Tract lot #11, are presently zoned R-2 Two-Family Residential with a GC General Commercial designation. Tracy Tract lot #11 is zoned R-1 One-Family Residential with a GC General Commercial designation.

Proposal for Area 6

These properties are all an integral part of a residential neighborhood located along the local streets that connect with the Aviation Boulevard and Pacific Coast Highway commercial corridors. Since the properties are currently residential in character and compatible with the density of the surrounding residential neighborhood, the commercial General Plan designation should be revised to reflect current zoning and development conditions. All properties, with the exception of Tracy Tract #11, should have a MD Medium Density designation for consistency with the present R-2 zoning. Tracy Tract lot #11, which is zoned R-1 with a GC General Commercial designation, should have a LD designation for consistency with its current zoning and the surrounding residential neighborhood General Plan designation, and also for those factors noted for Area #1.

The portion of Tracy Tract lot #10 zoned R-3 is inconsistent with the remaining portion of this parcel, which is zoned GC General Commercial. The General Plan designation for the entire parcel is GC General Commercial. Since zoning district boundaries cannot bisect a single parcel, the zoning on this small portion

of Tracy Tract lot #10 should be revised to GC General Commercial for consistency with both the remaining parcel's zoning and General Plan designation.

AREA 7

Addresses: 1235, 1245, 1249, 1251, 1255 Prospect Ave.

Lot Numbers: Lots 31, 32, 35, 36, 39 and 40 of Hermosa Heights Tract

These properties are currently zoned C-3 General Commercial, with R-3 potential, and have a LD Low Density General Plan designation. The properties, currently a mixture of multi-family residential and commercial land uses, were originally Area II of a 1990 three area redesignation/rezoning effort (ZC 90-3 and GP 90-3). The staff recommendation to the Planning Commission included a General Plan redesignation to GC General Commercial for 1235 Prospect in recognition of its existing commercial use (the northerly half of Buck's Auto Body Shop). The remaining lots, primarily residential in character, were recommended to be rezoned to R-1 One-Family Residential to conform with the surrounding R-1 neighborhood. At its September 4, 1990 meeting, the Planning Commission postponed consideration of any land use changes to this area until the Land Use Element revision.

Proposal for Area 7

The land use characteristics of these properties have not changed since the 1990 rezoning/redesignation study. It would therefore be appropriate to proceed with staff's original recommendation to: (1) revise the General Plan designation for lot #40 (1235 Prospect Avenue) to GC General Commercial for consistency with its current zoning and its location within the northern edge of the Prospect Avenue/Aviation Boulevard commercial properties; and (2) rezone the remaining properties to R-1 One Family Residential to conform with the predominately residential character of these properties and the surrounding R-1 residential neighborhood north of Aviation Boulevard.

AREA 8

Addresses: 725 10th St.; 730 11th St.

Lot Numbers: Lots 4 and 5 of Tract No. 6851; Lots 4, 5, 6 and 7 of Tract No. 223

Both properties are currently zoned C-3 General Commercial with MD Medium Density General Plan designations. The 11th Street parcel is presently occupied by a church, while the 10th Street parcel is a mobile home park. These two properties lie between commercial properties to the east fronting Pacific Coast Highway and residential properties to the west between 10th and 11th Streets.

Proposal for Area 8

The existing church and mobile home park uses on these properties are inconsistent with the current commercial zoning but would be consistent with a residential zoning compatible with the MD Medium Density designation for both these properties and the surrounding residential neighborhood west of Pacific Coast Highway. It would therefore be appropriate to rezone both properties to R-2 Two Family Residential.

AREA 9

Addresses: 603 1st Pl.; 620 2nd St.; 112, 138, 142 Ardmore Ave.

Lot Numbers: Lots 105, 106, 107, 108, 109 and 100 of Walter Ransom Co.'s Venable Place Tract

These properties are currently zoned M-1 Light Manufacturing with a MD Medium Density General Plan designation. The present uses on these properties are a mix of commercial auto repair, warehouse, office, light manufacturing, and multi-family residential. The surrounding land uses are low to medium density residential.

Proposal for Area 9

The existing land uses on these properties include residential, commercial and light industrial uses. At present, there is no one dominant land use type. These properties have a residential General Plan designation and the surrounding properties are residential in both existing character and in the General Plan land use map. Furthermore, these properties are all fronting on local streets, and were originally allowed a manufacturing zoning due to their proximity to the railroad, which no longer exists. Therefore, the most appropriate action would be to rezone these properties to R-2 Two Family Residential. This rezoning would attain consistency with MD Medium Density land use designation of these properties, which is also the land use designation for most of the surrounding neighborhood. The existing nonresidential uses, which would become nonconforming, would be able to remain in their current state under the new zoning or be able to convert to residential uses.

AREA 10

Addresses: 603, 605, 607, 609, 611, 613, 615, 623 3rd St.; 322, 330, 342 Ardmore Ave.

Lot Numbers: 41, 42, 43, 44, 45, and 46 of Walter Ransom Co.'s Venable Place Tract

These properties are zoned M-1 Light Manufacturing and designated MD Medium Density. The current uses are commercial auto repair shops on Ardmore and single-family and duplex structures on 3rd

Street. The surrounding land uses are low and medium density residential uses along Ardmore Avenue and Open Space along the greenbelt.

Proposal for Area 10

The existing residential and commercial land uses on these properties are all inconsistent with the M-1 zoning. The most appropriate action would be to rezone these properties to R-2 Two Family Residential for the following reasons: (1) the existing MD Medium Density residential General Plan land use designation; (2) the prevalence of residential uses in Area 10; and (3) the existing residential character, and residential General Plan land use designations, of the surrounding neighborhood. As noted for Area #7, the existing uses may remain in their existing state.

AREA 11

Addresses: 611, 615, 635 4th St.; 422-436 Ardmore Ave.

Lot Numbers: 9, 10, 11, 12, 13 and 14 of Walter Ransom Co.'s Venable Place Tract

These properties are zoned M-1 Light Manufacturing and designated MD Medium Density. The current uses are commercial auto repair and office on Ardmore Avenue with single-family residences on 4th Street. The surrounding land uses are low and medium density residential along Ardmore Avenue and Open Space along the greenbelt.

Proposal for Area 11

The present residential and commercial uses of the properties in Area 11 are all inconsistent with the existing M-1 zoning. As with Areas 9 and 10, the existing residential land use designations and residential character of the neighborhood justifies rezoning the Area 11 properties to R-2 Two Family Residential. As noted for Areas #9 and #10, the existing uses may remain in their existing state.

OBJECTIVES AND IMPLEMENTATION POLICIES

PRIMARY OBJECTIVE 1: Obtain consistency between the General Plan map and zoning map for all properties within the City.

Implementation Policy 1.1: Revise the General Plan and zoning map in accordance with the recommendations of this section to attain consistency.

p/zonecon

BUILDING INTENSITY / POPULATION DENSITY

BUILDING INTENSITY/POPULATION DENSITY

LEGAL BACKGROUND

The basic legal requirement for land use element building intensity and population density standards is contained in Government Code Section 65302(a), which states that the land use element shall include "a statement of the standards of population density and building intensity recommended for the various districts and other territory covered by the plan." This requirement was recently confirmed in the Camp v. County of Mendocino (1981) decision as necessary for a legally adequate general plan.

Statutory law does not provide any precise guidelines for establishing adequate building intensity or population density standards, which is undoubtedly intentional in order to give local jurisdictions flexibility in determining their own standards. While recent case law provides some direction, the courts have stopped short of defining proper building intensity standards. The Office of Planning and Research (OPR), in its General Plan Guidelines, cites Twain Harte Homeowners Association v. Tuolumne County (1982) as the case offering the most complete interpretation to date. This court defined population density as the "numbers of people in a given area and not the dwelling units per acre, unless the basis for correlation between the measure of dwelling units per acre and numbers of people is set forth explicitly in the plan." Based on this case, OPR has determined a community must provide quantifiable population density standards for each residential land use category. The relationship between the number of dwelling units per acre and the number of residents per dwelling unit would provide the best indication of population density. Although State law only mandates population density standards for residential land uses, communities may also apply density standards to nonresidential uses for such purposes as regulating daily usages of each land classification.

The major conclusions of the Twain Harte case regarding building intensity are as follows:

1. Building intensity must be defined in quantifiable terms for each land use designation.
2. Generalized land use titles such as "commercial recreation" or "neighborhood commercial" are by themselves insufficient measures of building intensity.
3. Building intensity is not synonymous with population density.

The exact quantifiable measures used to control building intensity can vary considerably, depending upon local planning

conditions. The OPR General Plan Guidelines recommends that each building intensity standard include one or more quantifiable land use concentration measures "that relate directly to the amount of physical development that will be allowed." OPR recommends maximum dwelling units per acre as an appropriate residential building intensity standard. Floor area ratio (FAR), which is the ratio of building floor area to the total site area, is recommended as an acceptable standard for both commercial and industrial uses. For limited development land uses such as open space or recreational designations, the dual standards of maximum lot coverage and maximum building height are recommended by OPR.

Local communities are free to determine their own building intensity standards, provided that the standards are quantifiable and relate directly to physical development on a given site. It is permissible to use a combination of variables such as height and size limitations for a building intensity standard. Various measurable intensity standards are discussed in greater detail later in this section.

EXISTING CITY DENSITY/INTENSITY STANDARDS

The City's current Land Use Element establishes the following standards for residential land uses:

- Low Density - maximum 13 dwelling units per acre
- Medium Density - maximum 25 dwelling units per acre
- High Density - maximum 33 dwelling units per acre

These residential density standards are based on the initiative Ordinance No. 86-846 (Proposition Q), approved by the voters of Hermosa Beach in 1986. This ordinance mandates that any proposal for a density increase above these standards must be approved by a vote of the local electorate. The 1990 Housing Element discusses potential density reduction standards beyond those set forth in Proposition Q (p. 60-1). For this Land Use Element update, it is recommended that residential density standards remain as established by the voter approved Proposition Q.

The 1990 Housing Element also addresses the application of the floor area ratio (FAR) standard, which limits building size in relation to lot size, for residential properties (p. 61-9). A number of FAR standards from nearby communities are provided in the Housing Element for discussion purposes. This Element notes that the City presently has no regulation that directly establishes residential bulk limitations, although zoning standards regarding height, lot coverage and open space indirectly control bulk. No residential building intensity standards are recommended in the Housing Element.

The standard of maximum dwelling units per acre is considered acceptable for both residential population density and building intensity by OPR. However, while this single standard is as far as most communities go in land use element density regulations, there is no correlation between population and units per acre explicitly stated in the text, as required by the Twain Harte

decision. Furthermore, the current Land Use Element does not have any population density or building intensity standards for the Mobile Home Park designation. The City may wish to consider establishing a linkage between population and dwelling units. One possible approach would be to maintain current densities through dwelling unit/acreage controls, based on the Census average number of persons per household. The 1990 Census reported a Citywide average of 1.98 persons per occupied housing unit (this average is not broken down per zoning district). According to the California Department of Finance 1992 E-5 Summary Report, the City has a total of 77 mobile homes. The City's two mobile home parks total approximately 8.2 acres, resulting in an average density of 9.4 mobile homes per acre.

The most significant deficiency in the City's current Land Use Element is that there are no population density or building intensity standards for any nonresidential land use category. The only City regulations that directly address overall structural bulk are the floor area ratio standards (maximum 1:1) included in the First Tier zoning code development standards for Specific Plan Areas No. 7 and 8. All other development standards in the zoning ordinance are indirectly related to overall building intensity, e.g. height, lot coverage, open space requirements.

As previously mentioned, there is no legal requirement to provide population density standards for nonresidential designations. Regulation of nonresidential building intensity is solely controlled through zoning ordinance provisions related to height, on-site parking, setbacks and landscaping (for structures adjacent to residential properties only), and in the case of the Open Space designation, lot coverage. While these zoning standards provide some guidance in regulating the amount of structural bulk on nonresidential properties, the absence of such building intensity standards in the Land Use Element presents two problematic conditions:

1. The current Land Use Element does not comply with State law, and therefore is vulnerable to legal challenge.
2. The Land Use Element provides no general guidance to ensure that the individual zoning regulations will actually achieve any desired community character.

The first issue involves legal defensibility. If a land use element is found by the courts to be legally inadequate, other elements of the General Plan could also be invalidated, particularly the circulation and noise elements. While there have been a few recent court decisions that have gone as far as mandating a moratorium on all new building permits until compliance with State law is attained, this situation has resulted from inadequate housing elements rather than land use elements.

The second issue relates to effective long range planning. If zoning standards are not developed as the implementation tools of

General Plan goals and objectives, there may be a failure to link zoning regulations to Citywide concerns such as community character and development potential. This is often the case when generally accepted standards are borrowed from other communities, e.g. parking requirements, with little consideration of how such standards relate to the City's particular land use characteristics. Zoning standards should be accurate indicators of development potential rather than generic development controls that may have unanticipated results, e.g. combination of various height, parking, setback and coverage standards that make commercial development at a practical and desirable intensity impossible to achieve.

VARIOUS COMMERCIAL LAND USE INTENSITY STANDARDS

While population density is the typical measure of intensity for residential uses, structural bulk is the key indicator of intensity for nonresidential uses. The purpose of nonresidential intensity standards is to control the amount of structural bulk on a site or the proportion of the site that may be devoted to development.

Intensity can be interpreted from several perspectives. Some land uses may be considered too "intense" and therefore undesirable for a particular commercial district, e.g. convention center in the City's downtown district. Controlling such intense uses can be adequately achieved through zoning land use standards, e.g. permitted uses. Intensities related to bulk or building volume are typically regulated through controls that address lot coverage and floor area in conjunction with height limitations. The following discussion presents an overview of the various types of intensity measures that can be used to regulate building intensity.

Building Coverage

Building coverage is probably the oldest and by far the simplest bulk intensity measure. This is the same as a zoning control on lot coverage, which sets a maximum percentage of a building site that may be covered by a building footprint. Since this measure only deals with length and width but not depth, this measure can only control bulk if it is applied in conjunction with a height limitation. Building coverage does not relate directly to parking, loading, exterior storage, or other bulk variables related to floor area characteristics.

The City currently regulates building intensity through a combination of zoning standards on building (lot) coverage, parking, height limitations and other zoning standards. While the application of these combined standards provides some control on building intensity, a collection of individual standards does not provide a comprehensive blueprint of the community's nonresidential character and development potential.

Floor Area Ratio

Floor area ratio (FAR) is by far the most popular measure of bulk intensity. While the building coverage standard requires, at the least, an accompanying height limitation standard to adequately address bulk, FAR limits total building volume and allows trade-offs between lot coverage and height within the bulk limits. FAR is defined as a ratio derived by dividing the total floor area of a building by the total site area.

FAR measurements are based either on all gross floor area within the exterior walls or just the leasable floor area within the exterior walls. Nonleasable floor area, which roughly ranges from about 10-15% of gross floor area, includes facilities such as stairs, elevators, corridors, mechanical equipment, toilet rooms, and building maintenance or storage rooms. The percentage of nonleasable floor area in buildings with decorative features such as atriums or interior courtyards can be substantially greater. The distinction in gross v. nonleasable floor area is worth noting since some zoning regulations, e.g. parking, measure net leasable floor area. The City currently measures gross floor area in calculating parking requirements. For the purpose of controlling bulk, FAR measurements need to be based on the exterior dimensions of a building (gross floor area) to provide the best estimation of total bulk.

The major deficiency in using FAR measurements to determine bulk is that buildings with the same FAR can vary substantially in terms of height and lot coverage. Without any additional controls, an FAR of 1:1 would allow a one story building with 100% lot coverage, a two story building with 50% coverage, and so on. The use of atriums and interior courtyards can further distort the relationship between bulk and FAR. Therefore, while FAR is an attempt to address bulk in a three dimensional setting, the measure is actually an application of the two dimensional building coverage measure on a multi-level basis.

Impervious Surface Ratio

The impervious surface ratio (ISR) was developed as both an intensity measure and a performance standard to specifically measure the land devoted to parking and loading areas. ISR is basically an extension of the two dimensional building coverage measure. ISR is defined as the ratio determined by dividing the total area of all impervious surfaces, e.g. parking lots, on a site by the total site area.

By measuring the impact of all land uses on a site, ISR provides more information than building coverage. Since parking lots and storage areas can be constructed with pervious surfaces, however, the definition of "impervious surfaces" should be loosely defined. More importantly, ISR is not a true bulk regulator since it is also a two dimensional measurement. As with building coverage, ISR must be combined with other regulations to effectively control bulk. The main attribute of ISR is to

provide a ratio of the undeveloped land on a site to the developed area.

Landscape Surface Ratio

In the most basic sense, the landscape surface ratio (LSR) is simply the remainder obtained from subtracting the ISR from one, e.g. an ISR of 0.75:1 on a site would mean a LSR of 0.25:1. While LSR can indicate the potential landscaping area available, it is a two dimensional measure that does not address the bulk of landscaped area, which is determined by the type of landscape material, size, or the number of trees and shrubs.

LSR is more applicable to rural and suburban areas, since urban space is often fully paved and characterized by landscaping in planters and other installations with impervious surfaces. For urbanized areas, an appropriate definition of LSR is the area of land devoted to pervious landscaping and plant containers divided by the total site area.

Building Volume Ratio

The building volume ratio (BVR) was recently developed as a response to the problems that can result from trying to regulate three dimensional structures with two dimensional measures such as FAR. BVR is the sum of the volume of all buildings at the exterior walls and the volume of all parking, loading and exterior storage areas divided by total site area. A value of five feet is considered acceptable for calculating the volume of parking areas since most automobiles average about five feet in height (excluding vans and trucks).

A more complex form of BVR involves dividing a constant of 10 by the total sum of all building and ancillary structure volumes, and then dividing by the total site area. The constant 10 is used to produce a BVR numerical value that is closely related to the more familiar FAR. Using this constant, a BVR of one is equal to a building covering an entire site to a height of 10 feet.

BVR is the only standard discussed in recent planning literature that directly measures the actual bulk of all uses on a site. However, combining parking, loading and storage areas with building area produces a ratio that fails to distinguish between the main building and ancillary structures. Therefore, two developments could have the same BVR but have very different ratios of building to ancillary structure volume. For this reason, a simplified version of BVR could be used that just provides a ratio of total building volume at the exterior walls to the total site area.

Landscape Volume Ratio

The landscape volume ratio (LVR) provides a three dimensional measure of all landscaped area in the same manner as BVR measures all bulk on a site. LVR is defined as the volume of all trees,

grasslands and berms divided by the total site area. As with BVR, a constant of 10 is used to derive a figure similar to FAR. In order to calculate LVR, an average height for trees, grasslands and berms must be established in order to determine the total volume (area x average height). The average height is a function of the plant growth rates and the time period desired (present or some future date).

SAMPLE DENSITY/INTENSITY STANDARDS FROM NEARBY COMMUNITIES

The following is a brief overview of population density and building intensity standards from several nearby communities: El Segundo, Manhattan Beach, Redondo Beach, Santa Monica and Torrance. As demonstrated below, the standards used by these communities are the most commonly applied density and intensity measurements.

El Segundo

The City of El Segundo defines land use density as the number of dwelling units per acre, with a minimum lot size for each residential designation, noting that density is generally only used for residential designations. Although not explicitly mentioned in the Land Use Element text, it is assumed that El Segundo also uses units per acre as its residential intensity standard, which is the generally accepted practice. This definition is technically at odds with the Twain Harte decision discussed earlier, in which the court determined that population density refers to the "numbers of people in a given area and not the dwelling units per acre, unless the basis for correlation between the measure of dwelling units per acre and numbers of people is explicitly set forth in the plan." While this is in some regards a minor point, particularly since dwelling units per acre is the most popular density standard, it is still worth emphasizing that a linkage between population and the standard used for measuring population should be included. This could involve using Census data or State Department of Finance estimates on total population or persons per household, which is an easily understandable measure for citywide population. An alternative approach involves determining the average number of bedrooms per dwelling unit for each residential land use designation, and then estimate the average number of persons per bedroom using Census data. This method allows for more accurate estimates for different neighborhoods and/or land use designations in a community, since single family neighborhoods, particularly upscale areas, tend to have a greater number of bedrooms per dwelling unit than multi-family land use designations. However, this approach requires some research efforts to determine average bedroom sizes by land use designation.

Building intensity standards for nonresidential designations, with the exception of the Smoky Hollow Mixed Use area, are based on floor area ratio (FAR), which is defined as the ratio of total building floor area to total lot size. This is by far the most commonly used measure of building intensity for

nonresidential designations. Its popularity is due to two reasons: it is easily understandable by both laymen and professionals; and it is easy to apply to any development. The major drawback with FAR is that it is not an accurate predictor of structural bulk, since the same FAR can apply to a wide variety of buildings with differing heights and footprints. FAR alone is really just a broad indicator of the limits on building intensity. In order to actually control building design, FAR must be used in conjunction with specific standards on height, parking, setbacks, lot coverage, and so on.

