

# ATTACHMENT 3

**April 27, 2016 Planning Commission Meeting Staff Report Only.**

**Staff Report and Attachments (24 pages):**

[http://cms6ftp.visioninternet.com/manhattanbeach/commissions/planning\\_commission/2016/20160427/20160427-2.pdf](http://cms6ftp.visioninternet.com/manhattanbeach/commissions/planning_commission/2016/20160427/20160427-2.pdf)

**May 11, 2016 Planning Commission Meeting Staff Report Only.**

**Staff Report and Attachments (29 pages):**

[http://cms6ftp.visioninternet.com/manhattanbeach/commissions/planning\\_commission/2016/20160511/20160511-2.pdf](http://cms6ftp.visioninternet.com/manhattanbeach/commissions/planning_commission/2016/20160511/20160511-2.pdf)

**July 27, 2016 Planning Commission Meeting Staff Report Only.**

**Staff Report and Attachments (60 pages):**

[http://cms6ftp.visioninternet.com/manhattanbeach/commissions/planning\\_commission/2016/20160727/20160727-3.pdf](http://cms6ftp.visioninternet.com/manhattanbeach/commissions/planning_commission/2016/20160727/20160727-3.pdf)

**August 10, 2016 Planning Commission Meeting Staff Report Only.**

**Staff Report and Attachments (64 pages):**

[http://cms6ftp.visioninternet.com/manhattanbeach/commissions/planning\\_commission/2016/20160810/20160810-2.pdf](http://cms6ftp.visioninternet.com/manhattanbeach/commissions/planning_commission/2016/20160810/20160810-2.pdf)

## **October 26, 2016 Planning Commission Meeting Staff Report Only.**

### **Staff Report and Attachments 1-19 (720 pages):**

Downtown Specific Plan Staff Report (18 pages):

[http://cms6ftp.visioninternet.com/manhattanbeach/commissions/planning\\_commission/2016/20161026/DTSP%20Staff%20Report%20only.pdf](http://cms6ftp.visioninternet.com/manhattanbeach/commissions/planning_commission/2016/20161026/DTSP%20Staff%20Report%20only.pdf)

Attachment 1 (2 pages):

[http://cms6ftp.visioninternet.com/manhattanbeach/commissions/planning\\_commission/2016/20161026/Attachment%201.pdf](http://cms6ftp.visioninternet.com/manhattanbeach/commissions/planning_commission/2016/20161026/Attachment%201.pdf)

Attachment 2 (Part 1 of 5) (68 pages):

[http://cms6ftp.visioninternet.com/manhattanbeach/commissions/planning\\_commission/2016/20161026/Attachment%202%20\(Part%201%20of%205\)%20Redline%20Strikeout%20Version%200\(Chapters%204,%206,%209\).pdf](http://cms6ftp.visioninternet.com/manhattanbeach/commissions/planning_commission/2016/20161026/Attachment%202%20(Part%201%20of%205)%20Redline%20Strikeout%20Version%200(Chapters%204,%206,%209).pdf)

Attachment 2 (Part 2 of 5) (5 pages):

[http://cms6ftp.visioninternet.com/manhattanbeach/commissions/planning\\_commission/2016/20161026/Attachment%202%20\(Part%202%20of%205\)%20Cover%20and%20Table%20of%20Contents.pdf](http://cms6ftp.visioninternet.com/manhattanbeach/commissions/planning_commission/2016/20161026/Attachment%202%20(Part%202%20of%205)%20Cover%20and%20Table%20of%20Contents.pdf)

Attachment 2 (Part 3 of 5) (102 pages):

[http://cms6ftp.visioninternet.com/manhattanbeach/commissions/planning\\_commission/2016/20161026/Attachment%202%20\(Part%203%20of%205\)%20Chapters%201,2,3,4,5.pdf](http://cms6ftp.visioninternet.com/manhattanbeach/commissions/planning_commission/2016/20161026/Attachment%202%20(Part%203%20of%205)%20Chapters%201,2,3,4,5.pdf)

Attachment 2 (Part 4 of 5) (92 pages):

[http://cms6ftp.visioninternet.com/manhattanbeach/commissions/planning\\_commission/2016/20161026/Attachment%202%20\(Part%204%20of%205\)%20Chapters%206,7,8,9.pdf](http://cms6ftp.visioninternet.com/manhattanbeach/commissions/planning_commission/2016/20161026/Attachment%202%20(Part%204%20of%205)%20Chapters%206,7,8,9.pdf)

Attachment 2 (Part 5 of 5) (190 pages):

[http://cms6ftp.visioninternet.com/manhattanbeach/commissions/planning\\_commission/2016/20161026/Attachment%202%20\(Part%205%20of%205\)%20Appendix%201,2,3,4.pdf](http://cms6ftp.visioninternet.com/manhattanbeach/commissions/planning_commission/2016/20161026/Attachment%202%20(Part%205%20of%205)%20Appendix%201,2,3,4.pdf)

Attachments 3-10 (18 pages):

[http://cms6ftp.visioninternet.com/manhattanbeach/commissions/planning\\_commission/2016/20161026/Attachments%203-10%20\(combined\).pdf](http://cms6ftp.visioninternet.com/manhattanbeach/commissions/planning_commission/2016/20161026/Attachments%203-10%20(combined).pdf)

Attachment 11 (122 pages):

[http://cms6ftp.visioninternet.com/manhattanbeach/commissions/planning\\_commission/2016/20161026/Attachment%2011.pdf](http://cms6ftp.visioninternet.com/manhattanbeach/commissions/planning_commission/2016/20161026/Attachment%2011.pdf)

Attachment 12 (12 pages):

[http://cms6ftp.visioninternet.com/manhattanbeach/commissions/planning\\_commission/2016/20161026/Attachment%2012.pdf](http://cms6ftp.visioninternet.com/manhattanbeach/commissions/planning_commission/2016/20161026/Attachment%2012.pdf)

Attachment 13 (15 pages):

[http://cms6ftp.visioninternet.com/manhattanbeach/commissions/planning\\_commission/2016/20161026/Attachment%2013.pdf](http://cms6ftp.visioninternet.com/manhattanbeach/commissions/planning_commission/2016/20161026/Attachment%2013.pdf)

Attachment 14 (7 pages):

[http://cms6ftp.visioninternet.com/manhattanbeach/commissions/planning\\_commission/2016/20161026/Attachment%2014.pdf](http://cms6ftp.visioninternet.com/manhattanbeach/commissions/planning_commission/2016/20161026/Attachment%2014.pdf)

Attachment 15 (30 pages):

[http://cms6ftp.visioninternet.com/manhattanbeach/commissions/planning\\_commission/2016/20161026/Attachment%2015.pdf](http://cms6ftp.visioninternet.com/manhattanbeach/commissions/planning_commission/2016/20161026/Attachment%2015.pdf)

Attachment 16 (3 pages):

[http://cms6ftp.visioninternet.com/manhattanbeach/commissions/planning\\_commission/2016/20161026/Attachment%2016.pdf](http://cms6ftp.visioninternet.com/manhattanbeach/commissions/planning_commission/2016/20161026/Attachment%2016.pdf)

Attachment 17 (30 pages):

[http://cms6ftp.visioninternet.com/manhattanbeach/commissions/planning\\_commission/2016/20161026/Attachment%2017.pdf](http://cms6ftp.visioninternet.com/manhattanbeach/commissions/planning_commission/2016/20161026/Attachment%2017.pdf)

Attachments 18-19 (6 pages):

[http://cms6ftp.visioninternet.com/manhattanbeach/commissions/planning\\_commission/2016/20161026/Attachments%2018-19%20\(combined\).pdf](http://cms6ftp.visioninternet.com/manhattanbeach/commissions/planning_commission/2016/20161026/Attachments%2018-19%20(combined).pdf)

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**CITY OF MANHATTAN BEACH  
COMMUNITY DEVELOPMENT DEPARTMENT  
STAFF REPORT**

**TO:** Planning Commission

**FROM:** Marisa Lundstedt, Director of Community Development

**BY:** Nhung Madrid, Senior Management Analyst  
Laurie B. Jester, Planning Manager

**DATE:** April 27, 2016

**SUBJECT:** Draft Downtown Specific Plan Update

*UBJ FOR ML*

**RECOMMENDATION:**

Staff recommends that the Planning Commission **ACCEPT THE PRESENTATION AND DISCUSS.**

**BACKGROUND:**

Since June 2014, the community has been engaged in an ongoing discussion of the future of Downtown. In early 2015, the City collaborated with the Urban Land Institute (ULI) to conduct a week-long visioning charrette to engage community stakeholders and evaluate the Downtown area. The recommendations from ULI's evaluation were presented to the community in a public presentation with the premise that a consultant would develop the implementation tool designed to carry out the vision and recommendations for the Downtown. In May 2015, the City began pursuing the preparation of the Downtown Specific Plan with Michael Baker International (MBI), which has brought together the community with input from various stakeholders including residents, businesses, land owners, community groups and several other interests in the City.

In addition to ULI's week-long visioning charrette and 123 stakeholder interviews, the City has held ten workshops and public meetings representing over 40 hours of community outreach. In addition, staff has invested nearly 40 hours conducting one-on-one intercept surveys throughout the City to hear direct feedback from the community. The Plan outreach efforts also included the use of Open City Hall, where staff received over 170 survey responses, all which have been reviewed and considered in the Draft Plan.

**DISCUSSION:**

Since the public release of the Draft Specific Plan in mid-March, the City has held two informational meetings and two community workshops and provided a high level overview of the key elements of the Draft Plan and collected the community's input on the document. The comments received through these four outreach meetings, general public comment provided via email, and the discussion that took place at Specific Plan Advisory Committee Meeting #4 were synthesized and organized into the Specific Plan's five primary topic areas: vision, private development, public improvements, parking, and economic development. Within the individual

topic areas, input was further grouped by concept. Each concept was tabulated based upon the number of comments received. The key concepts that received the most mentions were then organized into two categories: “Community Consensus Items” and “Items Requiring City Council Direction”.

On April 12<sup>th</sup>, the City held a Joint City Council/Planning Commission Study Session to review the Plan’s “Community Consensus Items” and “Items Requiring City Council Direction”. The goal of the Joint City Council/Planning Commission Study Session was for staff to receive initial feedback from the Planning Commission and initial direction from the City Council on these key concepts; and staff was given sufficient feedback and direction to move forward. A follow-up Special City Council meeting was held on April 18<sup>th</sup> to further refine City Council’s recommendations and direction on the Draft Specific Plan. This report is intended to provide an update on the outcome of the April 18<sup>th</sup> City Council Meeting.

The Community Consensus Items were determined based on the community’s input received following the release of the Draft Plan. Overall, there was community consensus that the Plan should have more emphasis on residents, but to balance that emphasis of the residents’ needs and the role of visitors to sustain economic vitality. There was also consensus to revise specific language in Vision Goal 4 to “Encourage the retention of existing small businesses”. For Land Use and Private Development Standards sections of the Plan, there was consensus to retain the Downtown’s small scale and massing as well as encouraging outdoor dining within the private realm. And lastly, consensus of Public Improvements include enhancing bicycle parking, public art, landscaping, beautification, no new traffic signals, and the installation of discreet wayfinding signage which would all compliment Downtown’s small town character.

Overall, the City Council supports and approves staff’s recommendation to revise and/or retain those items mentioned above related to vision, land use and private development, and public improvements in the next iteration of the Plan. Staff will work with the Consultant Team to revise and/or retain the items discussed above, and will modify the Final Draft Plan accordingly.

### **Key Concepts- Consensus items and Items Requiring Further Discussion**

For details about each of the key concepts discussed below, please refer to Attachment A. The staff report in its entirety for the April 18<sup>th</sup> meeting, which is the same as the joint City Council/Planning Commission meeting, can be found on the City’s website listed under the April 12, 2016 Joint City Council/Planning Commission meeting.

#### **Consensus Items**

The City Council’s recommendation for items within this category were specific, and are as follows:

##### Vision

- All in favor of the 1996 Vision statement from the Downtown Strategic Action Plan with minor modifications and acknowledge visitors.

“Maintain Downtown Manhattan Beach as a safe, attractive, pedestrian-friendly village with a small town atmosphere and sound economy which sustains uses, activities, and

family and cultural events primarily oriented towards the local Manhattan Beach Community.”

#### Use Permit Process

- Support for Option #2: “Develop more additional findings to support the vision and goals of the Specific Plan.”
- Delete all of section 4.4B because it relates to Formula Uses.
- Add finding to 4.4A: Maintain and enhance residential quality of life for Manhattan Beach community.

#### Towers and Turrets at Corners

- Support for Option #1, “Do not allow towers/turrets to exceed the height limit.”

#### Land Use Changes

- Agree with Plan Proposal “Add live/work use; make animal boarding, animal hospital, service stations and vehicle equipment repair unpermitted uses downtown” except allow for Veterinary/Animal Hospital with overnight animal boarding associated with veterinary services.

#### Private Dining in Public Right of Way\*\*

- Support study of Draft Plan Proposal: Provide outdoor dining in public right-of-way in furniture zone.
- Evaluate current sidewalk dining regulations and enforcement.

#### Maintain or Increase Parking

- Combine Options 2: “Maintain existing parking supply, and replace any lost spaces” and Option 3: “Manage existing parking demand through various parking strategies” with direction to explore parking options outside of the DTSP in the near future.

#### Beachhead Site\*\*

- Support of study of Beachhead for circulation and agreed on no terraced seating.

#### Pedestrian Plazas \*\*

- Support for review of pedestrian plazas and exclude mid-block crossings.

#### Drop Off Zones

- Support for Option 2: Construct multi-use drop-off zones at locations where no net loss of parking and where there would not be parking and traffic impacts.

#### Eliminate Chapter 9, Economic Development

- Eliminate Chapter 9.
- Chapter 9 will be used by the City Manager’s Office in the EDAC formation.

## **Items Requiring Further Discussion**

Several of the following key concepts mirror the intent of the moratorium, and staff is seeking further discussion on these items:

### Ground Floor Retail Uses

- General support for Plan Proposal: “Banks, offices, catering services adjacent to a sidewalk or pedestrian area requires a Use Permit; allowed on upper levels without a Use Permit. Communication facilities only allowed on upper levels with a Use Permit,” with better definition of use permits findings and enforcement.
- Need more information regarding communication facilities.

### Retail Square Footage Cap or Formula use Regulations

- Conceptually in favor of 1600 sq. ft. cap for retail without a Use Permit. Request for examples.
- Plan will not include any formula use regulations.
- Delete Section 4.4B since these are formula use findings
- No other uses are subject to this square footage cap regulation.

### Building Height/Stories\*\*

- General support for Option 2: Limit height in commercial areas to two-stories, 26 feet (Area B); however, expand exceptions to the height limit to exclude mechanicals, solar and pitched roofs. The exceptions referenced above shall not exceed 28 feet.

### Maximum Tenant Frontage

- General support for 35’ maximum tenant frontage for retail, and request for examples of 50’ building frontages for restaurants, and review options for primary streets.
- 35’ maximum tenant frontage for Manhattan Beach Blvd, and options for Manhattan Ave and Highland Ave. Planning Commission to evaluate options.

### Facade Transparency

- General support for 70% façade transparency as presented in Draft Proposal, and request for examples showing less than 70% façade transparency.
- Provide options for non-primary street frontages (architectural details through Design Guidelines, materials, and active frontages).

### Setbacks and Stepbacks

- General support for setbacks and stepbacks. Request to provide examples and guidelines.
- Stepbacks (second story) are optional.

\*\*These items (as described above) are included for environmental review purposes. The decision on whether or not these items are included in the final specific plan will be determined by City Council.

While the City Council provided direction on all of the key concepts, the Council also requested proper vetting of the key concepts through the Planning Commission and requested input from the Commission on potential options for each concept. At this time, staff is seeking guidance and input from the Commission on potential questions and/or follow-up items that Planning

Commission would like staff to explore in preparation for when this item returns to the Planning Commission for the Public Hearing in June.

**CONCLUSION:**

Next steps include preparation of the Draft Public Hearing Downtown Specific Plan and Environmental Review document for the 30-day public review period. Staff anticipates returning to the Planning Commission on June 22<sup>nd</sup> or June 29<sup>th</sup> for a Public Hearing and adoption by City Council in July. The Public Draft Downtown Specific Plan- March 2016 was previously distributed to the Planning Commission and public copies are available for viewing at the Manhattan Beach Library, Manhattan Beach Police Department, and the City Hall Community Development Public Counter.

Attachment A: Attachments 1 & 2 Summary Sheets from April 12, 2016 Joint City Council/Planning Commission Meeting

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**CITY OF MANHATTAN BEACH  
PLANNING COMMISSION  
MINUTES OF REGULAR MEETING  
APRIL 27, 2016**

A Regular Meeting of the Planning Commission of the City of Manhattan Beach, California, was held on the 27<sup>th</sup> day of April, 2016, at the hour of 6:30 p.m., in the City Council Chambers, at 1400 Highland Avenue, in said City.

**1. ROLL CALL**

Present: Apostol, Bordokas, Conaway, Ortmann Chairperson Hersman  
Absent: None  
Staff Present: Marisa Lundstedt, Director of Community Development  
Michael Estrada, Assistant City Attorney  
Laurie Jester, Planning Manager  
Nhung Madrid, Senior Management Analyst  
Ted Faturros, Assistant Planner  
Tony Olmos, Public Works Director  
Erik Zandvliet, City Traffic Engineer  
Rosemary Lackow, Recording Secretary

**2. AUDIENCE PARTICIPATION (3-minute limit) - None**

**3. APPROVAL OF THE MINUTES**

03/23/16-1. Regular meeting – March 23, 2016

A motion was MADE and SECONDED (Apostol / Bordokas) to **APPROVE** the minutes of March 23, 2016 as submitted.

AYES: Apostol, Bordokas, Conaway, Chairperson Hersman  
NOES: None  
ABSENT: None  
ABSTAIN: Ortmann

**4. GENERAL BUSINESS**

Chairperson Hersman noted there is a request to take the CIP item first; there being no objections it was so ordered.

04/27/16-3. Determination of Consistency of the Proposed Fiscal Year 2016-2017 Capital Improvement Plan with the Manhattan Beach General Plan

Public Works Director Olmos addressed the Commission with the aid of a slide presentation. Mr. Olmos noted that there are 30 total projects in the CIP that need funding in FY 2016-2017 of which there are 21 that require Commission review this evening. After briefly reviewing each of those 21 projects Director Olmos responded to questions from the Commission as follows:

**#22 - Sepulveda Boulevard Complete Streets** timeline: this study is expected to begin in early 2017, and the timing is expected to work well with the potential Sepulveda Specific Plan project. Director Lundstedt clarified the timing of the Sepulveda Specific Plan will be such that it will be well informed by the Complete Streets program.

**Process for citizens to request a capital improvement** to be in the CIP: generally, a request is submitted by the interested person to the Public Works Director or City staff, and then staff evaluates the merits and cost of the projects. If staff finds that the project is justified and there are sufficient available funds, then the project is

added to the draft CIP to go through the rest of the CIP approval process.

**#5: water meter upgrade and automation:** this project will upgrade water meters so that they show water usage in “real time.” This project provides a significant benefit to residents especially if the drought continues, in two ways: residents would know right away if they have a leak, and they will also be able to manage water use and conserve more efficiently. Although this is a sizable amount of money, this funding source (Water Fund) cannot be applied to storm drain improvements and this project will be applied to all residences in the City.

The City is not currently requiring that the upgraded automated meters are installed with new development, because the overall system has to first be in place for the real time readings to be fully operational. After the entire system is in place, the City would be able to require upgraded installations with new development. Director Olmos is not certain that all the benefits of the system can be realized before all of the meters (13,000+) are upgraded or replaced. It was suggested that while water conservation is very important, it may be helpful to know how much the City is projected to save and at what point the city will achieve a payback for its investment. Director Olmos responded that the primarily benefits from this project are more related to customer service, water conservation, and efficiency than monetary savings to City. Director Olmos acknowledged a point made that, given the fact that the entire system will not fully function until the entire city is upgraded over two (\$2.6 million each) allocation years, the Council is, in effect being asked to commit to fund the entire project (\$5.2 million) in the first year.

**#7: Sepulveda/Oak Neighborhood Intrusion Study:** this project looks to investigate traffic issues and cut-through in the residential neighborhoods west of Sepulveda. This issue was raised during the hearings for Manhattan Village Shopping Center and concerns expressed by residents; this cost would be offset by revenues from the Mall.

**#12 - Veterans Parkway Pedestrian Access Master Plan:** Traffic Engineer Eric Zandvliet clarified that staff will look for consistency in crossing locations and what they will look like – make them as accessible as possible with the priority on pedestrian safety. If a roundabout looks feasible, then this may be explored further.

**#19 – resurfacing a block of 3<sup>rd</sup> Street:** this cost (\$350k) includes design and some construction, whereas the cost for #18 (\$100k) – resurfacing of Marine for a long stretch - is only for design. Director Olmos clarified that the \$100k for Marine is for design costs only and construction funding would be requested in FY17-18.

**#22 - Sepulveda Boulevard Complete Streets Study:** This project will consider Complete Streets elements along Sepulveda Corridor within the City of Manhattan Beach. Staff has already discussed this plan in concept with Caltrans. Hermosa Beach has already studied this conceptually with Caltrans for Pacific Coast Highway. If approved by City Council, Manhattan Beach will work with Caltrans as a partner. The goal will be to NOT duplicate efforts.

**#26 - Village Field improvements:** although there is an RFP for a hotel, this item is included on the list because the outcome of the RFP has not yet been decided.

**#28: Fiber Master Plan:** this project would enable expansion/upgrading of existing broadband and Wi-Fi service, which may then be made available to residents and businesses. .

**#29 – parking structure rehab** project timeline: This is being done in phases - Lot 2 is under construction now.

**Funding of the CIP:** “previously committed but unspent funds” will transfer to the next year if project not yet completed along with unspent money. The way the funding is set up is to balance cash flow and the funding allocations are based on specific phases for a project.

A motion was MADE and SECONDED (Ortmann/Bordokas) to **ADOPT** draft Resolution 16-02, determining that the proposed Fiscal Year 201/2017 Capital Improvement Plan (CIP) is consistent with the Manhattan Beach General Plan.

AYES: Apostol, Bordokas, Conaway, Ortmann, Chairperson Hersman  
NOES: None  
ABSENT: None  
ABSTAIN: None

04/27/16-2. Downtown Specific Plan Update

Director Lundstedt thanked the Planning Commission and the public for their participation in the April 12<sup>th</sup> joint Council/Commission Study Session. The purpose of this meeting is to update the Planning Commission on the Council's review on April 18<sup>th</sup> and give the Commission an informal opportunity to go over the Council consensus items, as well as those that need further discussion (per list in the written staff report) and give further input or request further information from staff.

Chair Hersman thanked staff for the walking tour and invited staff to make a presentation.

After noting four letters that were received late, Planning Manager Laurie Jester addressed the Commission with the aid of a slide presentation. Ms. Jester briefly described all "Consensus Items" and "Items Requiring Further Discussion" after which she invited questions and comments. She also clarified that some "Consensus Items" are included as potential future items so they can be evaluated in the environmental review. Staff responded to issues/questions raised by the Commission as follows:

1. What is a "communication facility"? An example is a telecommunications office, or broadcasting studio that is an office area that mainly contains communications equipment and is not staffed regularly - essentially a "dead" space.
2. What is the rationale for 1,600 sq. ft. as a use permit threshold for retail?: Staff noted that square footages of some Downtown stores have been compiled and range from 772 sq. ft. (Third Gallery) to 3,500 sq. ft. (Skechers) and this seemed like a reasonable limit, to start, based on that data. Staff will be providing more data and specific examples and encouraged the Planning Commission to look at retail uses and make further suggestions for a cap. Using a cap on retail square footage achieves the same goal as limiting formula retail. All restaurants would require a Use Permit.
3. Clarify height limits in Area B: If an existing 26-foot tall commercial use gets replaced by residential (subject to a use permit) the new residential use would have a 26-foot height limit because it is replacing commercial, but if replacing residential, the building could go to 30 feet. The 30-foot height limit matches the allowed height in the multi-family residential zones in the beach area.
4. Why a maximum tenant frontage limit?: This is being suggested in a proactive way, and the goal is to create a visual rhythm that compliments the pedestrian oriented village ambience.

### PUBLIC INPUT

It was agreed to accept three-minute maximum input from the public, and Chair Herman invited the public to address the Commission.

**Roger Lamont**, representing the Manhattan Beach Commercial Property Owners Association requested that the Commission consider recommendations in a letter submitted April 25 by Tony Choueke.

**Jim Quilliam**, 12<sup>th</sup> Street downtown resident, read a letter from Neil Levanthal on behalf of the Downtown Residents Group, and requested that the Planning Commission consider downtown residents as a high priority, noting that attraction of visitors to support downtown businesses may be at odds with the residents' goal to maintain small town character and quality of life.

**Carol Perrin**, Downtown Residents Group, reiterated her submitted comments: she believes that the existing height limit of 26 feet should be kept - owners who bought downtown commercial properties did so knowing that the limit is 26 feet, so there is no issue of property right being taken away. She supports a cap for ground floor retail size of 1,500 to 1,600 square feet to avoid inundation of formula and big box retail uses.

**Tami Zamrazil**, resident, strongly supports no changes to commercial height limits except for solar panels on roof. She is concerned about mechanical equipment on roofs because these can create a noise and visual impact.