In the Smoky Hollow Mixed Use area, nonresidential intensity is defined in terms of Average Daily Trips (ADT) per acre, which El Segundo considers to be a standard that allows for better flexibility of permitted uses. The application of ADT as a building intensity measure, which is unorthodox by conventional planning practices, reflects the high use intensity of permitted land uses in this area, which is primarily light industrial with some office uses. Application of a traffic measurement such as ADT is reasonable only when structural bulk is a secondary consideration to high traffic volumes generated by employees and cargo vehicles, and as such, would not be applicable to a high density bedroom community such as Hermosa Beach.

Manhattan Beach

Residential densities, and presumably building intensities, are based solely on dwelling units per acre. This land use element is also silent regarding any direct correlation between the number of dwelling units and actual population densities. Density standards for each of the three residential land use designations (Low, Medium, and High) vary among the city's six Planning Areas, providing a greater degree of neighborhood density control than typically found in local general plans.

FAR is the only nonresidential building intensity standard for this land use element.

Redondo Beach

While this land use element provides extensive information on the physical characteristics of each land use designation, including type and number of dwelling units, no correlation between population and units per acre is included. The basic land use controls are dwelling units per acre and minimum lot area for residential designations and FAR for nonresidential designations. However, the general plan goals and objectives provide the additional specific land use standards of maximum height and maximum number of stories for both residential and nonresidential land uses. This abundance of land use controls exceeds typical general plan provisions. An advantage of this approach is that it provides greater control over citywide development issues. A disadvantage is that it limits zoning code flexibility for specific areas within the city.

Santa Monica

The density and intensity standards are contained in the goals and objectives section of this land use element. The residential density, and presumably intensity, regulations are a combination of dwelling units per acre, maximum height and maximum number of stories. No correlation is made between units per acre and population densities. Nonresidential intensities are regulated by FAR as well as maximum height and number of stories.

Torrance

The residential density, and presumably intensity, standard is maximum dwelling units per acre. Past Census data going back as far as 1960 is provided for total citywide population, population in households, occupied units, average persons per household, age, and ethnicity. Projections to the years 2000 and 2010 are also included for total population and housing units. This information would appear to be sufficient to satisfy the requirement for correlating population with units per acre stemming from the Twain Harte decision. Nonresidential intensities are solely regulated by FAR.

ANALYSIS AND RECOMMENDATIONS

Residential density standards have not been analyzed in-depth since the City presently uses dwelling units per acre as its standard, which is an acceptable method that is both easy to understand and apply. As previously mentioned, the courts have determined that some correlation should be explicitly stated in the general plan between population density and units per acre. This could be achieved simply by using Census data or State Department of Finance estimates. The Torrance Land Use Element offers a good example of this type of simple correlation. A more ambitious approach would be to determine the average number of bedrooms per land use designation and then estimate total population per residential land use based on Census averages of population per bedroom.

The issue of determining the most appropriate nonresidential intensity standard for the City involves the following considerations:

1. Listing a number of specific controls in the Land Use Element, e.g. height, lot coverage, provides greater direction but limits flexibility in the zoning code.
2. Most popular intensity standards, e.g. FAR, are two dimensional standards that fail to adequately control overall structural bulk. These standards are intended to be no more than guiding principles, with the real implementation of intensity standards left to the zoning ordinance. While this provides considerable flexibility, it also creates the potential for individual zoning standards that conflict with each

other or substantially restrict development opportunities beyond the intent of the General Plan.

3. The newly developed building volume ratio (BVR) offers a three dimensional standard to building intensity that regulates overall mass rather than just the number of floors. However, BVR has not been significantly tested in real world settings. BVR calculations are no more difficult than floor area calculations, but a scale of BVR numerical values has to be carefully reviewed to ensure that all participants understand what the numbers represent in terms of desired building mass.

Most of the intensity standards previously discussed are two dimensional in that only horizontal length and width are regulated. Building coverage simply addresses footprint, while FAR quantifies total floor space in relation to lot size. Most of the other standards discussed provide a means for comparing development features other than building area, e.g. impervious surfaces, landscaping. The only viable alternative to the widely accepted FAR standard is BVR. However, since BVR is a relatively untested measure, it would be advisable to use a widely understood standard such as FAR at the present time for the purposes of bringing the Land Use Element into compliance with State law. A special study could then be conducted to determine if a BVR standard would offer more advantages than FAR in defining structural bulk and development potential.

While incorporating FAR standards into the Land Use Element for nonresidential uses would satisfy State law, it is not an accurate predictor of bulk. If maximum height is also included, the Land Use Element would parallel the zoning code in nonresidential intensity controls, excluding only parking requirements and rear and side setbacks for structures adjacent to residential properties.

The maximum amount of FAR permitted for nonresidential designations is primarily dependent upon the City's position on new development. FAR can be viewed as an incentive to allow innovative architectural features to maximize buildable area or as a restriction to prevent new construction from completely engulfing a property.

An incentive-based orientation would involve allowing an FAR that permits structural bulk beyond what could ordinarily be attained under zoning standards. For example, an FAR of 3:1 would theoretically allow 100% lot coverage for three stories. Under the current C-3 height limitation of 35 feet, this would be the maximum amount of floor space possible. However, the zoning provision for off-street parking would still need to be addressed. While this would typically result in reduced building size to accommodate parking space, the FAR allows for innovations such as underground parking or off-site parking to retain floor space maximization.

Conversely, the FAR could restrict structural bulk potential beyond current zoning controls. For example, an FAR of 2:1 would likely limit most new construction to two stories even though the height limitation allows three stories, given the parking requirements and small dimensions of many commercial properties in the City. Many of the City's existing commercial and industrial structures are one story buildings that are slightly under an FAR of 1:1. Given the low intensity character of the City's nonresidential building stock, therefore, establishing an FAR of 1:1 for all nonresidential land use designations could be considered appropriate.

If it is determined by the City that future commercial and industrial development should be allowed the opportunity to maximize developable space, an incentive FAR would be appropriate. If, on the other hand, the City finds it more desirable to limit nonresidential development to protect the residential character of the community regarding potential impacts to view corridors and traffic volumes, it would be more appropriate to adopt a restrictive FAR.

OBJECTIVES AND IMPLEMENTATION POLICIES

PRIMARY OBJECTIVE 1: Bring the Land Use Element into compliance with State law. S

Implementation Objective 1.1: Include specific floor area ratios (FARs) for all nonresidential land use designations. Based on the existing development character of nonresidential properties, an FAR of 1:1 should be considered. Proposed developments with an FAR greater than 1:1 would require Planning Commission approval. S

Implementation Objective 1.2: Provide a linkage between limits on the number of dwelling units per acre and the desired population by establishing estimates on the average number of persons per dwelling unit. Establish population threshold at buildout using the 1990 Census statistic of 1.98 Persons Per Occupied Housing Unit for the City and the existing residential standards on maximum dwelling units per acre. S

Implementation Objective 1.3: Establish density/intensity standard for the Mobile Home Park (MHP) land use designation. The existing low density character of the City's mobile home stock, totaling a gross density of 13.5 units per acre, and the low density structural height and bulk characteristics of mobile homes makes the LD Low Density standard of 13 units per acre appropriate for the MHP designation. S

PRIMARY OBJECTIVE 2: Encourage maximum development potential of all nonresidential properties. N/C

Implementation Objective 2.1: Establish floor area ratios (FARs) for all nonresidential land use designations (see Implementation Objective 1.1). S

Implementation Objective 2.2: Allow off-site public parking and/or private parking within a reasonable distance to satisfy parking requirements. E

p/bldinten

LAND USE DESIGNATION REVISIONS

LAND USE/ZONING DESIGNATION REVISIONS

The purpose of this section is to examine properties where the current General Plan land use and zoning designations result in residential densities or land uses that are inconsistent with the character of the surrounding neighborhood, and/or appear to be obsolete.

ANALYSIS AND RECOMMENDATIONS

Map 11a shows the Citywide location of the two groups of properties studied in this section, which hereinafter are referred to as Areas I and II.

Area I

This is a residential neighborhood designated HD High Density Residential under the General Plan Land Use Element, located at the northwestern corner of the City. This neighborhood is generally bounded by Manhattan Avenue to the east, 27th Street to the south, Hermosa Avenue to the west, and Neptune Street to the north. The specific locations of all properties included within Area I are shown in Maps 11b-11c.

Additional statistical data for Area I is attached at the end of this section as Exhibit A.

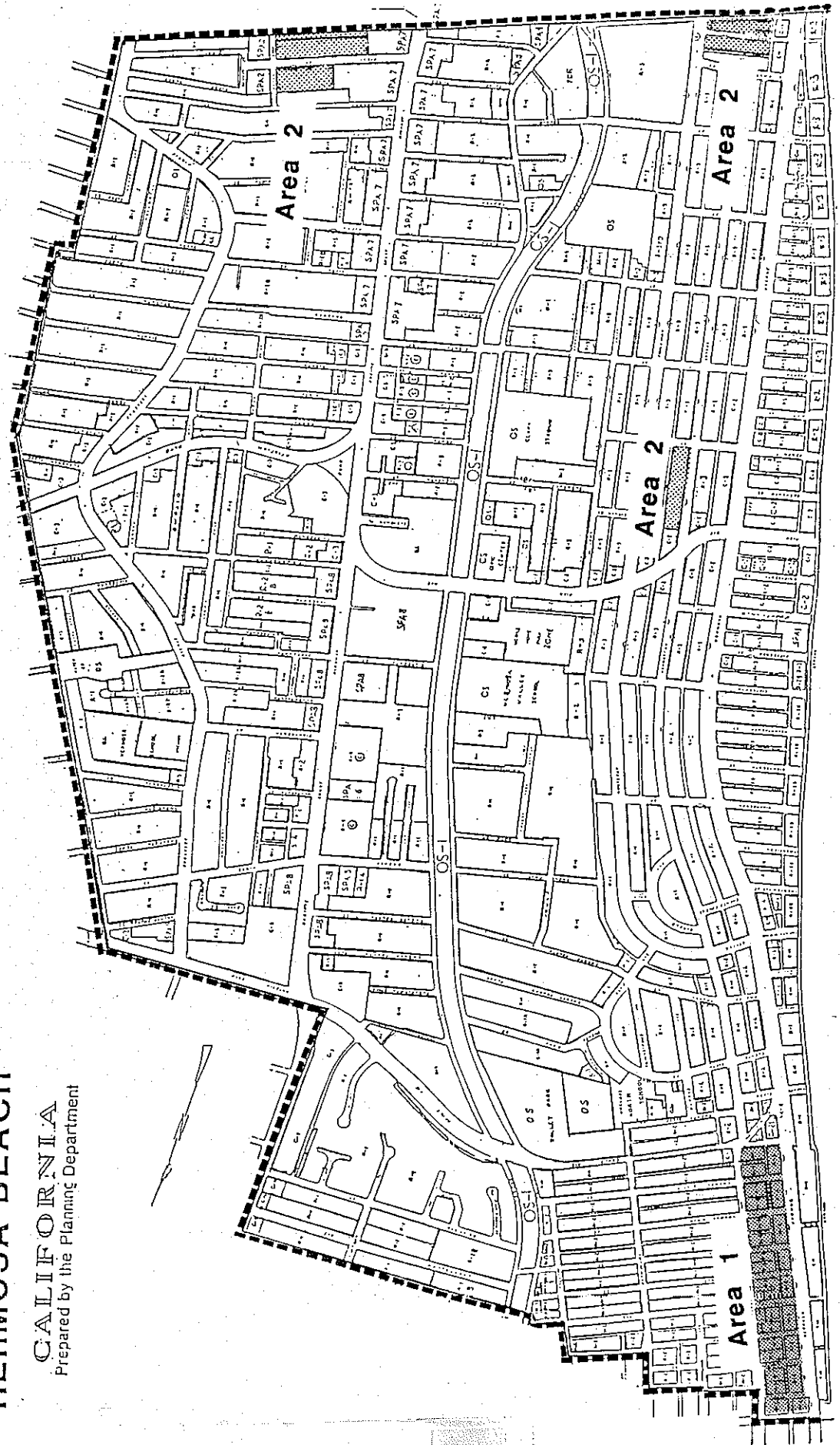
Area I

Total Number of Lots	132
Current Number of Units	257
Maximum Units Permitted Under Current General Plan and Zoning	144
Number of Lots with One Unit	59
Number of Lots with Two Units	44
Number of Lots with Three Units	12
Number of Lots Under 1,320 Sq. Ft.	5
Number of Lots Under 2,640 Sq. Ft.	113
Minimum Land Area Needed for 2 Units in a High Density, R-3 Zone Area	2,640 Sq. Ft.

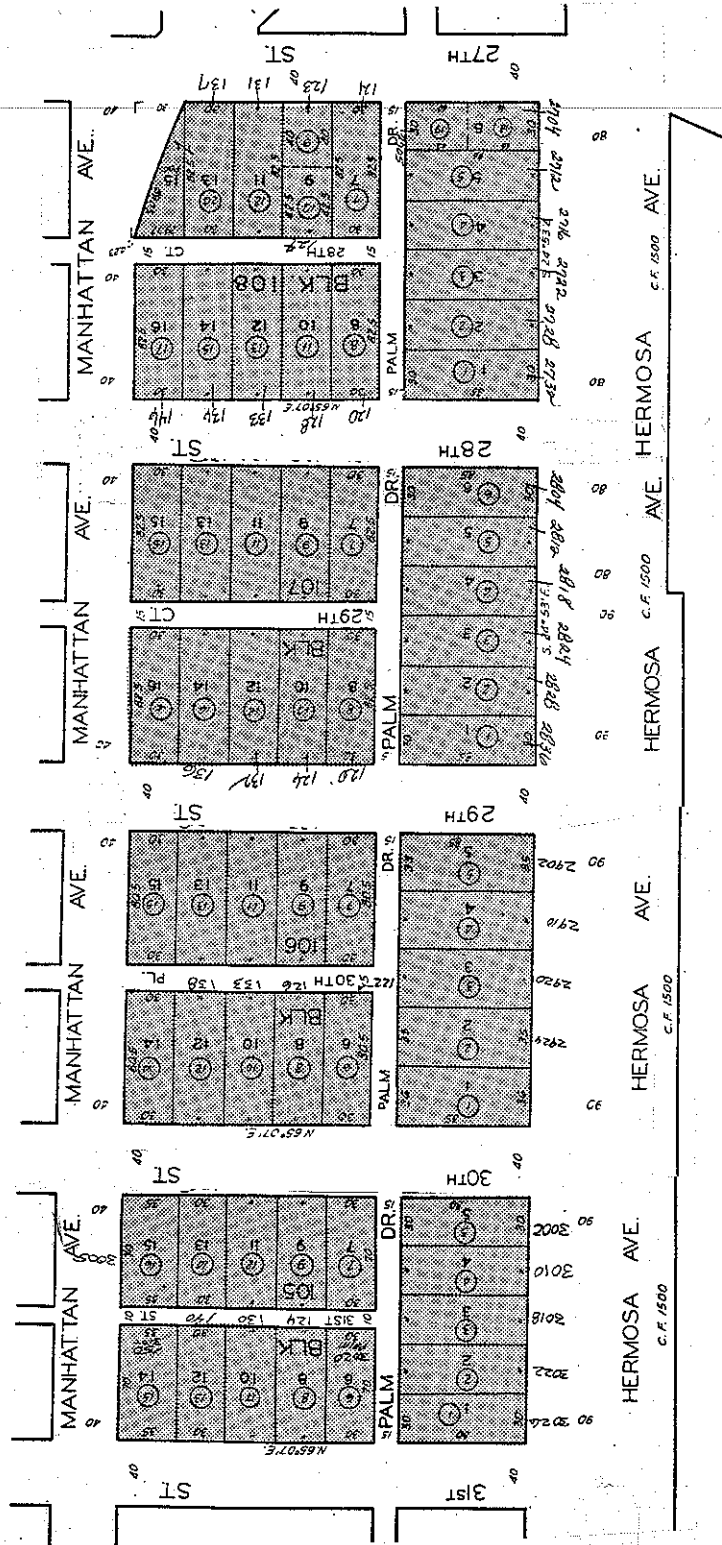
Area I is characterized by residential structures that vary considerably in age and upkeep. While this area is intended to be a high density residential neighborhood, the existing lot configurations do not accommodate high density development. Most

LAND USE DESIGNATION STUDY AREAS
MAP 11a

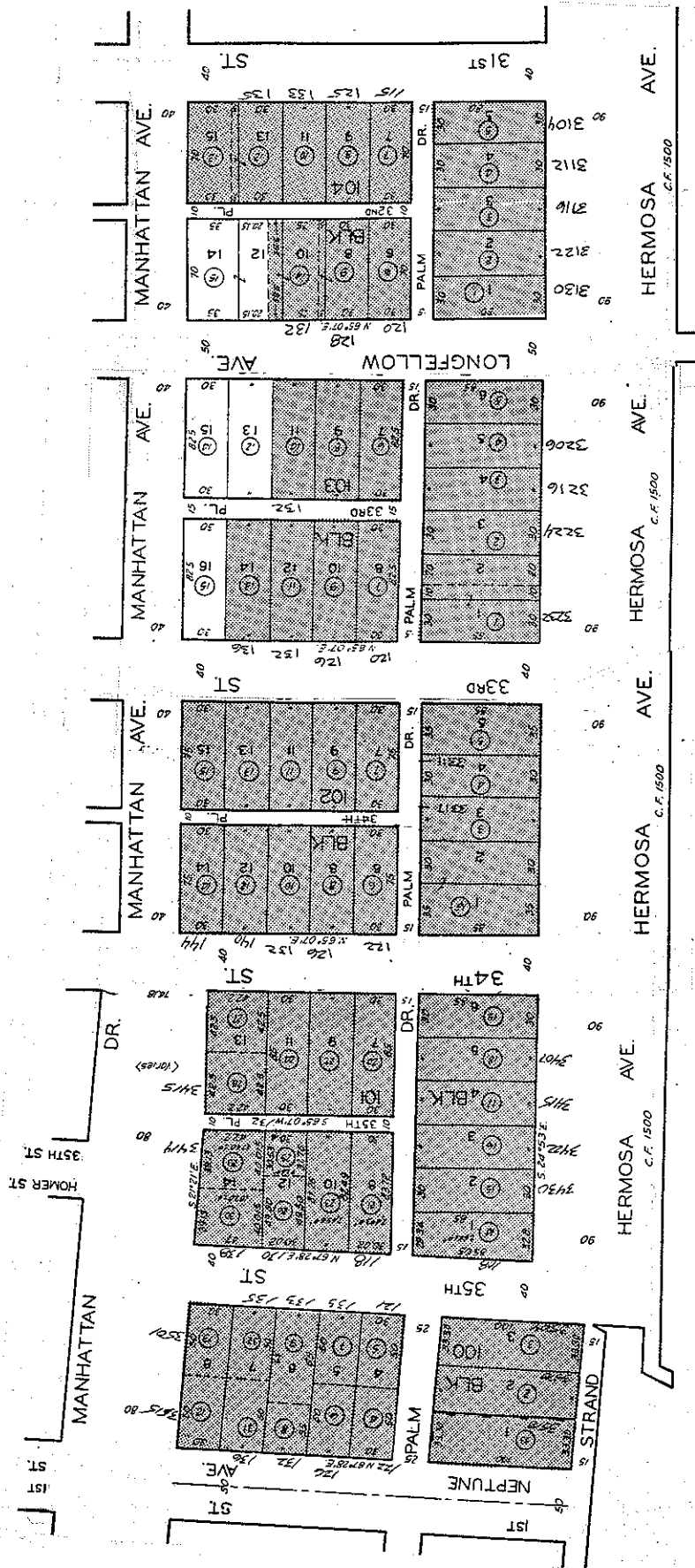
HERMOSA BEACH
CALIFORNIA
Prepared by the Planning Department



Area 1 Boundaries Map 11b



Area 1 Boundaries Map11c



properties are of inadequate proportions by modern standards for even single family structures, reflecting the early subdivision practices of the City that provided only enough space for a small beach cottage. Out of the total 132 properties in Area I, 104 lots (79%) are between 2,000-3,000 square feet, with 75 lots (57%) between 2,400-2,600 square feet. More importantly, 118 lots (89%) are less than 2,640 square feet and therefore can only accommodate one dwelling unit under the R-3 zoning standards (minimum 1,320 square feet per unit). The breakdown of lot size to maximum permitted units under current R-3 standards is presented below in Table 1a.

TABLE 1a
PROPERTY SIZE/MAXIMUM PERMITTED UNITS

<u>Property Size</u>	<u>Number of Lots</u>	<u>Maximum Total Units</u>
Under 1,320 sq. ft.	5	5
1,320 - 2,639 sq. ft.	113	113
2,640 - 3,959 sq. ft.	12	24
3,960 - 5,279 sq. ft.	1	3
5,280 sq. ft. and over	<u>1</u>	<u>4</u>
TOTAL	132	149

Under current R-3 zoning standards, all existing properties in Area I could only support a maximum of 149 units. However, there are presently a total of 257 units on these properties, 72% greater than the maximum under code. A total of 64 properties (48%) are nonconforming in regard to the existing number of units. Over half (35) of these nonconforming properties are lots with less than 2,640 square feet that contain two unit structures. For all properties with nonconforming structures, 52 (81)% contain structures that are over 30 years old, many of which were originally constructed in the 1920s and 1930s. Another 7 properties have nonconforming structures over 20 years old.

Area I represents the only High Density neighborhood north of 27th Street. The General Plan land use designations for the surrounding residential neighborhoods are LD Low Density and MD Medium Density. The High Density land use designation of Area I is therefore somewhat inconsistent with surrounding areas.

If all Area I properties were merged into one development parcel and all existing residential structures are removed, the total 310,404 square feet of private property in Area I would only yield 235 units, which is 22 units less than the existing total 257 units. However, lot consolidations for higher density new construction coupled with the existing nonconforming structures

could result in higher Area I densities which would be disproportionate with surrounding neighborhood densities.

Since most Area I properties are under 2,640 square feet, only by merging two average properties would enough lot area be available for 3 units under R-3 standards. Two lots of 2,550 square feet (which is larger than 94 of the lots in Area I) each would still result in a 5,100 square foot lot, 180 square feet short of the 5,280 square foot minimum for 4 units by R-3 zoning. Under R-2 standards, the merger of two typical lots would not even provide enough area for the minimum 5,250 square feet needed for 3 units. Using the same example, two lots of 2,550 square feet would be 150 square feet short of the minimum required area. Merging three 2,550 square foot lots would allow for 5 units under R-3 and 4 units under R-2. Therefore, unless lot consolidation is done on a large-scale basis, there would be little difference in units per property between lot mergers under R-2 or R-3.

If Area I was redesignated to MD Medium Density and zoned to R-2 standards, a total of 72 properties (55%), representing all properties presently containing more than one unit, would become nonconforming. Since all properties with more than one unit would be nonconforming under R-2, application of the LD Low Density and R-1 standards would provide the same results. The primary difference between MD and LD downzoning would be a reduction in the height limit from the maximum 30 feet in R-2 and R-3 to 25 feet for R-1 zone. One benefit to redesignating this area LD and rezoning to R-1 is it would fit, i.e. 89% of the Area I lots currently can only have one unit based on the R-3 standard of a minimum of 1,320 square feet of lot area per unit.

One other possible approach would be to create a Specific Plan Area that permits R-3 lot area per dwelling unit, in order to account for the few lots that have enough area for two units, while incorporating the R-1 height limit of 25 feet.

Area II

Area II includes all properties within the City that are designated HD High Density Residential in the General Plan and are zoned R-P Residential Professional. The R-P zoning designation permits residential uses consistent with the High Density land use designation, with development standards under the R-3 zoning, and the following professional office uses, subject to the approval of a conditional use permit: (1) accountants; (2) attorneys; (3) brokers; (4) doctors, dentists and similar professions; (5) engineers, architects, planners; (6) private schools; and (7) real estate agencies.

Additional statistical data for Area II is attached at the end of this section as Exhibit B.

Area II

Total Number of Lots	58
Current Number of Units	183
Maximum Units Permitted Under Zoning	185
Current Number of Commercial Uses	3
Number of Lots Under 2,640 Sq. Ft.	11
Number of Lots Under 3,960 Sq. Ft.	30

Area II consists of three groups of properties currently zoned R-P (see Maps 11j-11l). The first group consists of properties located between First Street and the City's southern corporate boundary to the west of Meyer Court. The second group of properties is bounded by Monterey Boulevard on the east, Herondo Street on the south, Hermosa Avenue on the west, and First Court on the north. The third group of properties are located on the east side of Manhattan Avenue between Pier Avenue and Tenth Street. These properties total approximately 6.1 acres and make up about one percent of all land, excluding streets and the beach, in the City. All existing commercial uses in Area II are listed below in Table 1b.

TABLE 1b
EXISTING COMMERCIAL USES IN R-P ZONE

<u>Address</u>	<u>Business Name</u>
1002 Manhattan Avenue, Suite D	McGivern Surfing
1106 Manhattan Avenue, Suite 4	C. G. III Group
121 Herondo Street	King Harbor Yacht Sales

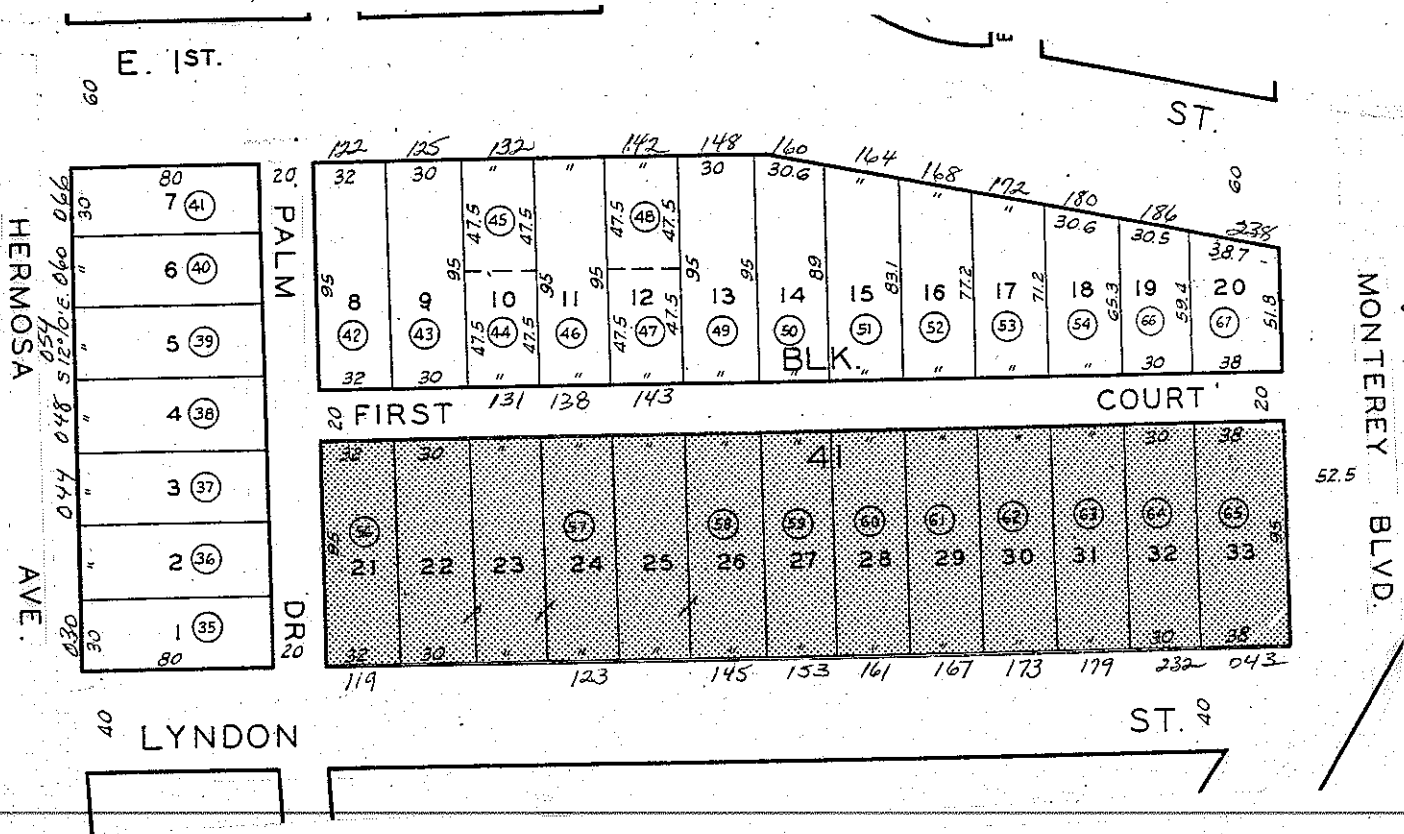
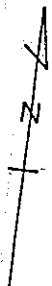
Although the R-P zone was intended to encourage a mixture of office and residential development, office uses have been infrequent and new office construction has not occurred as a result of this special zoning district. Of the three commercial uses presently in the R-P zone, two are retail rather than office in character. This lack of office use may be partially due to the fact that the R-P zones are located in areas that are predominately residential in character, but the primary reason is probably that there is little demand for additional office space in the City, even with the R-P land use incentive.

Because of the residential character of the properties zoned R-P, the lack of office space demand, the small lot sizes which are not conducive to the needed parking, and the residential density which could result in a office/residential use conflict if offices to any large degree are established, it would be appropriate to eliminate the R-P zone altogether and rezone these

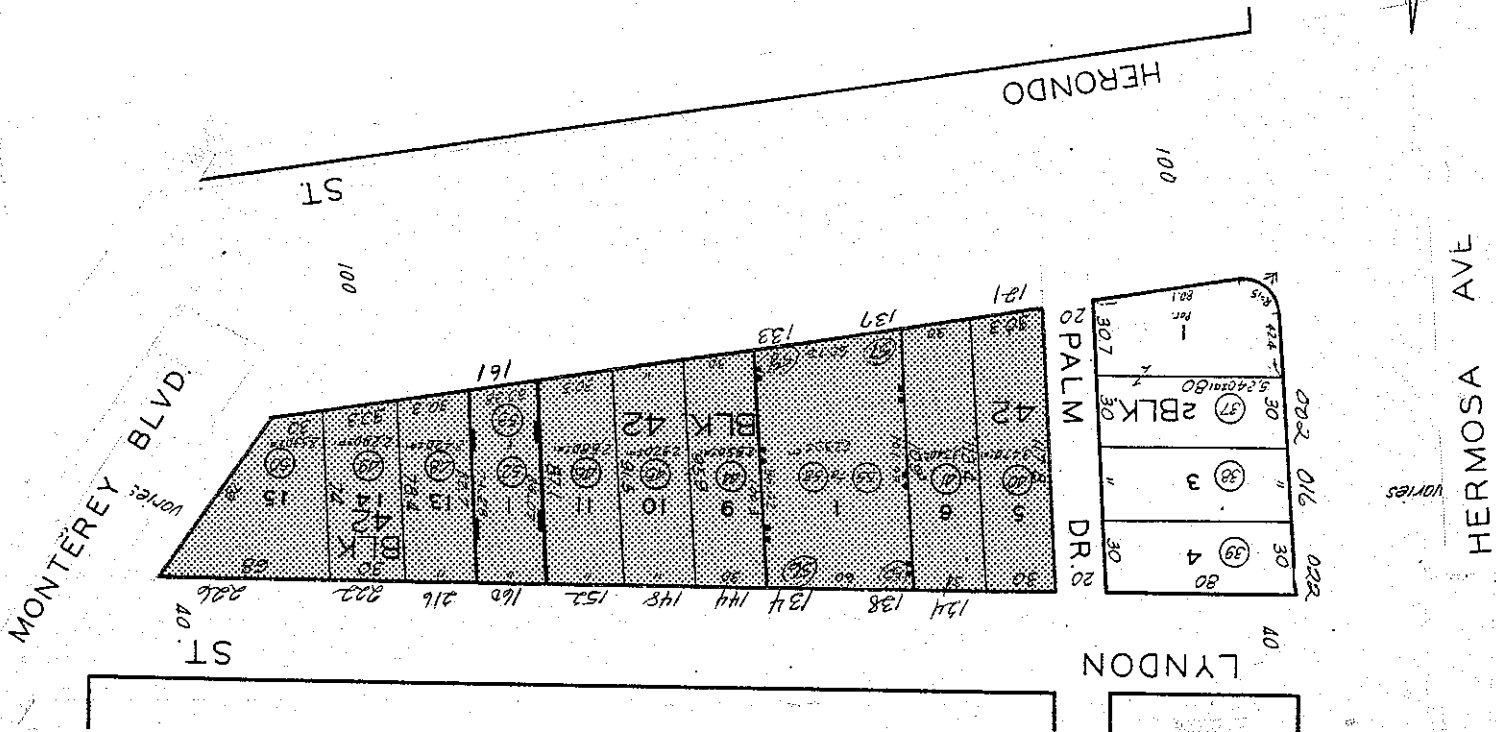
properties R-3 for consistency with the General Plan. No change is proposed for the General Plan land use designation in Area II.

If the R-P zone is not eliminated, then it is necessary to create a new General Plan land use designation for these areas, since the current designation of HD High Density is inconsistent with office development.

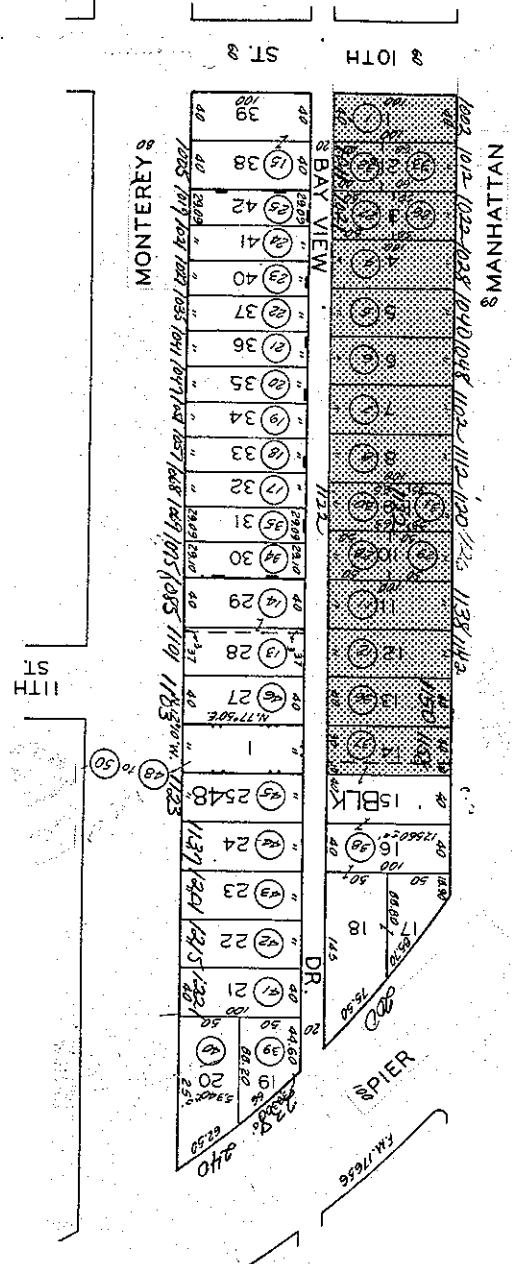
Area 2 Boundaries Map 11j



**Area 2 Boundaries
Map 11k**



Area 2 Boundaries Map111L



OBJECTIVES AND IMPLEMENTATION POLICIES

PRIMARY OBJECTIVE 1: Eliminate R-P zoning and replace with R-3 zoning, or create a new General Plan land use designation for residential/office mixes. **N/C**

Implementation Objective 1.1: Revise zoning map to reflect replacement of R-P zone with R-3 zone, or prepare new text and revise the General Plan Land Use Map for a mixed residential/office designation. **N/C**

PRIMARY OBJECTIVE 2: Examine substandard lots such as the Shakespeare Tract for possible changes in General Plan designation and / or zoning designation and also explore creative design standards such as zero lot lines.

p/revision

Exhibit A

PARCEL NUMBER	STREET NUMBER	STREET NAME	ZONING CODE	GP CODE	LOT SQ. FT.	# OF UNITS	CONDITION	USE
4181033025	132	35 PL	R-3	HD	934	1	average	sfr
4181033008	132	NEPTUNE AVE	R-3	HD	1050	1	good	sfr
4181026009	123-125	27 ST	R-3	HD	1200	2	good	duplex
4181026019	2705	27 ST	R-3	HD	1200	1	average	sfr
4181026010	124	28 CT	R-3	HD	1275	1	good	sfr
4181026018	2704	HERMOSA AVE	R-3	HD	1350	1	average	sfr
4181033026	130	35 ST	R-3	HD	1486	1	average	sfr
4181033004	122-124	NEPTUNE AVE	R-3	HD	1500	2	average	duplex
4181033005	121	35 ST	R-3	HD	1500	1	good	sfr
4181033006	126	NEPTUNE AVE	R-3	HD	1500	1	good	sfr
4181033007	133	35 ST	R-3	HD	1500	1	good	sfr
4181033012	3515	MANHATTAN	R-3	HD	1500	1	good	sfr
4181033013	3501	MANHATTAN	R-3	HD	1500	1	average	sfr
4181033031	136	NEPTUNE AVE	R-3	HD	1500	1	average	sfr
4181033032	135	35 ST	R-3	HD	1500	1	good	sfr
4181033029	3419	MANHATTAN	R-3	HD	1740	1	good	sfr
4181033027	137	34 ST	R-3	HD	1794	2	good	duplex
4181033028	3415-3417	MANHATTAN	R-3	HD	1794	2	average	duplex
4181033030	138-140	35 ST	R-3	HD	1830	2	good	duplex
4181033009	133	35 ST	R-3	HD	1950	1	good	sfr
4181029006	118	31 ST	R-3	HD	2100	2	good	duplex
4181029007	119	30 ST	R-3	HD	2100	1	good	sfr
4181029008	124	31 ST	R-3	HD	2100	1	average	sfr
4181029009	125-126	30 ST	R-3	HD	2100	2	average	duplex
4181029012	133	30 ST	R-3	HD	2100	1	average	sfr
4181029013	140	31 ST	R-3	HD	2100	1	good	sfr
4181029014	135-141	30 ST	R-3	HD	2100	4	average	apt
4181029017	130	31 ST	R-3	HD	2100	1	average	sfr
4181030006	120	LONGFELLOW	R-3	HD	2100	3	average	triplex
4181030007	115-117	31 ST	R-3	HD	2100	2	average	duplex
4181030008	125-127	31 ST	R-3	HD	2100	2	average	duplex
4181030010	133	31 ST	R-3	HD	2100	2	average	duplex
4181030013	3101-3103	MANHATTAN	R-3	HD	2100	2	average	duplex
4181032006	122-124	34 ST	R-3	HD	2250	2	good	duplex
4181032007	121	33 ST	R-3	HD	2250	1	average	sfr
4181032008	126	34 ST	R-3	HD	2250	1	good	sfr
4181032009	125	33 ST	R-3	HD	2250	1	average	sfr
4181032010	132	34 ST	R-3	HD	2250	1	good	sfr
4181032011	133	33 ST	R-3	HD	2250	1	average	sfr
4181032012	140	34 ST	R-3	HD	2250	1	average	sfr
4181032013	125	33 ST	R-3	HD	2250		vacant	vacant
4181032014	144	34 ST	R-3	HD	2250	1	good	sfr