**William Victor**, downtown owner since 1980, iterated written comments submitted. He supports: keeping an Implementation Section in the plan; not raising height limits and bifurcating the Plan.

### COMMISSION DISCUSSION

The Commission preliminarily discussed the nature of a Specific Plan, noting that it is visionary but also contains some code amendments (highlighted in yellow). Director Lundstedt clarified that upon adoption it would be immediately codified (similar to an Ordinance) pending Coastal Commission approval. Ms. Lundstedt noted that the visionary aspects (e.g. Beachhead turnaround) are included as options for the future.

There was discussion as to the time frame. Director Lundstedt believes it is possible to arrive at approval of the draft in a single meeting in the future, however an additional meeting such as this one can be held and staff could still meet the schedule and hold the City Council public hearing in July. Director Lundstedt stated that staff does not support bifurcating the document (i.e. separating out the moratorium issue) because the plan is better served by a review that is comprehensive and holistic, as one part of the plan can affect another part.

The Commission proceeded by reviewing all items requiring more input from the Commission.

1. **Ground Floor Retail Uses.** The Commission requested information on how the turnover of uses would be regulated for existing uses that become nonconforming under the Specific Plan. Director Lundstedt clarified that as proposed, existing uses (e.g. a ground floor existing office) - if they become nonconforming due to a change in the Plan - could continue with a new tenant, provided the new tenant uses the space for a similar use, within a specified time frame, regardless of the term of the lease. The question arose as to situations where a use covers multiple lots and over time the type of use changes for portions of the lots through re-tenanting. Director Lundstedt clarified that it is not yet clear, policy wise, as to what amount of office space mixed with retail is desirable, but the goal is to have a good mix weighted towards retail. As proposed, more situations will require a Use Permit, and new findings are proposed, that neighborhood character be maintained for the proposed use. The intent is to allow the existing ground floor office and bank uses to remain but new uses would require a Use Permit.

Commissioner Conaway suggested that it be clarified in the Plan that changes in tenants do not necessarily constitute a change in use. Commissioner Apostol stated his personal view that a good goal of the Plan is to have a downtown where retail can be successful but at the same time, the quaintness of the ambience is retained. Provisions that are initiated should be those that will encourage successful businesses. He suggested one strategy could be to look at downtown sort of as an outdoor mall where uses are regulated by establishing caps or percentages of allowed office or non-retail uses. Another way of controlling uses is to allow only existing uses to be continued.

Director Lundstedt responded that staff reviewed the ULI recommendations which included a discussion of establishing percentages of uses and it was found that this would be extremely difficult to manage to the point of being infeasible. Commissioner Apostol and Chair Hersman suggested perhaps a range of allocated uses could be established. Chair Hersman also emphasized that findings are important so that if a use permit comes in, there be some good guidelines to allow that use on the ground floor.

2. **Retail square footage cap.** Discussion focused on the proposed cap of 1,600 square feet for retail not requiring a use permit. Planning Manager Jester clarified that the square footage cap is based on gross tenant area (includes retail floor plus storage, support office, dressing rooms, etc). Commissioner Conaway expressed concern that for a single 2,700 square foot lot this could be quite onerous and perhaps the cap should be based on more criteria such as lot size, because double or larger lots can accommodate larger retail spaces. Chair Hersman asked whether the proposed caps (frontage and square feet) would effectively result in very small retail spaces and if so, is that desirable, and Commissioner Ortmann asked whether lower caps are economically feasible?

Commissioner Apostol stated that he can personally support square foot and frontage caps as long as they are

not arbitrarily established and they need to be looked at together. He suggested that a formula can be used that relates retail bay depth to store frontage, but there should be some flexibility for staff in applying the ratio. In retail development the rule of thumb is that, to be successful typically a store needs to have a ratio of 1.5 to 2.5 retail area “bay” depth to frontage maximum. Excessive bay depth can be unmanageable for a retailer.

**3. Building Height/number of stories.** Planning Manager Jester clarified that the only standard proposed to be modified applies to the 26 foot height limit situations where an additional 2-feet (28 feet) would be added to the height exceptions to allow for mechanical equipment, solar panels, and pitched roof design. Commissioner Conaway raised the issue of elevators and meeting ADA requirements. Elevators are not being proposed for a height exception, but if they were to be included, Commissioner Conaway suggested that the dimensions of the elevator projection be limited along with the height above 26 feet.

Commissioner Apostol stated that he believes a 26-ft. height limit is appropriate for Downtown; wants to encourage aesthetically pleasing buildings, and is not against small exceptions including 28 feet maximum as proposed, with limitations in size, footprint and location to allow pitched roofs, and roof mechanical and solar equipment. Commissioner Conaway stated, for a 2-story retail project with ground floor retail/offices above, he supports a 26 ft. height limit which will be able to accommodate 12-ft. ceilings for first floor and 9-ft. for second floor. He would prefer to **not** allow mechanical, or pitched roofs exceptions (solar already has a legal exemption) but would allow, with size, height and location parameters, an elevator exception of 2 feet over the height limit to encourage compliance with ADA and he feels strongly that if not already in the code, that all roof equipment be screened.

. Commissioner Apostol stated that he could support Commissioner Conaway’s position, yielding on the pitched roof and mechanicals, provided a small compromise is made, such as regarding elevators. Discussed ensued and a 2 foot exception for mechanical and elevators with size, location and height limits seemed to be supported by the Commission. Director Lundstedt raised the point that some solar installations require a certain angle for the panels and, with the current height limit, solar sometimes doesn’t pencil out. Planning Manager Jester noted that the law states that an installation cannot lose more than 20% of maximum efficiency and she cannot recall a case where an applicant was able to show that the code restricted the panel placement that much; a 4-6 inch height exception is all that is needed.

It was clarified for Commissioner Apostol that the proposed 35-foot maximum limitation on tenant frontage is based on the building frontage of the individual tenant.

**4. Maximum tenant frontages** (already discussed in the earlier discussion with retail square footage cap).

**5. Façade Transparency.** Chair Hersman raised the question as to whether the orientation of the store frontage matters on an alley, or on a major retail street such as Manhattan Avenue and is 70% a good limit? Where did this number come from? It was generally a consensus that 70% was a number that can work. The Manhattan Creamery was raised as a corner lot with its front on Manhattan Avenue and long solid building frontage on Manhattan Beach Boulevard that has no windows, but where a mural helps to provide visual interest. There was brief discussion on distinctions between an alley, walkstreet, side street and a primary street. Commissioner Conaway suggested that corner lots be addressed. It was suggested that design guidelines could be developed that would apply to a long blank wall such as the Creamery, but enforcement would be triggered only if a structural alteration was proposed. Commissioner Apostol expressed concern that with older buildings there could be cost prohibitive structural constraints if retrofitted to add more transparency, suggested there be some accommodation or exception for such situations. Director Lundstedt suggested that this could be addressed through additional design guidelines, with exceptions for corner lots and structural limitations.

**6. Setbacks and setbacks.** Chair Hersman noted this is about requiring a 10 foot maximum setback on the ground floor. Planning Manager Jester clarified that many of the restaurant ground floor patios are 9 feet deep downtown and the proposal to have a maximum 10 foot setback is more of an issue that would affect retail. Ms. Jester showed slides of a relatively new 2-story ground floor retail building and an older building that had an 18-foot ground floor setback (farthest point) that originally was a restaurant on the ground floor.

Director Lundstedt clarified that the main issue for the Council was whether setbacks on the upper floor should be required or optional. Director Lundstedt stated that staff supports an optional setback to encourage building

variation. Planning Manager Jester clarified that the optional proposal would work such that if someone chooses to do a setback, the minimum setback required would be 6-feet, the intent being that the open area created at the front should be large enough to be usable. In response to a question from Commissioner Bordokas, a setback of one-foot for architectural design would not be permitted.

Commissioner Bordokas inquired if a setback is required to be at least 6-feet, would views of nearby residences be impacted? Commissioner Conaway inquired that consideration should be made for use of the open space, and asked if there would be support for dining in these areas – as this would be a desirable amenity, assuming that noise issues could be addressed. Chair Hersman agreed and stated she would like more public input on this issue. The Commission felt that outdoor dining both public and private is a wonderful amenity as long as impacts are addressed through the Use Permit and regulations/guidelines. Director Lundstedt pointed out that restaurants would require a Use Permit which would allow conditions to be imposed to address noise. The Commissioners agreed that the optional setback regulations should be removed from the plan, but included in the guidelines.

Commissioner Apostol expressed concern that second story setbacks can have a very significant impact on development and doesn't support assigning an arbitrary strict standard. He could support an optional requirement without a strict minimum. He supports outdoor dining as long as pedestrian safety is addressed and residents' rights are respected by conditions placed on use of spaces such as outdoor dining.

### **NEXT STEPS**

This completed the list of discussion items. Planning Manager Jester stated the next steps in the program are to revise the Plan in May and prepare environmental documentation, review the environmental in May-June and conduct a public hearing before the Planning Commission in June or July. With a consensus of the Commissioners Chair Hersman requested that another session similar to this one be scheduled where the Commission can again go over issues and receive new information from staff. Staff said that the next meeting on May 11<sup>th</sup> could be used as another Downtown meeting, but no new information would be provided in the report due to the short turnaround time.

5. **DIRECTOR'S ITEMS - None.**

6. **PLANNING COMMISSION ITEMS - None.**

7. **TENTATIVE AGENDA – May 11, 2016 – None at this time.** The Downtown Specific Plan discussion will be continued to this meeting.

5. **ADJOURNMENT**

The meeting was adjourned at 9:39 pm to Wednesday, May 11, in the City Council Chambers, City Hall, 1400 Highland Avenue.

ROSEMARY LACKOW  
Recording Secretary

ATTEST:

\_\_\_\_\_  
MARISA LUNDSTEDT  
Community Development Director

**CITY OF MANHATTAN BEACH  
COMMUNITY DEVELOPMENT DEPARTMENT  
STAFF REPORT**

**TO:** Planning Commission

**FROM:** Marisa Lundstedt, Director of Community Development 

**BY:** Nhung Madrid, Senior Management Analyst   
Laurie B. Jester, Planning Manager 

**DATE:** May 11, 2016

**SUBJECT:** Continuation of Draft Downtown Specific Plan Update

**RECOMMENDATION:**

Staff recommends that the Planning Commission **ACCEPT THE PRESENTATION AND DISCUSS.**

**BACKGROUND:**

Since June 2014, the community has been engaged in an ongoing discussion of the future of Downtown. In early 2015, the City collaborated with the Urban Land Institute (ULI) to conduct a week-long visioning charrette to engage community stakeholders and evaluate the Downtown area. The recommendations from ULI's evaluation were presented to the community in a public presentation with the premise that a consultant would develop the implementation tool designed to carry out the vision and recommendations for the Downtown. In May 2015, the City began pursuing the preparation of the Downtown Specific Plan with Michael Baker International (MBI), which has brought together the community with input from various stakeholders including residents, businesses, land owners, community groups and several other interests in the City.

In addition to ULI's week-long visioning charrette and 123 stakeholder interviews, the City has held eleven workshops and public meetings representing over 50 hours of community outreach. In addition, staff has invested nearly 40 hours conducting one-on-one intercept surveys throughout the City to hear direct feedback from the community. The Plan outreach efforts also included the use of Open City Hall, where staff received over 170 survey responses, all which have been reviewed and considered in the Draft Plan.

Since the public release of the Draft Specific Plan in mid-March, the City has held two informational meetings and two community workshops and provided a high level overview of the key elements of the Draft Plan and collected the community's input on the document. The comments received through these four outreach meetings, general public comment provided via email, and the discussion that took place at Specific Plan Advisory Committee Meeting #4 were synthesized and organized into the Specific Plan's five primary topic areas: vision, private development, public improvements, parking, and economic development. Within the individual topic areas, input was further grouped by concept. Each concept was tabulated based upon the

number of comments received. The key concepts that received the most mentions were then organized into two categories: “Community Consensus Items” and “Items Requiring City Council Direction”.

On April 12<sup>th</sup>, the City held a Joint City Council/Planning Commission Study Session to review the Plan’s “Community Consensus Items” and “Items Requiring City Council Direction”. The goal of the Joint City Council/Planning Commission Study Session was for staff to receive initial feedback from the Planning Commission and initial direction from the City Council on these key concepts; and staff was given sufficient feedback and direction to move forward. A follow-up City Council meeting was held on April 18<sup>th</sup> to further refine City Council’s recommendations and direction on the Draft Specific Plan.

**DISCUSSION:**

At the Planning Commission meeting on April 27<sup>th</sup>, an update on the outcome of the April 18<sup>th</sup> City Council Meeting was presented to the Commission, which included a summary of Consensus Items and Items Requiring Further Direction. Overall, the City Council supported and approved staff’s recommendation to revise and/or retain Consensus Items related to vision, land use and private development, and public improvements in the next iteration of the Plan. For detailed information about these Consensus Items, please refer to Attachment A.

For the Items Requiring Further Direction, the Commission discussed six key concepts related to land use and private realm development standards. The key concepts included:

- Building Height/Stories
- Maximum Tenant Frontage
- Retail Square Footage
- Ground Floor Retail Uses
- Façade Transparency
- Setbacks & Stepbacks

The discussion allowed the Commission to ask clarifying questions, request additional information and/or to explore potential options for the various key concepts. Attachment B provides a summary table of the discussion surrounding those six key concepts mentioned above.

In addition, there was consensus from the Commission for staff to return at a later date to allow for further discussion of the remaining contents of the Draft Plan. At this time, staff is seeking guidance and input from the Commission on potential questions and/or follow-up items that Planning Commission would like staff to explore in preparation for when this item returns to the Commission for the Public Hearing in June.

**CONCLUSION:**

The consultant team is in the process of preparing the Draft Public Hearing Downtown Specific Plan and Environmental Review document for the 30-day public review period. The Planning Commission Public Hearing is tentatively scheduled for June 22<sup>nd</sup> or June 29<sup>th</sup> with final adoption by City Council in July. The Public Draft Downtown Specific Plan - March 2016 was previously distributed to the Planning Commission and public copies are available for viewing at

the Manhattan Beach Library, Manhattan Beach Police Department, and the City Hall Community Development Public Counter.

Attachment A: April 27, 2016- Planning Commission Staff Report and attachments

Attachment B: April 27, 2016- Summary Table of Planning Commission Discussion on “Items Requiring Further Direction”

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**CITY OF MANHATTAN BEACH  
PLANNING COMMISSION  
MINUTES OF REGULAR MEETING  
MAY 11, 2016**

A Regular Meeting of the Planning Commission of the City of Manhattan Beach, California, was held on the 11<sup>th</sup> day of May, 2016, at the hour of 6:33 p.m., in the City Council Chambers, at 1400 Highland Avenue, in said City.

**1. ROLL CALL**

Present: Apostol, Bordokas, Conaway, Ortmann, Chairperson Hersman  
Absent: None  
Staff Present: Marisa Lundstedt, Director of Community Development  
Michael Estrada, Assistant City Attorney  
Laurie Jester, Planning Manager  
Nhung Madrid, Senior Management Analyst  
Erik Zandvliet, City Traffic Engineer  
Ted Faturros, Assistant Planner

**2. AUDIENCE PARTICIPATION (3-minute limit)**

**Bill Victor**, long time downtown property owner and resident, believes that he is the sole resident present tonight because in talking to other residents, many have expressed to him that they have lost confidence in the system. He also noted he is not sure that the Downtown is currently so broken that it needs “fixing”.

**3. APPROVAL OF THE MINUTES**

05/11/16-1. Regular meeting – April 27, 2016

Commissioner Conaway noted that there were a couple of places where he felt substantive discussion was missing and should be included. The two areas are: discussion regarding the CIP Water Meter Upgrade Program (relating to the cost and funding over bifurcation in two allocations) and Commissioner Conaway’s comments in support of shielded roof equipment as discussed in the Downtown Specific Plan review. The Planning Commission postponed its approval of the minutes and directed staff to revise the minutes as requested and bring back for approval at the next meeting.

**4. GENERAL BUSINESS**

05/11/16-2. Downtown Specific Plan Update

Director Lundstedt thanked the Planning Commission for their participation and relayed very positive feedback from several Councilmembers as well as the Downtown Business and Professional Association - that very important issues are being raised and discussed.

Planning Manager Jester proceeded with the staff presentation, noting that staff is seeking guidance and further input on potential questions and follow-up items that are to be explored in advance of the public hearing on the Plan when it comes before the Planning Commission. For discussion, staff has grouped topics into three main categories: 1) Follow-up/update on topics of building height/stories and façade transparency; 2) Future follow-up on items for future discussion and 3) Open discussion on items in various chapters of the Plan.

The following are main highlights of the staff presentation, with brief recapping and any new information.

Follow-up Items/Updates:

- Building Height and Stories: Planning Manager Jester recapped that the Commission consensus was that there be no exception for mechanical or pitched roofs, but possibly some mechanical equipment exception including elevators, if there are limitations such as in size and location. Ms. Jester provided

new information regarding elevators, noting that there are new types available that can be more compact and given the short ceiling height that is required inside elevators (7-foot minimum), Staff believes that this may result in less of a need for a height exception. Ms. Jester cited one case of an existing building that required a variance of three-feet for its elevator. She displayed several photos of downtown one and two-story commercial buildings with rooftop mechanical equipment that was screened with varying materials used, and one case where an elevator was installed that met the height limit.

- **Facade Transparency:** Ms. Jester recapped that the Commission requested more information as to the proposed maximum of 70%. Staff has since received input from the City's consultant who advised that 50 – 60% is perhaps a better range and would be more in keeping with the existing downtown conditions. Ms. Jester displayed slides of various sites, including Manhattan Creamery, a good example of a sloped lot that has frontage on two primary streets, and which a portion of the retail space on the sloping street is an underground condition. Ms. Jester suggested that some flexibility could be provided for such situations, built into the design guidelines, as the rear of a building often has the offices, kitchen, dressing room, and storage areas where transparency is not desirable. Also on steeply sloped lots, the rear portion of the building may be significantly above or below the street level. Two retail examples were shown including Dacha which has 91% transparency for a 950 square foot space with 42 lineal feet of frontage, and Manhattan Grocery which has 40% transparency for a 3,500 square foot space with 67 lineal feet of frontage. Staff will be researching and bring back more information on this topic.

#### Future Follow-up Items:

- **Maximum Tenant Frontage and Retail Square Footage:** Ms. Jester recapped that the Commission felt that if new caps were to be adopted there should be a sound rationale and requested that staff do a "ratio analysis" to determine if there's an optimum relationship between the depth and width of a store. Ms. Jester noted the challenge for staff is that there is a great variety in types of retail uses as well as the lots themselves. She displayed again an example of a 30 by 90 foot lot with 3 tenants, where two of the tenants have 20 foot frontages and the third has a 50 foot frontage.
- **Ground Floor Retail Uses / Setbacks and Stepbacks.** Ms. Jester recapped that the Commission supported optional second-story setbacks and liked the idea of outdoor dining being possible at upper levels. Under existing codes, any restaurant space, outdoor or indoor requires a Use Permit. Staff will write some new proposed findings for use permits to accommodate outdoor dining at upper levels. Ms. Jester also introduced a new topic related to parking. Staff has noted that the draft Plan calls for either a 0-ft. or 10-ft building setback at a rear alley to ensure that cars parking perpendicular to the alley (if in a short setback) will not project into the alley. However staff has observed on some very steep lots, there are cases where the building is below the parking area and there may be opportunity for more on-site parking without projecting into the alley. Staff will bring back a proposal on how this standard could be revised.

#### Open Discussion Items:

- **Vision** (Chapters 1-3) covering: Introduction, Existing Conditions, and Vision.
- **Land Use & Private Realm Development** (Chapters 4 & 6) covering Land Use and Private Realm Development, which are essentially the zoning regulations and design guidelines.
- **Circulation Plan and Public Realm Improvements** (Chapters 5 & 7), covering the Circulation Plan, and Public Realm Development which expands on the Circulation Plan with design guidelines and concepts, and public improvements.
- **Infrastructure and Public Facilities** (Chapter 8) covering areas such as utilities, parks and recreation, library and cultural, and public safety facilities.
- **Implementation** (Chapter 10) covering an action plan to achieve goals, possible development incentives, and plan administration. This section is not yet completed and will be brought back for review at a future meeting.

Ms. Jester noted that Chapter 9 (Economic Development) at direction of the City Council has been eliminated but some strategies and discussion have been retained and incorporated throughout the Plan.

## COMMISSION DISCUSSION

Chair Hersman invited Commission comments and discussion.

### Follow-up Items

1. Building Height and Stories: Commissioner **Conaway** reiterated he believes there should be no bonus or exceptions for roof mechanical equipment, because he has observed a trend that generally equipment is getting smaller. He found the information provided by staff that elevators are getting shorter to be different from what he has been advised by elevator consultants in his practice and would like more information. Commissioner **Conaway** still supports a two-foot exception for elevators with limitations including a maximum size (10-ft by 10-ft max either direction) and location (either a percentage of lot depth or specific setback distance) such that the elevator is back from the street.

Commissioner **Apostol** concurred with Commissioner **Conaway's** statements, based on his experience, and added that he believes the exception is needed especially when retrofitting existing structures with elevators to comply with ADA requirements.

In response to an inquiry from Chair **Hersman**, Director Lundstedt clarified that an elevator exception as being discussed would not require a distinct planning approval such as a use permit. As an example, if a restaurant were to be proposed with an elevator utilizing this exception, the restaurant use, but not the elevator, would require a use permit and the elevator would be evaluated along with the overall proposal.

All of the other Commissioners concurred with Commissioner Conaway to not provide an exception for roof mechanical equipment, and to provide an exception of two-feet for elevators as discussed provided the elevator was not located near the front of the building.

2. Facade transparency. The Commission raised several questions: Is 70% a desirable standard, or something less (50-60%); is a minimum or maximum or both a minimum and maximum needed at all, and should the Commission make a distinction between primary and non-primary frontages, or for corner lots with two primary street frontages? Commissioner **Conaway** emphasized that transparency in general is intended to enliven the street ambience but believes that 70% is arbitrary. In looking at the slides shown, he noted it seems that the grocery store, an older building with 40%, should have more transparency. Commissioner **Ortmann** stated he does not know of a specific transparency standard, however generally thinks more transparency for retail is better. In the absence of a strong public interest and a compelling argument that there's a problem, he is inclined to not recommend changing the code and perhaps leave this to the retailer to determine what they need for a successful storefront. Commissioner **Conaway** speculated that in establishing a standard that requires first floor retail uses, perhaps more transparency will naturally result, therefore solving this problem.

Chair **Hersman** raised the issue of whether to address the issue of regulating transparency by type of street frontage (primary and secondary streets, including corner lots on two primary streets). Commissioner **Conaway** expressed that he did not think the few corner sites such as the Creamery (fronting on two primary streets) should have an exception because some day they will be redeveloped and will be required to meet the code. Commissioner **Bordokas** stated she is concerned that 70% may be excessive and suggested a lower number, perhaps 50 or 60% as a means to encourage transparency, while reserving some flexibility for the retailer. Commissioner **Apostol**, acknowledged that this issue is very important to the Council and raised the issue that a transparency standard should encourage quality storefronts not just that there be more glass (as often retail storefront windows can be covered over with posters and advertisements which is not desirable. He suggested first, dropping the minimum to less than 70% (either 50 or 60%) but then secondly to incorporate a regulation to control the degree that the required display windows could be covered with signs.

**Chair Hersman** suggested that the issue of windows being covered by advertising might be addressed in the design guidelines since she was not clear that this is a bad problem Downtown. Director Lundstedt stated that Commissioner **Apostol's** concerns are valid and pointed out that the City already limits advertising on windows through the City's Sign Ordinance, but perhaps additional policy language can be placed in the Plan that references the existing sign regulations.

After further discussion regarding the way percentages of transparency would be calculated, Commissioner

**Apostol** suggested to give the following input to the Council: that there should be a minimum percentage of required façade transparency; the proposed amount of 70% is agreeable but in any case should not be less than 50%, and further that there should be some consideration about the whether the practice by some retailers to cover windows with posters or advertisements should be regulated in the Plan as well.

The Commission next focused on **how** the minimum percentage of transparency should be applied to various classifications of streets (primary, secondary, tertiary, walk-streets, and alleys). Chair **Hersman** asked, as an example, whether the full 70% should apply to all types of streets, or only to the primary street frontages (e.g. Manhattan Beach Boulevard, Highland, and Manhattan Avenue) while a lower percentage (e.g. 60%) could apply to secondary streets? The Commission considered various suggestions, including that the percentage apply only to primary streets (Commissioner **Conaway**), that it should apply to all types of streets (**Bordokas**), and that consideration should be given to which frontage the main entry to the business was on (**Apostol**). After discussion and checking the definitions of street designations in Chapter 5 of the Plan, there was consensus first that the percentage should apply to both primary and secondary streets. Chair **Hersman** requested input from staff on the issue of applying transparency to portions of commercially developed Downtown walk streets and alleys.

Planning Manager Jester suggested in situations where walk streets intersect with the secondary streets, the corners of the buildings are key to consider since they draw attention visually to the site. Perhaps the question to ask is how far down from the corner is façade transparency important to create desired visual interest?