PARCEL NUMBER	STREET NUMBER	STREET NAME	ZONING CODE	GP CODE	LOT SQ. FT.	# OF UNITS	CONDITION	USE
4181032015	3313	MANHATTAN	R-3	HD	2250	1	average	sfr
4181029001	3026-3030	HERMOSA AVE	R-3	HD	2400	3	good	triplex
4181029002	3022	HERMOSA AVE	R-3	HD	2400	4	good	apts
4181029003	3018	HERMOSA AVE	R-3	HD	2400	1	good	sfr
4181029004	3010	HERMOSA AVE	R-3	HD	2400	1	average	sfr
4181029005	3002-3006	HERMOSA AVE	R-3	HD	2400	4	good	apts
4181030001	3130-3031	HERMOSA AVE	R-3	HD	2400	1	average	sfr
4181030002	3122-3124	HERMOSA AVE	R-3	HD	2400	2	good	duplex
4181030003	3116-3118	HERMOSA AVE	R-3	HD	2400	2	average	duplex
4181030004	3112	HERMOSA AVE	R-3	HD	2400	1	good	sfr
4181030005	3102-3104	HERMOSA AVE	R-3	HD	2400	3	good	triplex
4181028006	122	30 PL	R-3	HD	2415	2	good	duplex
4181028007	2912	PALM DR	R-3	HD	2415	1	good	sfr
4181028008	126	30 PL	R-3	HD	2415	1	average	sfr
4181028009	127	29 ST	R-3	HD	2415	1	average	sfr
4181028010	133	30 PL	R-3	HD	2415	2	good	duplex
4181028011	133	29 ST	R-3	HD	2415	1	average	sfr
4181028012	138	30 PL	R-3	HD	2415	3	good	triplex
4181028013	135-137	29 ST	R-3	HD	2415	3	average	triplex
4181028014	142	30 PL	R-3	HD	2415	2	good	duplex
4181028015	2901-2917	MANHATTAN	R-3	HD	2415	4	average	apts
4181030014	132-134	LONGFELLOW	R-3	HD	2440	2	average	duplex
4181029015	150	31 ST	R-3	HD	2450	2	good	duplex
4181029016	3005	MANHATTAN	R-3	HD	2450	1	average	sfr
4181030009	128	LONGFELLOW	R-3	HD	2450	1	average	sfr
4181030012	135-137	31 ST	R-3	HD	2450	2	good	duplex
4181033023	124-126	35 ST	R-3	HD	2456	3	good	triplex
4181026007	121	27 ST	R-3	HD	2475	1	good	sfr
4181026008	120	28 ST	R-3	HD	2475	1	good	sfr
4181026011	126-128	28 ST	R-3	HD	2475	2	average	duplex
4181026012	131-133	27 ST	R-3	HD	2475	2	good	duplex
4181026013	132-133	28 ST	R-3	HD	2475	2	average	duplex
4181026015	135-137	28 ST	R-3	HD	2475	3	good	triplex
4181026017	146	28 ST	R-3	HD	2475	1	average	sfr
4181027007	121	28 ST	R-3	HD	2475	1	average	sfr
4181027008	120-122	29 ST	R-3	HD	2475	2	average	duplex
4181027009	123	28 ST	R-3	HD	2475	1	good	sfr
4181027010	126	29 ST	R-3	HD	2475	4	good	apts
4181027011	131	28 ST	R-3	HD	2475	6	average	apts
4181027012	132-134	29 ST	R-3	HD	2475	2	average	duplex
4181027013	135-139	28 ST	R-3	HD	2475	4	average	bootleg
4181027014	136	29 ST	R-3	HD	2475	1	average	sfr
4181027015	2801-2803	MANHATTAN	R-3	HD	2475	4	average	bootleg
4181027016	2823-2827	MANHATTAN	R-3	HD	2475	3	average	triplex

PARCEL NUMBER	STREET NUMBER	STREET NAME	ZONING CODE	GP CODE	LOT SQ. FT.	# OF UNITS	CONDITION	USE
4181031006	121	LONGFELLOW	R-3	HD	2475	2	good	duplex
4181031007	120	33 ST	R-3	HD	2475	1	average	sfr
4181031008	123	LONGFELLOW	R-3	HD	2475	1	average	sfr
4181031009	126	33 ST	R-3	HD	2475	4	good	apts
4181031010	132	33 PL	R-3	HD	2475	2	average	duplex
4181031011	132	33 ST	R-3	HD	2475	1	good	sfr
4181031013	136-140	33 ST	R-3	HD	2475	4	average	apts
4181033021	118-122	35 ST	R-3	HD	2493	3	good	triplex
4181026001	2732-2738	HERMOSA AVE	R-3	HD	2550	4	good	apts
4181026002	2728-2730	HERMOSA AVE	R-3	HD	2550	3	average	triplex
4181026003	2722	HERMOSA AVE	R-3	HD	2550	1	average	sfr
4181026004	2716	HERMOSA AVE	R-3	HD	2550	1	average	sfr
4181026005	2711-2712	HERMOSA AVE	R-3	HD	2550	2	good	duplex
4181027001	2836-2837	HERMOSA AVE	R-3	HD	2550	2	good	duplex
4181027002	2828-2830	HERMOSA AVE	R-3	HD	2550	3	average	triplex
4181027003	2824	HERMOSA AVE	R-3	HD	2550	1	good	sfr
4181027004	2818	HERMOSA AVE	R-3	HD	2550	1	good	sfr
4181027005	2812-2814	HERMOSA AVE	R-3	HD	2550	2	good	duplex
4181027006	2804	HERMOSA AVE	R-3	HD	2550	2	good	duplex
4181031003	3216	HERMOSA AVE	R-3	HD	2550	1	average	sfr
4181031004	3206-3212	HERMOSA AVE	R-3	HD	2550	2	good	duplex
4181031005	115	LONGFELLOW	R-3	HD	2550	2	average	duplex
4181032003	3317	PALM DR	R-3	HD	2550	1	average	sfr
4181032004	3311	PALM DR	R-3	HD	2550	1	average	sfr
4181033019	111	34 ST	R-3	HD	2550	1	good	sfr
4181033020	121-123	34 ST	R-3	HD	2550	2	average	duplex
4181033022	125	34 ST	R-3	HD	2550	1	average	sfr
4181033024	133	34 ST	R-3	HD	2550	5	good	apts
4181033015	3428-3430	HERMOSA AVE	R-3	HD	2552	2	good	duplex
4181033016	3422	HERMOSA AVE	R-3	HD	2552	1	average	sfr
4181033017	3415-3418	HERMOSA AVE	R-3	HD	2552	4	good	apts
4181033018	3407	HERMOSA AVE	R-3	HD	2552	1	good	sfr
4181033014	108-110	35 ST	R-3	HD	2641	2	average	duplex
4181028002	2924-2925	HERMOSA AVE	R-3	HD	2975	2	average	duplex
4181028003	2920-2922	HERMOSA AVE	R-3	HD	2975	2	good	duplex
4181028004	2910-2914	HERMOSA AVE	R-3	HD	2975	2	good	duplex
4181028005	2901	HERMOSA AVE	R-3	HD	2975	2	average	duplex
4181032005	3302-3304	HERMOSA AVE	R-3	HD	2975	2	average	sfr
4181028001	2934-2935	HERMOSA AVE	R-3	HD	3060	2	average	duplex
4181033002	3510-3512	STRAND	R-3	HD	3330	2	average	duplex
4181033003	3502-3504	STRAND	R-3	HD	3330	3	average	triplex
4181033033	3518-3520	STRAND	R-3	HD	3330	2	good	duplex
4181031001	3232-3236	HERMOSA AVE	R-3	HD	3400	4	average	apts
4181026020	137	27 ST	R-3	HD	3713	6	good	apts
4181031002	3224	HERMOSA AVE	R-3	HD	4250	1	good	sfr
4181032016	3324	HERMOSA AVE	R-3	HD	5525	9	average	apts

Exhibit B

PARCEL NUMBER	STREET NUMBER	STREET NAME	ZONING CODE	LOT SQ. FT	# OF UNITS	BUILD OUT	Max Allowed	Units Over	Nonconforming To Density
4187009031	1120	MANHATTAN	R-P	1400	1		1	0	0
4187009032	1011	BAY VIEW DR	R-P	1600	1		1	0	0
4187009028	1127	BAY VIEW DR	R-P	2000	1		1	0	0
4187009027	1021-1023	BAY VIEW DR	R-P	2000	2		1	1	1
4187009026	1022	MANHATTAN	R-P	2000	1		1	0	0
4187009029	1126	MANHATTAN	R-P	2000	2		1	1	1
4188015049	222	LYNDON ST	R-P	2290	1		1	0	0
4187009033	1010-1012	MANHATTAN	R-P	2400	2		1	1	1
4188015048	216	LYNDON ST	R-P	2420	1		1	0	0
4188015053	161	HERONDO ST	R-P	2554	2		1	1	1
4187009030	1123	BAY VIEW DR	R-P	2600	1		1	0	0
4188015046	152	LYNDON ST	R-P	2680	2		2	0	0
4188015045	146-148	LYNDON ST	R-P	2820	5		2	3	1
4188014060	161	LYNDON ST	R-P	2850	1	1	2	0	0
4188014061	167	LYNDON ST	R-P	2850	2		2	0	0
4188014063	179	LYNDON ST	R-P	2850	1		2	1	0
4188014064	232	LYNDON ST	R-P	2850	2		2	0	0
4188014059	153-156	LYNDON ST	R-P	2850	2		2	0	0
4188014062	1717-173	LYNDON ST	R-P	2850	2		2	0	0
4188015044	144	LYNDON ST	R-P	2950	4		2	2	1
4187009037	1158-1160	MANHATTAN	R-P	3000	3		2	1	1
4188014056	114	LYNDON ST	R-P	3040	1	1	2	0	0
4188015041	124	LYNDON ST	R-P	3340	2		2	0	0
4186026020	965	1 ST	R-P	3369	1	1	2	0	0
4186026019	963	MEYER CT	R-P	3369	7		2	5	1
4186026021	119	MEYER CT	R-P	3369	1		2	1	0
4186026022	121	MEYER CT	R-P	3369	1		2	1	0
4188015040	121	HERONDO ST	R-P	3470			2	2	0
4188015050	226-228	LYNDON ST	R-P	3530	3		2	1	1
4188014065	43-45	LYNDON ST	R-P	3610	2		2	0	0
4187009001	1002	MANHATTAN	R-P	4000	4		3	1	1
4187009004	1028	MANHATTAN	R-P	4000	1	2	3	0	0
4187009005	1040	MANHATTAN	R-P	4000	1	2	3	0	0
4187009006	1048	MANHATTAN	R-P	4000	1	2	3	0	0
4187009008	1112	MANHATTAN	R-P	4000	1	2	3	0	0
4187009011	1138	MANHATTAN	R-P	4000	2		3	1	0
4187009012	1142	MANHATTAN	R-P	4000	5		3	2	1
4187009036	1150	MANHATTAN	R-P	4000	5		3	2	1
4187009007	1102-1106	MANHATTAN	R-P	4000	3		3	0	0
4188014058	145	LYNDON ST	R-P	5700	3	1	4	0	0
4188015057	137	HERONDO ST	R-P	6230	2	2	4	0	0
4186026037	939-945	1 ST	R-P	6716	4	1	5	0	0

PARCEL NUMBER	STREET NUMBER	STREET NAME	ZONING CODE	LOT SQ. FT	# OF UNITS	BUILD OUT	Max Allowed	Units Over	Nonconforming To Density
4186026027	931	1 ST	R-P	6738	1	4	5	0	0
4186026026	937	1 ST	R-P	6738	0	5	5	0	0
4186031006	904	1 ST	R-P	6778	4	1	5	0	0
4186031007	908	1 ST	R-P	6778	4	1	5	0	0
4186031008	916	1 ST	R-P	6778	4	1	5	0	0
4186031070	926	1 ST	R-P	6778	5		5	0	0
4186031010	930	1 ST	R-P	6778	6		5	1	1
4186031011	936	1 ST	R-P	6778	4	1	5	0	0
4186031012	940	1 ST	R-P	6778	8		5	3	1
4186031013	950	1 ST	R-P	6778	7		5	2	1
4186031060	960	1 ST	R-P	6778	4	1	5	0	0
4186031064		1 ST	R-P	6778	5		5	0	0
4186031035	970	1 ST	R-P	6778	12		5	7	1
4188014057	123	LYNDON ST	R-P	8550	4	2	6	0	0
4186026035	957	1 ST	R-P	13475	12		10	2	1
4186031043	848-860	1 ST	R-P	20333	14	1	15	0	0
					183	32	185	42	17

LAND USE AND STRUCTURAL DEFINITIONS

LAND USE AND STRUCTURAL DEFINITIONS

There is presently a need in the City for more precise commercial land use definitions to accomplish the following two goals:

1. Ensure greater predictability of the operating characteristics of both existing and future land uses.
2. Provide stronger land use controls to prevent negative external impacts from business operations to surrounding properties.

These two goals are highly interrelated. A lack of predictability regarding business operations can lead to a number of unforeseen and potentially undesirable consequences. For example, an enterprise with a business license to sell foods intended for off-premise consumption (market) could expand or modify operations, e.g. include on-premise food consumption services (restaurant), without recourse by the City if the land use description on the business license is not specifically defined in the City code. In turn, this land use intensification could result in negative impacts to the neighborhood in terms of traffic congestion, inadequate parking, increased noise, poor air quality, etc.

This section also discusses the considerations involved with determining functional definitions of various structural features, e.g. attic, basement, floor area, grade, loft, and story. These terms are often either vaguely defined or not defined at all, resulting in ambiguities and discretionary interpretations by decision makers. This opens the possibility for the inconsistent application of interpretations that could be legally challenged as arbitrary and capricious. The use of unequivocal structural terminology will assist both City decision makers and developers in better understanding the intent and application of local land use programs and controls.

LAND USE DEFINITIONS

In formulating specific land use definitions, the following factors should be considered, which relate to the inherent operational characteristics and/or the intensification of various uses:

1. Desirability of the land use, e.g. adult business, auto parts salvage.
2. Unfair competition of one land use expanding to include additional land use(s), e.g. pizza delivery operation in supermarket.

3. Incompatibility of a land use with surrounding land uses, e.g. nightclub with live evening performances located adjacent to residential properties.
4. Uses inconsistent with zoning standards, e.g. convenience markets that evolve into combination market/restaurant without adequate off-street parking to accommodate both uses.
5. Public nuisance potential, e.g. parking, traffic, air, noise and lighting impacts, due to intensity of certain land uses or intensification of uses.
6. Potential for increased crime activity, e.g. alcohol-related disturbances.

Incompatible Land Uses

Some land uses that fall within the general classification of commercial retail or commercial service uses may actually have certain inherent operating characteristics that are incompatible with commercial shopping districts. For example, auto body repair shops are a commercial service enterprise that can potentially exhibit industrial characteristics such as loud noises, paint fumes, and outdoor equipment storage. Therefore, even though such uses may be commercial in terms of customer relations (direct access to general public for retail goods/services), the work operations can produce negative external impacts to surrounding properties. Precise, unambiguous land use definitions for all permitted uses can assist in determining whether a specific nonresidential land use should be allowed in commercial corridors or restricted to industrially zoned areas.

Changes in Land Use

A commercial enterprise which modifies or completely changes its original land use usually does so in response to one of the following circumstances:

1. Changes in technology that either modify the stock-in-trade product or render it obsolete.
2. Changes in market demand that make a wholly different product/service more profitable.

Most changes in technology are simply the result in new advances that improve the stock-in-trade product without significantly altering its intended use. For example, compact discs have made records a virtual obscurity. Most retailers with business license classifications as record stores now sell compact discs and rent video tapes, but do not carry records. While this product change is technically inconsistent with the business license classification, both compact discs and records are basically sound reproduction devices for electronic equipment. Video tapes do not fall under this description, but are closely

related to the type of home entertainment provided by sound equipment, which can be generally referred to as types of sensory stimulation devices. Due to similarities in the demographics and spending patterns of music and video consumers, e.g. high representation of teenagers and young adults with available money for discretionary purchases, most record stores have found it profitable to include video rentals in their operations. Therefore, the advancements in sound reproduction technology and the expanding stock-in-trade for "record stores" would make it more realistic to define this type of business in an inclusive manner that incorporates both visual and audio entertainment products. The external land use impacts would not change significantly, since both visual and audio products generally attract the same quantity of customers, which is largely dictated by the amount of floor space devoted to display area.

Changes in market demand can influence businesses to either make minor alterations to their stock-in-trade, expand operations to include new uses, or completely change the original land use. Changes to the primary use would require a revised business license and perhaps require discretionary entitlement approvals if the new land use is a conditionally permitted use or a use intensification in terms of parking requirements. An example of an expanded use would be a stereo/electronics store that adds computer equipment to its stock-in-trade. A business expansion that results in more than one use, whether it be one principal use and minor use(s) or more than one principal use, would create a business known as a dual or multiple use. Dual/multiple uses are a particular concern since this is an intensification that can lead to numerous potential impacts to surrounding land uses.

Dual/Multiple Uses

This section discusses the potential land use planning problems associated with retail establishments in which a portion of the products or services provided are not part of the original or intended primary use. This type of enterprise, which involves dual or multiple uses, generally falls into two major categories: primary/ancillary uses and primary/secondary uses. A primary/ancillary use involves either two or more uses in which the supporting use(s) may or may not be able to exist independently of the primary use(s). Regardless of whether the supporting use(s) could exist as an independent retail activity without the primary use(s), a primary/ancillary use may be defined as follows:

Primary/ancillary use - one principal use and one or more incidental uses that are complimentary and directly related to the principal use.

An example of a primary/ancillary dual use where both uses could exist independently of each other would be a convenience market that also prepares sandwiches for on- or off-premise consumption. A primary/ancillary use in which the ancillary use is dependent upon the primary use typically involves a business that offers various supplies related to its principal stock-in-trade. This

type of ancillary use is subordinate to the primary use in that it provides a direct and dependent support function which enhances the primary use's marketability. Examples would include automobile service stations that sell auto accessories such motor oil and windshield wipers, or video rental stores that also offer tape cleaners and rewinding machines.

The second major type of dual/multiple use involves unrelated uses within the same establishment, which may be defined as follows:

Primary/secondary use - one principal use and one or more minor uses not directly related to the principal use.

A secondary use may be defined as a use subordinate to the primary use but not directly related to the nature of the primary use, e.g. the sale of sandwiches is not related to the sale of automobile gasoline. A secondary use is by definition a wholly different use than the primary use that could survive independently of the primary use, and is subordinate to the primary use in terms of floor space or sales volume; otherwise it would also be considered another primary use.

While it is often easy to distinguish the principal use from the incidental use(s), as with the examples presented above, sometimes it can be difficult to determine if a business has more than one principal use. For instance, some businesses which have full gas station operations and full convenience market facilities would more properly be classified as dual principal uses, e.g. AM/PM mini-mart. In determining a threshold level between a principal use and an incidental use, any of the following criteria could be applied:

1. percentage of total sales;
2. percentage of total building floor area;
3. percentage of total customer service area portion of total floor space; or
4. percentage of total number of products or services offered.

Total percentage of sales volume is most directly related to an establishment's commercial viability. However, this approach requires detailed sales revenue breakdowns from each dual use enterprise that would be difficult, if not legally questionable, for the City to require from businesses. Criteria based on floor space (either total floor space or the portion of customer service area) or number of products/services offered may not provide a realistic appraisal of the retail operations, e.g. adult videos could represent a small portion of total products offered and/or total floor space but a large proportion of total sales volume. Using floor space to distinguish principal from incidental uses provides an easily quantifiable criteria that allows for compliance enforcement simply based on building plans.

Potential Impacts Associated with Dual Uses

The following table presents a summary of the types of impacts that could potentially occur with various dual use establishments.

TABLE 2
POTENTIAL COMMERCIAL DUAL USE IMPACTS

<u>Type of Dual Use</u>	<u>Classification</u>	<u>Potential Impacts</u>
Market with prepared food for take-out only	Primary/Ancillary	<ul style="list-style-type: none"> - Unfair competition - Inconsistency with business license use description - Parking and traffic impacts
Market with prepared food for take-out only	Dual Principal	<ul style="list-style-type: none"> - same as impacts for primary/ancillary classification
Market/Restaurant	Primary/Ancillary	<ul style="list-style-type: none"> - Unfair competition - Inconsistency with business license use description - Parking, traffic, noise, and light impacts
Restaurant/Cocktail Lounge	Primary/Secondary	<ul style="list-style-type: none"> - Undesirability of cocktail lounge - Incompatibility with surrounding uses - Inconsistency with zoning - Inconsistency with business license use description - Parking, traffic, noise, and light impacts - Increased crime potential
Restaurant/Cocktail Lounge	Dual Principal	<ul style="list-style-type: none"> - same as impacts for primary/secondary classification
Restaurant/Nightclub	Primary/Secondary	<ul style="list-style-type: none"> - Undesirability of nightclub use - Incompatibility with surrounding uses - Inconsistency with

		<ul style="list-style-type: none"> - zoning - Inconsistency with business license use description - Parking, traffic, noise, light impacts - Increased crime potential
Gas Station/Market	Primary/Secondary	<ul style="list-style-type: none"> - Unfair competition - Incompatibility with surrounding uses - Inconsistency with zoning - Inconsistency with business license use description - Parking, traffic, noise, and light impacts
Gas Station/Market	Dual Principal	<ul style="list-style-type: none"> - same as impacts for primary/secondary classification
Market/Adult Products	Primary/Secondary	<ul style="list-style-type: none"> - Undesirability of adult use - Incompatibility with surrounding uses - Inconsistency with zoning - Inconsistency with business license use description - Parking, traffic, noise, and light impacts - Increased crime potential

A. Markets/Restaurants

Commercial establishments that offer both prepared foods and foods intended for preparation at a separate location may involve a business originally intended as a convenience market without food preparation services that at some later date offers prepared foods for either take-out or on-site consumption. Alternatively, some merchants may wish to initiate a food service enterprise that offers both prepared and unprepared foods. The most common example of this type of dual use is a primary/secondary use in which the intended principal use is the sale of unprepared foods for home consumption (market), which also offers prepared items

such as coffee, micro-wave hot sandwiches, hamburgers, hot dogs, and other similar foods (deli, fast-food services).

There are several internal operational characteristics that distinguish prepared food establishments, e.g. restaurants, delicatessens, from unprepared food establishments, e.g. markets, which primarily involve: (1) floor space reserved as dining area, whether occupied by counters or tables; (2) floor space utilized for food preparation, whether a full kitchen facility or a sandwich preparation area; (3) presence of food preparers/servers, e.g. cooks, counter help, waiters/waitresses.

As shown in Table 1, the impacts to surrounding properties from this type of dual use are primarily limited to unfair competition and public nuisance impacts that could result from increased customer activity. The competition issue is to some extent related to inconsistencies with the business license use. Since business license fees are based on the type of commercial activity, the question arises of whether a dual use should be required to pay fees for both uses or should it pay a special dual use fee? The larger question is what minimum development standards should be used to determine whether a commercial property can support a dual/multiple use, e.g. minimum floor area for each use, minimum parking for each use. Is it fair for an existing business to expand into a dual use if it can only meet a single use parking standard?

The most significant land use impact related to all food service establishments involves the public nuisance potential from increased parking demand. Customer parking demands vary considerably among various food-oriented uses. Convenience market customer trips generally tend to be of a much shorter duration than restaurant customer trips. Furthermore, restaurant trips are more concentrated around mealtime hours, while convenience market trips occur throughout the day and intensify in the evening hours. To a lesser extent, the amount of dining area provided can also affect customer demand, since inadequate seating space could discourage potential dine-in customers and encourage more take-out and delivery orders. The type of food establishment also influences employee parking demands, e.g. number of cooks and food servers, since some types of foods require more cooks and some restaurants do not use waiters/waitresses.

Current City parking standards require a minimum of one parking space for each 100 square feet of gross floor area for restaurants (other than walk-up, drive-through and drive-in type restaurants) and one parking space per 50 square feet of gross floor area, with a minimum of ten spaces, for walk-up, drive-through and drive-in restaurants that do not have adequate dining room facilities. Convenience markets, delicatessens, and supermarkets are all considered general retail commercial uses, which are required to provide one space per 250 square feet of gross floor area, even though the customer trip duration is typically much longer for supermarkets than convenience markets. Snack bars/snack shops have the same parking requirements as

restaurants, although the actual parking demand for an individual snack bar is often dependent upon the products sold, e.g. ice cream v. pastries.

Most nearby cities surveyed by staff have parking requirements that are similar to Hermosa Beach. There are, however, some variations for certain types of land uses. For example, some communities surveyed link restaurant parking requirements to the number of seats provided or the floor area devoted to seating space, e.g. Manhattan Beach. A drawback to this approach is that parking standards based on seating space or number of seats are inherently less precise than gross floor area, since the floor area allocated per customer seat could vary considerably among restaurants.

The inadequate provision of off-street parking spaces could occur for any number of site-specific reasons, but usually results when the existing retail use differs from the type of use the commercial space/structure was originally intended to accommodate. This could occur when a convenience market, originally intended to offer only unprepared food, that later establishes a delicatessen offering prepared foods. This conversion typically results in an intensification of the land use without an accompanying expansion of off-street parking.

For the purpose of calculating parking requirements for dual uses such as retail establishments that offer both prepared and unprepared food could be considered two separate and distinct principal land uses. The restaurant parking standards would apply to total customer dining floor area (both indoor and outdoor), while the general retail parking standards would apply to the total floor area devoted to convenience market shelf space. Floor space devoted to certain uses that could apply to both restaurant and convenience market operations, e.g. cash register floor space, could be subject to the more stringent parking standards, which in this case would be the restaurant parking requirements.

Alternatively, parking requirements for dual uses could be based on the proportion of sales volume for each use. A major constraint in applying this criteria is that sales volume does not translate easily into parking space demand given the following variables: (1) determining the monetary threshold per parking space; (2) adjusting the monetary threshold to account for inflationary/deflationary trends; (3) establishing detailed accounting requirements for attributing the sales volume for each use; (4) establishing a monitoring procedure for public review of sales receipts to determine compliance; and (5) adjusting parking requirements for changes in sales receipt distribution and/or total volume. This type of parking criteria leads to the potentially volatile issues of requiring private enterprises to provide additional sales revenue information and establishing a new governmental function of monitoring individual parking requirements for dual use establishments.

Although kitchen floor area could be a separate factor in determining restaurant parking standards, there is not necessarily a direct relationship between the amount of kitchen floor space and the parking demand by customers and employees. Some types of restaurants may require less kitchen area than others for adequate food preparation. Likewise, a restaurant's particular emphasis on customer service often has more impact in determining the employee parking demand than the amount of kitchen or dining area floor space. For these reasons, kitchen floor area is not recommended for restaurant parking standard calculations. Employee parking demand could be adequately accommodated for any restaurant/convenience market dual use by simply requiring one space for every two employees on the largest shift for the entire establishment.

B. Restaurant/Cocktail Lounge

This type of dual use involves an establishment that offers prepared food for either on-premise consumption or take-out, along with a bar area with seating space intended primarily for the consumption of alcoholic beverages. Establishments that provide both prepared food and alcohol for on-premise consumption cover a broad range of retail businesses, including: (1) establishments that are essentially bars in atmosphere where the entire seating area permits optional dining; (2) casual restaurants which may or may not include waiters/waitresses, e.g. pizzerias, that allow alcohol consumption without food purchases; and (3) more formal restaurants with waiters/waitresses that also have a separate bar seating area for alcohol consumption. Although restaurants are defined in the zoning ordinance, the City does not presently have any definitions for cocktail lounges, bars, taverns or other establishments primarily intended for the sale and consumption of alcoholic beverages.

The major internal operational characteristics for restaurant/bars involves the proportion of sales volume devoted to food and the amount of seating area intended as restaurant dining area. The major land use impact issue for this type of dual use involves parking demand. The City's current parking regulations require bars and cocktail lounges to provide at least one parking space for each 80 square feet of gross floor area, which is more stringent than the present restaurant standard of one space per 100 square feet of gross floor area (other than drive-in or walk-in restaurants). This bar/cocktail lounge parking standard is based on the allocation of floor space per customer, since bars tend to need less floor space per customer than restaurants. Since the duration of customer visits to bars can vary from less than a half hour to several hours, it is difficult to establish a linkage between parking space standards to customer demand.

In trying to determine precise parking standards for a restaurant/cocktail lounge dual use, the distinction between restaurant floor area and bar/cocktail lounge floor area may be rather ambiguous. This is particularly true of establishments which allow meals to be served at the bar counter or provide

dining areas where customers may consume alcohol without ordering food. The simplest approach to this type of dual use would therefore be to use one overall parking requirement. Requiring employee parking combined with one customer parking space per 100 square feet of gross floor area would not significantly alter the amount of required parking from the current bar/cocktail lounge requirement of one space per 80 square feet of gross floor space. Employee parking demand could be accommodated by an additional requirement of one parking per every two employees on the largest shift.

The other external impacts regarding a restaurant/cocktail lounge dual use primarily involves the operating characteristics associated with cocktail lounges and its compatibility with surrounding uses. Bars/cocktail lounges typically have the peak customer demand period during the evening hours, when nearby residences are particularly sensitive to noise and light impacts. These potential impacts, along with the potential for increased criminal activity commonly associated with alcohol establishments, can lead to opposition from a nearby residential neighborhood on the grounds that a cocktail lounge is incompatible with surrounding uses. However, these impacts can often be successfully mitigated with specific requirements such as adequate noise-insulation construction for exterior openings (door, windows) and lighting design to prevent spillover. These type of requirements most often are determined on a project-specific basis, which is best accomplished through the conditional use permit process.

To provide more specific descriptions of various types of alcohol beverage establishments, the zoning code could be amended to include definitions based on the specific license required by the California Alcoholic Beverage Control Board for that business, e.g. Type 42 (on-sale beer/wine public premise), which is a restaurant which may serve beer and wine only.

C. Restaurant/Nightclub

The impacts for this type of dual use are similar to restaurant/cocktail lounge uses, with a greater potential for negative parking and noise impacts due to the intensity of a nightclub use. As with restaurant/cocktail lounge uses, it may be difficult to distinguish the floor area between these two uses since restaurant diners often view performances from their tables. The two major impacts, as with restaurants/cocktail lounges, involves parking impacts and the potential incompatibility/undesirability of this dual use with surrounding uses.

D. Service Station/Market

This type of dual use could involve any of the following commercial enterprises: (1) the principal use is gasoline sales and/or minor motor vehicle repairs along with sale of food or beverages as an ancillary use, e.g. major franchise service stations such as Union 76; (2) the sale of gasoline and

convenience market operations are both principal uses, e.g. AM/PM markets; or (3) a convenience market that includes the sale of gasoline as an ancillary use, e.g. 7-11 and other chain convenience markets that have gas pumps in the front parking area, but do not advertise gas sales as a primary attraction.

The operational characteristics of this dual use primarily involve: (1) the proportion of sales volume devoted to convenience market items generally, and alcohol sales specifically; and (2) the intensity of automobile-related services (gas pumps only v. gas sales and minor repairs).

As with other dual use commercial enterprises, the major land use impact involves parking demand. Establishments that are simply gas pumps with a convenience market need only enough area to allow vehicles to move in and out of the gas pump islands without interfering with access to the market parking area. If motor vehicle repair services are included, parking space needs to be provided for customer visits and the temporary storage of vehicles. Parking requirements for convenience market operations should apply only to that portion of the property that is used for market purposes. The City currently does not include definitions of service stations or convenience markets in its zoning code.

Other potential impacts related to this type of dual use involve its relationship with surrounding land uses. Issues of incompatibility with surrounding uses and inconsistency with zoning are related more to gas stations since the potential negative impacts of noise, lighting and even odors are more severe for this land use than markets. If a service station use is permitted by zoning, the operating characteristics can be best controlled on an individual use basis through the conditional use permit process.

Service station definitions in zoning ordinances from the nearby surveyed cities are typically an inventory of automobile-related services involving the dispensing of fuel, sale of automobile accessories, e.g. windshield wipers, and the performance of minor vehicle repairs. A specific service station definition serves to distinguish this type of retail establishment from motor vehicle repair garages that perform major repair services.

Service station parking requirements widely vary among various communities. Of all communities surveyed, Huntington Beach has the most specific parking requirements for service station operations, requiring two spaces per gas pump, one space per 500 square feet of repair garage space and 12 spaces for car wash operations.

An appropriate method of addressing the different customer parking demands for this type of dual use would be to require a separate parking standard for each use. The floor area parking standard would apply to the display area for retail goods (whether automobile or grocery store related), the customer

circulation floor space, and the floor space devoted to retail goods transactions, e.g. cash register area.

E. Market/Adult Products

This type of dual use typically involves a convenience market that stocks adult magazines and/or videos as a secondary use. The presence of adult magazines/videos in a local market would not be expected to generate significant additional customers, since adult products are not difficult to obtain in many communities. Impacts related to the sale or rental of adult products are more associated with the desirability of these products in a market, particularly if the market is located by residential uses. Possible objections on moral grounds range from the issue of increased criminal activities, e.g. loitering, public indecency, to the general morality issues, e.g. exposing minors to pornography. These issues to a large extent depend on the individual operating characteristics of a market, e.g. display adult products behind counter and screen covers with opaque packaging. The conditional use permit process provides the City with a mechanism for insuring specific controls on the display and sale of adult products.

Land Use Issues

Many commercial and industrial uses are permitted in the City but not specifically defined in the zoning ordinance. While the predominant characteristics of various permitted uses would appear to be self-explanatory from the use title, e.g. movie theater, the absence of precise planning definitions creates the potential to encourage businesses to circumvent the local land use entitlement process and/or allow local decision-makers broad discretionary authority to determine whether a business would be considered a permitted use. Precise definitions for the purpose of establishing specific land use controls is particularly important for conditionally permitted uses, since a business could claim immunity from such regulations by arguing that it did not fit that particular use classification.

Intentional abuse of the land use entitlement process by prospective businesses could occur through any of the following approaches: (1) an applicant could describe the proposed business a manner that intentionally omits some of the intended ancillary operations, e.g. a surfboard retailer that conducts backroom manufacturing without informing City officials; (2) an applicant could describe a conditionally permitted use as ancillary to the principal use to avoid the CUP process, e.g. tanning salon facilities in a gymnasium; or (3) a proposed business could be deemed by local decision-makers to be prohibited in certain areas due to an intended ancillary use, e.g. a retail furniture store that includes some minor assembly operations could be considered a furniture manufacturing shop, and therefore permitted in the M-1 zone only. These potential situations could be resolved through clear and precise definitions of all permitted uses.

Possible definitions for all conditionally permitted uses not presently defined by the City are listed in Appendix B.

DEVELOPMENT DEFINITIONS

Attic

An attic is typically thought of as a small area between the top story and roof of a residential structure, which in some cases is designed for storage. Precise working definitions of attic are rare, however. The State Uniform Building Code does not define this term and few municipal zoning ordinances include an attic definition. The City does not have an attic definition in its zoning ordinance.

One primary issue relating to an attic definition involves its relationship to the structural organization of a building and the types of uses typically associated with an attic. Specifically, this issue deals with the question of whether an attic should be solely used for storage purposes or whether it would be acceptable to utilize attic space for habitable or commercial retail/service purposes.

Attics are sometimes provided as spare storage area to take advantage of the additional top story ceiling space found in residential structures with pitched roofs. The structural attributes of an attic are typically characterized by: (1) limited vertical dimensions that restrict free movement; and (2) limited ventilation and light access due to little or no provision of windows. The vertical height of an attic will primarily determine whether it can accommodate prolonged periods of occupancy. An attic with inadequate headroom space, e.g. less than six feet in height, would be effectively limited to storage uses only.

Another land use issue related to attics is whether it should constitute a separate story to a building. This issue is largely dependent upon the potential use value of a particular attic. A story typically implies an area that can support some sort of human activity, such as habitation or commercial purposes. Since the structural configuration of an attic dictates potential uses, an attic with sufficient vertical height to allow unobstructed movement could reasonably be considered a story. An attic would therefore not be considered a story if the structural dimensions made extended periods of human occupancy prohibitive. However, an attic should be counted as part of a building's total floor area even if it is only usable as storage area, since a storage attic represents building floor space that contributes to structural bulk and usable space.

Basement

The City currently defines basement as "that portion of a building partially below the average level of the highest and lowest point of that portion of a building site covered by the building with a ceiling no part of which is more than seven feet

above such level." The Uniform Building Code defines basement as "any floor level below the first story in a building, except that a floor level in a building having only one floor level shall be classified as a basement unless such floor level qualifies as a first story." Since these definitions differ, it is possible for the City's zoning and building standards to conflict in potential basement determinations.

As with attics, the primary issues involving the definition of a basement are its structural relationship to a building, e.g. whether it constitutes a separate story, and its potential uses.

There are two main considerations in whether a basement should be counted as a story: (1) the relation of the basement to the site grade; and (2) the intended use of the basement. An argument against including basements as a story is that a subterranean structure does not contribute to exterior structural bulk and therefore could allow more building site open space than a structure with identical floor area entirely above ground. However, a partially subterranean basement could give the appearance of exceeding the number of permitted stories. Some communities have made the determination that the relationship of a semi-subterranean level to the site grade should dictate the designation as a separate story. If 50% or more of the vertical height of a semi-subterranean level is below grade it is defined as a "cellar" and not considered a story; otherwise, it is defined as a "basement" and considered a separate story.

Another issue involving story designations of basements is whether grade should be considered the existing grade or finished grade after construction for the purpose of defining basements. Using the finished grade as a reference point for above ground building area has encouraged developers to intentionally raise the grade to lower measurable building height (the City presently allows finished grade to be as much as four feet higher than existing grade). Raising the finished grade also artificially reduces the number of stories since basements are not presently considered a story by the City. In order to prevent this potential for abuse of code standards, the grade used for determining a basement could be the lower of either the natural grade or finished grade on the property in question. This issue will be addressed in greater detail in the discussion on grade definition issues.

Since subterranean area does not contribute to a structure's height or visible bulk, the portion of a building between a floor and a ceiling which is wholly below grade should not be considered a story. The basement and cellar definitions used by communities such as Carson, El Segundo, West Covina, and West Hollywood represent a reasonable approach to determining whether partially subterranean space should be considered a story. However, this would permit construction of a "cellar" with an above grade height similar to a first story level by designing a very large vertical cellar length that places more than fifty percent of the cellar below grade. To avoid this situation, the zoning definition could either: (1) specifically limit the

entire vertical height of a semi-subterranean level; or (2) define a cellar as a semi-subterranean level no more than a specified height above natural or existing grade. The current zoning definition limits this above grade height to seven feet, which is sufficiently high to give the appearance of a first floor level. A lower amount of permitted above grade height, e.g. four feet or less above grade, could resolve this conflict.

Another approach to determining whether a basement should be considered a separate story is to base the decision on the intended use. A basement that is intended to function as part of the building's primary use could be considered a story regardless of its relation to grade. Only an ancillary use such as an underground parking garage would then be exempt from a story designation, provided the basement has no bathroom or kitchen hookups and the floor area is constructed of a surface, e.g. concrete paving, that could only accommodate the intended ancillary use. Subterranean floor area could be used as a garage or as an extension of the building's primary use. Since a basement typically has the same vertical and horizontal dimensions as the other building stories, and often includes windows, it could easily be utilized as habitable area. This would be an argument for considering a basement as another building story, since it has the same use potential as other stories. An underground garage does not increase the habitable space of a structure, however, so it could be argued that the use of a basement should determine whether it be considered a story. Alternatively, both the grade level relationship and intended use could be determinants. In this case, the basement vertical height would need to be at least 50% below grade and intended only as a ancillary use such as parking space to be exempted from classification as a story.

Floor Area

This factor is a commonly used term for measuring structural bulk and determining parking requirements. The City, however, does not currently have a definition for floor area in the zoning code. Floor area is defined in the Uniform Building Code as "the area included within the surrounding exterior walls of a building or portion thereof, exclusive of vent shafts and courts. The floor area of a building, or portion thereof, not provided with surrounding exterior walls shall be the usable area under the horizontal projection of the roof or floor above."

Floor area is a key indicator of structural bulk and building intensity. The relationship of floor area to lot size is often expressed in a numerical value known as the floor area ratio (FAR), which is simply the total area of all building floors divided by total lot area. FAR standards are commonly used by communities as a convenient method of regulating building intensity for commercial and industrial properties (residential building intensity is typically based on the maximum number of dwelling units, setbacks, stories, and open space).

Floor area is also used for determining nonresidential parking standards. This is based on a ratio of required spaces to floor area by type of use, e.g. general retail uses are required to provide one off-street parking space per 250 square feet of floor area. Nearly all of the City's current parking standards are based on floor area, with only a few exceptions, e.g. motel standard is based on number of rooms.

The concept of floor area is often discussed in terms of either gross, net or leasable floor area. Gross floor area has been subject to different interpretations. Nearly all communities surveyed calculate gross floor area as all floor space within the exterior walls of a building, with certain specified exceptions. Some communities measure gross floor area from the exterior surface of the exterior walls, while other communities use the interior surface of the exterior walls. In the case of a party wall separating two uses, the generally accepted practice is to measure from the wall centerline. Communities tend to differ on whether to include attics, basements, elevators, public restrooms, stairways, mechanical rooms, or parking structures as part of the gross floor area. Redondo Beach defines gross floor area to include enclosed porches but not inner courts or elevator shafts. The Carson definition of gross floor area uses the amount of headroom provided in basements, cellars and attics as the determining factor for inclusion in floor area calculations. If the headroom provided is over 6 1/2 feet, then the floor area is included in the gross floor area. Gardena specifically excludes basement and cellar areas that are devoted exclusively to ancillary building uses. However, as previously discussed, since an attic represents building floor space that contributes to structural bulk usable space, it would be appropriate to consider all types of attics as part of a building's gross floor area.

An inclusive form of "gross" floor area would include all horizontal cover such as basements, attics, interior wall space, mechanical equipment rooms, elevator shafts, and unenclosed interior courtyards. Although some communities exclude these types of improvements from the floor area inventory, any horizontal cover that results in structural bulk can technically be considered gross floor area. Improvements connecting separate horizontal floor areas, e.g. stairway space in between floor levels, and walkway ramps that run between floor levels should not be included in the gross floor area computations since these are vertical interior improvements that do not increase structural bulk. Improvements such as above ground balconies do contribute to exterior structural bulk but are not part of the interior floor space within the exterior building walls. As such, it would be more appropriate to exclude above ground extensions such as balconies from the floor area inventory and control such extensions through zoning setback standards. However, if that area is used for outdoor dining, it should be considered floor area.