Commissioner **Apostol** suggested that the new standard apply to: wherever the retail frontage occurs, whether primary, secondary or walk-street adjacent, but not including alleys, and that an exception be included to address cases where there are structural limitations, creating a significant financial burden, especially for older buildings. Commissioner **Bordokas** expressed concern with exempting alleys because this would include Ocean Drive as in the example of Shellback Tavern. After a brief discussion, Director Lundstedt noted that the City Council also requested that consideration be given to the type of use, and suggested that the application of façade transparency on alleys be treated in the design guidelines which will give some flexibility to consider issues such as the use of the space. The Commission indicated agreement with this suggestion.

For clarification, Commissioner **Apostol** summarized and the Commission was in agreement with the following recommendation: that the minimum required façade transparency be 70%, and if the City Council seeks guidance on reducing this number, that is be lowered to no more than 50% minimum, to be applied to all types of streets except alleys, which would be addressed in the guidelines, and add some consideration for structural limitations and interior floor plan.

#### Future Follow-up Items:

1. Maximum Tenant Frontage and Retail Square Footage. Chair **Hersman** noted that this is a follow-up topic where more information has been already requested from staff. Commissioner **Bordokas** expressed concern regarding impacts to small buildings (example: Dacha) when tenants change, and Director Lundstedt clarified that the new standard would only apply to tenant changes involving a new class of use (eg. retail to restaurant), not when the new tenant is the same type of use. Commissioner **Conaway** suggested that Staff contact retail experts in the city for guidance on what formulas make for successful retail businesses.

Director Lundstedt clarified that the current proposal is that the maximum 35-foot frontage would be applied to Manhattan Beach Boulevard, but some larger number would apply to other north/south streets due to the narrow depth on those lots.

2. Ground Floor Retail/ Setbacks and Stepbacks. Chair **Hersman** summarized that staff will come back with more information on setbacks, but that no regulations are being recommended by the Commission on stepbacks above the ground level floor. It was also noted that any dining use would require a use permit regardless of the location.

#### Open Discussion Items

1. Vision - Chapters 1-3. Chair **Hersman** questioned whether discussion on page 113 in Chapter 1 (Introduction), relating to a vision for Live Oak Park in the Communities Facilities Strategic Plan of 2008 is in conflict with discussion on page 8.9 in Chapter 8.4, Section C of the Downtown Strategic Plan which makes

brief mention of cultural facilities in Live Oak Park. Director Lundstedt responded that she didn't think that there is a conflict because the information in Chapter 1 is being provided for context – as one of a number of past planning efforts in or near Downtown, and the information in both chapters do not directly relate to each other. Chair **Hersman** expressed disappointment that Chapter 9 covering Economic Development was being eliminated without much discussion in that she thought it contained a lot of good content (goals etc.).

Commissioner **Ortmann** expressed concern about the City Hall building located in the Civic Center site, and noted that it is located on the single largest site in the study area (reference land use map, 6.1) which is entirely owned by the City, and functions as a gateway to Downtown. When he walks by City Hall he is bothered by its design incoherence (new library next to older civic building, varying architectural styles e.g.) and he is troubled even more that there is no discussion in the Plan about the City Hall and the challenges it presents.

Commissioner **Conaway** stated he is struck with the fact that there is no discussion on the opportunity for the City to convert approximately 12 surface parking spaces flanking the proposed conceptual Beach Head at the base of Manhattan Beach Boulevard to a use with more public benefit such as a plaza. He believes, consistent with the spirit of a “Blue Zones Community” that there should be discussion regarding this opportunity in the Plan. Commissioner **Ortmann** agreed.

In response to Chair **Hersman's** request for background on this issue of parking near the beach, Director Lundstedt noted that this was brought up in the ULI report as an “opportunity site” however in the early public workshops this concept was not well received and during the subsequent review process, the issue did not go forward.

There was a brief discussion about the concerns that important policy issues are not addressed. Commissioner **Ortmann** stated that he hoped that these comments would be forwarded to the City Council so that the issues can be acknowledged in the record and it is his feeling that these issues of “the greater good” are important and worth fighting for.

2. Land Use and Private Realm Development - Chapters 4 & 6. In response to Commissioner **Bordokas**, Director Lundstedt informed that the Plan supports work/live units and this is being developed by staff.

Chair **Hersman** questioned whether special findings for smaller “formula stores” are needed, if formula stores are proposed that would fall within the maximum size limit codified (1,600 sq. feet as presently proposed), to which Director Lundstedt responded that she doesn't think so, since she believes the goal is to control the size of formula stores so they fit in with the Downtown boutique store pattern, rather than all formula stores categorically.

In response to comment from Chair **Hersman** about whether bicycle parking is being addressed, Director Lundstedt assured that there is direction to further explore where bike parking can be appropriately located, and the turnaround is still being evaluated with respect to circulation.

Chair **Hersman** raised the issue of the Historic Preservation Section in the Land Use Chapter (6.2B.8), expressing concern that it may be contradictory or more limiting compared to the city-wide Ordinance recently adopted. Director Lundstedt explained that it is valuable to have this Section in the Downtown Plan because it provides more context and explanation that cannot be provided in a code and it is intended to have more emphasis due to the special characteristics of Downtown that contribute to its charm. Director Lundstedt suggested if it is the Commission's consensus, staff can tighten this section up or make this entirely consistent with the Historic Ordinance provisions. The Commission discussed this briefly; Commissioner **Apostol** expressed concern that this proposal may be substantively different from the work already done on the Historic Ordinance; Commissioner **Ortmann** stated support for the proposed special guidelines with some language tightening up as he believes that the Downtown does warrant having special historic guidelines and also noting that there has not been any public objection to this section; Chair **Hersman** and Commissioner **Apostol** expressed concern that the proposed guidelines may be overly restricting property rights or decreasing value and are too vague or may contradict the Historic Preservation Ordinance. Director Lundstedt clarified: the proposed guidelines are not mandatory, apply to both commercial and residential properties Downtown; she believes that they do not differ from the Historic Preservation Ordinance to the point of being in conflict and believes they were included because they are relevant to the Downtown Plan and help to define the private realm.

Commissioner **Hersman** asked if the word “optional” in a reference to the City’s Historic Ordinance regulations in the opening paragraph of Section 6.2.B.8 should be struck, because the Ordinance is not “optional” – it’s a code.

3. Circulation and Public Realm Development – Chapters 5 & 7. Commissioner **Ortmann** reiterated his opinion that the intersection of 15<sup>th</sup> Street and Highland Avenue is deserving of designation as a primary, not secondary Downtown gateway. Commissioner **Conaway** noted that the examples for wayfinding signage shown on page 7.17 seem to not be helpful in that they appear relatively large possibly 16-foot tall, and he suggested that examples in the Plan should be consistent with the size and scale of private signs as regulated by the Sign Ordinance.

4. Infrastructure/ Public Facilities - Chapter 8. Commissioner **Apostol** stated his concern that discussion about waste and trash is missing from the Infrastructure Chapter. Director Lundstedt informed that the City Council very recently acted to move this topic out of the Specific Plan and address separately as a special project and formed a new task force for this effort.

At the request of Commissioner **Bordokas**, Director Lundstedt addressed input emailed to the Commission from a Downtown optometrist who was concerned that under the proposed Plan, his first floor business would become nonconforming. Director Lundstedt advised the Commission that staff will be bringing back more information including a proposal as to how existing such uses would be “grandfathered”. Planning Manager Jester suggested that perhaps a solution that staff can look into is to create a new use classification for businesses as described by the optometrist where there is a mix of retail and related medical, where the retail is located at the front of the store, as the primary use.

There being no more Commission discussion, Chair **Hersman** thanked staff for the opportunity to conduct the additional study sessions on the Downtown Plan. Director Lundstedt expressed her appreciation for the Commission’s hard work and input which has been very thoughtful and included many good comments and stated another meeting will be scheduled for additional follow-up information to be provided.

Chair **Hersman** noted at this time that there were audience members present who wished to speak and she invited their input on the Downtown Plan.

## PUBLIC INPUT

**Bill Victor**, resident, stated that the minutes are a very important record especially as this will be submitted to the Coastal Commission. Other comments: he thinks that the Commission should include in their report to the City Council a suggestion that they bifurcate the plan, separating out the original moratorium issue to be resolved first, and then take more time to final the Plan including the Implementation Chapter which he believes is very critical; he believes building height, with no exceptions for elevators remain at 26-feet unless a higher height is approved by voters, and that exception should be made in the transparency standard for Doctor’s offices.

**Suzanne Lerner**, 124 10<sup>th</sup> Street, a retailer and resident who will be closing her store Downtown soon, commented that although retail purchasing has changed so dramatically, service commercial is very important and in demand for the residents. She believes landlords will not be able to keep getting higher rents for retail due to the tremendous changes in consumer purchasing, and supports: bifurcation of the Plan, solving a serious trash problem downtown, creating a plaza near the pier, and a resident parking permit program.

**Jim Burton**, resident and property owner, 328 11<sup>th</sup> Street, stated that he would support losing 12 parking spaces on Manhattan Beach Boulevard to create public space, and believes that Downtown residents are not against visitors; he acknowledged negative reactions by the community but he feels it is due to ULI objectives that were in Chapter 9, Economic Development, initially that called for much added commercial growth Downtown that were not supported by the residents or in some ways not evidenced by fact and without a lot of discussion. He understands that there were some good ideas in Chapter 9 however that will be retained and followed up by the City’s Economic Vitality Manager working with an Economic Advisory Group and he supports this effort.

4. **DIRECTOR’S ITEMS - None**

5. **PLANNING COMMISSION ITEMS - None**

**6. TENTATIVE AGENDA – May 25, 2016 - Specific Plan Update.**

**5. ADJOURNMENT**

The meeting was adjourned at 8:46 pm to Wednesday, May 25, 2016 the City Council Chambers, City Hall, 1400 Highland Avenue.

ROSEMARY LACKOW  
Recording Secretary

ATTEST:

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MARISA LUNDSTEDT  
Community Development Director

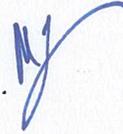


**CITY OF MANHATTAN BEACH  
COMMUNITY DEVELOPMENT DEPARTMENT  
STAFF REPORT**

**TO:** Planning Commission

**FROM:** Marisa Lundstedt, Director of Community Development

**BY:** Nhung Madrid, Senior Management Analyst  
Laurie B. Jester, Planning Manager  
Ted Faturios, Assistant Planner *T.F.*



**DATE:** July 27, 2016

**SUBJECT:** Draft Downtown Specific Plan Follow-Up

**RECOMMENDATION:**

Staff recommends that the Planning Commission **ACCEPT THE PRESENTION, DISCUSS AND PROVIDE DIRECTION.**

**BACKGROUND:**

On April 12<sup>th</sup>, the City held a Joint City Council/Planning Commission Study Session to review the Draft Plan's "Community Consensus Items" and "Items Requiring City Council Direction". The goal of the Joint City Council/Planning Commission Study Session was for staff to receive initial feedback from the Planning Commission and initial direction from the City Council on these key concepts; and staff was given sufficient feedback and direction to move forward. A follow-up City Council meeting was held on April 18<sup>th</sup> to further refine City Council's recommendations and direction on the Draft Specific Plan.

On April 27<sup>th</sup>, staff provided the Planning Commission with an update on the outcome of the April 18<sup>th</sup> City Council Meeting, which included a summary of Council's direction on Items Requiring Further Direction and Consensus Items. A summary of the City Council and Planning Commission Study Sessions are included in Attachment A. This meeting also provided an opportunity for the Commission to discuss, in greater detail, those same Consensus Items, as well as the items that needed further discussion and/or input from the Commission as suggested by Council. The Planning Commission made significant progress reviewing, discussing, asking questions and providing thoughtful feedback on the majority of the key concepts, and the discussion was continued to the May 11<sup>th</sup> Planning Commission Meeting to provide staff an initial opportunity to respond to some of the Commissions questions, as well as to review and discuss other sections/chapters in the Draft Downtown Specific Plan that had not been previously discussed.

Both Planning Commission meetings were very beneficial as they provided staff with thoughtful questions, different options to consider for various key concepts, as well as informational and follow-up items for staff to bring back to the Commission. Although the Commission's follow-up items have required a considerable amount of staff time to discuss, research and evaluate

amongst Planning staff and community members, it has proved to be advantageous to further evaluate and analyze various concepts and has given staff time to further refine and present well thought-out concepts, guidelines and regulations. Staff believes that this will result in a productive discussion with the Planning Commission, which will in turn allow for the Commission to make more informed recommendations to City Council.

## **DISCUSSION**

Based on an extensive outreach effort, the community has indicated that they are generally happy with the existing scale, architectural elements, and uses within the Downtown. The Draft DTSP and the revisions proposed within this report strive to preserve and protect the existing Downtown environment, while planning for future changes that will enhance the qualities that the community cherishes.

Although Planning Commission concurred on the key concepts as described in Attachment A, there were several questions that Planning Commission had about other concepts in the Draft Downtown Specific Plan that warranted further review and study. Staff has spent considerable time reviewing and discussing the implications of the Draft Downtown Specific Plan and analyzing different lots with potential development scenarios. Other cities have also been contacted and their development standards and policies reviewed. Based on all of this research, staff has recommendations on a number of items as detailed below.

### **New Proposals**

After an in-depth staff review and discussion, Staff requests further review from the Planning Commission on four proposals in the Draft Downtown Specific Plan that have that received little consideration from the Planning Commission in past meetings. These four proposals are the maximum setbacks, the minimum rear yard setback, the new live/work land use classification, and the limiting of some non-pedestrian oriented uses to all ground floor spaces including alleys.

### ***Maximum Setbacks***

As currently written, Chapter 6 of the Draft Downtown Specific Plan proposes maximum front, side, and street side setbacks. The intent of these maximum setbacks is to ensure that buildings maintain a relationship between the building, sidewalk, and pedestrian. Buildings set too far back from a sidewalk create an awkward void and possible dead zone that disrupts the pedestrian-oriented rhythm along the sidewalk. A potential concern with the maximum setbacks as currently written in the Draft Downtown Specific Plan is that a building's second story would also have to meet the maximum setback requirements. This would negatively affect building owners who want to design a building that only has a small amount of square footage on a second story, forcing them to "fill out" their buildable envelope up to the maximum setbacks. Staff does not believe this is the intent of the maximum setback requirement and proposes to change the term to "maximum ground floor setback". Maximum ground floor setbacks still encourage the pedestrian-oriented rhythm of buildings and storefronts without penalizing property owners who want to design their buildings in a way that provides a small amount of square footage on the second story of their buildings.

### ***Minimum Rear Yard Setback***

Another proposed standard of the Draft Downtown Specific Plan that Staff believes needs to be changed is the minimum rear setback requirement in Chapter 6. As currently written, the minimum rear setback of a building is 0 feet or 10 feet. This means that the rear of a building can either be on the rear property line or a minimum of 10 feet away, but not in between. The goal of a minimum 10 foot setback is that it allows enough room for a car to park parallel to the rear of a building along an alley. However, a potential consequence of this proposal is that it would create far too many nonconforming structures, whereby the rear of the building would have to be exactly on the property line or exactly 10 feet from the rear property line.

Staff proposes that the minimum rear yard setback be changed back to zero as it currently exists in the code, but have a requirement for paved parking, landscaping, or a combination of both depending on the dimensions between the rear alley property line and the building. The dimension of the required paved parking area would be the length of a car space (single, tandem, etc) with any leftover space over the required dimensions of a parking spot dedicated towards landscaping. Staff's revised recommendation for Planning Commission's consideration would avoid having a six or seven foot area of pavement between a structure and a rear property line on an alley where a car would be tempted to illegally park and cause more congestion on an alley. Having landscaping in alleys would also help beautify alleys to create a more inviting environment where property owners and tenants can have pride of ownership. Staff proposes the following revised language:

*Non-alley- 0' . Alleys- 0, 10, or 20 feet of paved parking area is allowed. For any other setback dimensions, the balance of non-parking area shall be separated with permanent barriers and landscaping or other materials subject to Director of Community Development approval. Parking areas great than 20 feet in depth shall require submittal of a parking and landscape plan for review and approval of the Director of Community Development for conformance with the standards and guidelines of the Specific Plan.*

### ***Live/Work Land Use Classification***

The Draft Plan proposes a new use classification called "live/work" that would be allowed in the CD zone with a Use Permit. The Draft plan defines live/work as:

A "live/work unit" is defined as a single residential unit (e.g., studio, loft, apartment, condominium, house) that includes adequate working space reserved for, and regularly used by, one or more person residing therein. The working space may accommodate one or more accessory commercial, office, and/or industrial uses, and may not exceed more than 50 percent of the floor area.

Although staff believes the Draft Plan made a good first step to establishing a live/work use, more refined and robust regulations are needed in order to adequately regulate any potential live/work use. Different cities regulate live/work differently depending on each city's unique circumstances and existing land use patterns, with larger cities having an elaborate live/work regulatory framework compared to less intricate regulations employed by smaller cities. Sunnyvale is a city that has strong yet concise live/work regulations that establish a middle

ground between what is currently being proposed in the Draft Plan and the more comprehensive regulatory frameworks governing live/work uses (Attachment B).

Sunnyvale’s live/work ordinance regulates different aspects of the live/work use, including but not limited to the location of the residential component (the “live”), impacts on neighbors of the commercial component (noise, smells, traffic, etc), signage, on-site employees, and many other aspects. Staff believes that if the Planning Commission needs to add more regulations that govern the location of both the “live” and the “work” components on a lot, the types of uses that qualify for “the work” component, on site employees, and other aspects of the live/work use. Staff strongly believes that any allowed office use for the work component that does not have a supporting retail component needs to be explicitly kept off the ground floor in order to encourage the goal of a pedestrian oriented, active streetscape that is consistent with other aspects of the Draft Plan.

In addition to discussing additional live/work regulations, staff would also like to highlight that live/work land use classifications generally require a very rigid regulatory regime in comparison to the existing mixed-use classification. Mixed-use land use classifications allow different commercial uses, generally on the ground floor and residential uses generally at the rear and/or on the top floor, or some combination thereof. Unlike typical live/work requirements, however, mixed use regulations usually do not have any rules on who is allowed to occupy the respective commercial and residential portions of the same building. Typical live/work requirements require the same individual to reside in the unit that also functions as their work space. A person who doesn’t “live” and simultaneously “work” in the same unit would not be meeting the goal of the live/work use, would likely not be in conformance with any potential live/work entitlement approved by the City and thus be subject to code enforcement. Existing mixed use land use classifications have many of the same benefits of live/work classifications but are more flexible from regulatory perspective.

Staff welcomes the Planning Commission’s input on all of these items of discussion.

### ***Non Pedestrian Oriented Ground Floor Uses on Alleys***

The Draft Downtown Specific Plan also proposes that banks, credit unions, savings and loans, offices, communication facilities, and catering services that are “adjacent to a sidewalk, pedestrian area, or on a ground level” require a use permit. This requirement has broad approval from the community, City Council, and Planning Commission; as the conversion of Downtown ground floor space to office and bank uses was one of the original catalysts for the creation of a Downtown Specific Plan.

Staff is concerned that the current language in Chapter 4 of the Plan requires these uses (bank, office, etc) to get a use permit for all ground floor spaces including spaces in the rear of lots located on alleys that are not adjacent to any sidewalk. Staff feels that having an office or other non-pedestrian oriented use on an alley may be appropriate, and suggests possible language changes for Planning Commission consideration:

“Banks, credit unions, savings and loans, offices, communication facilities, and catering services are permitted above ground floor. These uses are also permitted if the use

exclusively fronts an alley subject to Director’s approval. Other locations require a Use Permit such as ground floor adjacent to pedestrian areas.”

Staff notes that many other cities that require use permits for ground floor offices and similar uses in their downtown allow these non-pedestrian oriented uses on alleys without a use permit. Staff believes this new language is better suited to the goals of the Draft Plan by still promoting a pedestrian-oriented streetscape while giving flexibility to property owners and non-pedestrian oriented uses.

## **Follow Up to Planning Commission’s Questions**

### ***Building Height***

Staff has spoken the Building and Safety Division and Fire Department staff and feels that a correctly tailored two-foot maximum height exception for elevator shafts is an appropriate projection above the maximum height limit. Staff agrees with Planning Commissions’ recommendations that the two foot maximum height exception can be no larger than 10 feet by 10 feet, and must be located in the rear half of the lot.

### ***Maximum Ground Floor Front Setback***

The Draft Downtown Specific Plan proposes a new maximum ground floor front yard setback of 10 feet. Planning Commission directed Staff to gather data on existing front yard setbacks to see what impact this new regulation would have on existing buildings. Staff collected data on 14 different businesses Downtown (Attachment C), and six of the 14 (42.9%) exceed the 10 foot maximum front setback requirement. Most of these businesses are eating and drinking establishments where the front yard setback serves as an outdoor dining area on private property. Staff believes that keeping the proposed 10 foot maximum ground floor front yard setback is appropriate. Should Planning Commission chose to increase the maximum ground floor front yard setback, Staff believes it should be increased to no greater than 12 feet.

### ***Façade Transparency***

The Draft Downtown Specific Plan regulates “ground floor commercial façade transparency along sidewalks and pedestrian spaces”. The intent of the commercial façade transparency requirement is to ensure that commercial buildings provide visual interest for pedestrians, helping to create active street fronts and lively streets. The Draft Specific Plan specifies a minimum 70% storefront transparency, measured between 2.5 feet and 8 feet above the finished ground floor.

The consultant team recommended the 70% value in the Draft Downtown Specific Plan based on their best practices typical recommendation so that communities can achieve and perpetuate storefront façade designs that create and maintain a strong relationship between commercial tenants and the adjacent streetscape. After reviewing Manhattan Beach’s Downtown district’s buildings in greater detail, the consultant team recommends reducing the minimum transparency requirement value to 50 - 60% for consistency with the existing Downtown built environment. The consultant team believes this range is inclusive of and

consistent with the existing storefronts that currently help activate the district's commercial streets.

Several cities throughout the country and California have commercial façade transparency regulations. These regulations vary considerably from city to city in terms of the minimum percentage of transparency required and what portion of the façade the minimum transparency has to be provided in. The City of San Francisco, for instance, requires a minimum of 60% transparency, measured between 4 feet and 8 feet above the adjacent sidewalk level (Attachment D). In certain overlay districts the City of Inglewood requires 50% window transparency, measured between 4 feet and 8 feet, on the ground floor of commercial buildings facing a public street; with corner commercial properties required to have 60% transparency. The City of Los Angeles' Cornfield Arroyo Seco Specific Plan requires at least 50% transparency of a building's street façade measured between 2 – 8 feet from the finished floor level of the ground floor.

Staff recommends refining the minimum façade transparency requirement to better reflect the guidance of the Planning Commission, Staff's concerns, and the actual existing Downtown built environment. Staff recommends that the transparency standards should apply primarily to the three main commercial corridors that contain the vast majority of downtown businesses: Manhattan Beach Boulevard, Highland Avenue, and Manhattan Avenue. Storefront or storefront sides that are not located on pedestrian oriented corridors, like alleys, should not be subject to the minimum façade transparency requirements. Storefront sides on walk streets should also not have to meet minimum façade transparency requirements as commercial activity should be steered towards the main commercial corridors, not walk streets that tend to be more residential in nature.

Corner properties present an interesting situation in applying minimum façade transparency requirements. For instance, some corner sides are on a very steep slope where having transparency can be very challenging. Some corner tenants have bank vaults, dressing rooms, storage, or restaurant kitchens that shouldn't be exposed to pedestrians. In these cases, Planning Commission should consider allowing the corner property to meet the minimum façade transparency requirements on at least the primary, shorter front side, and provide some percentage of transparency on the second corner side near the front. Staff recommends that architectural elements that create visual interest and are compatible with the Chapter 6 Design Guidelines be required on the side of the corner property that is not subject to the minimum 50-60% transparency requirement.

Structural limitations introduce another constraint and could occur on both interior and corner lots. In these circumstances, a property owner could have great difficulty making a nonconforming façade meet the minimum façade transparency requirements during a structural alteration or renovation of an older building. If there are very unique, burdensome, and cost-prohibitive structural considerations, supported by documentation from a licensed structural engineer, Staff recommends allowing flexibility from the minimum façade transparency requirement. Elements that create visual interest that are compatible with the Chapter 6 Design Guidelines will be required on the façade where the transparency flexibility has been granted.

Existing businesses that do not meet the minimum façade transparency requirements would be allowed to maintain their nonconforming façade even if the space was vacated and a new tenant took over the space. A business that proposes structural alterations to their façade, however, would have to comply with the minimum façade transparency requirement if they did not already meet the requirement.

### ***Historic Preservation***

Several Planning Commissioners expressed concern with the Historic Preservation portion of the Design Guidelines in Chapter 6 and asked Staff to revise the language to better reflect that City’s recently adopted Historic Preservation Ordinance. It is important to note that these are guidelines, not regulations and staff believes they work in concert with the existing Historic Preservation Ordinance. Attachment E shows the changes that staff proposes to this portion of the Design Guidelines.

### ***Ground Floor Uses and Non-Conforming Uses***

The Draft Downtown Specific Plan proposes that all offices, banks, credit unions, savings and loans, catering services, and communication facilities that are “adjacent to a sidewalk, pedestrian area, or on a ground level” require a use permit (see earlier discussion in staff report on how staff wants to alter this language). Many cities throughout California require Use Permits for ground floor office uses in their respective downtown areas or similar commercial districts, including but not limited to Laguna Beach, Palo Alto, Sausalito, San Clemente, Temecula, and Monterey. Both City Council and Planning Commission have given their approval to this regulation change, but had several questions as to what would happen to the many existing offices and banks on the ground floor that would become legal nonconforming uses.