Net floor area typically includes all space intended for the primary activities of the structure and other areas for general

public use, e.g. hallways, lounges, lobbies, public restrooms. The features excluded from net floor area calculations are structural improvements such as stairways, elevator shafts, interior walls, interior parking areas, loading docks and mechanical rooms. Also excluded from the net usable floor area inventory would be attics and basements that are not intended for extended periods of human occupancy. For example, Carson defines net floor area as the gross floor area minus the area of permanent walls, elevator shafts, stairwells, housing for mechanical equipment and vent shafts.

Leasable floor area generally pertains to only the floor space available for lease to one particular tenant. This term is useful in determining the parking requirement for a particular nonresidential land use, but not very helpful in assessing overall structural bulk.

While a gross floor area inventory that includes all horizontal floor space primarily relates to FAR calculations, net usable floor area provides a useful indication of building utilization potential. FAR calculations for the purposes of determining structural bulk or parking requirements could be based on either gross or net floor area. Leasable floor area is not considered acceptable for such calculations since this is a measure used for determining specific tenant uses within a structure, and as such, excludes a substantial amount of floor area. Parking standards can be based on either gross or net floor area for single nonresidential use buildings, while parking requirements for individual tenants of multi-use buildings must be limited to only the amount of leasable space used by each tenant. The City currently uses gross floor area in its nonresidential parking requirements.

Grade

The City does not currently have a definition for grade in the zoning ordinance. The staff survey of nearby communities provides an abundant supply of various grade definitions, e.g. existing grade, altered grade, finished grade, and street grade. The Uniform Building Code defines grade as "the lowest point of elevation of the finished surface of the ground, paving or sidewalk within the area between the building and the property line, or when the property line is more than 5 feet from the building, between the building and a line 5 feet from the building."

The absence of a specific grade definition in the City's zoning code has created some confusion in making structural determinations, e.g. height, stories, basement. For instance, the City's basement definition refers to the average level of a building site as the reference point for measuring the lower level above ground height. Since "average level" is not defined in the zoning code, it is not clear whether this phrase refers to existing grade or finished grade.

A primary consideration in grading definitions is the distinction between pre-development and post-development grading. Some communities have separate definitions for existing grade and finished grade, while others simply have one definition for grade that is a description of the ground surface level at one particular stage of the development process. Since a general definition of grade that actually refers to only one specific type of grading could lead to difficulties in practical applications, it may be more appropriate to have several specific definitions of grade, e.g. existing grade, finished grade.

In addition to the relationship between ground surface and the development process stages, the other main consideration in grading definitions involves the elevation measurement factors. Various definitions of existing or finished grade use differing elevation reference points, including: (1) the lowest point of elevation between the building and property line within a specified measurement range (usually five feet for consistency with the Uniform Building Code standards); (2) the level of the ground at any point along a building (an ambiguous measurement standard allowing a great deal of discretionary interpretation); and (3) the surface of the ground at a stated location (also open for considerable discretionary interpretation). The average grade determinations also vary in measurement standards, including: (1) the average of the highest and lowest top of curb elevations; (2) the average at the midpoints of the lot from each wall; (3) the average of the ground level at the exterior perimeter of all walls; and (4) the average elevation of the ground level as measured from the corners of the parcel.

Potential drawbacks to using the finished grade for structural determinations is that it can encourage developers to raise the existing grade in order to reduce measurable bulk. For example, fill could be used to qualify the lower level as a basement, which is not considered a story under current zoning. In the R-1 and R-2 zones, which are limited to two stories, raising the existing grade could qualify a three-level building as a two story structure. Since the City's current zoning code makes no distinction between existing or finished grade, and finished grade may be up to four feet higher than existing grade, raising grades around the perimeter of a building to qualify the lower story as a basement is permissible. Furthermore, since the Uniform Building Code defines grade as finished grade, this definition also permits raising grades. While in this instance the zoning and building standards are unintentionally consistent, it may not be in the best interests of the City.

Using existing grade as the building elevation reference point would prevent changes in grade during construction simply to avoid having a semi-subterranean level classified as a story. It could, however, have the undesirable consequence of increasing the "apparent" height and mass of new buildings. Rather than include a subterranean or semi-subterranean lower level, new construction would more likely be characterized by greater floor area mass to maximize square footage within the height, and in the case of R-1 and R-2 zones, two story limits.

Another approach to defining grade for the purpose of determining building height and number of stories involves using either the existing or finished grade, whichever is lower. For example, Manhattan Beach uses "local grade" as its benchmark, which is defined as "the ground elevation adjacent to a specified location on the exterior of a building (existing or finished, whichever is lower)." Local grade is measured five feet outward from the building, or from the nearest property line if the property line is within five feet of the building, which is consistent with the Uniform Building Code definition.

Loft/Mezzanine

A loft or mezzanine may be described as an interior horizontal floor area that is typically parallel to and in-between the floor and ceiling of the story in which it is located. This structural feature is not defined in most of the zoning ordinances surveyed by staff, and is not included in the City's land use definitions. The Uniform Building Code simply defines mezzanine as "an intermediate floor placed within a room."

The primary planning issue for the definition of a loft/mezzanine is whether it constitutes a separate story. This determination is largely influenced by the size of the loft floor area in relation to the floor size of the surrounding story and the types of intended loft uses. The size of the loft influences its relationship with the main floor area, in terms of whether the loft is an extension or integral part of the main floor's intended use, or whether it is intended for a wholly separate use. Lofts have become a popular method of increasing floor area within the maximum allowable stories. Lofts also provide the opportunity to utilize extra storage space in the interior shell created by the loft wall(s). The use of lofts as an intermediate floor level can result in greater story heights to accommodate habitation on both the loft and adjoining floor space, which would lead to taller buildings than similar building floor plans without lofts.

The use potential of a loft, which is closely related to its floor area size in relation to the floor area size of the surrounding story, should determine whether it would be designated a story. The size of a loft is integrally related to potential use, since a small loft area is limited in use potential while a larger area has the potential for uses wholly separate from the lower floor space. A loft large enough to support a primary use of the building, particularly if the loft could support such use independent of the surrounding story, should be considered a separate story. The West Hollywood definition provides a threshold of one-third of total main floor space to distinguish an "intermediate level" from a separate story. However, even a loft with one-third the total floor area of the building stories could be sufficient to adequately function as a separate story. It may therefore be more appropriate to establish a lower threshold, such as 20% or 25% of total main floor area.

Story

The City currently defines story as "that portion of a building included between the surface of any floor and the surface of the floor next to it. If there be no floor above it, then the space between such floor and the ceiling next above it shall be considered a story. A basement shall not be considered a story when computing the height of a building."

Story is defined in the Uniform Building Code as "that portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. If the finished floor level directly above a usable or unused under-floor space is more than six feet above grade as defined herein for more than 50 percent of the total perimeter or is more than 12 feet above grade as defined herein at any point, such usable or unused under-floor space shall be considered as a story."

As evident from the discussions of other structural definitions, the issue of what constitutes a story is closely related to the location of the floor level in the building, the structural dimensions of the level, and the intended uses. A critical determining factor is whether the structural dimensions could adequately accommodate the building's intended use(s). Uses in this context would not only include the primary use, e.g. residential, but also areas that accommodate access to the primary use, e.g. hallways, lobbies, parking areas.

Horizontal floor space that could be exempt from classification as a story includes areas not intended for human habitation, e.g. attics and basements with inadequate vertical height for prolonged occupancy, and areas that provide an ancillary use such as storage, e.g. lofts of inadequate dimensions to accommodate extended human activity. Vertical improvements such as stairways are not considered stories since such structures do not add to overall bulk.

OBJECTIVES AND IMPLEMENTATION POLICIES

PRIMARY OBJECTIVE 1: Provide clear and unambiguous guidance to decision-makers regarding land use entitlements by formulating precise zoning definitions for commercial and residential land uses and structural improvements. E

Implementation Objective 1.1: Prepare a zoning amendment to include definitions for all permitted uses, dual/multiple uses, and the following structural improvements and development features: attic, basement, grade, floor area, loft, and story. E

Implementation Policy 1.1-2: All lodging establishments, or portions thereof, that allow guests to stay more than 30 consecutive days shall be subject to the multiple dwelling

parking standards, regardless of whether kitchen facilities are provided. **E**

p/define2

HOTEL AND MOTEL DEFINITIONS AND PARKING STANDARDS

The City's present definitions of "hotel" and "motel" describe the following characteristics:

- a. The provision of guest rooms as temporary overnight or short-term abiding places offered in exchange for monetary compensation.
- b. The provision of daily cleaning services for each guest room by the management.
- c. A City requirement of 24-hour registration/check-out services.
- d. Kitchen facilities, which are only permitted in up to 80% of guest rooms for projects with greater than 20,000 square feet.

The City's definitions of hotel and motel specifically excludes jails, hospitals, asylums, sanitariums, orphanages, prisons, detention homes and similar buildings where individuals are housed and detained under legal restraint. This qualification is found in most hotel and motel definitions from other nearby cities.

Distinctions between a hotel and a motel in the City's definitions:

- a. Size: a hotel is defined as one or more buildings containing six or more guest rooms, while a motel is simply one or more buildings with no minimum number of guest rooms.
- b. Lobby: a hotel is defined as having access through a common entrance with a registration lobby of at least 800 square feet that is manned on a 24-hour basis; a motel need only provide 24-hour registration/check-out services.

The City's hotel/motel parking requirements compared with other cities:

One parking space per unit plus two spaces for the manager's unit is a common motel parking standard currently used by the City and many other nearby communities. This standard is also used for hotels in some cities, e.g. Carson, whereas the City permits a gradual reduction in required parking spaces based upon the total number of guest units: one space for each of the first 50 units; one space per one and a half units after 50 units; and one space per two units after 100 units. The City also requires hotels with facilities such as restaurants, banquet rooms, conference rooms, commercial retail activities and other similar uses to

provide parking space for each use as computed separately in accordance with the zoning code parking requirements for each use.

In other cities, hotels and motels with kitchen facilities are required to provide two parking spaces per room with a kitchen (see Appendix C for sample definitions from other cities). This is based on the assumption that rooms with kitchen facilities are more desirable to: (1) larger groups traveling in more than one vehicle; or (2) individuals seeking longer-term accommodations that are more likely to need parking for their guests.

Operational characteristics of hotels or motels not addressed in the City's definitions:

- a. Duration of stay: Some communities, e.g. Santa Monica, specifically define hotel as a temporary lodging place of individuals for less than 30 consecutive days (although it does not restrict motels to this time limit). Communities such as Culver City allow hotels and motels to provide accommodations to individuals for more than 30 consecutive days, with each guest room available on this long-term basis designated as a multiple family unit for the purpose of determining parking requirements.
- b. Status of kitchen facilities: In some communities such as Hawthorne, a motel guest room with kitchen facilities is considered to constitute a dwelling unit and subject to all provisions of the high density residential zoning classification.
- c. Motel registration requirement: A motel is often distinguished from a hotel by the Health and Safety Code requirement that all motels obtain the names and addresses of the guests and the make, year and license number of the vehicle and the state in which the vehicle is registered.
- d. Other uses associated with lodging establishments: Many properties with hotel/motel establishments also provide other primary or secondary land uses that are not directly related to lodging activities but enhance the appeal and marketability of the hotel/motel. The most common example is a restaurant use, although high-end hotels often include gift shops, cocktail lounges/nightclubs, and various personal services such as barbers or florists. A hotel/motel with a restaurant or nightclub would constitute a mixed use, since potential customer demand for one use is not necessarily contingent upon patronizing the other use. None of the nearby communities surveyed by staff, however, addressed multi-use hotels/motels.

Analysis

As typical for many commercial establishments, the primary external land use impact of hotels and motels is the customer demand for parking spaces. Under the present City parking standards, hotels have the option to provide less than one parking space per guest room if the hotel contains greater than 50 rooms. The only qualifications for a "hotel" designation are access through a common entrance/lobby area (minimum 800 square feet) and provision of six or more guest rooms. Therefore, any building used for lodging activities that can meet these two requirements could be subject to the less stringent hotel parking standards.

Although the City allows larger hotel uses to provide less parking space than other types of commercial lodging uses, previous parking demand studies have shown that customer parking needs remain constant regardless of the lodging facility size. A study conducted by the Urban Land Institute (ULI) and Barton-Aschman Associates (Shared Parking, ULI, 1984) examined the parking demands for 14 major suburban hotels ranging in size from 265-1,020 rooms with restaurant/lounges of up to 10,000 square feet, banquet/meeting rooms of up to 1,000 seats, and convention facilities of up to 40,000 square feet. The results of this study, aggregated from hourly accumulation values taken for both weekdays and Saturdays, show an overall peak parking demand of one parking space per guest room. This study provides justification for requiring one space per room for all types and sizes of lodging facilities.

Two important determinants of customer parking demand not presently addressed are the duration of customer visits and the provision of kitchen facilities. An establishment that allows guests to stay beyond 30 days is essentially functioning as a transient apartment building and it would therefore be appropriate to consider the entire establishment, or the portion that permits long-term occupancy, as a multiple dwelling (three or more units) residential use. The provision of kitchen facilities is a characteristic feature of rooms intended for long-term occupancy. Hotels or motels with kitchen facilities could therefore be expected to allow or encourage this type of long-term customer demand.

Hotels/motels with other primary uses, e.g. restaurants, or secondary uses, e.g. gift shops, are already considered multi-use establishments for the purpose of determining parking requirements. Individual enterprises may submit a parking plan to the planning commission for a reduction in the number of required parking spaces if it can be demonstrated that a lesser amount of spaces would be adequate for the customer and employee demands of that particular business.

Potential Revisions

The current City hotel parking standards are not supported by recent statistical evidence and allow the opportunity for large lodging facilities that are essentially motor lodges in physical layout to circumvent the code. This situation could be rectified by requiring all lodging activities to provide at least one parking space per guest room. Any lodging establishment would still have the option of submitting a parking plan application to reduce the parking requirement for that enterprise.

As previously discussed, lodging establishments that allow guests to stay more than 30 consecutive days are de facto apartment buildings by virtue of providing monthly rentals. Therefore, the entire establishment, or portion of the establishment that permits monthly occupancy, could be subject to the multiple dwelling parking standards. This parking standard should be applied solely on the basis of the permitted occupancy duration whether or not kitchen facilities are provided, since some establishments could provide rooms with kitchen facilities for short-term occupancy only.

The Health and Safety Code requirement for registration of motel guests and their vehicles is useful in distinguishing between hotels and motels, but does not directly relate to any impacts of this type of use on surrounding properties. Any revisions to include this motel characteristic would be only for descriptive purposes and would not have any regulatory functions related to parking requirements or other land use issues.

p/hotel

PARKING VIS-A-VIS LAND USE

PARKING VIS-A-VIS LAND USE

The Citywide parking system consists of on-street parking, public parking lots, private driveways, private parking lots and private parking structures. On-street parking is available throughout the City in the form of both metered spaces and non-metered spaces, but is prohibited on various streets due to factors such as narrow curb-to-curb width, heavy traffic volumes or restricted sight distance.

The City of Hermosa Beach has four characteristically different commercial retail districts: the downtown district (generally bounded by the commercial properties between Manhattan Avenue, 10th Street, the Strand, and 15th Street), the Pier Avenue corridor, the Aviation Boulevard corridor, and the Pacific Coast Highway corridor. In addition, the City has a few small commercial pockets located along Manhattan and Hermosa Avenues, e.g. Hermosa Avenue and 22nd Street, Manhattan and Longfellow Avenues. The downtown area differs from the other major commercial districts in terms of both land use and parking characteristics. In terms of land use, the downtown is more entertainment oriented with a high percentage of nightclubs and restaurants defining the downtown retail character. The other commercial areas have a higher representation of general merchandise uses, e.g. apparel, auto-related uses and office space. The downtown is also distinguished by demands on its parking facilities by both shoppers and beach patrons, requiring public parking spaces beyond what would otherwise be needed for merchant shopper demand alone. For this reason, the downtown parking inventory is characterized by public parking lots in addition to the public on-street and private off-street parking found in all four major commercial areas. The characteristics of these areas in relationship to parking were identified via a user survey conducted by staff; this survey will be discussed in more detail later.

In the past, the City did not require parking for residential development, and at one time the City restricted developers from establishing on-site parking in conjunction with residential development. From observation, it is apparent that many residential developments are lacking adequate parking, and that finding street parking in residential areas can be almost impossible at times. To remedy this situation, a variety of factors need to be considered. Some factors have already been examined in other General Plan Elements such as the Circulation, Transportation, and Parking Element, and the Housing Element. In addition, there are some requirements regarding residential parking which were imposed on the City through the California Coastal Commission Certified Land Use Plan which needs to be also examined.

The City has historically had a shortage of on-street parking spaces for overnight residential parking. Off-street residential

parking generally consists of residents utilizing driveway space and garages on their properties.

1990 PARKING ELEMENT

The City's current Parking Element was adopted by the City Council, along with the Circulation and Transportation Elements, on August 14, 1990.

Parking utilization surveys were conducted on a Citywide basis for the Parking Element in October 1987. Areas with on-street parking space deficiencies, defined in this Element as greater than 90% occupied for at least one hour, were identified throughout the downtown and Pier Avenue corridors. Only one segment of Pacific Coast Highway, Longfellow to Gould Avenues on the southbound side of PCH, had a parking deficiency, which occurred during the 6:00-7:00 p.m. evening hour. No parking deficiencies were identified along Aviation Boulevard. This 1987 survey also identified parking deficiencies for at least one hour during the day in the following off-street lots (see Map 12):

1. CJ Bretts
2. Kiwanas
3. Von's Plaza (surface only)
4. International House of Pancakes
5. Warehouse/Cal Fed
6. lot between Valley and Ardmore near Civic Center
7. lot west of Mrs. Gooche's
8. lot west of Bard
9. lot north of 13th Street
10. lot south of 14th Street
11. lot west of Prospect, south of Artesia

Three of these lots (the Kiwanas lot, the lot west of Bard, and the lot north of 13th Street) were found to be fully utilized throughout the day. Obviously, some conditions have changed since the time of this survey, e.g. departure of Mrs. Gooche's, replacement of CJ Bretts with Beach Boys Cafe.



Downtown parking conditions discussed in the Parking Element were based on the 1981 study prepared by Greer and Company. The major conclusions of the 1981 study were as follows:

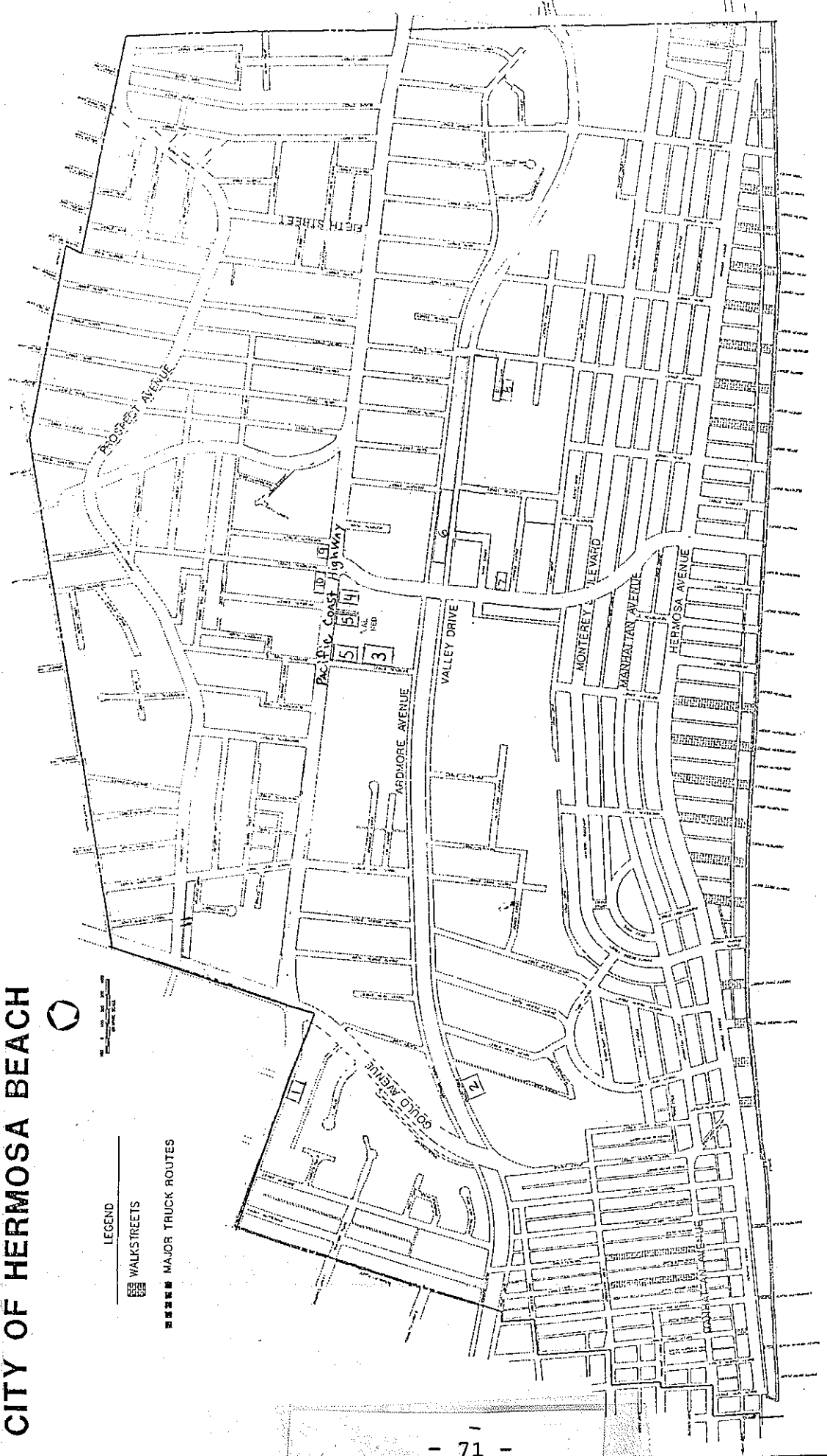
1. The downtown parking supply is fully utilized during typical summer days and about 60 percent utilized on typical winter days (a more recent study of peak demand for the downtown is discussed later).
2. Additional parking will be required in the downtown area to serve increased business activity, new development and beach parking demands under both the short-range (5 years) and long-range (20 years) development plans.
3. 800 to 1,000 additional spaces will be required in the short range.