Manhattan Beach Municipal Code Chapter 10.68 *Nonconforming Uses and Structures* provides specific detail on the types of repairs, maintenance, and expansion a legal nonconforming use can engage in before the legal nonconforming use has to obtain a Use Permit (Attachment F). In general, a legal nonconforming use like a bank could take over and move into a legal nonconforming bank building as long as the building’s square footage is not expanded more than 10%. Ground floor uses that would become legal nonconforming under the Draft Plan could still repair, maintain, and enhance their tenant spaces without triggering the need for a Use Permit.

If a ground floor legal nonconforming use becomes vacant, the same legal nonconforming land use could move into the space without needing a Use Permit. This means that an office use can take over another ground floor office space, but an office could not take over a bank or vice versa because an office is a different use classification than bank, catering service, etc. Section 10.68.040 *Abandonment of Nonconforming Use* of the city’s municipal code includes guidance in the event a space containing a nonconforming use becomes vacant for an extended period of time:

“A nonconforming use that is discontinued or changed to a conforming use for a continuous period of 180 days or more shall not be reestablished, and the use of the structure or site thereafter shall be in conformity with the regulations for the district in

which it is located, provided that this section shall not apply to nonconforming dwelling units except nonconforming accessory dwelling units, which are permitted. Abandonment or discontinuance shall include cessation of a use regardless of intent to resume the use.

- A. Exception. The time necessary to complete review of a building application submitted within the 180 day period, and subsequent related construction activities shall not be counted towards the 180 days. However, time following the lapse of a building permit application or building permit shall be counted towards the 180 days.”

Staff proposes to follow the same provisions as established in Section 10.68.040 when reviewing existing uses that would become legal nonconforming as a result of the Draft Downtown Specific Plan.

### ***Land Use Changes***

Chapter 6 of the Draft Plan proposes several changes to permitted land uses in the Downtown Commercial (CD) zone. One land use change proposed in the Draft was to make animal hospitals an unpermitted use. City Council members, Planning Commissioners, and several residents brought up concerns that veterinarian services are an important resident-serving use and should be allowed, although there was agreement that long term animal boarding could have impacts and was not a desirable use. Staff has crafted language to create a new land use classification for veterinarian services that would be allowed in the CD zone to address these aforementioned concerns. The new land use classification, “Animal: Veterinary Services”, would read as follows:

"Animal: Veterinary Services. Establishment where small animals receive medical treatment, and overnight boarding only if associated with the on-site veterinary services. This classification only includes facilities that are entirely enclosed, soundproofed and air-conditioned."

The “Animal: Veterinary Services” classification makes a point to tie the overnight boarding of animals to medical treatment to minimize impacts. Animal Hospitals, as defined in the Manhattan Beach Municipal Code 10.08.050, are allowed to board animals for up to 30 days and would not be allowed in the CD zone along with Animal Boarding as a stand-alone use.

Another new land use classification that staff has created that is currently not in the Draft Plan is the “Optometrist” classification. Under the current Draft Plan, optometrists are classified as an office use and thus would be required to have a use permit if they occupied a pedestrian-adjacent ground floor space. Several Downtown optometrists reached out to Planning Commissioners, as well as Staff, and explained that they are unlike other medical office uses in that they have a significant retail component to their business, since they sell eye glasses, contact lenses and sunglasses. Planning Commission directed Staff to create a new land use classification for optometrists and to allow optometrists to be a permitted use on the ground floor. Staff concurred and created the follow land use classification:

“Optometrist – An “Optometrist” is defined as primarily a retail use, where the sale of eye glasses, contact lenses, and other eye care and vision-related products are provided as

the primary use. The use also includes as an incidental use, not located on the ground floor streetfront, a medical facility where patients are provided healthcare by one person or a group of eye care professionals practicing optometry.

The proposed Optometrist land use classification emphasizes the retail component of the optometrist business, requiring optometrists in ground floor spaces adjacent to pedestrian areas to place the retail component of their business in the front of their space with the goal of having an engaging storefront that contributes to an active and pedestrian-oriented streetscape.

Vehicle repair and service stations will also not be allowed in the Downtown.

### ***Second-Story Outdoor Dining Use Permit Application Submittal Requirements***

Planning Commission requested Staff to review how the impacts of potential second-story outdoor dining could be mitigated during the use permit process. Planning Commissioners had expressed support for second-story outdoor dining provided that potential noise problems could be alleviated for the benefit of Downtown residents. Staff recommends that for use permit applications with second-story outdoor dining with full alcohol service and hours of operation after 11:00 PM, an acoustical study that evaluates the potential impact of the proposed outdoor dining be provided as one of the use permit submittal requirements.

Staff believes that requiring an acoustical study as part of the use permit application for second-story outdoor dining will be a helpful tool to the Planning Commission and City Council in trying to balance the needs of restaurateurs, restaurant patrons, Downtown residents, and the whole Downtown community when reviewing a use permit application with proposed second-story dining. It is important to note that the proposed acoustical study submittal requirement only applies to use permits requesting permission for outdoor dining on the second level, and outdoor dining on the ground level will not have to meet this submittal requirement as part of the use permit application process although the findings for all use permits require any potential adverse impacts to be mitigated.

### ***Retail Square Footage Cap***

The current Draft Downtown Specific Plan does not have a maximum square footage for any particular use, but does require use permits for formula uses. During Study Session deliberations, the City Council directed Staff and the consultant team to remove the formula use regulations from the Draft Downtown Specific Plan.

After the Draft's release several stakeholders, and the Downtown Residents Group in particular, called for a cap on the square footage of retail spaces. The idea behind the retail square footage cap is that it would require a Use Permit for retail uses that are over a certain size. This would require further review and a public hearing process for larger retail uses. Often formula retail uses tend to seek out spaces that are significantly larger in size than mom and pop-run retail spaces. After hearing from the public, City Council directed Staff and the Planning Commission to explore the concept of a retail square footage cap and eliminate the formula use regulations from the Draft plan.

Retail Sales is a distinct land use classification as defined in the Manhattan Beach Municipal Code., defined in MBMC 10.08.050 Y. as:

“The retail sale and storage of merchandise not specifically listed under another use classification conducted wholly indoors unless otherwise specified by Section 10.60.080, Outdoor facilities. This classification includes department stores, drug stores, clothing stores, furniture stores, and businesses retailing the following goods: toys, hobby materials, hand-crafted items, jewelry, cameras, photographic supplies, medical supplies and equipment, electronic equipment, records, sporting goods, kitchen utensils, hardware, appliances, antiques, art supplies and services, paint and wallpaper, carpeting and floor covering, office supplies, bicycles, and new automotive parts and accessories (excluding service and installation).”

A retail square footage cap would only apply to businesses that met the definition of Retail Sales, and would not apply to any other land use classifications within the CD Zone, such as the Food and Beverage Sales land use classification (grocery stores like Vons and Manhattan Grocery), the Personal Services land use classification (hair salons, tailors, shoe repair, dry cleaning, etc), or to the Offices, Business and Professional land use classification. Staff does not recommend any square footage caps for these other uses that are not defined as Retail Sales. MBMC 10.08.050 Commercial Use Classifications defines all of the potential commercial land use classifications (Attachment G), a number of which already require a Use Permit.

Staff researched what measures other municipalities have taken to limit retail square footage size in order to discourage formula uses. Many municipalities across the country have crafted regulations to discourage big box stores (50,000 sq ft or more). Such regulations seem inappropriate for Downtown Manhattan Beach considering an entire block on Manhattan Beach Boulevard between Highland Avenue and Manhattan Avenue is 24,300 square feet,; an unlikely site for a big box store. Furthermore, any new building over 5,000 square feet and any lot over 10,000 square feet already requires a use permit under the existing Municipal Code and proposed Draft plan. A Use Permit is also triggered by any new restaurant or significant restaurant expansion and all office uses over 2,500 square feet.

The only municipality that has attempted to target much smaller tenant spaces that Staff was able to find is San Francisco. San Francisco’s regulations require non-residential uses over a certain size to obtain a use permit, with the size trigger for a use permit ranging from 2,000 square feet to 6,000 square feet depending on the neighborhood. (Attachment H- San Francisco’s Use Size Limits). The stated need within San Francisco’s code for use size limits is “to protect and maintain a scale of development appropriate to each district”, similar to the community’s goals for Downtown Manhattan Beach. It is unclear if San Francisco’s use size regulations are specifically designed to discourage formula retailers considering that San Francisco also has restrictions on formula uses in addition to square footage regulations.

City Councilmembers and Planning Commissioners asked Staff to collect data on existing retail square footages within the CD zone in order to determine what the appropriate retail square footage cap should be. Staff has collected data (Attachment I) on many retailers

within the CD zone with the help of the Downtown Manhattan Beach Business and Professionals Association, by knocking door to door on retailers in the Downtown, and by looking at building plans on file. Staff was able to collect information on 43 retailers in the CD zone, which not a complete accounting of all the retailers Downtown.

Since some of the square footage data gathered was self-reported by tenants, some of the numbers in the data set might be artificially low and not represent the actual square footage of some tenants. Many tenants may also not have known the exact square footage of their space, or may have reporting the square footage on their lease which isn't necessarily the true square footage of the space depending on how the landlord has chosen to consider storage, ramps, stairs, elevators, bathrooms, hallways, and other common area square footage not related to the sales floor area. The City's Zoning Code uses Buildable Floor Area (BFA), which includes exterior walls, and for commercial uses excludes parking, mechanical rooms, and elevators. Any retail square footage cap that might be recommended by Planning Commission should be aware of these issues when analyzing the data on existing retail square footages.

Any potential retail square footage cap should set at a number that balances the needs of merchants and property owners while still maintaining the small-town character of the community. Staff acknowledges that retail spaces must be large enough to generate the revenue needed to sustain a small business owner's livelihood, which in turn perpetuates economic vitality and helps property owners save money by keeping vacancies low.

Analyzing the collected retail square footage data of 43 downtown retailers, nine stores or about 21% of the retailers have total square footages in excess of 1,600 square feet. Four of these nine retailers with over 1,600 square feet are not formula retailers and in fact have Downtown Manhattan Beach as their only location.

Staff believes that any retail square footage cap considered by Planning Commission should be based off of the sales floor area of a retailer. The sales floor area, in combination with the other Specific Plan regulations and guidelines will provide consistency with existing use, while providing flexibility for retailers that may have larger storage or other back of house areas. Sales floor area should be defined as the total area of a tenant space, measured from the inside walls, excluding rooms that are permanently inaccessible to the public, including but not limited to storage rooms, offices associated with the retail tenant, mechanical rooms, bathrooms, and common areas shared with other tenants in a building. Staff recommends a sales floor area-based square footage cap around 1,600 square feet for consistency with the square footage of existing retailers.

If a retail square footage cap is implemented, an existing retailer whose square footage exceeds the cap would becoming nonconforming. The nonconforming retail space would only have to be brought into conformance if the retail space went under significant structural alterations in excess of 50% building valuation, typically only when a new tenant is proposed for the site.

Another potential option that has not been discussed is to not adopt a maximum retail square footage cap and a tenant frontage cap and instead follow San Francisco's lead in requiring a use permit for any use over a certain square footage that is lower than the current 5,000 square foot requirement. Instead of the existing 5,000 square foot Use Permit trigger that applies to the entire city, perhaps the Planning Commission may consider a much lower square footage threshold to trigger the Use Permit requirement in the CD zone. This recommendation in concert with the proposed Design Guidelines may allow a closer review of what develops in the Downtown without creating a new regulatory framework.

### ***Maximum Tenant Frontage***

The current Draft Downtown Specific Plan recommends a 50 foot maximum individual building frontage along a street in Chapter 6. Many stakeholders that took part in the community workshops after the release of the Draft Plan interpreted the maximum building frontage as a maximum tenant frontage, and felt that a 50 foot maximum tenant frontage would be out of character for our small beach town. After hearing from the public, City Council directed Staff and the Planning Commission to explore a 35 foot maximum tenant frontage on Manhattan Beach Boulevard and evaluate options for maximum tenant frontages along Manhattan Avenue and Highland Avenue. City Council's stated goal was to prevent single tenants from taking over and combining multiple storefronts along a street or even consolidating building lots and building larger buildings with larger tenant spaces that would be out of character for Downtown Manhattan Beach.

Staff has reached out to many different types of cities and cannot find any that have a specific maximum tenant frontage in their zoning codes.

City Councilmembers and Planning Commissioners also asked for Staff to collect data on existing Downtown tenant frontages so that any proposed maximum tenant frontage is not arbitrary but based on existing building and lots. Staff has measured nearly every single tenant frontage along Manhattan Beach Boulevard, Highland Avenue, and Manhattan Avenue and has compiled the information (Attachment J). The measurements were taken with a measuring wheel and are fairly accurate.

It is important to understand the sizes and orientation of lots along different streets in the Downtown area in order to accurately craft a potential maximum tenant frontage regulation. Individual lots on each side of Manhattan Beach Boulevard generally run north-south and are usually 30 feet wide by 90 feet long. The Kettle and Chase Bank each take up an entire double lot (60 feet wide by 90 feet long) on Manhattan Beach Boulevard, and the Sketchers office site is 120 feet long on Manhattan Beach Boulevard by 90 feet wide. The Strand House takes up a double lot that is 50 feet wide on Manhattan Beach Boulevard by 90 feet long. Lots along the western side of both Manhattan and Highland Avenue tend to run north-south and have 90 feet of frontage along Manhattan/Highland Avenues and be either 30 feet or 60 feet deep depending if the lot is a single or double lot. Individual lots along the eastern side of Manhattan and Highland Avenues tend to run east-west and be 33.33 feet wide by 100 feet long. The eastern side of Manhattan and Highland Avenue also have several double lots that are 66.66 feet wide. There are of course other lots along all these streets that have

different shapes, sizes, and orientations that fall outside the parameters described above. See Attachment K to better understand the orientation of lots.

Seven of 53 storefronts (13.2%) along Manhattan Beach Boulevard exceed 35 feet in width. Eight out of 33 storefronts (24.2%) along Highland Avenue exceed 50 feet in width. Two out of 62 storefronts (3.2%) along Manhattan Ave exceed 50 feet in width.

If a maximum tenant frontage is pursued, Staff believes that lots 35 feet or more in depth should have a maximum tenant frontage of 35 feet, and lots with less than 35 feet in depth should have a maximum tenant frontage of 50 feet. As stated by many City Councilmembers and Planning Commissioners, the regulations adopted in the Downtown Specific Plan should not create a situation where a potential tenant would be forced to occupy a space that is not large enough to sustain a business. A 35 foot wide maximum tenant frontage on a 30 foot by 90 foot lot, oriented north-south along Highland or Manhattan Avenue, would create a tenant space of 1,050 square feet, (35 feet wide by 30 feet deep) regardless of the tenants land use classification. The 50 foot frontage for these shallow lots creates a 1,500 square foot tenant space, which is a reasonable size consistent with existing Downtown Square footages.

For corner lots staff would need to determine on a case by case basis which storefront would be subject to the maximum tenant frontage of 35 feet or 50 feet, with Staff taking into account the lot's development, size, slope, and the tenant patterns of the surround blocks. Key to staff reaching a determination on the appropriate maximum tenant frontage for corner lots would be consistency with surrounding development, maintaining and enhancing pedestrian-orientated orientation, and encouraging an active, lively streetscape.

### **Relationship Between 1) Retail Square Footage Cap, 2) Maximum Tenant Frontage, and 3) Existing Lot Size and Orientation**

An economically vibrant downtown can only exist with thriving businesses, and new regulations that will be adopted in the Specific Plan need to be cautious to not create situations where tenant spaces become too small or awkwardly shaped.

Planning Commissioners asked staff to look at the relationship between a potential retail square footage cap and a maximum tenant frontage. Some Planning Commissioners expressed concern about the potential shape of the commercial spaces that could emerge if a retail square footage cap and maximum tenant frontage existed, with the potential for a long, narrow commercial space that would discourage patrons from walking to the far end of the space. Planning Commissioners stated that a good rule of thumb in retail is that a sales floor length should be no longer than three times the width of the sales floor and asked staff to apply this rule to existing lots in the Downtown to see if potential sales floors would exceed this 1:3 (width:length) ratio.

After analyzing the existing lots in the Downtown, staff feels it is possible, though unlikely, that a sales floor would exceed the 1:3 ratio. The shape of many lots Downtown are themselves 1:3 (30' x 90', 33.33 x 100'), although the width of many tenant spaces are only half the width of a lot. Nevertheless, it is extremely unlikely that a sales floor would take up

the entire depth of a lot from front to back considering almost all retail spaces have dressing rooms, stock rooms, offices, and potentially other rooms located in the rear of their spaces.

In addition to these considerations, many of the lots along Manhattan Beach Boulevard and even Manhattan Avenue and Highland Avenue have parking spaces and even separate tenants located on the alleys in the rear of their lots. This means that an entire tenant space might only occupy the front half or two thirds of a lot, and the depth of that space's sales floor would be even less after accounting for the retailer's office, bathroom, stockroom, etc.

All of the lots Downtown have access off of two streets or a street and an alley, with a few exceptions. This provides an opportunity for much more flexibility for second tenant spaces and/or parking at the rear, particularly for deep lots. The lots that do not have two public accessways include, most of the sites that surround Vons at the northeast corner of 10<sup>th</sup> Street and Morningside Drive, which are zoned CD but developed with legal nonconforming residential uses. The other two lots are 208 Manhattan Beach Boulevard, a 25 foot wide by 66.6 foot lot long lot with a 40 foot long building and a garden in the back; and 1116 Manhattan Avenue, a 33.33 foot wide by 50 long lot that is fully developed lot line to lot line. Both of these two buildings would meet the 1:3 ratio.

Topography might also play a role in preventing a building from going all the way to the rear property line. Many lots on the eastern side of Manhattan Avenue have significant grade changes going up from west to east. Buildings built on these east-side Manhattan Avenue lots are likely to have a second story that is level with Bayview Drive in the rear, providing more square footage with light and a view instead of being buried deep underground closer to the rear property line, as an example, 1110 Manhattan Avenue (Attachment L). Staff has also prepared several different scenarios of how tenant spaces would be laid out given different tenant frontages and maximum square footages (Attachment M).

After analyzing the existing lot sizes, lot patterns, lot topography, and buildings, Staff believes that is possible although unlikely that a retail sales floor would exceed the 1:3 ratio.

## **CONCLUSION**

Staff recommends that the Planning Commission review the information within this report, discussion the options and recommendations presented and provide direction. Staff will then revise any Specific Plan language and return to the Planning Commission at a noticed public hearing.

### **Attachments:**

- Attachment A: Draft Downtown Specific Plan Key Concept Consensus Items
- Attachment B: Sunnyvale's Live/Work Regulations
- Attachment C: Downtown Front Yard Setback Data
- Attachment D: San Francisco Transparency Handout
- Attachment E: Chapter 6 Historic Preservation Updates
- Attachment F: MBMC Section 10.68.030 Nonconforming Uses and Structures
- Attachment G: MBMC 10.08.050 Commercial Use Classifications
- Attachment H: San Francisco Maximum Use Size

Attachment I: Downtown Retail Square Footage Data  
Attachment J: Downtown Tenant Frontage Data  
Attachment K: General Plan Land Use Map  
Attachment L: Site Plan/First Floor Plan for 1110 Manhattan Ave  
Attachment M: Maximum Frontage Scenarios- Various Lots

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**CITY OF MANHATTAN BEACH  
PLANNING COMMISSION  
MINUTES OF REGULAR MEETING  
JULY 27, 2016**

A Regular Meeting of the Planning Commission of the City of Manhattan Beach, California, was held on the 27<sup>th</sup> day of July, 2016, at the hour of 6:30 p.m., in the City Council Chambers, at 1400 Highland Avenue, in said City.

**1. ROLL CALL**

Present: Apostol, Bordokas, Conaway, Chairperson Hersman  
Absent: Ortmann  
Staff Present: Marisa Lundstedt, Director of Community Development  
Michael Estrada, Assistant City Attorney  
Laurie Jester, Planning Manager  
Nhung Madrid, Senior Management Analyst  
Ted Faturos, Assistant Planner  
Rafael Garcia, Assistant Planner  
Rosemary Lackow, Recording Secretary

**2. AUDIENCE PARTICIPATION (3-minute limit)**

Jim Murray, resident, inquired as to whether the audience would be able to address the Commission on the Downtown Specific Plan item tonight and Chair Hersman confirmed that input would be accepted for that item.

**3. APPROVAL OF THE MINUTES – June 22, 2016**

A motion was MADE and SECONDED (Conaway/Bordokas) to **APPROVE** the minutes of June 22, 2016, no changes.

Roll Call:

AYES: Apostol, Bordokas, Conaway, Chairperson Hersman  
NOES: None  
ABSENT: Ortmann  
ABSTAIN: None

**4. PUBLIC HEARING**

07/27/16-2. Consideration of a Use Permit for Proposed Construction of a Mixed Use Building at 1762 Manhattan Beach Boulevard (Manhattan Beach Plastic Surgery Properties)

Assistant Planner Rafael Garcia summarized the staff report with the aid of a slide presentation, explaining that the project proposes to demolish existing improvements and construct a 4,406 square foot, three level mixed-use building with an enclosed parking structure at the ground level. A 2,434 square foot residential use will be on the second and third levels and a 1,835 square foot single tenant medical office space will be at the second level. Mr. Garcia explained that the zoning (CL-Local Commercial) allows both commercial and residential on the same site subject to approval of a Use Permit. Mr. Garcia concluded that the staff recommendation is that the Commission conduct the public hearing, discuss the application and adopt the draft resolution, with revisions to conditions 24 and 34 as follows:

Condition 24: All two-way driveways and approaches shall be as wide as the aisle it serves. ~~Both~~ The driveway ~~approaches~~ approach must be at least ~~22~~ 20-feet wide (W=~~22~~ 20'), not including approach wings.

Condition 34, first sentence only: A ~~25-foot~~ 15-foot radius corner ~~cutoff~~ dedication shall be provided to the City at the southwest corner of Manhattan Beach Boulevard and Harkness Street as formed by the existing property lines.

Chair Hersman opened the public hearing and invited public input.

### **PUBLIC INPUT**

**Louie Tomaro**, project architect described the project, emphasizing that the intent design-wise was to provide a terraced façade, and put the mass more toward the rear. He pointed out modern materials and planters on each level to soften including a hedge to buffer the rear residential property. He noted that building will be LEED certified and a number of environmentally friendly aspects are to be incorporated, including solar panels.

**Bill Peterman**, resident on Harkness, received a notice and was concerned about the size of the project and that it will stand out or not blend well with other buildings.

There being no others wishing to speak, Chair Hersman closed the hearing and invited the Commission to ask questions of staff and discuss the application.

### **COMMISSION DISCUSSION**

Commissioner Conaway complimented the project noting the following positive attributes: it is 10% less in size than the maximum allowed improvements; the overall design is very good, including provision of natural light via an interior courtyard, and articulation of the exterior building walls as well as meeting ADA requirements, especially the solution for disabled access in the right-of-way; and the mixed-use provides a good transition between commercial and nearby residential uses.

Commissioners Apostol, Bordokas and Chair Hersman joined Commissioner Conaway in his comments about the project and the proposed mixed-use at this location. Chair Hersman acknowledged that the building height will be higher than the existing structures but believes this will be a significant improvement.

In response to questions posed by the Commission, Assistant Planner Garcia informed that once approved, the project would not be able to be converted to a solely residential use nor could the commercial uses be upgraded or intensified beyond what can be supported by the parking on the site. Also, the residential use could not be sold off separately, as there has been no subdivision application request. Mr. Garcia also pointed out that while there is no open space requirement for this type of a mixed-use project; staff worked with the applicant to provide upper level open space beyond what was required.

Mr. Garcia noted that staff would like to add another routine condition to the Resolution that would require that rooftop solar panels must comply with the building height limit.

Discussion followed in which Mr. Garcia explained that when solar panels are being added to the roof of an existing building, staff allows panels to exceed the height limit by 6-inches; however with new buildings, the height limit is typically strictly applied. Mr. Garcia noted that staff has identified a couple of solutions for the applicant in order for the solar equipment to comply with the height limit: they can located the panels on a lower area or reduce the height of the building roof by six inches.

### **PLANNING COMMISSION ACTION**

A motion was made and seconded (Apostol/Conaway) to approve the subject mixed-use project based on the submitted plan, with an allowance that solar panels may exceed the height limit by six inches maximum.

The Commission discussed the pending motion and arrived at a consensus that at this stage in the project planning, it would be unduly burdensome for the building design to be modified to a height that was 6 inches lower than the building height limit. The Chair called for a vote on the motion.

Roll Call Vote:

AYES: Apostol, Bordokas, Conaway, Chairperson Hersman

NOES: None

ABSENT: Ortman

ABSTAIN: None

## 5. OLD BUSINESS

07/27/16-3. Draft Downtown Specific Plan Follow-Up

Chairperson Hersman announced this item and explained the Commission will accept the staff presentation, discuss and provide input to staff, and the public will have an opportunity to give comments. Chair Hersman complimented staff on a well written report and expressed appreciation that more time has been provided the Commission for its review of the plan.

Planning Manager Laurie Jester addressed the Commission and acknowledged this has been a full team effort especially the work of Nhung Madrid, project manager and Ted Faturros, Assistant Planner who has also organized the walking tours. Ms. Jester distributed new emails received from Martha Andreani and Bill Victor.