**MAP 12
Parking Deficiency Areas**

CITY OF HERMOSA BEACH



- LEGEND
-  WALKSTREETS
 -  MAJOR TRUCK ROUTES



4. Two, four-level parking structures should be constructed on the sites of Municipal Parking Lots A and C.
5. Both parking structures should include ground floor retail uses for better compatibility with surrounding commercial uses and for local revenue enhancement.
6. The two recommended downtown parking structures would cost a total of \$16,250,000 in 1981 dollars.

The Parking Element also briefly discusses the results of a 1986 Caltrans study on the potential impacts of peak hour parking restrictions in the southbound direction of Pacific Coast Highway, which are now in effect. The major conclusions of this study are as follows:

1. Local businesses along Pacific Coast Highway will experience substantial growth in sales even if limited store front parking restrictions are implemented, e.g. restrictions in the southbound direction only during the evening peak hour period.
2. Off-street parking is available to support growth and prevent economic impacts due to limited parking restrictions on Pacific Coast Highway.

Parking Element Commercial Parking Objectives and Policies

Essentially, the Parking Element objectives and policies indicate that the City should be planning more public parking lots and transportation programs, such as "Park and Ride," to provide for the existing land use demand for parking. For new development, the Element indicates a project should accommodate project-generated parking and consider alternate transportation programs.

Parking Element Commercial Parking Recommendations

Pursuant to these implementation policies, the Parking Element presents three specific recommendations for improving the City's commercial parking facilities. The recommended actions are to: (1) revise the parking requirement for restaurants; (2) construct commercial public parking structures to serve the downtown; and (3) consider angle parking along Hermosa Avenue.

The Parking Element suggests that the current restaurant parking standard of one space per 100 square feet of gross floor area is inadequate to accommodate average restaurant demand. Based on a 1985 publication entitled Parking Generation, An Informal Report from the Institute of Transportation Engineers, the Element defines average demand as 12-14 spaces per 1,000 gross square feet of building area. This would translate into a restaurant parking standard of one space for every 71-83 square feet of gross floor space. The Parking Element recommendation is to intensify the restaurant standard to require one space for every

75 square feet of gross floor area. Whether this more stringent standard would be necessary to accommodate local restaurant demand is debatable. However, given the fact that most existing commercial properties have difficulty meeting the current restaurant parking standard, a higher standard would clearly be infeasible for the City, unless some other methods were found acceptable such as shared parking to satisfy the requirement.

In regard to downtown parking, this Element recommends that since the private sector has not initiated the removal of commercial buildings with inadequate parking facilities to provide additional off-street parking, the City should "continue to pursue strategies to increase the supply of public off-street parking by constructing parking structures and/or surface lots on public-owned property." A commercial public parking structure to serve downtown patrons has been advocated by various local merchants and business organizations for many years. The two major unresolved issues regarding parking structures involves location and funding. The most obvious locations for a downtown parking structure would be one of the downtown parking lots (A, B or C). The privately-owned property at the northwest corner of Pier and Manhattan Avenues has also a potential to be a downtown parking structure site. The Chamber of Commerce is presently conducting a study to determine the financial feasibility of purchasing a former church site, located on the west side of Manhattan Avenue between Pier Avenue and 14th Street, to build a parking structure.

Implementation Policies for Residential Parking

The implementation policies from the Parking Element applicable to residential parking are as follows:

Implementation Policy 3.2 - Continue implementation of preferential parking districts in residential neighborhoods when requested by residents and shown to be warranted by existing conditions.

Implementation Policy 3.7 - Require the use of garages for parking of vehicles and not for storage, and periodically evaluate the adequacy of existing standards in light of vehicle ownership patterns within the City.

The only comment in the Parking Element addressing residential parking deficiencies is that existing residential structures containing substandard parking will gradually be replaced by new housing developments with adequate parking for both residents and guests. This statement is not a recommendation to guide future City actions, but rather a statement regarding probable market influences. However, the rate of housing stock recycling is likely to be slowed by the relatively high proportion of legally nonconforming structures in the City that exceed current density standards. Owners of these properties are more likely to retain multi-unit residential structures with inadequate parking rather than build replacement housing with fewer units and more parking.

Projected Parking Conditions

Based on a parking demand and supply forecast analysis, the Parking Element projects a net Citywide surplus of over 1,750 parking spaces, broken down into 715 office spaces, 368 retail spaces, and 650 residential spaces. This projection assumes that all anticipated future developments will provide all required on-site parking spaces according to City code. Current parking deficiencies are expected to be alleviated as existing residential properties with substandard parking are replaced with new housing developments. Based on the City's historically low rate of new construction activity, this projection is more of a best case scenario than a realistic forecast (this matter is discussed in greater detail later in this section).

CERTIFIED COASTAL COMMISSION LAND USE PLAN

Any proposed development within a community's coastal zone requires the approval of a coastal development permit from the Coastal Commission (refer to map for coastal zone boundaries). However, the California Coastal Act sets forth specific procedures for the preparation and certification of local coastal programs which allow local governments to take over the development review authority for coastal development permits otherwise exercised by the Coastal Commission. Pursuant to attaining certification, a community must submit a coastal land use plan for its proposed local coastal program to the Coastal Commission. The Coastal Commission will certify a local coastal land use plan if such plan meets the requirements of the Coastal Act Resources Planning and Management Policies (Article 3 of California Coastal Act) on public access and recreational use and development. After local certification, the Coastal Commission may occasionally recommend amendments to local coastal programs to accommodate uses of "greater than local importance, which uses are not permitted by the applicable certified local coastal program."

Insuring the adequate provision of coastal parking facilities for residential, commercial and recreational purposes is one of the primary intents of the City's Certified Coastal Land Use Plan (LUP). Existing LUP policies that directly relate to residential land uses involve the preservation of existing on-street and off-street parking spaces within the coastal zone, a parking permit program for long-term residential parking, and the removal of vehicles parked illegally which may pose a threat to the safety of local citizens.

The LUP program for implementing the residential parking policy of parking spaces within the coastal zone requires two on-site parking spaces for each newly constructed residence, with an additional guest space provided per every three units constructed. Replacement of all parking spaces is mandatory for all new developments in which on-street parking spaces are eliminated or the total number of on-street parking spaces are reduced. Residential parking programs intended to implement the

parking permit program includes the permit plan enacted by the City for controlling parking congestion, with permits available to both residents on a long-term basis and non-residents on a short-term basis.

Existing LUP policies for commercial uses require the preservation of existing on-street and off-street parking spaces, a separation of long-term (beach user) and short-term (shoppers) parking in the downtown in order to provide adequate and flexible parking for commercial demand, continuation of the downtown Vehicle Parking and Improvement District (VPD) No. 1 to fund the acquisition, construction and maintenance of downtown parking facilities, and the removal of illegally parked vehicles.

The LUP program for preserving existing commercial parking spaces within the coastal zone is the same the program described above for existing residential spaces. The programs for implementing the policy on separating long-term and short-term parking in the downtown involves developing a downtown parking plan and determining demand patterns for the downtown parking lots.

The most detailed LUP program addresses the best use of revenue funds for the downtown VPD No. 1. This program establishes the in-lieu parking fee for all new downtown commercial construction that cannot meet the current downtown parking requirement of one space per 250 square feet of floor area. This in-lieu fee was originally set at \$1,500 for each required space not provided, with this base figure to increase in line with the consumer price index percentage for the Los Angeles-Long Beach SMSA since January 1, 1980. This program is to be re-examined in order to ascertain placing a limit on the amount of dollars or parking spaces to be granted in the future. Acceptance of in-lieu fees shall be geared to a threshold limit on the increased parking deficit, with the threshold limit at 100 spaces greater than the VPD deficit of 76 spaces at the time this program was established. When this threshold limit has been reached, the City shall institute a program to reduce the parking deficit below the threshold limit. With respect to restaurants and other uses which generate greater than usual demand for parking, the LUP specifies additional mitigation measures such as bicycle parking spaces or additional off-site parking within a convenient distance. Exceptions may be made for small restaurants or other uses that do not operate during peak parking demand periods which would assure that beach parking/access in the commercial area would not be impaired. Such a program shall assure that the number of parking spaces available to beach users after the development is completed is equal to or greater than the number of spaces available prior to the development.

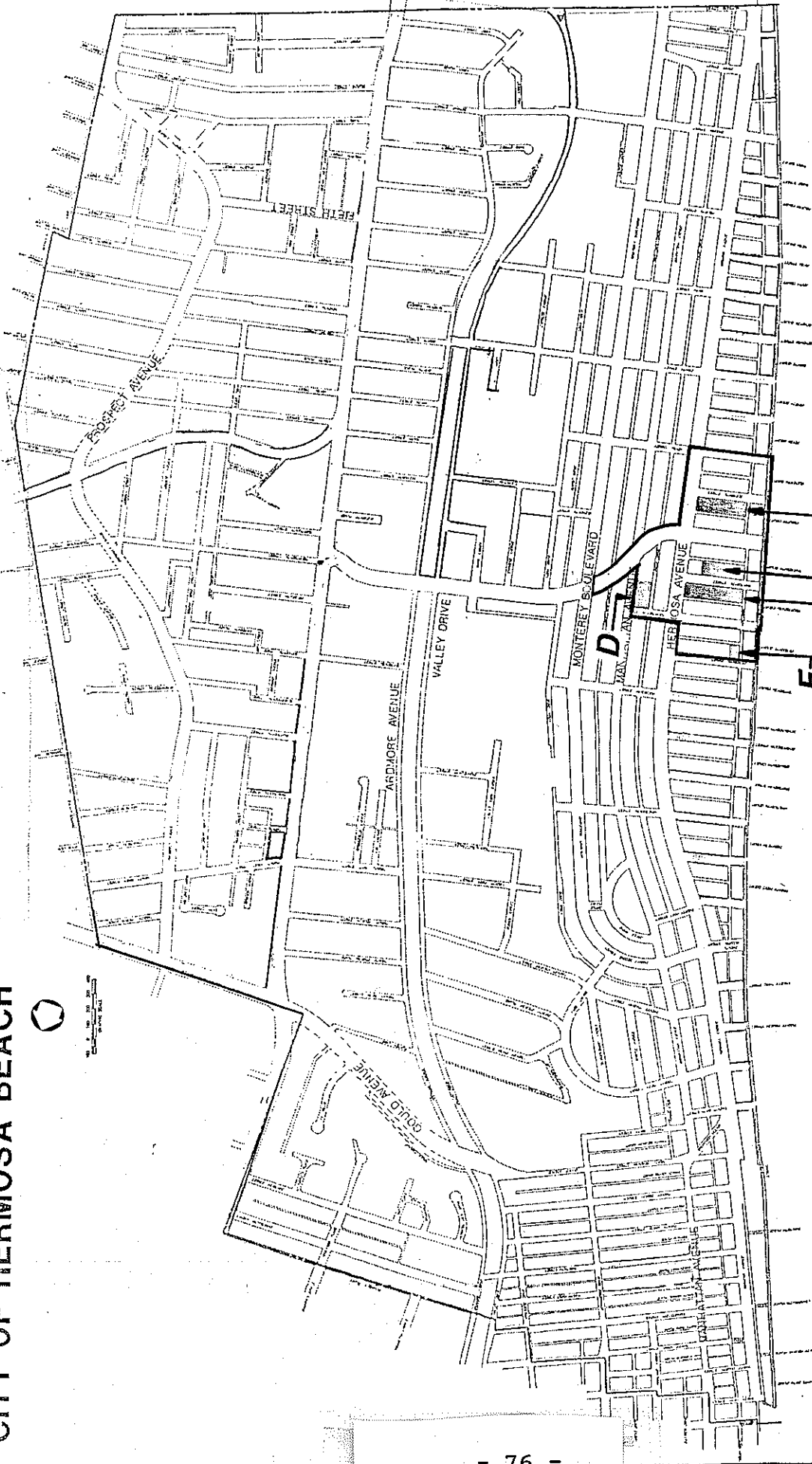
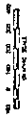
PARKING DEMAND STUDIES

A walking survey of downtown (see Map 13) was conducted by staff from July 22 through August 1, 1992 to determine the approximate utilization rate of all public and private parking areas in the downtown district. Surveys were conducted at noon, mid-afternoon and evening for both weekdays and weekends to gauge peak demand

MAP 13

Downtown Survey Area

CITY OF HERMOSA BEACH



periods for both daytime beach visitors/shoppers and evening patrons. This two week period is in the middle of the summer tourist season, in which downtown traditionally experiences a greater demand for parking space than any other time of the year. The weather was sunny and warm throughout the survey period, creating the optimal conditions for peak summer demand. The results of this survey are summarized in Appendix D, broken down by type of parking and the percentage of occupied parking spaces.

During the weekdays, on-street parking demand approaches full capacity, averaging about 90% occupied. However, during this same period, public and private parking lots, with the exception of public Lots C and D, were generally less than half full. On-street parking demand was even greater during the weekends, with most streets 100% occupied. Demand for public parking lot space was also greater on the weekends, with occupancy generally in the 70-85% range. Weekend demand for private parking lot space was somewhat lower, averaging about 70% full.

These survey results raise a number of questions. Is metered on-street parking preferred because it is slightly cheaper than the public parking lots, or are the public lots so expensive that they are cost-prohibitive to beach visitors and possibly to some downtown patrons? Is the cost of public parking lots discouraging potential downtown patrons, thereby artificially creating the impression that downtown has an adequate parking supply? Are downtown patrons taking advantage of the parking validation program? Are downtown patrons parking outside the downtown district in residential areas to avoid the public parking lot fees? Should the cost of public parking space be subject to further studies? A study of the optimum price for parking may be in order.

The question of whether downtown patrons utilize parking facilities located outside of the downtown area, and to what extent, requires further study beyond the scope of this report. Many of the other questions raised focus on the issue of whether the public parking lots are cost-prohibitive, and perhaps as a consequence, impeding local business growth. The major public lots located in the heart of downtown (Lots A, B, and C) charge \$1.25 for every 30 minutes or portion thereof during the summer peak months, while the metered on-street spaces are \$0.25 per 30 minutes. At a cost differential of \$2 per hour, the public lots are clearly less desirable for shoppers and for daytime beach visitors and evening nightclub patrons who typically stay in the area for 3-4 hours. There may be a need for lowering the differential between meter parking and the public parking lots.

Although many downtown merchants will validate customer parking for up to three hours in Lots A, B and C, it is possible that many shoppers and beach patrons are unaware of this validation program, which has been in effect for many years. Since a marketing effort was initiated in late 1991 to encourage more downtown businesses to participate in this program, a majority of downtown merchants now offer parking validations. However,

merchants must purchase validations from the VPD, and consequently an individual merchant will typically only validate for the time period actually spent at that store, which is usually just a 30 minute validation. This makes validation for the full period of parking lot occupancy primarily limited to persons with specific shopping destinations, which are more likely to be the shoppers who would patronize downtown stores regardless of a validation program. Beach visitors and other downtown patrons who wish to casually browse stores and/or window shop will have difficulty achieving full validation, and in some cases even enough validation to nullify the cost differential as a deterrent from using the public lots. Since a major goal of this program is to promote downtown patronage, the validation period should be of an adequate duration to encourage more casual shopping. The opportunity for a substantial validation period would also encourage greater shopping durations by beach visitors and other persons who would not consider casual shopping their primary downtown pursuit. A more generous validation program would result in greater public parking lot utilization, thereby providing a better indication of whether existing downtown parking facilities are really adequate for full peak demand.

The most recent comprehensive Citywide parking survey conducted by staff was completed in August 1991. The purpose of this study was to compare current parking requirements by general land use type for each commercial district with the actual number of total on- and off-street parking spaces provided in each commercial area.

For the downtown commercial district, the parking requirements by land use type are listed in Table 3:

TABLE 3
DOWNTOWN PARKING REQUIREMENTS

<u>Land Use</u>	<u>Parking Requirement</u>	<u>Total Gross Floor Area</u>	<u>Total Required Parking Spaces</u>
Office	One space per 250 sq.ft.	40,571 sq.ft.	162
Medical Office	One space per 200 sq.ft.	6,153 sq.ft.	31
Retail	One space per 250 sq.ft.	211,394 sq.ft.	846
Restaurant	One space per 100 sq.ft.	67,918 sq.ft.	679
Bar/Cocktail Lounge	One space per 80 sq.ft.	4,950 sq.ft.	62
Entertainment	One space per 50 sq.ft.	7,760 sq.ft.	155

Gymnasium	One space per 100 sq.ft.	3,625 sq.ft.	36
Theater	One space per 50 sq.ft.	8,550 sq.ft.	171
Residential	Two spaces per unit plus guest parking	85 units	213
Hotel	One space per room	17 rooms	<u>17</u>
TOTAL REQUIRED PARKING			2,372

Based on the above parking requirements, the current land uses in downtown would be required to provide a total of 2,372 private off-street parking spaces. However, the staff survey found only a total of 1,067 parking spaces, broken down as follows:

On-street parking spaces -	381
Public parking lot spaces -	280
Private off-street parking spaces -	<u>406</u>
TOTAL EXISTING PARKING	1,067

The downtown commercial district is therefore 1,305 parking spaces deficient by current parking standards, even including public parking spaces in the total inventory. If only private parking spaces are considered, the total deficient increases to 1,966 spaces.

For the Pier Avenue commercial corridor, the parking requirements by land use type are listed in Table 4:

TABLE 4
PIER AVENUE CORRIDOR PARKING REQUIREMENTS

<u>Land Use</u>	<u>Parking Requirement</u>	<u>Total Gross Floor Area</u>	<u>Total Required Parking Spaces</u>
Office	One space per 250 sq.ft.	45,196 sq.ft.	181
Medical Office	One space per 200 sq.ft.	6,955 sq.ft.	35
Retail	One space per 250 sq.ft.	43,646 sq.ft.	175
Restaurant	One space per 100 sq.ft.	7,279 sq.ft.	73
Residential	Two spaces per unit plus guest parking	17 units	43

Government	One space per 75 sq.ft.	5,000 sq.ft.	67
Library	One space per 75 sq.ft.	6,850 sq.ft.	91
Mortuary Chapel	One space per 75 sq.ft.	934 sq.ft.	<u>12</u>
TOTAL REQUIRED PARKING			677

Based on the above parking requirements, the current land uses in the Pier Avenue corridor would be required to provide a total of 677 private off-street parking spaces. However, the staff survey found only a total of 516 parking spaces, broken down as follows:

On-street parking spaces -	147
Private off-street parking spaces -	<u>369</u>
TOTAL EXISTING PARKING	516

The Pier Avenue commercial corridor is therefore 161 parking spaces deficient by current parking standards, even including public on-street parking spaces in the total inventory. For private parking spaces only, the deficiency would be 308 spaces.