With the aid of a slide presentation, Ms. Jester summarized three categories of topics: Consensus Items (10 total), New Proposals (4 total) and Follow-up items to PC questions (10 total). The focus of tonight's discussion will be the New Proposals and Follow-up items for which input is needed.

Ms. Jester explained all of the **Consensus** items which are changes in the Plan for which there is consensus by the City Council and Planning Commission and no new input is needed.

Ms. Jester summarized and explained issues/staff recommendations for **New Proposals**, including: Maximum Setbacks; Minimum Rear Yard Setbacks; Live/Work Use Classification; and Non-Pedestrian Ground Floor uses on Alleys. Input is requested from the Commission on these proposals.

Next, Ms. Jester summarized and explained issues/staff recommendations for **Follow-up to direction from the Planning Commission**, including: Building Height; Maximum Ground Front Setback; Façade Transparency; Historic Preservation; Ground Floor Uses and Non-Conforming Uses; Land Use Changes; Second Story Outdoor Dining Use Permit Application Submittal Requirements; Retail Square Footage Cap; and Maximum Tenant Frontage. Ms. Jester also went over the relationship between a retail square footage cap, tenant frontage and lot size and orientation. Planning Commission input is request on all of these items.

Concluding, Ms. Jester outlined the project next steps and timeline, including completion of the environmental review (August-September) conduct of the public hearings before the Planning Commission (Early Fall, 2016), City Council (Winter, 2016) and submittal, after adoption, to the Coastal Commission for certification (Winter, 2016).

Chairperson Hersman invited the Commission to direct questions of staff.

Responding to Commissioner Bordokas, Planning Manager Jester explained that "mixed-use" occurs when distinct residential and commercial uses occur on a single site with no specific Code limitations but Use Permit conditions while, in the case of a "live/work" use, the residential use is integrated with an on-site commercial use, for example, there may be a bakery and the baker who is an employee or employer, also lives in a unit on the premises. A Live/Work use typically carries a restriction that links the two uses but there is also flexibility, such as a reduction in the overall parking requirement since there is overlap of parking demand.

The Chair invited any interested parties to address the Commission.

### **PUBLIC INPUT**

**Philip Cook**, resident and business owner, was disappointed to see there was no discussion or proposal to increase the height of commercial buildings by 4-feet, to match the residential uses downtown which he believes deserves attention since it would not add another story, increase floor area, increase a "canyon effect" which is mitigated by setbacks, and the plus side, will allow higher commercial ceiling heights, put commercial and residential on an equal footing, give commercial investors a way to realize their capital and provide a sense of vitality. He doesn't believe a "small town feel" can be legislated.

**Jim Murray**, 45 year resident, has participated in this planning process; believes that there has not been a

priority to safeguard downtown small town character relative to quality of life and would like to see more consideration regarding traffic congestion, truck deliveries blocking streets, enforcement of traffic, parking and smoking and safety concerns in the area of Manhattan Beach Boulevard and Highland.

**William Victor**, long time property owner is disappointed that there hasn't been much outreach to residents for this item tonight. He agrees that the small town character is very important for the quality of life of the residents' downtown and stressed the importance of this. He has concerns with the valet double parking and no enforcement and he distributed a copy of an email with the mayor about the issue of outreach.

**Dr. Robert Stahl**, former resident of Manhattan Beach and current downtown businessman (optometrist), thanked the Commission and staff, and urged the Commission to keep in mind points made by the ULI, including that small tweaks only may be needed because the downtown is successful already. He is concerned that bigger changes may result in unanticipated consequences, such as market control. He noted that the City has treated residential, seemingly, from the viewpoint that "bigger is better" and many small bungalows have gone away; perhaps commercial property owners should be given the same consideration as residential owners.

**Tony Choueke**, Commercial Property Owners Association, believes that that buildings that are developed downtown should be beautiful. He knows the commercial owners won't get everything they want, he feels the plan is balanced and wants to see everything discussed in a non-confrontational way.

**Jim Burton**, downtown beach cottage owner, disagrees with the ULI report as being too aggressive. He urges that no height limit increase and is reluctant to support encouraging office space fronting on alleys, because he thinks more thought is needed to consider potential impacts, although perhaps this may be in incentive to keep the alleys clean. He has concerns regarding requiring the applicant to submit an acoustic study for upper level outdoor dining, unless there are specific objective metrics to evaluate the study. Mr. Burton suggested that there should be some new outreach to the community at large informing of the project timeframe for the new schedule of upcoming hearings.

There being no other speakers, the Chair invited the Commission to discuss.

#### PLANNING COMMISSION DISCUSSION

**Commissioner Bordokas** commented: regarding "live/work" use: believes more work is needed on the definition; regarding office uses on alleys: she likes the idea and understands that this wouldn't apply to walk streets; regarding ground floor uses and nonconformities: she still is concerned that this will give a windfall to owners who will have an incentive to keep undesirably large offices, and would like more discussion. Regarding the discussion on the relationship of store frontage and sales floor area: she likes what has been done but prefers to keep this simple with only a cap of 1,600 or 2,000 square feet of sales area, that triggers a use permit, without also creating, as suggested, a complicated maximum frontage rule based on lot depth.

**Commissioner Apostol** commented: the walking tour was very helpful and he is concerned, in looking at rear yard setbacks, that trash storage regulations and generally, "back of store" issues have been adequately addressed; regarding transparency, he would like to see above 60%, perhaps slightly less than 70%, but he is also concerned that too much required window space could result in too many window signs or posters. He appreciates the discussion in the staff report about the ratio of the depth of retail floor area to its width and the fact that elevators are being proposed to encroach a little beyond the height limit.

Director Lundstedt informed the Commission that on the August 2<sup>nd</sup> City Council agenda there will be a report about downtown maintenance issues and one recommendation is to revisit the existing Municipal Code trash storage standards. Staff will be following this review and incorporate Council approved recommendations into the downtown plan as appropriate.

**Commissioner Conaway** commented: regarding minimum rear yard setbacks, clarification is still needed as to the purpose and if the goal is to encourage parking pavement, permeability should be addressed; regarding live/work uses, more information is needed on the standard itself, how this would be a benefit, and why we could not just use the Code "mixed-use" provisions. Commissioner Conaway supports non-pedestrian uses on alleys, but wants to make sure that there is a clear diagram as to what right-of-ways this would apply to; regarding maximum front yard setbacks, 10-feet seems reasonable but perhaps 11 or 12 feet is better. Regarding transparency, he is still unsure if this is a big problem, but believes having a higher percentage can

translate to more vibrant street life, such as Vancouver that has 90%, and corners need to be addressed; regarding outside dining at second levels, he strongly supports if restricted to Manhattan Beach Boulevard or at least a block away from “edge areas” where uses transition to residential and supports not requiring an acoustic study. Regarding a retail cap and frontage limits, he shares concern with Commissioner Bordokas that the regulations shouldn’t get too complex, and he questions whether by setting a cap or being too onerous, the City inadvertently discourage some desirable uses such as a small hardware store or movie house. However, he supports setting a cap in such a way that an exceedance would require a use permit and not outright prohibit overages.

**Chair Hersman** commented that she concurred with most comments, and generally believes that the focus should be to maintain what it has now that is working well. She concurs in having a simple retail cap for a use permit without complicated frontage rules. She appreciated the very clear graphics from San Francisco on transparency.

Chair Hersman asked staff if they needed any more input tonight from the Commission.

Director Lundstedt informed that one more study session has been planned with the Commission which will provide another opportunity to provide more information on any outstanding items which so far include:

- Live/work land use classification: Provide definition
- Ground floor retail uses and nonconforming uses
- Retail Square Footage Cap: Set a maximum floor sales area cap of 1,600 square feet beyond which a Use Permit is required.
- Maximum tenant frontage: Possibly not having limits.
- Minimum rear yard setback: Include input from City Council meeting on August 2 related to Downtown maintenance issues.
- Façade transparency
- Maximum ground floor front setback: Should be increased to 12 feet.

Brief discussion ensued regarding the issues related to regulation of nonconforming uses. Director Lundstedt explained that this is a difficult issue but one which the Commission needs to discuss, and it is very important when standards or regulations change. She reminded that ULI recommended against regulating nonconformity based on specific tenancies; there are other options to consider.

At the Chair’s suggestion, the Commission briefly discussed and further clarified their recommendations for each of the following **follow-up items** identified in the staff report, as follows:

1. Building Height: Keep 26-foot height for commercial development with a 2-foot exception for elevators, 10’ x 10’ maximum, in lot rear half (per staff recommendation)
2. Maximum Ground Floor Front Setback: Increase to 12 feet (per staff recommendation)
3. Façade Transparency: Require minimum 70% for Manhattan Beach Boulevard, Manhattan Avenue and Highland Avenue, and 60% transparency on the corner side frontage of a building where feasible, plus articulation as provided in the Guidelines, subject to considerations including but not limited to structural or interior floor plan constraints.
4. Historic Preservation: Concurs with staff proposed changes.
5. Retail Ground Floor Uses and Nonconforming Uses: Staff will discuss existing code in more detail.
6. Land Use Changes: Concurs with staff recommendation.
7. Second Story Outdoor Dining: Allow on Manhattan Beach Boulevard and possibly on Manhattan Avenue as long as dining location is a minimum of 1-2 blocks from a residential block as a transition, subject to use permit review, and no requirement for an acoustic report. Staff clarified that the acoustic report requirement may still be recommended as a mitigation measure in the draft environmental document.
8. Retail Square Footage Cap: Set a maximum sales floor area cap of 1,600 square feet beyond which a Use Permit is required.
9. Maximum Tenant Frontage: Concurs with staff recommendation, for maximum 35 foot frontage for lots greater than or equal to 35 feet in depth, and for lots less than 35 feet in depth, a maximum frontage of 50 feet.

Director Lundstedt requested clarification on the **New Proposals** presented in the staff report. The Commission briefly discussed and directed that more information be provided on the minimum rear setback as previously

discussed. In addition, Director Lundstedt received clarification that the Commission was comfortable with allowing some small office uses, banks, catering or communication facilities on the ground floor adjacent to alleys. Direction on maximum setbacks versus maximum ground floor setbacks was not provided.

With concurrence from the Commission, Chair Hersman continued the Draft Downtown Specific Plan follow-up report and discussion to the August 10, 2016 Planning Commission meeting.

**6. DIRECTOR'S ITEMS**

Director Lundstedt informed of the following:

- The Commission will discuss the rotation of the chair at the next meeting.
- The Gelson's project environmental document, a 'Mitigated Negative Declaration' (MND), has been released and public comments can be received until August 20, and should be directed to the Community Development Department. Copies of the MND can be seen at the City Hall as well as at the Public Safety Facility at Civic Center.
- As to Manhattan Village Shopping center, much of the interior of the Mall is being refreshed as well as the exteriors of CVS, Ralph's and the Cocos building.

**7. PLANNING COMMISSION ITEMS - none**

**8. TENTATIVE AGENDA – August 10, 2016 – Draft Downtown Specific Plan Follow-Up.**

**9. ADJOURNMENT**

The meeting was adjourned at 9:30 pm to Wednesday, August 10, 2016 the City Council Chambers, City Hall, 1400 Highland Avenue.

ROSEMARY LACKOW  
Recording Secretary

ATTEST:

/s/Marisa Lundstedt  
MARISA LUNDSTEDT  
Community Development Director

**CITY OF MANHATTAN BEACH  
COMMUNITY DEVELOPMENT DEPARTMENT  
STAFF REPORT**

**TO:** Planning Commission

**FROM:** Marisa Lundstedt, Director of Community Development 

**BY:** Nhung Madrid, Senior Management Analyst   
Laurie B. Jester, Planning Manager   
Ted Faturos, Assistant Planner

**DATE:** August 10, 2016

**SUBJECT:** Draft Downtown Specific Plan Follow-Up

**RECOMMENDATION:**

Staff recommends that the Planning Commission **ACCEPT THE PRESENTATION, DISCUSS AND PROVIDE DIRECTION.**

**BACKGROUND:**

Following the release of the Draft Downtown Specific Plan in March, staff has held several study sessions with the Commission to discuss and further refine the Plan's key concepts. The initial meetings held in April and May were very productive as they provided the Commission an opportunity to ask clarifying questions, request additional information, and for staff to explore potential new options for the various elements of the Draft Plan.

**DISCUSSION:**

In response to the Commission's request, on July 27<sup>th</sup>, staff held its third study session with the Commission and provided a very thorough report and presentation, which included extensive research on items requested by the Commission, as well as provided the Commission new options for consideration (Attachment A). This study session was very successful in that the Commission was able to make well-informed recommendations for the majority of the key concepts and requested that only a few items return for additional discussion. The Commission came to a consensus and made recommendations of the following key concepts (Attachment B):

- Building Height/Stories
- Maximum Ground Floor Front Setback
- Façade Transparency
- Historic Preservation
- Ground Floor Retail Uses and Non-Conforming Uses
- Land Use Changes
- Second Story Outdoor Dining
- Retail Square Footage Cap
- Maximum Tenant Frontage

There was consensus from the Commission to continue the Draft Downtown Specific Plan Report to its next meeting to further discuss the following New Proposals:

- Maximum Setback
- Minimum Rear Yard Setback
- Live/Work Land Use Classifications
- Non-Pedestrian Oriented Ground Floor Uses on Alleys

**CONCLUSION:**

At this time, staff is requesting that the Commission review the information within the report and its attachments, discuss the options and recommendations presented and provide direction. Staff will then revise any Specific Plan language and return to the Planning Commission at a noticed public hearing.

**Attachments:**

Attachment 1: July 27, 2016 Planning Commission Staff Report and Attachments

Attachment 2: Draft Downtown Specific Plan Key Concepts, July 27, 2016 Planning Commission Consensus Items

**CITY OF MANHATTAN BEACH  
PLANNING COMMISSION  
MINUTES OF REGULAR MEETING  
AUGUST 10, 2016**

A Regular Meeting of the Planning Commission of the City of Manhattan Beach, California, was held on the 10<sup>th</sup> day of August, 2016, at the hour of 6:30 p.m., in the City Council Chambers, at 1400 Highland Avenue, in said City.

**1. ROLL CALL**

Present: Apostol, Bordokas, Ortmann, Chairperson Hersman  
Absent: Conaway  
Staff Present: Marisa Lundstedt, Community Development Director  
Ted Faturros, Assistant Planner  
Nhung Madrid, Senior Management Analyst  
Rosemary Lackow, Recording Secretary

**2. AUDIENCE PARTICIPATION (3-minute limit) - None**

William Victor, resident, stated that he felt that multiple special events occurring over the last weekend unduly impacted residents living downtown, and believes too many parking spaces have been allotted to valet use. He believes that a policy of “less is more” would result in better quality of life for residents.

**3. APPROVAL OF THE MINUTES – July 27, 2016**

A motion was MADE and SECONDED (Bordokas/Apostol) to **APPROVE** the minutes of July 27, 2016 as submitted.

Roll Call:

AYES: Apostol, Bordokas, Chairperson Hersman  
NOES: None  
ABSENT: Conaway  
ABSTAIN: Ortmann

**4. OLD BUSINESS**

08/10/16-2. Draft Downtown Specific Plan Follow-Up

Community Development Director Lundstedt provided a brief background, noting tonight’s discussion is continued, and likely the last study session before the Planning Commission on the Draft Downtown Specific Plan. Assistant Planner Ted Faturros presented the staff report and summarized the status of nine key concept recommendations as of the July 27<sup>th</sup> study session, clarification on Second Story Outdoor Dining and four new proposals: Maximum Setback, Minimum Rear Yard Setback, Live/Work Land Use Classification, and Non-Pedestrian Oriented Ground Floor Uses on Alleys. For each topic, Mr. Faturros explained issues and staff proposals and where staff needs more direction.

Director Lundstedt drew attention to a new attachment, a chart of live/work regulations from Bay Area cities. She explained that the live/work proposed use classification is considered progressive and would encourage persons to be able to live and work on the same premises, typically with a use that activates the ground floor. Finally, the public hearing date on the draft plan will be confirmed once the environmental review for the project is released for public review and comment.

Chair Hersman invited the Commission to ask questions and suggested starting with the Live/ Work proposal.

Commissioner Bordokas expressed she is uncomfortable in devising new rules without knowing first if this is something that is likely to be implemented in downtown Manhattan Beach asked whether Live/Work uses can generally be encouraged versus specifically regulated in the Plan.

Director Lundstedt explained that the Live/Work use classification has been retained in the draft plan by City Council and staff is looking to the Commission for suggestions and overall whether this concept should be further explored. Director Lundstedt explained further that if the concept is ultimately in the Plan, it will need to be defined, as the Specific Plan would be a part of the City's Zoning Ordinance and suggested that perhaps this is a use that would be allowed on secondary, not primary streets.

Chair Hersman noted staff's comment that the residential use in sample Live/Work ordinances is often paired with office use and suggested this should be considered since the presence of offices and potential for decrease in retail has been a major issue in the draft plan.

Commissioner Ortmann stated he endorses the live/work use concept in that it adds vibrancy and more "eyes on the street" but also cautioned that care be taken to allow only appropriate commercial uses and at appropriate locations. He would also caution against creating new regulations that would be complicated and difficult to interpret and enforce.

The Chair asked how Live/Work is different from a "home office" that requires a Home Occupation Permit to which staff explained that a home office is a commercial use incidental to the primary residential use in a residential zone, whereas with live/work, the residential use is incidental to a primary commercial use in a commercial zone. In live/work uses, a commercial street front is encouraged, whereas in home offices, commercial uses are heavily restricted to maintain the integrity of the residential neighborhood and avoid impacts to neighbors.

Commissioner Apostol stated he is a strong proponent of live/work use, emphasizing that restrictions should be incorporated and suggested an art gallery with retail at the store front and living quarters elsewhere on the premises is an example of a desired live/work mix of uses. He believes there is a general consensus to go forward with this use classification, but more work is needed to further define uses and locations where live/work use should be allowed.

Director Lundstedt asked for clarification on second story outdoor dining and possible restrictions in permitted locations. Chair Hersman suggested a minimum of one block distance from residential and noted that with a use permit, neighbors would be allowed to provide input on any proposal. Commissioner Apostol stated he would support allowing with a use permit and suggested allowing in some portions of Highland Avenue.

Chair Hersman invited the public to address the Commission regarding the Live/Work topic.

#### **PUBLIC INPUT**

**Carol Perrin**, liaison for downtown residents, has experience with live/work uses and cautioned that: in many cities, such ordinances are enacted for commercial areas that are inactive on weekends and the rules need to make sense for downtown Manhattan Beach; the issue of adding more offices through such an ordinance should be carefully considered and requiring use permit generally places a heavy burden on downtown residents who then have to be always vigilant for proposals in their neighborhoods.

**William Victor** advised against relying on Use Permits to control uses. He asked that the Commission look carefully at setting boundaries as to whether uses should be permitted or not and believes that the definitions should be clearly stated. He believes outdoor dining at second stories should not be permitted near 11<sup>th</sup> Street.

**Martha Andreani**, downtown resident, also questions that Manhattan Beach needs a new live/work classification. Regarding second floor dining, she cautions against allowing on balconies that extend out over a first floor open space (e.g. Strand House) as this adds to density and detracts from open space. She cautions that by encouraging more restaurant uses sanitation and parking issues intensify. As to locations of uses, she believes that the regulations need to be more specific as to what is prohibited on the ground floor. For example, instead of saying "no offices" this should more specifically say "no real estate offices".

**Karol Wahlberg**, agreed with prior speakers, is very concerned about restaurants and the demands on infrastructure these uses have had, including parking. She loves the concept of live/work but doubts this is a good idea for Manhattan Beach, except perhaps to encourage art galleries/lofts and believes that requiring use permits for so many uses places too much of a burden on downtown residents to watch for public hearings.

**Kelly Stroman**, Executive Director, Downtown Business and Professional Association, agreed that staff should examine sample live/work regulations from cities similar in size to Manhattan Beach. Regarding the rear yard setback she supports efforts to address parking encroaching into alleys and strongly encourages that in setting such a standard, to also take into account trash storage needs especially for older buildings.

**Tony Choueke**, Commercial Property Owners Association asked whether condominiums would be allowed on the second floor of a live/work use, and agrees that outdoor dining could be added on Highland such as at the Bank of America site.

**Scott Yanofsky**, resident, is concerned whether there is enough enforcement when a Use Permit is required and also is concerned regarding parking availability for commercial uses throughout the City.

**Susan Bloomfield**, Strand resident, asked that the Commission be cautious about “commercial creep” into the nearby primarily residential areas and regarding live/work - make sure rules fit Manhattan Beach.

**Tami Zamrazil**, beach area resident, emphasized that the main goal is to preserve small town atmosphere of downtown and supports all prior speaker Carol Perrin’s comments regarding live/work use and questions using use permits frequently as a control, in lieu of specific restrictions. She has concern that upper level dining could create noise impacts. She urges the Commission to evaluate all proposals by asking two questions: does this contribute to the goals for Downtown, and does this create impacts to Downtown?

**Phillip Cook**, downtown commercial property owner, stated he is surprised that the downtown professionals are not more in support of live/work uses and also wondered why the 30-foot height increase is not being proposed for commercial buildings as raised at the last study session.

Chair Hersman explained that the Commission discussed and arrived at the consensus at the last study session to not recommend increasing the commercial height to 30 feet.

## COMMISSION DISCUSSION

Chair Hersman invited the Commission to discuss and provide input to staff.

Regarding the **live/work use classification**: Commissioner Ortmann stated that he supports live/work, which typically involves small scale buildings or uses, in that it is another tool than can be used downtown and it seems that more understanding on this type of use may be needed. He believes that this concept is not nearly as onerous as other types of mixed use in terms of impacts and is worth exploring further and believes there are many examples of such ordinances in similarly sized cities as Manhattan Beach.

Commissioner Bordokas questioned whether certain buildings or projects in Hermosa Beach (Pier Avenue at either Hermosa Avenue or Monterey Boulevard and another under construction on Hermosa Avenue near 1<sup>st</sup> Street) are examples of live/work uses. Staff will look into these projects.

Commissioner Apostol summarized that he believes that the door should not be shut on live/work and more input is needed and this should be brought out in a public hearing and Commissioner Ortmann and Chair Hersman agreed.

On the topic of outdoor dining, Commissioner Ortmann acknowledged good points made by residents. Commissioner Bordokas suggested looking at Highland Avenue north of Manhattan Beach Boulevard as possibly permitted for second story outdoor dining. Commissioner Apostol maintains strong support for outdoor dining and would like to see staff pursue adding some pre-set restrictions, without leaving specifics for a use permit hearing and likes the idea of expanding on Highland Avenue. Chair Hersman noted that having more restrictive use permit findings for such uses may effectively screen out undesirable outdoor restaurant uses.

Director Lundstedt confirmed the direction of the Commission for a recommendation regarding **second story dining**: 1) regarding locations where may be permitted: restrict more in the south end of Manhattan Avenue near 10<sup>th</sup> and 11<sup>th</sup> Street; 2) expand to allow on Highland where a minimum of one block from a residence; and 3) devise more specific use permit findings for second story outdoor dining.

In response to the Chair, Assistant Planner Faturos advised that the balcony dining issue raised by Ms. Andreani is not an issue for the Downtown Specific Plan, because such a condition requires an Encroachment Permit that can only be approved by the City Council and which is outside of the authority of the Zoning Ordinance.

Chair Hersman directed that the Commission provide input on **minimum rear yard setbacks**.

Director Lundstedt reported to the Commission that relevant City Council feedback regarding a staff report on downtown trash and sanitation issues is still pending in that the focus at the August 2<sup>nd</sup> council meeting was focused on trash service. The City Council has requested more information and it is hoped that the two processes (trash issues reporting and Downtown Specific Plan) will dovetail at some point. Meanwhile, the Planning Commission can consider and address this issue in its Specific Plan recommendations.

Staff explained that the current code requirement is for a zero setback and as such owners can choose to have their building at the rear property line or provide any other amount of setback. The proposal now being recommended keeps the rear setback at a 0-foot or minimum, but requires paving, landscaping ,or a combination of both depending on the distance between the rear property line and structure with the goal of requiring paving for area that are large enough to accommodate a car.. The goal is to prevent parking areas at the rear of buildings that enable cars to park partially on private property and partially in the adjoining roadway because this obstructs alley access.

Discussion ensued regarding the proposal and whether trash storage issues should be addressed by the Commission in the draft plan. It was determined that the new rear setback requirement, if adopted, would only apply to sites where either a new building or where significant structural alterations are being done and routinely trash storage requirements are now addressed by the Public Works Department either in plan-check when construction is proposed, or through the use permit process. The Commission concluded that issues regarding trash storage are already being addressed through Public Works and that the proposed rule would in effect, direct how “left over” space behind a building can be used for parking after trash storage requirements are first met.

Commissioner Apostol summarized and proposed that the Commission support the staff proposal as presented, reiterating that this requirement would be applicable only in the rare circumstances when a new building or very significant structural alterations are being proposed. Commissioners Bordokas, Ortmann and Chair Hersman noted their agreement.

Chair Hersman directed that the Commission provide input on the proposal to allow **non-pedestrian oriented ground floor uses on alleys**.

Discussion followed in which Assistant Planner Faturos clarified that the term “non-pedestrian” is meant to apply to uses other than retail (such as offices) that do not typically engage with pedestrians walking along the sidewalk. Under the staff proposal, as shown on a map, numbered alleys between 8<sup>th</sup> Place and 14<sup>th</sup> Place and Bayview Drive, Crest Drive, and Center Place would potentially be affected. It was clarified that under this proposal a use permit would not be required for ground floor non-retail uses such as offices if fronting on these alleys and as long as the proposal did not otherwise trigger a use permit.

Commissioner Apostol summarized and proposed that the Commission support the staff proposal to allow a non-retail uses without use permits on downtown alleys without a use permit. Upon brief discussion, this was agreed to by the other Commissioners. Commissioner Ortmann suggested that staff consider a more artful way to describe such uses when drafting the new code.

Commissioner Bordokas requested that the Commission clarify there is consensus on the topic of nonconforming uses. She still has strong concern that buildings with uses that become nonconforming due to changes in the Specific Plan could be “grandfathered in” indefinitely while others would be made to comply and go through the use permit process.

Director Lundstedt explained that the proposal to allow nonconforming uses to be continued is consistent with city-wide policy. Assistant Planner Faturos called attention to the Zoning Ordinance Chapter 10.68 which has been provided to the Commission and which details nonconforming use regulations. Commissioner Apostol noted that he believes that the proposed policy is necessary to be consistent with state law which provides in effect, that a land use right, once legally acquired, cannot be taken away. It was also pointed out that state law also provides that entitlements such as use permits and variances, once conferred, “run with the land”. Mr. Faturos clarified how the 1600 gross square footage cap only applies to retail uses, while the lineal foot frontage limits, as well as use permits requirements apply to various uses and reiterated that nonconforming office uses can remain nonconforming to requirements for a use permit or other standards as long as no significant structural changes (e.g. tearing off roof or demolishing walls) are proposed.

In response to Commissioner Ortmann, Director Lundstedt informed the Commission that the environmental document being prepared under CEQA for the Specific Plan is a draft Mitigated Negative Declaration (MND).

**5. DIRECTOR’S ITEMS - None.**

**6. PLANNING COMMISSION ITEMS**

In response to an inquiry from Commissioner Ortmann, regarding the upcoming public hearing for the proposed Gelsons, Director Lundstedt explained that resident comments will be provided organized in a binder that will be presented to the Commission with their staff report packet before the hearing.

**7. TENTATIVE AGENDA – August 24, 2016**

There are no items currently and it is likely this meeting will be canceled.

**8. ADJOURNMENT**

The meeting was adjourned at 8:30 pm to Wednesday, August 24, 2016 in the City Council Chambers, City Hall, 1400 Highland Avenue.

ROSEMARY LACKOW  
Recording Secretary

ATTEST:

/s/Marisa Lundstedt  
MARISA LUNDSTEDT  
Community Development Director



**CITY OF MANHATTAN BEACH  
COMMUNITY DEVELOPMENT DEPARTMENT  
STAFF REPORT**

**TO:** Planning Commission

**FROM:** Marisa Lundstedt, Director of Community Development

**BY:** Nhung Madrid, Senior Management Analyst  
Laurie B. Jester, Planning Manager  
Ted Faturos, Assistant Planner

**DATE:** October 26, 2016

**SUBJECT:** Final Draft Downtown Specific Plan Public Hearing

**RECOMMENDATION:**

Staff recommends that the Planning Commission conduct a Public Hearing and Adopt Resolutions recommending to the City Council the following:

1. Adopt the Downtown Specific Plan and conforming amendments to the General Plan, and adopt a Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program;
2. Approve Zoning Code and Zoning Map Amendments to reflect the Downtown Specific Plan;
3. Approve amending the Local Coastal Program's Land Use Policy and Zoning Maps and Implementing Ordinance Section A.16.030(G) to reconcile designation nomenclature and map and text inconsistencies; and
4. Approve amending the Local Coastal Program's Implementation Plan to incorporate the Downtown Specific Plan, and related text amendments.

**EXECUTIVE SUMMARY:**

This report summarizes the Downtown Specific Plan's progress to-date, which includes the following:

- A summary of community engagement and outreach efforts;
- A review of the City Council and Planning Commission Study Sessions;
- A detailed overview of the Final Draft Downtown Specific Plan's revised key concepts;
- A summary of City documents that requires updating as a result of the adoption of the Plan, and the Resolutions to amend those documents; and
- An overview of the requisite environmental review under the California Environmental Quality Act (CEQA), including an Initial Study and Mitigated Negative Declaration of Environmental Impacts and a Mitigation Monitoring and Reporting Program.

## **BACKGROUND:**

Since June 2014, the community has been engaged in an ongoing discussion of the future of the Downtown. In early 2015, the City collaborated with the Urban Land Institute (ULI) to conduct a week-long visioning charrette to engage community stakeholders and evaluate the Downtown area. In May 2015, the City began pursuing the preparation of the Downtown Specific Plan with Michael Baker International (MBI), which brought together the community with input from various stakeholders including residents, business owners, commercial property owners, community groups and many other interested parties in the City. In addition to all of the community outreach activities during the ULI visioning week, the City held six community workshops and fourteen City Council/Planning Commission meetings and/or study sessions representing over one hundred hours of community engagement.

With the release of the Draft Downtown Specific Plan in early March 2016, Staff held a series of study sessions with the City Council and Planning Commission to discuss and refine the Draft Plan's key concepts. At the April 18<sup>th</sup> City Council study session, the Council provided Staff direction on the following sixteen key concepts (grouped by chapter):

- Chapter 3
  - Vision Statement
  
- Chapter 4
  - Ground Floor Retail Uses
  - Retail Square Footage Cap or Formula Use Regulations
  - Use Permit Process
  
- Chapter 6
  - Building Height / Stories
  - Maximum Tenant Frontage
  - Setbacks and Stepbacks
  - Towers and Turrets at Corners
  - Façade Transparency
  - Land Use Changes
  - Private Dining in the Right-of-Way
  
- Chapters 5 & 7
  - Beach Head Site
  - Pedestrian Plazas
  - Drop-Off Zones
  - Maintain or Increase Parking
  
- Chapter 9
  - Eliminate Chapter 9: Economic Development

Although the City Council came to a consensus and made recommendations on many of these sixteen key concepts, there were several concepts that the Council asked the Planning

Commission to discuss and further refine. Subsequently, Staff held four study sessions with the Planning Commission. Of the sixteen concepts mentioned above, the Commission supported the Council's direction on the following eight concepts, as further described in Attachment 1:

- Vision Statement (Chapter 3)
- Ground Floor Retail Uses (Chapter 4)
- Towers and Turrets at Corners (Chapter 6)
- Beach Head Site (Chapters 5 & 7)
- Pedestrian Plazas (Chapters 5 & 7)
- Drop-Off Zones (Chapters 5 & 7)
- Maintain or Increase Parking (Chapters 5 & 7)
- Eliminate Economic Development Chapter (Chapter 9)

In order to present the Planning Commission with a document in a format that is most reflective of the City Council and Commission's recommended changes, the Final Draft Downtown Specific Plan has been prepared (Attachment 2). This Final Draft Plan is an updated version of the Draft Plan that was released in March 2016, and has been revised to include the City Council and Commission's joint consensus recommendations on the eight key concepts previously mentioned. The Specific Plan has been further refined as a result of input from the Commission and those recommendations have been incorporated in the Final Draft Plan as "redline strike-out", as well as yellow highlighted text, which represents new and revised text within the document. In addition, the draft Implementation Plan (Chapter 9) has been completed to include the implementing actions of the Plan. Attachment 2 has been arranged with the "redline strike-out"-affected Chapters 4, 6, and 9, followed by the complete Final Draft Downtown Specific Plan.

### **Report Format**

Through the various Planning Commission study sessions, the Commission has held extensive discussions on the Plan's many key concepts. The following discussion provides an overview of the key concepts as recommended by the Planning Commission and other items further refined by Staff for the Final Draft Downtown Specific Plan. Each of these key concepts are discussed in detail in the Final Draft Plan. In addition, Attachment 3 provides an "At-a-Glance" summary table of these key concepts. The Planning Commission provided clear direction on all concepts, and additional information is provided for four concepts (highlighted in blue in the table in Attachment 3) which are also further explained in greater detail in the "Discussion" portion of this report. To assist the Commission in reviewing the progression of each key concept through the numerous study sessions, each of the four key concepts has been organized in the following manner:

#### Draft Downtown Specific Plan

This section provides a brief description of each key concept as proposed in the March 2016 Draft Downtown Specific Plan.

#### Planning Commission Consensus

Based on the direction from the City Council, this section provides a detailed summary of Staff's follow-up with the Planning Commission, and the Commission's rationale for their final recommendation.

#### Final Draft Plan Recommendation

This section summarizes the final language as proposed in the Final Draft Downtown Specific Plan as shown in "redline strike-out" and highlighted text in Attachment 2.

The Final Draft Downtown Specific Plan changes land use classifications and development standards only in the CD Downtown Commercial Zone. The Final Draft Plan does not change any regulations in the three other zones within the Specific Plan Area (RH Residential High Density, PS Public and Semi-Public, and OS Open Spaces), however the Specific Plan guidelines apply.

#### **Minor Exceptions and Variances**

The Final Draft Plan introduces several new development standards that are not part of the current Code, and some buildings or tenant spaces may become nonconforming with the new proposed development standards. Chapter 6 of the Final Draft Plan has been updated so that these nonconforming property/business owners have the same Minor Exception and Variance options afforded to other property owners outside the Specific Plan area as it relates to addressing nonconformities. The following discussion provides a summary of the proposed process to address Minor Exceptions and Variances.

##### *Minor Exceptions*

Existing businesses that do not meet the maximum tenant frontage or minimum façade transparency requirements in the Final Draft Plan would be allowed to maintain their nonconformities even if the space was vacated and a new tenant took over the space. A business with a nonconforming façade that proposes significant structural alterations to their façade would, however, have to comply with the minimum façade transparency requirement. Likewise, a tenant with a nonconforming tenant frontage that proposed alterations to their space exceeding 50% valuation of the entire structure would have to comply with the maximum tenant frontage requirement.

Although it would be preferable for all properties to be brought into conformance over time, some properties may not be able to meet the minimum façade transparency requirement and/or the maximum tenant frontage requirement when the space is renovated. Those individuals could apply for a Minor Exception. Minor Exception applications require a Staff level review and are approved by the Director of Community Development. Minor Exception applications are analyzed based on the unique scope and scale of the proposed work in each submittal, and a Minor Exception is only granted if the submittal meets all the Minor Exception requirements (Attachment 4). The Final Draft Plan has modified the definition of a nonconforming structure to include structures that do not meet the minimum requirements for façade transparency and tenant frontage so that the Minor Exception procedure may be utilized.

##### *Variance*

A Variance is another option for property owners that can't meet the minimum transparency requirement and/or the maximum tenant frontage requirements. Variances are granted by the Planning Commission, and "are intended to resolve practical difficulties or unnecessary physical hardships that may result from the size, shape, or dimensions of a site or the location of existing structures thereon; from geographic, topographic, or other physical conditions on the site or in the immediate vicinity; or from street locations or traffic conditions in the immediate vicinity of the site" (MBMC Section 10.84.010). Variances are rarely granted, as proposed projects are held to a high standard and must demonstrate that they meet the required findings as described in the Code. Variances are more likely to be applied for by projects that involve new or substantially new structures.

The Final Draft Plan allows properties that do not meet the minimum transparency and maximum tenant frontage requirements to be eligible for a Variance. The Final Draft Plan also adds two new required findings for CD zoned properties seeking Variances from the new requirements as follows:

- A. Granting the application would not result in development that is significantly inconsistent with other development in the surrounding area, and the character of the area will not be significantly adversely changed by the granting of the Variance.
- B. The relief granted would still result in a building with an attractive and pedestrian-friendly design, and consistent with the goals and policies of the Downtown Specific Plan.

The Code already allows Minor Exceptions and Variances for various development standards, including but limited to setbacks, walls, and open space. Without the new language detailed in the Final Draft Plan, CD zoned property owners would technically not be eligible to apply for a Minor Exception or Variance if their proposed project did not meet the minimum façade transparency and/or maximum tenant frontage requirements. Attachment 5 summarizes these changes in a simple flow chart.

**DISCUSSION:**

The Planning Commission studied and deliberated the Draft Plan's proposed changes to the existing land use classifications (Chapter 4) and development standards (Chapter 6) and after careful consideration, recommended some modifications. On several occasions, various Planning Commissioners explained that their goal was to create and encourage clean, simple regulations. The Commission indicated they did not want to create burdensome and complicated rules and that this point-of-view informed their recommended modifications.

As shown in the Final Draft Plan, redline strike-out and yellow highlighted text within Chapters 4 and 6 indicate a change from the Draft Plan. In addition, the Plan includes references within the development standards in Chapter 6, as well as the Implementation Plan in Chapter 9, to the Mitigation Monitoring and Reporting Program to ensure that the mitigation measures are considered and complied with.

The Planning Commission reached consensus and made recommendations on the following twelve concepts, as further described in Attachment 2.

1. *Non-Pedestrian Oriented Ground Floor Uses on Alleys – Chapter 4*  
Allow for ground-floor non-pedestrian oriented uses (office, banks, etc.) located exclusively on alleys without a Use Permit.
2. *Land Use Changes (Animal: Veterinary Services) - Chapter 4*  
Create new permitted land use classification that allows veterinary services for small animals with limited overnight boarding.
3. *Land Use Changes (Optometrist) - Chapter 4*  
Create new permitted land use classification that allows optometrists that function primary as a retail use to be located on the ground-floor without a Use Permit.
4. *Optional Second-Story Stepbacks - Chapter 6*  
Remove optional second-story setback requirement.
5. *Building Height / Stories - Chapter 6*  
Only allow elevator shafts meeting certain conditions to exceed the height limit by two feet in Area B. Mechanical equipment and sloped roofs are not allowed to exceed the height limit.
6. *Historic Preservation - Chapter 6*  
Revise language in Plan to be consistent with adopted Historic Preservation regulations.
7. *Maximum Ground Floor Setbacks - Chapter 6*  
Language changed from “maximum setback” to “maximum ground floor setback”.
8. *Maximum Ground Floor Front Setback - Chapter 6*  
Change the maximum ground floor front setback from ten feet to twelve feet.
9. *Minimum Rear Yard Setback - Chapter 6*  
Revise minimum rear yard setback to zero, ten, or 20 feet provided required paved parking, landscaping, or combination of the two, depending on the dimensions between the rear alley property line and building.
10. *Façade Transparency - Chapter 6*  
Require minimum 70 percent façade transparency on primary street corridors. Corner properties need a minimum 70 percent façade transparency on primary frontage and minimum 60 percent of non-primary frontage, where feasible.
11. *Maximum Tenant Frontage - Chapter 6*  
Lots 35 feet or more in depth can have a maximum tenant frontage of 35 feet. Lots with less than 35 feet in depth can have a maximum tenant frontage of 50 feet. The Director of Community Development would determine on a case-by-case basis which frontage on a corner lot would be subject to the maximum tenant frontage of 35 feet or 50 feet.

## 12. *Private Dining in the Public Right-of-Way - Chapter 6*

No changes to current standard. Minimum four feet of sidewalk clearance for private dining in the right-of-way.

At the request of the Commission, Staff has provided information and recommendations on the remaining four key concepts: live/work regulations, the Use Permit process, a retail sales floor area square footage cap, and second-floor outdoor dining. Staff's analysis and recommendations can be found below.

### **1. Live/Work Land Use Classification - Chapter 4**

#### Draft Downtown Specific Plan

The Draft Plan proposed a new land use classification called "live/work" with very limited criteria which would be allowed in the CD zone with a Use Permit.

#### Planning Commission Consensus

Staff reassessed the Draft Plan's live/work language and felt a more robust and refined definition of live/work was needed in order to adequately regulate any potential live/work use. Planning Commission agreed with Staff for the live/work land use classification after reviewing information on how other cities in California regulate live/work uses. The Planning Commission directed Staff to craft simple, easy-to-understand live/work regulations that also limit negative potential impacts to neighbors and businesses.

#### Final Draft Plan Recommendation

The Final Draft Plan's live/work regulations crafted by Staff defines the live/work use, outlines which commercial uses are allowed as the "work" portion of the live/work unit, and sets performance standards that any potential live/work project must meet in order to be approved during the Use Permit process (Attachment 6). Offices are explicitly prohibited as an allowed "work" use in a live/work unit, as Staff is sensitive to allowing more office uses in pedestrian adjacent ground floor spaces within the Downtown. Staff has also classified the live/work use as a Commercial Use instead of a Residential Use in the Final Draft Plan, which allows live/work uses to enjoy the benefits of commercial development standards for maximum height, setbacks, parking requirements, FAR, and other regulations. The Plan does require open space to be provided equal to 10% of the residential portion of the live/work unit, with a minimum 48 square feet of open space per live/work unit. Staff believes these regulations reflect the Planning Commission's direction.

### **2. Use Permit Process - Chapter 4**

#### Draft Downtown Specific Plan

The Draft Plan recommended specific required findings for Use Permits that closely mirror the existing required Use Permit findings found in MBMC 10.84.060 and LCP A.84.060.

#### Planning Commission Consensus

Planning Commission agreed with the City Council's direction to ask Staff to create additional Use Permit findings in order to implement the vision and goals of the Specific Plan.

### Final Draft Plan Recommendation

Staff has crafted the following Use Permit findings, in addition to the current Use Permit findings, that have been added to the Final Draft Plan:

- A. The proposed use is consistent with the goals, purpose, vision, and guidelines of the Specific Plan, Local Coastal Program, and the City's General Plan.
- B. The proposed use will maintain a balanced mix of uses which serves the needs of both local and nonlocal populations.
- C. The proposed use would preserve and enhance the safe, attractive, pedestrian-friendly, small town atmosphere and a sound economy.
- D. The proposed use will maintain and enhance the residential quality of life for the Manhattan Beach community.

### **3. Retail Sales Floor Area Square Footage Cap - Chapter 4**

#### Draft Downtown Specific Plan

The Draft Plan did not include a maximum square footage for any particular use. After the Draft's release, several stakeholders and the Downtown Residents' Group in particular, called for a cap on the square footage of retail spaces. A Use Permit for retail uses that are over a certain size would be required. This would require further review and a public hearing process for larger retail uses, as formula retail uses tend to seek out spaces that are significantly larger in size when compared to "mom and pop" run retail stores.

#### Planning Commission Consensus

After discussion with the Planning Commission, Staff recommended that the retail square footage cap be based on the sales floor area of a retailer. The sales floor area, in combination with the other Specific Plan regulations and guidelines would provide consistency with existing uses while providing flexibility for retailers that may have larger storage or other back of house areas. Staff recommended that sales floor area be defined as the area of a tenant space, measured from the inside walls, excluding rooms that are permanently inaccessible to the public, including but not limited to storage rooms, offices associated with the retail tenant, mechanical rooms, bathrooms, and common areas shared with other tenants in the building.

Planning Commission agreed with Staff and recommended including a retail sales floor area square footage cap of 1,600 square feet in the Final Draft Plan.

#### Final Draft Plan Recommendation

The Final Draft Plan requires a Use Permit for any new retail space over 1,600 square feet of sales floor area.

Since meeting with Planning Commission, Staff has measured the sales floor area square footages of the nine retailers who were previously identified as having tenant spaces over 1,600 square feet of buildable floor area (Attachment 7). Staff used a measuring wheel and a tape measure to measure the retail spaces, and the measurements are fairly accurate. Of the nine retailers who had buildable floor areas over the 1,600 square feet, only two of those nine retailers have sales floor areas over 1,600 square feet. One of these two retailers, American Apparel, is covered by the Metlox Master Use Permit. The new retail sales floor area square footage cap

would not apply to any use regulated by a Use Permit that allows larger square footages. This new data on the existing retail sales floor square footages provides the Commission further context in understanding the Final Draft Plan's retail sales floor area square footage cap recommendation.

#### **4. Second-Floor Outdoor Dining - Chapter 4**

##### Draft Downtown Specific Plan

The Draft Plan did not directly address or regulate second-floor outdoor dining in the CD zone. The Draft Plan did, however, require a Use Permit for establishing or expanding a restaurant use. Any new restaurant that would want to have second-floor outdoor dining would need to go through the Use Permit process, as would an existing ground-floor restaurant that wanted to add second-floor outdoor dining.

##### Planning Commission Consensus

Planning Commission voiced support for appropriately-scaled second-floor outdoor dining if located on the main Downtown commercial corridors. Planning Commission specifically directed Staff to create regulations that would limit second-floor outdoor dining to only Manhattan Beach Boulevard, Highland Avenue, and Manhattan Avenue; and that any second-floor outdoor dining be located at least one block away from a residentially-zoned use.

##### Final Draft Plan Recommendation

Staff crafted new regulations for second-floor outdoor dining that have been incorporated into the Final Draft Plan. First, Staff has provided a map (Attachment 8) indicating where second-floor outdoor dining would be permitted with a Use Permit. Attachment 8 depicts areas in blue along Manhattan Beach Boulevard, Highland Avenue, and Manhattan Avenue that are at least one block away from residentially zoned properties, per Planning Commission's direction. Staff also added a green outline and layer onto Attachment 8 that adds more area along the three main Downtown commercial corridors that could potentially also allow second-floor outdoor dining. Staff is requesting Planning Commission's direction to whether the combination of the blue and green areas more accurately align with the intent of the Commission. The map of the proposed permitted locations of second-floor outdoor dining used in the Final Draft Plan reflects both the blue and green shaded blocks, as shown in Attachment 9. A new Use Permit finding for second-floor outdoor dining has been added to require all second-floor outdoor dining areas be located within the map shown in the Final Draft Plan.

The Final Draft Plan also has other Use Permit submittal requirements for second-floor outdoor dining located in the CD zone. Any second-floor outdoor dining area is not allowed to face residential properties, with Attachment 10 showing a cross-section of Manhattan Avenue and illustrating how second-floor outdoor dining should be oriented. A proposed second-floor outdoor dining area that faces a residential use will not be eligible to apply for a Use Permit. Furthermore, special submittal requirements have been written for second-floor outdoor dining uses that have more intensive and potentially impactful affects, as follows:

“For any second-floor outdoor dining use proposed to serve full alcohol with hours of operation past 10:00 PM, a noise study shall be submitted. The study shall evaluate the existing and anticipated dba levels, conformance with the MBMC Noise standards and

the potential adverse impacts of the proposed use. The study shall identify physical and operational modifications, improvements and conditions to minimize any adverse impacts from the proposed project. The study shall provide for post construction and operation monitoring to verify conformance with the conditions of the Use Permit, and additional modifications, improvements and conditions as needed to ensure conformance with the Use Permit approval as determined to be necessary by the Director of Community Development.”

Taken together, the Final Draft Plan creates a strong regulatory framework for second-floor outdoor dining in the CD zone that does not exist in either the Code or the Draft Plan. These regulations are much more restrictive than what is currently in the Code, and serve to balance the concerns of Downtown residents with the potential needs of Downtown’s restaurateurs.

### **Chapter 9: Implementation Plan**

One last follow-up item that was briefly discussed in the initial study sessions was the Specific Plan’s Implementation Plan, found in Chapter 9. In the Draft Plan (March 2016), Chapter 9 was a work in progress, with several placeholders. The intention was that this Chapter would be modified and completed following discussion and direction from the City Council on the Plan’s key concepts. Through the numerous study sessions, these concepts have been further refined with clear direction given, therefore, a draft Implementation Plan has been completed.

In reviewing the Implementation Plan, Staff worked with the Consultant team to organize each of the implementing actions (i.e. LU-1, LU-2, LU-3, etc.) to align under the larger topic areas (i.e. Land Use Regulations or Policy – Chapters 4 and 6, Public Realm – Chapters 5 and 7, etc.). As an example, within the Land Use Regulation or Policy topic area, implementing action items such as updating the City’s General Plan, Zoning Code, and Local Coastal Program for consistency with the Downtown Specific Plan have been identified. Each implementation action item also identifies the lead and/or support department(s) responsible for seeing that action to completion. Implementation actions have been organized into four timeframe categories shown in the following columns: Ongoing, Short-Term (0-5 years), Mid-Term (6-10 years), and Long-Term (11-15 years). Each action item is assigned to one of the four timeframe categories based on the item’s value and the needed time and resources to execute the action item. Within each timeframe category, the implementing actions are not arranged in any particular order, allowing decision makers the flexibility to prioritize action items based on the needs and financial resources at the time of implementation.

In addition, a brief summary of various funding and financing strategies have been identified as potential funding solutions for the improvements recommended in the Plan. Because this information has not been previously presented, staff welcomes input from the Commission.

### **Updating Other City Documents**

Adoption of the Specific Plan necessitates various revisions to the Local Coastal Program, including the Coastal Zone Land Use Policy Map and Zoning Map, as well as other Maps and Text Amendments for consistency with the City’s adopted Municipal Code Zoning designations and Map.

The revisions will reconcile the historic designation nomenclatures between the Municipal Code and Coastal Program and Plan. Additionally, the residential area around 10<sup>th</sup> and 11<sup>th</sup> Street and Highland Avenue, will be revised to be High Density Residential instead of Commercial. This revision was included as the Downtown Rezoning Program, one of the Housing Programs in the 2003 Certified Housing Element, to protect this residential area. The area north of 13<sup>th</sup> Street at Morningside Drive, on the Civic Center site, will also be revised to be Public use instead of Commercial, consistent with the actual land use, the Public Safety Facility which was completed in 2006. The following discussion provides a brief summary of the revisions to various City documents and plans and their associated amendments.