For the Aviation Boulevard commercial corridor, the parking requirements by land use type are listed in Table 5:

TABLE 5
AVIATION BOULEVARD CORRIDOR PARKING REQUIREMENTS

<u>Land Use</u>	<u>Parking Requirement</u>	<u>Total Gross Floor Area</u>	<u>Total Required Parking Spaces</u>
Office	One space per 250 sq.ft.	8,944 sq.ft.	36
Medical Office	One space per 200 sq.ft.	4,130 sq.ft.	21
Retail	One space per 250 sq.ft.	55,053 sq.ft.	220
Restaurant	One space per 100 sq.ft.	8,965 sq.ft.	90
Residential	Two spaces per unit plus guest parking	10 units	25
Hotel	One space per 1st 50 rooms; one space per 1 1/2 rooms after 50	68 rooms	62

Church	One space per 50 sq.ft.	5,330 sq.ft.	107
Auto Sales/ Service	One space per 1,000 sq.ft. of lot area	41,628 sq.ft.	42
Service Station	One space per 1,000 sq.ft. of lot area	8,490 sq.ft.	8
Vacant Retail	One space per 250 sq.ft.	3,818 sq.ft.	<u>15</u>
TOTAL REQUIRED PARKING			626

Based on the above parking requirements, the current land uses in the Aviation Boulevard corridor would be required to provide a total of 626 private off-street parking spaces. However, the staff survey found only a total of 605 parking spaces, broken down as follows:

On-street parking spaces -	83
Private off-street parking spaces -	<u>522</u>
TOTAL EXISTING PARKING	605

The Aviation Boulevard commercial corridor is therefore 21 parking spaces deficient by current parking standards, even including public on-street parking spaces in the total inventory. If only private parking spaces are counted, the deficiency would increase to 104 spaces.

For the Pacific Coast Highway commercial corridor, the parking requirements by land use type are listed in Table 6:

TABLE 6
PACIFIC COAST HIGHWAY CORRIDOR PARKING REQUIREMENTS

<u>Land Use</u>	<u>Parking Requirement</u>	<u>Total Gross Floor Area</u>	<u>Total Required Parking Spaces</u>
Office	One space per 250 sq.ft.	241,145 sq.ft.	965
Medical Office	One space per 200 sq.ft.	17,468 sq.ft.	87
Retail	One space per 250 sq.ft.	263,175 sq.ft.	1,053
Restaurant	One space per 100 sq.ft.	70,717 sq.ft.	707

Residential	Two spaces per unit plus guest parking	9 units	23
Hotel	One space per 1st 50 rooms; one space per 1 1/2 rooms after 1st 50	104 rooms	86
Bar/Cocktail Lounge	One space per 80 sq.ft.	5,979 sq.ft.	75
Church	One space per 50 sq.ft.	8,000 sq.ft.	160
Gymnasium	One space per 50 sq.ft.	7,062 sq.ft.	141
Theater	One space per 50 sq.ft.	26,492 sq.ft.	530
Auto Sales/Service	One space per 1,000 sq.ft. of lot area	503,206 sq.ft.	503
Vacant Retail	One space per 50 sq.ft.	9,958 sq.ft.	<u>40</u>
TOTAL REQUIRED PARKING			4,370

Based on the above parking requirements, the current land uses in the Pacific Coast Highway corridor would be required to provide a total of 4,370 private off-street parking spaces. However, the staff survey found only a total of 2,973 parking spaces, broken down as follows:

On-street parking spaces -	291
Private off-street parking spaces -	<u>2,682</u>
TOTAL EXISTING PARKING	2,973

The Pacific Coast Highway corridor is therefore 1,397 parking spaces deficient by current standards, even including public on-street parking spaces in the total inventory. For private parking only, the deficient increases to 1,688 spaces.

Based on current parking requirements, the total Citywide parking deficiency is 2,884 spaces if public parking spaces are included, and 4,066 spaces if only private spaces are considered.

Given the City's substantial deficiency of code required parking spaces, a future Citywide parking surplus of over 1,750 spaces as forecast in the Parking Element is clearly overly optimistic. The City has historically had a low rate of new residential and commercial developments. This may be partially explained by the desire of some property owners to retain existing structures

which do not conform to current code regulations, e.g. density, parking, rather than build new developments which would convert existing floor space into new parking space. Based on the City's development history, it is difficult to accept a forecast of widespread new development that will eventually provide a parking surplus. The projected surplus of 715 office spaces is particularly surprising, since local office space demand has been low in recent years, with only a few office developments completed in the last 20 years.

Market Survey

From July 30 through August 6, 1990, staff conducted a random survey of users in all four commercial districts (see Map 13A). A total of 216 respondents (46% male and 54% female) were polled during this period, with over a third of the respondents in the 20-34 age group, over a quarter in the 35-49 age group, and the remaining respondents evenly spread out among all other age groups. Nearly half (49.5%) of the respondents resided in Hermosa Beach, with 20.8% from Redondo Beach, 8.8% from Manhattan Beach, 8.3% from Torrance, 2.7% from Gardena, and the remainder (9.7%) from either out of state or the country. The specific findings for each commercial district are provided in Appendix E.

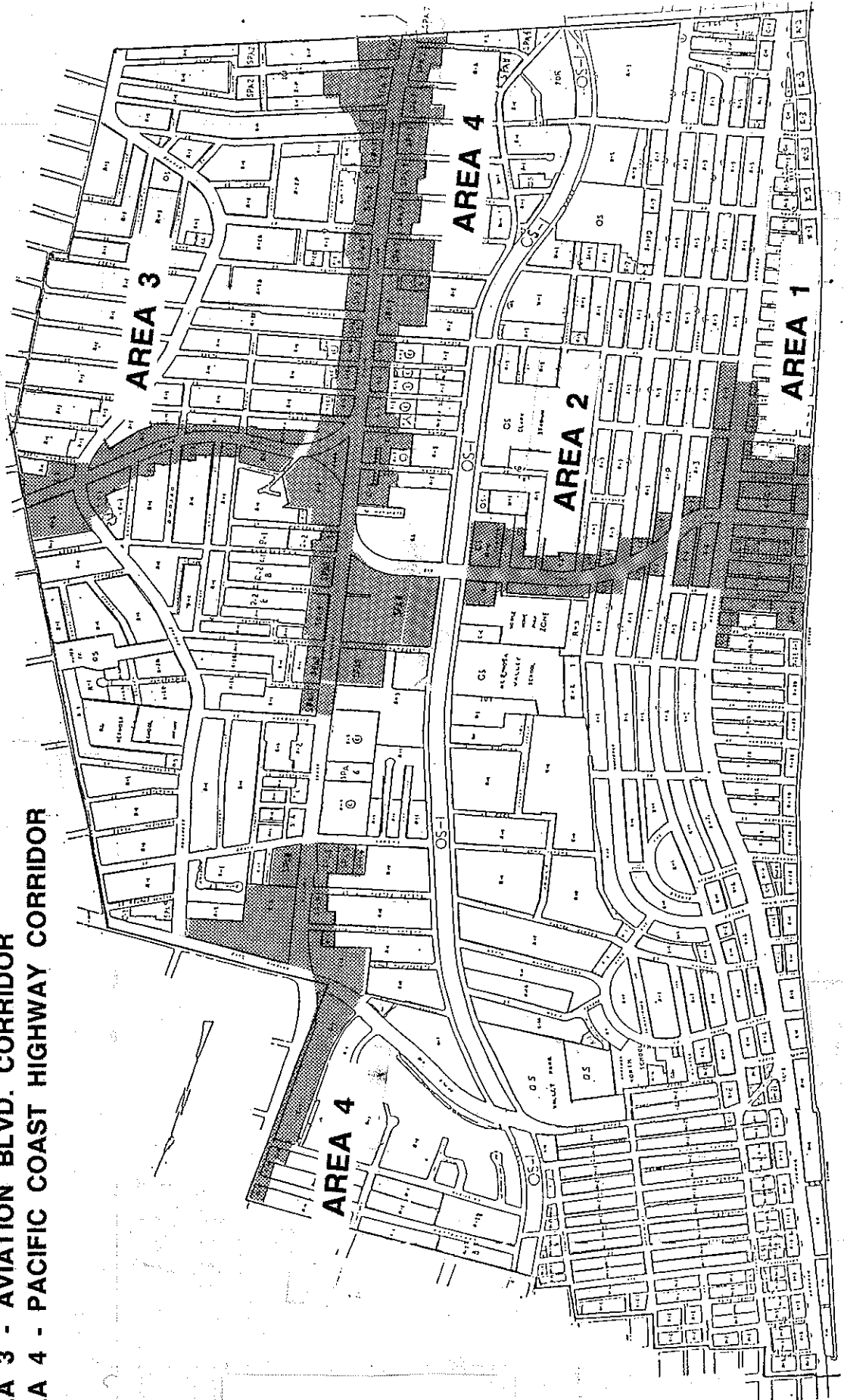
Area 1

For Area 1 (downtown), the study found that nearly two-thirds of downtown users (65%) prefer driving to downtown over other means of transportation. An overwhelming 84% of respondents use public parking, either off-street lots or on-street spaces, over private parking areas. Area 1 users showed a greater preference for on-street public spaces over public parking lots, which is most likely due to the lower cost of metered on-street spaces over parking lot fees. Due to the prevalence of on-street metered parking spaces throughout Area 1, and the central location of public lots, most respondents were able to park within one block of their intended destination. The predominance of public parking utilization is not surprising, given the fact that the supply of Area 1 public parking spaces far exceeds private spaces. This abundance of public parking facilities, characterized by a use demand which only approaches full utilization on summer weekend days and evenings, greatly diminishes the need for individual retailers to provide all private parking spaces required under the zoning code.

Although shopping was the most common reason given for Area 1 trips, beach visits were a close second among respondents (39% to 34%), with work trips ranked third at 27%. Most Area 1 respondents (60%) were under 34 years of age and commuted alone (59%). The ratio of residents to non-residents visiting Area 1 was roughly even. Afternoons were the most popular visitation time, indicating a linkage between beach use and shopping. Area 1 patrons, by a large margin, reported that Area 1 was their favorite among the City's four major commercial districts. Repeat visit respondents, defined as 12 or more trips to the same district per month, made up about half of all Area 1

**MAP 13 A
COMMERCIAL / PARKING STUDY AREAS**

- AREA 1 - DOWNTOWN**
- AREA 2 - PIER AVENUE CORRIDOR**
- AREA 3 - AVIATION BLVD. CORRIDOR**
- AREA 4 - PACIFIC COAST HIGHWAY CORRIDOR**



respondents. In terms of other commercial districts, Area 1 users indicated a preference for Area 2 (Pier Avenue) and Area 4 (Pacific Coast Highway) corridors over Area 3 (Aviation Boulevard) commercial district.

Area 2

Commuting by car and use of public parking facilities was only favored by slight majorities in the Area 2 (Pier Avenue) corridor (60% and 58%, respectively). Solo commuters made up about 70% of all users in this commercial district. The predominance of on-street public parking spaces along Area 2 allowed most respondents (65%) to park within one block of their intended destination. The ratio of shopping to work trips was 46% to 32%, with 22% giving employment as their primary purpose for coming to Area 2. Hermosa Beach residents outnumbered non-residents by a two-to-one ratio for this district, while a small majority were 35 or over (56%). About two-thirds of the respondents were repeat visit respondents. Afternoons were the slightly favored commute time. Area 2 patrons reported a strong preference for the Area 4 (Pacific Coast Highway) corridor over the Area 1 (downtown) and Area 3 (Aviation Boulevard) districts, along with nearly a two-to-one preference margin for Area 4 (Pacific Coast Highway) over the Area 2 (Pier Avenue) corridor. It is surprising that the close proximity of Area 2 does not draw more patrons from this district to Area 1.

Area 3

Nearly three-quarters (72%) of all Area 3 (Aviation Boulevard) patrons commute by car and utilize private parking spaces (75%). The parking preference is due to the abundance of private parking areas, which are generally closer to the primary destinations than the on-street public spaces. About two-thirds (65%) of all respondents were solo commuters. Shopping was the primary visitation reason for 70% of the Area 3 users, with employment as the primary reason for the balance of respondents. Mornings were the preferred trip time of day. None of the Area 3 users identified the beach as the primary trip generator, which is predictable since this district is beyond convenient walking distance to the beach. About half the respondents for this district were residents, and were also evenly spread out in terms of age. This is the only commercial district where non-repeat visitors were more common, comprising more than two-thirds of the surveyed users (69%). Area 3 users were also split rather evenly in patronage of other districts, but reported low use rates for all commercial districts.

Area 4

Most Area 4 (Pacific Coast Highway) respondents commuted by car, with shopping and employment nearly even in terms of primary trip destination. Private parking was used on a three-to-one basis over public parking. Nearly all respondents (84%) were solo commuters. Repeat visit respondents made up a small majority

(61%) and over three-quarters were non-residents. Trip times were evenly split between mornings and afternoons. This commercial tended to attract more patrons 35 years and over than the other districts. Area 4 users overwhelmingly identified this commercial district as their favorite, with little to no patronage of the other three commercial districts.

In regard to the products most often purchased, the responses were rather unexpected. In all four districts, groceries were given as the most purchased product, even for Area 3 (Aviation Boulevard) which has a very limited supply of grocery-oriented retailers. Restaurant foods were given as the second most purchased item for Area 1 (downtown) and Area 4 (Pacific Coast Highway), with gifts running second for Area 2 (Pier Avenue) and professional services second for Area 3. The responses on other products were too scattered among various goods to be statistically significant.

Summary

In terms of overall demographics, the Area 1 patron is more likely to be a resident under 35, driving alone and parking in a public parking space. The beach is as likely to be the primary downtown destination as the retail outlets. Area 2 patrons are more likely to drive alone, live in Hermosa Beach, and slightly more likely to park in public spaces. The beach is also a significant primary destination for Area 2 visitors, although patronage of downtown shops is low for this group. Area 3 patrons mostly arrive in cars alone and park in private parking areas, but are as likely to be non-residents as locals. Shopping is the primary reason for visits into this district. Area 4 visitors are more likely to be non-residents 35 or over, drive alone and park in private lots. This group is about evenly split by primary destination, which is either shopping or employment.

The abundance of public parking spaces over private spaces in Areas 1 and 2 makes public parking the more popular choice for visitors to these districts. Areas 3 and 4, conversely, are characterized by small private parking lots for individual businesses and corner shopping centers. Due to the availability of private parking in close proximity to the primary destinations of visitors, combined with a low supply of public spaces which are limited to on-street spaces, private parking is the preferred choice for Area 3 and 4 users.

FEASIBILITY ANALYSIS

The City's commercial districts have long been distinguished by the following land use and parking characteristics:

1. Small commercial properties that were subdivided back in the early part of this century, when provision for off-street parking space was not encouraged or even desirable since maximizing the number of new lots was often the primary consideration.

2. High business turnover rates that can result in different types of retailers, with different parking demand potential, occupying the same commercial space.
3. Existing commercial uses that do not meet current parking standards due to lack of available space for on-site parking.

The subdivision history and development patterns of the City have left many commercial properties incapable of meeting even relatively lenient parking standards. The small lot proportions of most commercial properties make it extremely difficult, if not impossible, for existing developments to provide both adequate commercial floor space and off-street parking. Generally speaking, only new commercial developments would be in a position of being able to meet the City's current parking standards. Given the fact that most adjacent commercial properties are in separate ownership, lot consolidation would be difficult to achieve. Therefore, even new commercial developments might require some type of parking structure due to restrictive property dimensions.

Flexible Commercial Parking Standards

For new commercial enterprises and existing businesses seeking approval of structural expansions located within the Vehicle Parking District (VPD) No. 1 boundaries (which is essentially the same boundaries as the downtown commercial district), the zoning ordinance allows these businesses to pay in-lieu fees as compensation for providing less than all code required parking spaces. This in-lieu fee program was initiated at the direction of the Coastal Commission, but the City has the authority to set the fee rate. This fee is periodically adjusted according to the Consumer Price Index, presently amounting to a one-time only charge of \$8,107 per required parking space as of December 1991. Proceeds from this in-lieu fee go to a VPD improvement fund for the future construction of new parking facilities. Once in-lieu fees for 100 spaces have been collected, the City is required by the Coastal Commission to provide at least 100 new spaces.

Although the intent of this in-lieu fee is commendable in attempting to provide relief to downtown businesses from unattainable parking requirements while also establishing a parking improvement fund, the implementation of this provision has been less than successful. At the current rate of \$8,107 per required parking space, most downtown merchants cannot afford this as a parking standard alternative. As a result, applications for in-lieu fee payments have been practically nonexistent. Furthermore, even if downtown merchants were able to afford this fee, the funds collected would amount to only approximately half of what would be required for the land acquisition and/or construction costs for downtown parking lots and/or structures.

Instead of paying the in-lieu fee, the common approach for downtown businesses, as well as businesses located outside of

downtown, is to apply for a parking plan as provided under Section 1169 of the zoning ordinance. Approval of a parking plan by the Planning Commission allows for a reduction in the number of parking spaces required for a business, based on a variety of possible business-specific and/or site-specific factors. Since the application fees for a parking plan are just a small fraction of the in-lieu fee for just one parking space (approximately \$1,500 for all parking plan fees v. over \$8,000 per parking space for the in-lieu fee), this in-lieu fee program is effectively priced out of any practical usefulness. Greater participation in this program could be achieved by lowering the fee or spreading out payments to a multi-year schedule. Lowering the fees, however, would make it even more difficult to fund construction of new parking facilities.

The zoning ordinance also allows for consolidated off-street parking (Section 1170), in which required parking spaces for various uses may be reduced in number and computed at one space per 250 square feet of gross floor area (the parking requirement for general retail uses) when parking is consolidated in retail shopping centers over 10,000 square feet in size, or where public parking areas are created to take the place of on-site parking within vehicle parking districts. Due to the limited applicability of this provision, consolidated parking is not a viable option for most local businesses.

Implementation Policy 3.3 of the Parking Element seeks to "encourage the most efficient use of parking facilities. Where applicable, existing development should consider provisions for compact spaces, tandem parking valet service, shared parking and other innovative means to resolve parking deficiency." While parking plans and other methods for reducing the number of required parking spaces is the most common business response to the City's parking problems, more attention should be placed on parking efficiency for serving demands rather than determining an absolute minimum number of code required spaces.

Shared parking facilities is a concept that is commonly used in dense urban areas. In shopping centers and other multi-tenant commercial developments, shared parking can adequately accommodate parking demands since the combining of land uses results in a demand for parking space that is less than the demand generated by the individual commercial uses. This condition is typically the result of two factors:

1. Variations in the peak accumulation of parked vehicles which results from different peak parking demand patterns for the land uses served by a shared parking facility, e.g. general retailers with mid-day peak demands sharing parking spaces with restaurants that have evening peak demands.
2. Relationships among land uses sharing parking facilities which would encourage shoppers to patronize more than one business on a single trip, e.g. visit grocery store, apparel shop and video store in one trip.

Shared, or common, parking facilities are permitted with the approval of a parking plan by the Planning Commission under Section 1154 of the zoning code. The provisions of this section are intended for two or more uses when one or more of these uses will "only infrequently generate use of such parking area at times when it will ordinarily be needed by the patrons or employees of the other use(s)." Factors such as the location, accessibility, and intended land uses are all taken into consideration for each parking plan application for sharing parking facilities.

For a shared parking facility to adequately serve all participating land uses, the peak demands for the individual uses must occur at different times of the day. The typical peak parking demand periods for the various types of commercial land uses are as follows:

<u>Land Use</u>	<u>Period of Peak Demand</u>
Office	Weekday - Daytime
Retail	Weekday - Daytime Weekend - Daytime
Hotel/Motel	Weekday - Evening Weekend - Evening
Restaurant	Weekday - Evening Weekend - Daytime and Evening
Entertainment	Weekday - Evening Weekend - Evening

Given a mix of land uses sharing a parking facility, certain land uses could potentially reduce their parking requirement by as much as the following percentages:

<u>Land Use</u>	<u>Percentage of Required Parking</u>
Retail	60%
Hotel/Motel	75%
Restaurant	50%
Entertainment	40%

A theater, for example, could provide just 40% of its code required parking in a shared parking facility. A parking demand reduction schedule assumes that none of the spaces would be reserved for any particular use(s) on a 24 hour basis. Office uses are not included in this parking reduction schedule since this parking demand is employee-generated and would therefore remain at full peak demand during regular office hours.

Most of the drawbacks to shared parking relates to the size, location, and operating characteristics of a particular facility. The facility must be large enough to adequately accommodate, at a minimum, the reduced parking demands for all permitted and/or