#### Local Coastal Program (LCP) Revisions

In addition to the implementing actions of the Downtown Specific Plan, the General Plan, and Municipal Code Zoning Map and text, revisions are necessary in the following documents:

- LCP Land Use Plan Amendment
- Local Implementation Program (LIP), Zoning Ordinance
- Land Use Policy Map
- LCP- Coastal Zone Zoning Map
- Coastal Zone Access Map
- Downtown Commercial Height Limit Diagram

These proposed revisions reflect the new Downtown Specific Plan, as well as reconciliation items so that the LCP is consistent with the General Plan and Zoning Map, Zoning text, and the historic and current designation nomenclature and land uses within the project area, as well as formalize prior LCP Amendments.

#### Land Use Policy Map, Zoning Map and other Reconciliation

The discussion below describes changes to the Local Coastal Program for consistency with the Zoning Code and General Plan, as requested by the Coastal Commission from 1992 to 1994 as well as from 2003 and 2004.

#### *1992-94 California Coastal Commission Reconciliation*

The City LCP Land Use Plan (LUP) was certified by the California Coastal Commission in 1981, and amended in 1992-94 (LUP 1-92) together with establishment of a Local Implementation Program (LIP), or Zoning Ordinance. During the 1992-94 LUP Amendments, the Land Use Plan and Coastal Zoning Maps were not formally revised and reformatted, and therefore were not incorporated into the City's final certified LCP. Coastal Commission staff has requested that these maps and text be revised with the modifications they requested in 1993. This will reconcile designation nomenclature and provide consistency with the General Plan and Zoning Maps, text, and the actual land uses. The draft 1993 Land Use Map nomenclature reconciliation includes the following:

- Showing the beach and the Veterans Parkway (former Santa Fe railroad right-of-way) as Park/Open space;
- Showing the correct boundaries of the residential and commercial areas in El Porto;

- Indicating Metlox as Downtown Commercial instead of manufacturing; and
- Providing designations consistent with the General Plan in the Grandview Avenue area near the City of El Segundo.

The Coastal Zone Access Map, as well as text that reflects the limits of the Local Coastal Permit jurisdiction as the mean high tide line, are also included consistent with the Coastal Commission request. Other revisions identified by the Coastal Commission in 1993 (Attachment 11, Appendix C) were already completed.

#### *2003-2004 General Plan and Housing Element Updates*

In 1995, Zoning Code provisions pertaining to residential and mixed-use development in commercial zones were reviewed, and then adopted in January 1996. Some of these provisions were translated into the LCP Coastal Zoning Code, however several of the revisions were not, and those are now included in the LCP Amendment for consistency with the Zoning Code. Additionally, during these 1995 mixed-use Zoning Code revisions, the Planning Commission and City Council became aware of 28 lots in the Downtown Commercial Zone, in the 200 and 300 blocks of 10<sup>th</sup> and 11<sup>th</sup> Streets next to Highland Avenue, that were developed exclusively as residential. The community expressed a desire to protect the residential character of this historically residential neighborhood, developed with single-family homes, apartments and condominiums since the 1930's. A number of the older units from the 1930'-1950's still remain and there are no commercial uses within this residential area.

The community requested that the Council redesignate/rezone the area to high density residential, and the Council directed that it be evaluated through the 2003 General Plan Housing Element public hearing process. With the adoption of a 2003 Housing Element, a Downtown Rezoning Program for the area was approved by the City Council to protect this residential area. Without the designation as High Density Residential, these residential uses are nonconforming uses, which severely limits their ability to expand.

In 2004 the City Council approved Amendments to the Local Coastal Program (LCP) for changes to the Coastal Zone Zoning Map and the associated boundary change to the Commercial Downtown Heights Limit Diagram in the LIP. This was done for consistency with the 2003 General Plan and Zoning Code/Map changes. However, the Amendments were never certified by the Coastal Commission as the requisite parallel revisions to the Coastal Zone Land Use Policy Map and associated documents were not included in the revisions. The Specific Plan and associated documents will reconcile these inconsistencies.

#### *Summary of Land Use Amendments*

The following revisions for consistency with historic and actual land uses are provided and are shown in the Initial Study (Attachment 11). These changes are reflected throughout the Specific Plan document.

##### 1. Downtown Residential-

A small defined area of Downtown along 10<sup>th</sup> and 11<sup>th</sup> Streets and Highland Avenue with 28 properties will be redesignated/rezoned from *Downtown Commercial* to *High Density Residential* to reflect historic and actual land uses, current development trends and for consistency with the Housing Element. This area has been residential since at least the 1930's, and is entirely residential.

2. Public Safety Facility-

With the construction of the Public Safety Facility and the extension of 13<sup>th</sup> Street in 2006, a small narrow portion of land designated *Downtown Commercial*, just north of 13<sup>th</sup> Street became part of the Public Safety Facility. This small area will be redesignated/rezoned *Public Facilities* to reflect the actual land use.

3. Downtown Commercial District Height Limit Diagram-

The Specific Plan will amend the diagram to reflect changes to the boundaries of the "CD" (Downtown Commercial) zoning designation. The proposed changes pose no impacts to the existing height limitations in the Downtown area; it is only reflecting the changes to the geographic boundary of the "CD" zone described in the two preceding zone changes.

### Specific Plan Updates

The adoption of the Specific Plan will require a number of revisions to the Local Coastal Program (LCP), including the Land Use Policy Map, Zoning Map and Zoning Text, and Local Implementation Plan (LIP), to reflect the Downtown Specific Plan. These changes will include:

- Amending the Coastal Zone Land Use Plan
- Replacing the Land Use Policy Map
- Replacing the Coastal Zone Zoning Map in the LIP Zoning regulations Chapter A.01
- Adding the Downtown Specific Plan Area (D8) Design Review Overlay to the Coastal Zone Zoning Map
- Amending required text to reference the Specific Plan including:
  - Chapter A.01 (General Provisions)
  - Chapter A.12 (Residential Districts)
  - Chapter A.16 (C Commercial Districts)
  - Chapter A.24 (OS Open Space)
  - Chapter A.28 (Public and Semi-Public District)
  - Chapter A.44 (D Design Overlay District)
  - Chapter A.68 (Nonconforming Uses and Structures), and
  - Chapter A.84 (Use Permits, Variances and Minor Exceptions).

These revisions will ensure consistency with the Local Coastal Program and the Downtown Specific Plan.

### Resolutions

The attached Resolutions reflect the Planning Commission recommendation to the City Council on the Specific Plan, General Plan Amendments, Zoning Map and Zoning Code (text) Amendments and Local Coastal Program (LCP) Amendments, as well as environmental review under the California Environmental Quality Act (CEQA), including an Initial Study and

Mitigated Negative Declaration of Environmental Impacts and a Mitigation Monitoring and Reporting Program. The LCP Resolutions include findings that CEQA does not apply to the preparation and adoption of LCP Amendments in accordance with State regulations, although the Initial Study evaluated the LCP Amendments. Approval of the project includes a number of actions through the adoption of Resolutions as outlined below. Revisions are shown highlighted in yellow, with existing text to be deleted as ~~strikeout~~ and new text to be added as underline.

1. Resolution No. PC 16-06- (Attachment 12) -Adoption of the Downtown Specific Plan, related General Plan Amendments (GPA), and CEQA determination. This Resolution includes the following:
  - a. Downtown Specific Plan
  - b. Rescinding the existing Downtown Design Guidelines
  - c. General Plan Land Use Policy Map- Designating the Downtown Specific Plan area
  - d. Text and Policy references in the Land Use Element of the General Plan related to the Specific Plan
  - e. Adoption of the Final Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program
  
2. Resolution No. PC 16-07- (Attachment 13) -Adoption of revisions to the Zoning Map and Zoning Code Text to reflect the Downtown Specific Plan. This Resolution includes the following:
  - a. Adding the Downtown Specific Plan Area (D8) Design Review Overlay to the Zoning Map
  - b. Zoning Code Text Amendments in Chapter 10.12 (Residential) to reflect and reference the Specific Plan
  - c. Zoning Code Text Amendments in Chapter 10.16 (Commercial) to reflect and reference the Specific Plan
  - d. Zoning Code Text Amendments in Chapter 10.24 (Open Space) to reflect and reference the Specific Plan
  - e. Zoning Code Text Amendments in Chapter 10.28 (Public and Semi-Public) to reflect and reference the Specific Plan
  - f. Zoning Code Text Amendments in Chapter 10.44 (Design Overlay District) to reflect and reference the Specific Plan
  - g. Zoning Code Text Amendments in Chapter 10.68 (Non-conformities) to reflect and reference the Specific Plan
  - h. Zoning Code Text Amendments in Chapter 10.84 (Use Permits, Variances, Minor Exceptions, Precise Development Plans and Site Development Permits) to reflect and reference the Specific Plan
  - i. A CEQA finding
  
3. Resolution No. PC 16-08- (Attachment 14) -Adoption of revisions to the Local Coastal Program (LCP), including the Land Use Policy Map, Zoning Map, Local Implemental Plan (LIP), and reconciliation of designation nomenclature and map inconsistencies from 1992-1994 and 2004, as directed by the California Coastal Commission. This Resolution includes the following:
  - a. Replace Coastal Zone Land Use Plan, Land Use Policy Map

- b. Replace Coastal Zone Zoning Map in the LIP Zoning regulations Chapter A.01
  - c. Coastal Zone Access Map
  - d. LIP Zoning Code Chapter A.16- Downtown Commercial District Height Limits Diagram
  - e. Text to indicate the City’s LCP jurisdiction extends to the mean high tide line
4. Resolution No. PC 16-09- (Attachment 15) -Adoption of revisions to the Local Coastal Program (LCP), including the Land Use Policy Map, Zoning Map and Zoning Text, Local Implemental Plan (LIP), to reflect the Downtown Specific Plan, and mixed-use standards. This Resolution includes the following:
- a. Replace Coastal Zone Land Use Plan, Land Use Policy Map
  - b. Replace Coastal Zone Zoning Map and add related text to incorporate the Specific Plan in the LIP Zoning regulations Chapter A.01
  - c. Adding the Downtown Specific Plan Area (D8) Design Review Overlay to the Coastal Zone Zoning Map
  - d. Zoning Code Text Amendments in Chapter A.12 (Residential) to incorporate the Specific Plan
  - e. Zoning Code Text Amendments in Chapter A.16 (Commercial) to incorporate the Specific Plan and mixed use standards
  - f. Zoning Code Text Amendments in Chapter A.24 (Open Space) to incorporate the Specific Plan
  - g. Zoning Code Text Amendments in Chapter A.28 (Public and Semi-Public) to incorporate the Specific Plan
  - h. Zoning Code Text Amendments in Chapter A.44 (Design Overlay District) to incorporate the Specific Plan
  - i. Zoning Code Text Amendments in Chapter A.68 (Non-conformities) to incorporate the Specific Plan
  - j. Zoning Code Text Amendments in Chapter A.84 (Use Permits, Variance and Minor Exceptions) to incorporate the Specific Plan)

**California Environmental Quality Act (CEQA)**

The Downtown Specific Plan is subject to the California Environmental Quality Act (CEQA). The City prepared an Initial Study to determine whether the proposed project may have a significant adverse impact on the environment. Although the proposed project could have a significant effect on the environment, revisions and mitigation measures have been incorporated into the project and there are no significant impacts. Therefore, the City prepared a Mitigated Negative Declaration, also referred to as an MND (Attachment 11). A Mitigation Monitoring and Reporting Program (MMRP) has also been prepared to ensure compliance with the requisite mitigation measures (Attachment 16). The public review draft of the Downtown Specific Plan Draft MND was posted for public review and comment from August 25, 2016 to September 23, 2016. The City received five written comments and has responded to all of them accordingly (Attachment 17). Although the MND evaluated the project’s environmental effects, CEQA does not apply to activities and approvals necessary for the preparation and adoption of LCP Amendments in accordance with State regulations.

**Public Notice**

Community engagement and outreach has been instrumental throughout the entire Downtown Specific Plan project. Staff continues to use various methods to reach as many stakeholders as well as others throughout the community as possible. Tonight's public hearing notice was published in the October 13th and 20th, 2016 circulation of The Beach Reporter, with a quarter page color display ad in the Manhattan Beach section that ran on October 20, 2016. In addition, information was posted on the Downtown page on the City's website at [www.citymb.info/downtownmbdefined](http://www.citymb.info/downtownmbdefined); information was posted on various social media sites; public notices were displayed outside of City Hall and at other public facilities, and email notifications were sent to various stakeholders such as the Downtown Business and Professional Association (DBPA), the Downtown Specific Plan Project Advisory Committee, the Downtown Residents' Group (DRG), the Manhattan Beach Commercial Property Owners Association (MBCPOA), the South Bay Association of Realtors (SBAOR), and other interested parties that have participated in various Downtown meetings (Attachment 18). Additionally, notices were mailed to all property owners and residents within the Specific Plan area, as well as a separate notice to the property owners and residents of the 28 properties directly affected by the LCP change from Downtown Commercial (CD) to Residential High Density (RH). (Attachment 19)

### **Next Steps and Conclusion**

At this time, Staff recommends that the Planning Commission conduct a Public Hearing and adopt Resolutions recommending to the City Council the following:

1. Adopt the Downtown Specific Plan and conforming amendments to the General Plan, and adopt a Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program ;
2. Approve Zoning Code and Zoning Map Amendments to reflect the Downtown Specific Plan;
3. Approve amending the Local Coastal Program's Land Use Policy and Zoning Maps and Implementing Ordinance Section A.16.030(G) to reconcile designation nomenclature and map and text inconsistencies; and
4. Approve amending the Local Coastal Program's Implementation Plan to incorporate the Downtown Specific Plan, and related text amendments.

Following tonight's Public Hearing, Staff will take forward the Planning Commission's recommendations to a City Council Public Hearing tentatively scheduled for December 6, 2016. After City Council action, the Local Coastal Program changes will be forwarded to the California Coastal Commission for final review and action

### **ATTACHMENTS**

1. Planning Commission Consensus Items Consistent with Council Direction (August 10, 2016)
2. "Redline Strike-Out" Chapters & Final Draft Downtown Specific Plan (October 2016)
3. Summary Table of Key Concepts
4. MBMC 10.84.120 Minor Exceptions
5. Addressing New Nonconformities Created with the Adoption of the Specific Plan
6. Live/Work Regulations
7. Retail Sales Floor Area Square Footage Data

8. Potential Second-Floor Outdoor Dining Map
9. Proposed Second-Floor Outdoor Dining Map
10. Second-Floor Outdoor Dining Cross-Section
11. Draft Initial Study – Mitigated Negative Declaration (IS/MND)
12. Draft Resolution No. 16- 06 (Specific Plan, General Plan and CEQA)
13. Draft Resolution No. 16-07 (Zoning Map and Text, MND)
14. Draft Resolution No. 16-08 (LCP Reconciliation-1994 and 2004)
15. Draft Resolution No. 16-09 (LCP/LIP revisions for DTSP)
16. Mitigation Monitoring and Reporting Program (MMRP)
17. Initial Study/Mitigated Negative Declaration – Response to Comments
18. The Beach Reporter Public Hearing Notice and Display Ad
19. Public Notice to 28 properties in the Downtown- Change from CD to RH

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**CITY OF MANHATTAN BEACH  
PLANNING COMMISSION  
MINUTES OF REGULAR MEETING  
OCTOBER 26, 2016**

A Regular Meeting of the Planning Commission of the City of Manhattan Beach, California, was held on the 26<sup>th</sup> day of October, 2016, at the hour of 6:30 p.m., in the City Council Chambers, at 1400 Highland Avenue, in said City.

**1. ROLL CALL**

Present: Apostol, Bordokas, Conaway, Ortmann, Chairperson Hersman  
Absent: None  
Staff Present: Marisa Lundstedt, Director of Community Development  
Assistant City Attorney Michael Estrada  
Laurie Jester, Planning Manager  
Nhung Madrid, Senior Management Analyst  
Ted Faturros, Assistant Planner  
Erik Zandvliet, City Traffic Engineer  
Rosemary Lackow, Recording Secretary

**2. AUDIENCE PARTICIPATION (3-minute limit) - None**

**3. APPROVAL OF THE MINUTES – September 28, 2016**

A motion was MADE and SECONDED (Ortmann/Apostol) to **APPROVE** the minutes of September 28, 2016 as submitted.

Roll Call:

AYES: Apostol, Conaway, Ortmann, Chairperson Hersman  
NOES: None  
ABSENT: None  
ABSTAIN: Bordokas

**4. PUBLIC HEARING**

10/26/16-1 Final Draft Downtown Specific Plan Public Hearing

Director Marisa Lundstedt introduced the subject and acknowledged staff members who have worked on the plan, including: Laurie Jester, Planning Manager, Nhung Madrid, DTSP project manager, Ted Faturros, Assistant Planner as well as others in the IT (for GIS contributions) and Parks and Recreation Departments. Ms. Lundstedt also emphasized the project has had much outreach to the entire community and detailed the timeline including community workshops up to March, 2016 when the draft plan became available for public review. The main focus tonight is a group of four key concepts: live/work regulations; the Use Permit process, a retail sales floor area square footage cap, and second floor outdoor dining. The goal is to conclude discussion and advise of any further desired changes, and Ms. Lundstedt noted that December 6<sup>th</sup> is the targeted date for the City Council public hearing, to consider the Commission's recommendations.

Ted Faturros, Nhung Madrid and Laurie Jester proceeded with a PowerPoint slide presentation that collectively: summarized the staff report and attachments, follow-up information on four key concepts, explained Chapter 9: Implementation Plan, including the Implementation Action Plan, explained proposed Local Coastal Program (LCP) revisions, including a set of reconciliation actions that reflect amendments made between 1992-2004 and lastly, the environmental documentation (Initial Study and proposed Mitigated Negative Declaration).

Chair Hersman asked whether the Commission had any questions of Staff.

In response to an inquiry by Commissioner Bordokas, Director Lundstedt clarified that the environmental analysis looked at a 30-foot height limit as per the direction provided by the City Council, however the 26-foot height limit in the Plan would be the applicable standard, as recommended by the Planning Commission (with an exception for elevators). Ms. Lundstedt explained that it's common for the environmental document to have a broader scope than what may later get adopted and that is why there can be a difference between documents. She also acknowledged that the table in the attachment to the Resolution adopting the DTSP will need to be modified to reflect the revised Plan.

In response to Commissioner Conaway's questions regarding Live/Work, Planning Manager Jester noted the differences between Live/Work and Mixed Use and most notably that with Live/Work the commercial tenant would be required to also live on the premises, which isn't the case with Mixed Use. Ms. Jester affirmed the Commission's understanding that an owner of a commercial parcel that wants commercial and residential on the same site has two options: Mixed Use and Live/Work and clarified further that one use can be converted to the other, as long as applicable standards are met and the use permit is amended as needed.

Ms. Jester clarified that a commercial building cannot extend over the public right-of-way without approval from the City Council through separate Encroachment Permit provisions (not regulated in the Zoning Ordinance).

There being no further questions of staff, Chair Hersman opened the public hearing and invited the public to comment.

#### PUBLIC HEARING

**Jonathan Tolkin**, Metlox-451, stated his major concern is that development Downtown might be over-regulated as it seems there are a lot use permits that would be needed. Projects that are permitted, and are good for the community should have a relatively easy approval process. He urged that the Plan include flexibility to accommodate evolution of uses over time.

**Carol Perrin**, Downtown Residents Group, continues to have concerns that allowing second-floor outdoor dining will increase noise and trash and could potentially, especially if there are more alcohol licenses, change the character of the downtown. Regarding visioning she recognized that visitors will always be in Downtown, attracted to the beach, but visitors should not be as important as residents when planning for the future, as there are many significant impacts.

**Tami Zamrazil**, resident on 5<sup>th</sup> Street, agrees with Ms. Perrin and suggested that there be a one-block buffer between residential uses and where second-floor outdoor dining is to be allowed (as on Appendix 8).

**Neil Leventhal**, 13<sup>th</sup> Street resident, believes the most significant issue is the Vision Statement and concurs with the other speakers regarding the role of visitors. He believes that the Vision Statement should reflect that Downtown is primarily a community center not a commercial center. Allowing for more shuttles and sidewalk dining, is, in aggregate, an intensification of use, and should be regarded a detriment and generally, the City should resist any change that is not certain to be an improvement.

**Kathy Clark**, Downtown Residents Group, is concerned that the natural beauty of the beach head and pier as well as public mobility will be negatively impacted by more visitors including allowing more outdoor dining in the public right-of-way. Also, Ms. Clark feels current ongoing code enforcement problems should be addressed before considering any expansion of commercial uses such as outdoor dining, and offices off of alleys should not be allowed.

**Kelly Stroman**, Executive Director, Downtown Business and Professional Association, asked for clarification of the live-work ground floor vs. second floor standards, and summed her issues: regarding visitors, over 70% of revenue into the Downtown comes from non Manhattan Beach residents, and regarding outdoor dining, the second-floor option could require and allow removal of first floor dining space to be relocated upstairs, and as such there would be no net increase in dining floor area. Ms. Stroman also noted that the beach head feature has already been reviewed, and she urged that all stay focused on the current draft plan, to get it done.

**Karol Wahlberg**, expressed her recurring concerns: that there will be some unanticipated impacts, such as increased truck traffic going through the residential Tree Section area. Second-floor outdoor dining, if allowed,

even a block from residential, especially in the evening, will carry noise. Such eating and drinking establishments also are more employee intensive which means more impacts, such as more parking demand, Fire and Police impacts, and she agrees with others that the Vision Statement should clearly state the downtown is mainly for the residents.

**William Victor**, doesn't believe a higher height limit (e.g. 30 feet) would be in the interest of residents who live behind commercial buildings. He believes that an EIR should be required, that the public notice per the Coastal Act hasn't been done, too many restaurants are not good and wants code enforcement enhanced and this includes the operation of the downtown valet.

**Phillip Cook**, Downtown Commercial Property Owners Association, believes: that economics should dictate uses and there should not be too many regulations, new rules in zoning, if more restricted will incentivize more bulky buildings and less attractive exteriors; likes increased setbacks at upper levels; a 50' frontage maximum is not needed, there is a fear of the unknown; allow commercial to go to 30' high, this is more vibrant and flexible; a bold and exciting downtown is achievable if residents and commercial owners work together and finally that proposed changes will likely result in more sales tax "leakage" to other communities, as we are already losing \$143 million in sales leakage.

**Eileen Neill**, resident, believes foremost this is a residential community and believes retail leakage occurs due to lack of parking since it's a hassle to walk and park Downtown; is weary of developers looking down at the residents and urged that the City not be ruined by having too much commercial development like Santa Monica.

There being no further public input, Chair Hersman closed the public hearing and invited the Commission to discuss the concerns brought up. Chair Hersman noted that many issues are forward thinking. This is an overarching policy document and is not a review of any specific project.

#### COMMISSION DISCUSSION

Commissioner Ortmann asked whether the beach head isn't already a settled issue; Chair Hersman noted that the public terraced seating has been removed, but the idea at some point in the future for a turn-around is in the plan as a potential improvement, including enhancing mobility and traffic; Director Lundstedt clarified that the latter statement was direction from City Council and the concept drawing was henceforth revised – currently it is in the plan as a concept only and terraced seating has been removed.

Chair Hersman directed discussion to the four key concepts that are the focus.

Live Work Use (L/W): Commissioner Bordokas stated her only concern is that the living area should be above the ground level; Director Lundstedt noted that typically living quarters are on the upper levels with the commercial below and it was also pointed out, if the entire space is only one story, the employee/tenant typically lives to the rear.

Commissioner Conaway stated he doesn't understand many of the L/W provisions and they seem draconian. He questioned the percentage split of the uses; indoor only uses; prohibition on offices and restaurants; interconnection regulations; and allowing offices off of the alley. Discussion ensued, with the Chair pointing out this is a new use for the City and Commissioner Bordokas reminding that they looked at other city ordinances, and took parts of various ordinances that they thought were appropriate.

Director Lundstedt stated that the purpose of the provisions that offices were discouraged as an allowed use because they were trying to encourage more lively relationship to the pedestrian sidewalk space. Director Lundstedt suggested that staff can convey concerns of the Commission to Council when they consider the DTSP.

Commissioner Apostol inquired as to why staff is concerned about converting residential to commercial in the Downtown. Director Lundstedt explained the concern is to maintain the integrity of the L/W use – in that, if it is operating as L/W it must comply with applicable standards. Commissioner Apostol clarified that he likes L/W, but is concerned that the Plan could be tying owners' hands too much. He would like to see that the residential use of a L/W would be able to convert back to commercial, inquiring if this would be done via a Use Permit? Planning Manager Jester commented that a Use Permit would be the tool to amend the L/W parameters; e.g. if an owner has a 30/70 residential/commercial mix and want to change this, the owner would

apply for a use permit amendment – similar to other use permits. Commissioner Conaway stated in conclusion he just believes that the provisions may be too restrictive against commercial use and Director Lundstedt clarified that the provisions could be changed by the City should that be the desire of the City.

Use Permit Findings: Brief discussion ensued and it was concluded that there are no concerns with this key concept.

Second-Floor Outdoor Dining:

Commissioner Ortmann acknowledged local neighbor concerns about expanding second-floor outdoor dining and he believes now that the area south of Manhattan Beach Boulevard should not be in the boundaries of where this is to be potentially permitted. He would rather go smaller now with the boundaries and expand later if this was found to work well.

Discussion followed about the boundaries, using the provided maps. (Attachments 8 and 9) The Commissioners focused on the specific streets and whether one block was a good measure. Commissioner Conaway agreed with the concerns expressed by Commissioner Ortmann. Commissioner Apostol pointed out that currently the entire Downtown commercial zone allows a restaurant with second-floor outdoor dining subject to a use permit, and asked whether the City has been bombarded with such applications under the status quo. Ms. Jester confirmed this understanding and stated that she could think of one application for second-floor outdoor dining in 15 years.

Director Lundstedt advised that the Council direction was to keep this in the Plan for evaluation. After further discussion there was a straw vote from the Commission on the item indicated that the majority were in support of the boundaries shown in Attachment 9.

Retail Sales: 1,600 Sales Floor Area Square Footage Cap

Director Lundstedt confirmed that no discussion was needed on this topic. The survey of sales floor area was provided by Staff so the Commission can have more context in understanding the impacts of this new regulation.

Chapter 9 Implementation Plan:

Commissioner Conaway stated he agrees with Director Lundstedt in that a lot of this is going to be left to the discretion of the City Council, and therefore there is not much for the Commission to respond to at this time. Commissioner Bordokas commented that she likes the parking issues in this section in that she feels there are some substantive suggestions. Commissioner Conaway pointed out that when the Commission reviews master use permits there is a need to find out the mix of uses for parking, when it comes to the Downtown, the City isn't really tracking the ongoing parking supply. City Traffic Engineer Zandvliet commented that his understanding is the parking supply is addressed in concept in the Plan now, but the Council included some recommendations for the City to initiate a parking study soon after the Plan is adopted pointing to specifically as examples "Re-evaluate land use parking requirements every five years" and "Update Downtown Parking Management Study".

Chair Hersman turned discussion towards the proposed Resolutions and the proposed environmental document (MND) asking if there is anything to discuss. Commissioner Ortmann commented generally as to whether the use of an MND as opposed to an EIR was a sort of "lower road" taken in meeting CEQA as he feels may be a public perception. Director Lundstedt responded that programmatic documents (as is the DTSP) compared to project documents (i.e. for a proposed Use Permit) tend to be less specific, for good reason, in that the level of detail in a programmatic document is not defined pursuant to CEQA.

Commissioner Ortmann added that he acknowledges that no one is 100% thrilled with the plan, which perhaps suggests that staff did a great job; this is a dense document and it is hard to consume it all; however bottom line, great job.

Appendices: Senior Management Analyst Madrid explained that the appendices are part of the DTSP document and that Appendix 3 and 4 was part of the March 2016 draft that was previously released.

ACTION

There being no further discussion, motions were made to: Adopt Resolutions Recommending to the City

Council the following:

1. Resolution 16-06 (Specific Plan/General Plan/CEQA): (Ortmann/Conaway)

Roll Call:

AYES: Apostol, Bordokas, Conaway, Ortmann, Chairperson Hersman  
NOES: None  
ABSENT: None  
ABSTAIN: None

2. Resolution 16-07 (Zoning Map and Text/MND) (Conaway/Bordokas)

Roll Call:

AYES: Apostol, Bordokas, Conaway, Ortmann, Chairperson Hersman  
NOES: None  
ABSENT: None  
ABSTAIN: None

3. Resolution 16-08 (LCP Reconciliation- 1994 and 2004) (Bordokas/Apostol)

Roll Call:

AYES: Apostol, Bordokas, Conaway, Ortmann, Chairperson Hersman  
NOES: None  
ABSENT: None  
ABSTAIN: None

4. Resolution 16-09 (LCP/LIP revisions for DTSP – with correction made to Exhibit C, to conform to the Specific Plan) (Bordokas/Ortmann)

Roll Call:

AYES: Apostol, Bordokas, Conaway, Ortmann, Chairperson Hersman  
NOES: None  
ABSENT: None  
ABSTAIN: None

**5. DIRECTOR'S ITEMS**

Director Lundstedt gave a report regarding the proposed Gelsons. The environmental process is still ongoing and staff does not yet have an estimated date for the public hearing. Staff will provide the Commission a hard copy of the Initial Study as soon as possible, and due to its length, may provide the technical attachments separately in a CD.

**6. PLANNING COMMISSION ITEMS - None.**

**7. TENTATIVE AGENDA – November 9, 2016 – Manhattan Village Height Variance**

**8. ADJOURNMENT**

The meeting was adjourned at 9:14 pm to Wednesday, November 9, 2016 in the City Council Chambers, City Hall, 1400 Highland Avenue.

ROSEMARY LACKOW  
Recording Secretary

ATTEST:

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MARISA LUNDSTEDT  
Community Development Director

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RESOLUTION NO. PC 16-06

A RESOLUTION OF THE MANHATTAN BEACH PLANNING COMMISSION  
RECOMMENDING THAT THE CITY COUNCIL ADOPT THE MANHATTAN BEACH  
DOWNTOWN SPECIFIC PLAN AND CONFORMING AMENDMENTS TO THE  
MANHATTAN BEACH GENERAL PLAN, AND ADOPT A MITIGATED NEGATIVE  
DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM

THE MANHATTAN BEACH PLANNING COMMISSION HEREBY FINDS AND RESOLVES AS  
FOLLOWS:

SECTION 1. The City of Manhattan Beach ("City") has prepared a Downtown Specific Plan to implement goals and policies for Downtown Manhattan Beach. Amendments to the Manhattan Beach General Plan would designate Downtown Manhattan Beach as the "Downtown Specific Plan Area."

SECTION 2. The Downtown Specific Plan Area encompasses approximately 40 blocks and 51.62 acres in the central western portion of the City, adjacent to the Manhattan Beach pier. It is bounded by 15th Street to the north, Valley Drive to the east, 8th, 9th, and 10th Streets to the south, and The Strand to the west. The Land Use Policy Map, attached as **Exhibit A**, depicts the boundaries of this area. The Downtown Specific Plan would repeal and replace the Downtown Manhattan Beach Design Guidelines adopted in 1998.

SECTION 3. The Planning Commission held a public hearing on October 26, 2016, to consider its recommendation on the Downtown Specific Plan and related amendments. The public hearing was noticed in *The Beach Reporter*, a newspaper of general circulation in the City. Notices were also sent to property owners in the Downtown Specific Plan Area.

SECTION 4. The proposed Downtown Specific Plan is the result of a three-year, multi-phase process that involved comprehensive studies, planning, design, and community involvement.

SECTION 5. Government Code Section 65358 authorizes the City to amend its General Plan. Government Code Sections 654530 *et seq* authorizes the City to prepare and adopt a Specific Plan that is consistent with the General Plan.

SECTION 6. CEQA.

A. In accordance with the provisions of CEQA and the CEQA Guidelines, the City prepared an Initial Study/Mitigated Negative Declaration ("MND") that analyzed the potential environmental impacts of the proposed Downtown Specific and amendments to the General Plan, zoning code, and Local Coastal Program ("Project"). The MND determined that the Project would have potentially significant impacts in the following impact categories and that these impacts can be reduced to a less than significant level with incorporation of mitigation measures: Air Quality, Cultural Resources, Geology and Soils, Noise, and Transportation/Traffic. In all other impact categories, the MND determined that the Project would have no impact or a less than significant impact without mitigation.

B. On August 25, 2016, the City issued a Notice of Intent to Adopt a Mitigated Negative Declaration ("NOI") and circulated the Draft MND for public review from August 25, 2016, to September 23, 2016. The City posted the NOI and made the Draft MND available for public review at the City's website, City Hall, the City Police/Fire Facility, the local County of Los Angeles Public Library, the Joslyn Community Center, and Manhattan Heights. The NOI was also noticed in *The Beach Reporter*. The Draft MND was circulated through the Office of Planning and Research's State Clearinghouse (SCH No. 2016081065).

C. During the public review and comment period, the City received one comment from a public agency and three comments from members of the public. The City prepared responses to each of the comments and prepared a Final MND (attached hereto as **Exhibit C**) that includes the Draft MND, comments received during the public comment period, and responses to those comments. The City also prepared a Mitigation Monitoring and Reporting Program for the Project (attached hereto as **Exhibit D**).

The Planning Commission finds that the MND was completed in compliance with CEQA and the CEQA Guidelines.

D. On October 26, 2016, the Planning Commission conducted a duly noticed public hearing to consider the Final MND and the Project. The Planning Commission has considered all the evidence in the record, including the Final MND, staff reports and presentations, and all comments presented at the public hearing. The Final MND reflects the Planning Commission's independent judgment and analysis.

E. The Planning Commission finds, in its own independent judgment after considering all relevant evidence in the record, that there is no substantial evidence supporting a fair argument that the proposed project may have a significant effect on the environment with incorporation of the mitigation measures identified in the Final MND. The Planning Commission finds that the Project will not have a significant environmental effect and recommends that the City Council adopt the Final MND and Mitigation Monitoring and Reporting Program for the Project.

**SECTION 7.** The Planning Commission finds, and recommends that the City Council find, that the Downtown Specific Plan attached as **Exhibit B** is consistent with the Manhattan Beach General Plan based on the following:

A. Concurrent amendments to the General Plan's Land Use Policy Map would designate Downtown Manhattan Beach as the "Downtown Specific Plan Area." The Downtown Specific Plan's land use classifications and land use plan are consistent with those specified in the General Plan.

B. A consistency analysis between the Downtown Specific Plan and particular General Plan policies is presented in the Land Use and Planning section of the MND, attached as **Exhibit C** and incorporated hereto by reference as if set forth in full. The Downtown Specific Plan is designed to advance and implement the General Plan's policy vision for Downtown Manhattan Beach by preserving Downtown's small-town character, improving pedestrian amenities, and addressing mobility and parking needs. The Downtown Specific Plan implements and is consistent with the following General Plan policies among others.

1. Policy LU-1.1 – The Downtown Specific Plan maintains the existing 26-foot height limit for two-story commercial buildings, with an exception for the Downtown Commercial designation, Area B, to allow a 2-foot increase for elevator shafts limited in size and location.

2. Policies LU-3.2 and LU-7.2 – The Downtown Specific Plan establishes a framework, including design guidelines and development standards, to preserve the character of Downtown Manhattan Beach and improve the area's visual identity as a unique commercial destination while creating an environment conducive to high quality development.

3. Policy LU-3.6 – The Downtown Specific Plan retains existing walkstreet landscape standards, which encourage private low-height landscaping

4. Policies LU-4.1, LU-7.3, and CR-6.1 – The Downtown Specific Plan envisions future improvements to the streets, sidewalks, and open space that enhance pedestrian and bicycle access to beach areas through Downtown Manhattan Beach while minimizing residential neighborhood intrusion. It also envisions coordinated, custom streetscape furnishings, landscaping, and materials that enhance the pedestrian environment. These improvements to streets and sidewalks would enhance the area's safe, comfortable environment for pedestrians and bicyclists. They would increase support for alternative modes of transportation.

5. Policies LU 5-7, LU 6.4 and LU 7.6 – The Downtown Specific Plan is sensitive to the needs of the residents and homeowners both within the Plan area and throughout the community, through the balance of a variety of needs and the recognition of the unique qualities of the Downtown as a mixed-use area.

6. Policy LU-6.1 – The Downtown Specific Plan supports and encourages small businesses through limits on the length of frontage along a street for commercial tenants, limits on ground floor uses to those that are pedestrian oriented, and limits on the square footage for retail uses.

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7. Policy LU-7.4 – The Downtown Specific Plan encourages first-floor businesses providing attractive storefronts, an active pedestrian environment and outdoor dining spaces that enliven the area’s commercial streets, with regulations to minimize any impacts.

SECTION 8. The Planning Commission recommends that the City Council adopt the following amendments to the Land Use Element of the 2003 Manhattan Beach General Plan:

A. Replace Figure LU-3 (Land Use Policy Map) on pages LU-17 through LU-18 with the Land Use Policy Map attached as **Exhibit A**.

B. Amend and restate the fourth paragraph on page LU-9 to read as follows:

“In 1996, the City adopted the Downtown Strategic Action Plan to articulate a community vision for the Downtown, identify issues, and establish a framework for future decisions. As a result of this Plan, in 1998 the Downtown Design Guidelines were adopted.

In 2014 the community felt a need for further regulations to implement the community vision for Downtown and the Downtown Specific Plan was initiated. After robust public outreach and community participation, in 2016 the City adopted the Downtown Specific Plan as a planning tool to shape the function and appearance of Downtown, including new regulations and design guidelines for the area. The Downtown Specific Plan establishes the following vision for Downtown to preserve and enhance the character and ensure its future economic viability:

- Preserve and enhance the small town character
- Enhance pedestrian and bicycle access
- Improve access to parking and alternative transportation options
- Encourage, maintain and enhance economic vitality

C. Amend the section entitled “Land Use Designations” of the Land Use Plan to add new language to the end of the subsection entitled “Downtown Commercial” to read as follows:

“The entire Downtown Commercial designation is included within the Downtown Specific Plan Area as described further in this section.”

D. Amend the section entitled “Land Use Designations” of the Land Use Plan to add a new subsection entitled “Downtown Specific Plan Area” after the subsection entitled “Public Facilities Categories” to read as follows:

**“Downtown Specific Plan Area**  
The Downtown Specific Plan governs the Downtown Specific Plan Area. It includes several land use designation described previously including the entire Downtown Commercial area and portions of the High Density Residential, Parks/Open Space and Public Facilities classifications. The Civic Center and County Library are located within the Plan Area. The core purpose of the Downtown Specific Plan Area is to perpetuate and enhance the Downtown’s quaint, small town character, quality of life, and economic vitality. The Downtown Specific Plan establishes guidelines, goals, and regulations for land use; architectural and urban design; circulation and parking; and infrastructure.

Any inconsistencies between the Downtown Specific Plan and General Plan provisions applicable to uses within the Downtown Specific Plan Area are to be resolved in favor of the Downtown Specific Plan.”

E. Amend and restate Land Use Element Policy LU-7.2 to read as follows:

“Policy LU-7.2: Encourage the use of the design guidelines in the Downtown Specific Plan area to improve the Downtown’s visual identification as a unique commercial area.”

F. Amend and restate the Policy Discussion under Policy LU-3.2 in the Land Use Element, Goals and Policies, Community Aesthetics on page LU-26 to read as follows:

"To ensure quality design for development in Downtown and along Sepulveda, the City has adopted design guidelines for Downtown and Sepulveda Boulevard, respectively.

A considerable part of the charm of the Downtown is the diversity of buildings and uses. New development should display uniqueness in design yet recognize the common elements that existing structures employ to create a uniform village theme for the Downtown. The ~~Downtown~~ design guidelines in the Downtown Specific Plan address such issues as site design, compatibility with neighboring development, architectural elements/features, pedestrian activity, landscaping, and signs. To further address aesthetic issues in the Downtown, the Downtown Specific Plan Area has a Design Overlay District.

Sepulveda Boulevard is the major commercial corridor in Manhattan Beach, with primarily regional-serving and large-scale businesses. Ensuring quality design is especially important along this corridor to avoid monotonous and overbearing buildings, safeguard pedestrian safety and access, and promote compatibility with residential neighborhoods. The Sepulveda Boulevard Design Guidelines address such issues as vehicular access, pedestrian access, sidewalk dedication, building orientation, visual aesthetics, residential nuisances, landscaping, signs, and utility undergrounding.

To address neighborhood aesthetic issues, the North End also has a Design Overlay District and Business Improvement District."

SECTION 9. The Planning Commission recommends that the City Council adopt the Manhattan Beach Downtown Specific Plan attached to this Resolution as **Exhibit B**.

SECTION 10. The Secretary to the Planning Commission shall certify to the adoption of this Resolution.

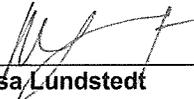
I hereby certify that the foregoing is a full, true, and correct copy of the Resolution as adopted by the Planning Commission at its regular meeting of October 26, 2016, and that the Resolution was adopted by the following vote:

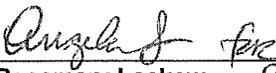
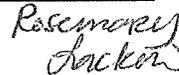
**AYES: Apostol, Bordokas, Conaway, Ortmann  
Chairperson Hersman**

**NOES: None**

**ABSENT: None**

**ABSTAIN: None**

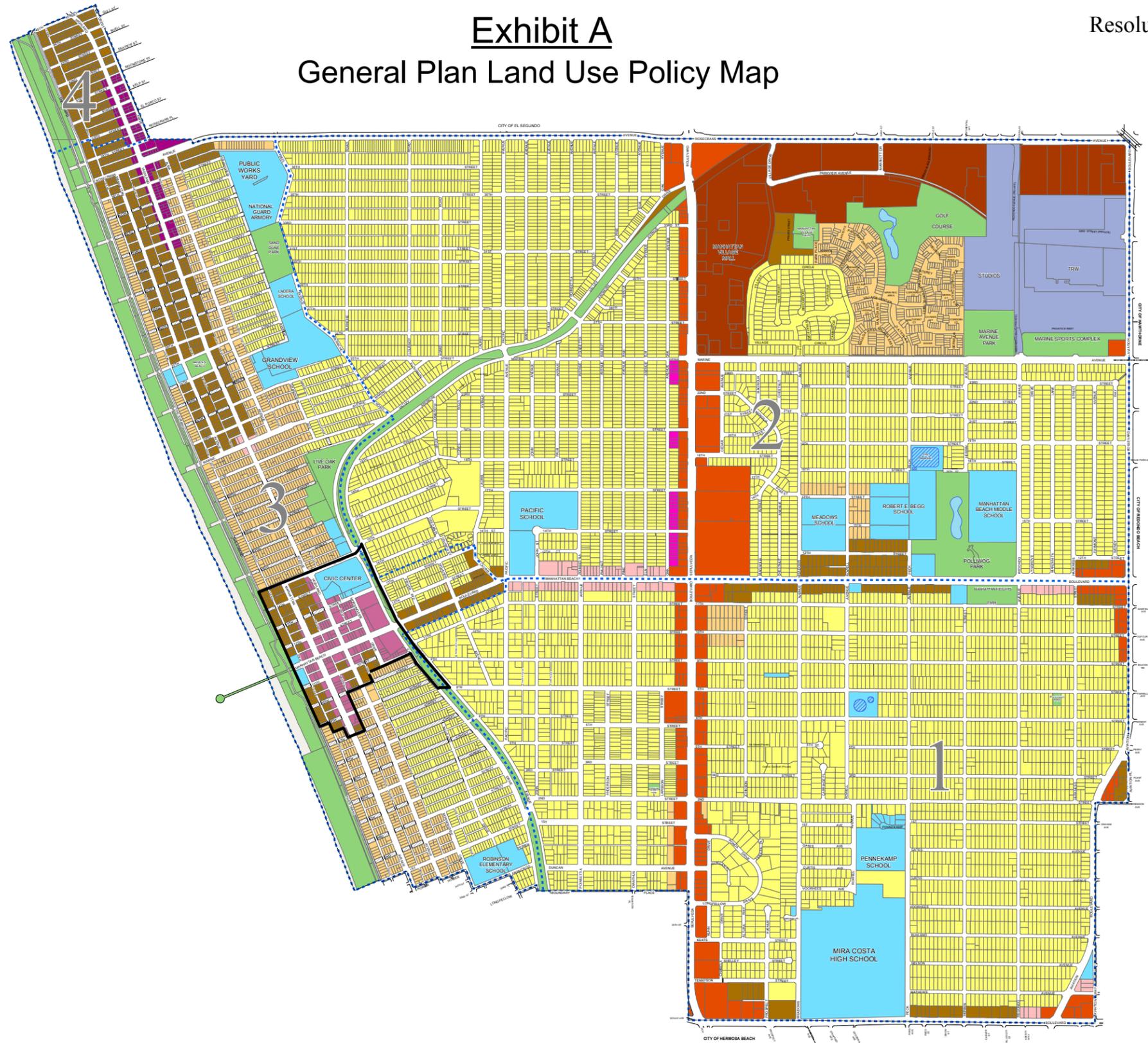
  
\_\_\_\_\_  
**Marisa Lundstedt**  
Secretary to the Planning Commission  
Community Development Director

  
\_\_\_\_\_  
**Rosemary Lackow**  
Recording Secretary 

# Exhibit A General Plan Land Use Policy Map

### Land Use Designations

- LOW DENSITY RESIDENTIAL
- MEDIUM DENSITY RESIDENTIAL
- HIGH DENSITY RESIDENTIAL
- LOCAL COMMERCIAL
- GENERAL COMMERCIAL
- DOWNTOWN COMMERCIAL
- NORTH END COMMERCIAL
- MANHATTAN VILLAGE
- MIXED-USE COMMERCIAL
- INDUSTRIAL
- PARKS / OPEN SPACE
- PUBLIC FACILITIES
- Bike Path
- The Strand Pedestrian Path
- City Boundary
- Walkstreets
- Area District Boundaries
- Downtown Specific Plan Area



Source: City of Manhattan Beach, 2016.

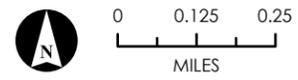


Exhibit B  
Downtown Specific Plan

See Staff Report  
Attachment 2

Exhibit C  
Initial Study/Mitigated Negative Declaration

See Staff Report  
Attachment 23

# Exhibit D

## Mitigation Monitoring and Reporting Program

City of Manhattan Beach City of Manhattan Beach Downtown Specific Plan and Local Coastal Program Amendments Project Mitigation Monitoring and Reporting Program						
	Mitigation Monitoring			Reporting		
Mitigation Measures	Period of Implementation	Monitoring Responsibility	Monitoring Procedure	Comments	Date	Initials
<p><b>Mitigation Measure AQ-1:</b> The City shall require that projects that involve ground disturbing activities or large construction equipment that are implemented under the Specific Plan are analyzed as part of project review in accordance with SCAQMD recommended methodologies and significance thresholds. Emission reductions shall be achieved by incorporating the following which shall be included on construction plans and specifications as part of a construction management and parking plan:</p> <ul style="list-style-type: none"> <li>▪ Water all active construction areas at least twice daily as required.</li> <li>▪ Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least 2 feet of freeboard.</li> <li>▪ Sweep daily, as required, all paved access roads, parking areas, and staging areas at construction sites.</li> <li>▪ Sweep streets daily as required if visible soil material is carried onto adjacent public streets.</li> <li>▪ Reduce unnecessary idling of truck equipment in proximity to sensitive receptors (i.e. idle time of 5 minutes or less).</li> <li>▪ Use construction equipment rated by the United States Environmental Protection Agency as having Tier 3 (model year 2006 or newer) or Tier 4 (model year 2008 or newer) emission limits, applicable for engines between 50 and 750 horsepower.</li> <li>▪ Properly maintain construction equipment per manufacturer specifications.</li> <li>▪ Designate a disturbance coordinator responsible for ensuring that mitigation measures to reduce air quality impacts from construction are properly implemented.</li> </ul>	<p>During construction activities</p>	<p>City of Manhattan Beach Building and Safety Division and Public Works Department</p>	<p>The Building and Safety Division and Public Works Department shall ensure that all projects under the Specific Plan that involve ground disturbing activities or large construction equipment are analyzed in accordance with SCAQMD recommendations and that appropriate mitigation measures are included on construction plans and specifications to ensure emission reductions and compliance with this measure.</p>			
<p><b>Mitigation Measure CUL-1:</b> If archaeological resources (i.e., historical, prehistoric, and isolated artifacts and features) are inadvertently discovered during construction of future improvements envisioned in the Specific Plan, work shall be halted immediately within 50 feet of the discovery, the City shall be notified, and a professional archaeologist who meets the Secretary of the Interior's Standards and Guidelines for Professional Qualifications in archaeology and/or history shall be retained to determine the significance of the discovery. Project personnel shall not collect cultural resources.</p>	<p>During construction activities</p>	<p>City of Manhattan Beach Building and Safety Division and Public Works Department</p>	<p>Upon finding of archaeological resources, the Building and Safety Division and Public Works Department shall review the significance of the find determined by the qualified archaeologist and ensure compliance with the suggested techniques, which may include periodic site inspections.</p>			

City of Manhattan Beach City of Manhattan Beach Downtown Specific Plan and Local Coastal Program Amendments Project Mitigation Monitoring and Reporting Program						
Mitigation Measures	Mitigation Monitoring			Reporting		
	Period of Implementation	Monitoring Responsibility	Monitoring Procedure	Comments	Date	Initials
<b>Mitigation Measure CUL-2:</b> If human remains are discovered during project construction, all work shall be halted immediately within 50 feet of the discovery, the City shall be notified, and the County Coroner must be notified, according to California Public Resources Code Section 5097.98 and California Health Code Section 7050.5. If the remains are determined to be Native American, the coroner will notify the Native American Heritage Commission, and the procedures outlined in CEQA Section 15064.5(d) and (e) shall be followed.	During construction activities	City of Manhattan Beach Building and Safety Division and Public Works Department	Upon finding of human remains, the Building and Safety Division and Public Works Department shall ensure the County Coroner is contacted and, if remains are deemed to be Native American, contact the NAHC and follow all necessary CEQA procedures.			
<b>Mitigation Measure CUL-3:</b> In accordance with AB-52, the City of Manhattan Beach will notify the Gabrieleno Band of Mission Indians- Kizh Nation, of any Downtown Specific Plan area projects that involve soil disturbances, as complete applications for such projects are received.	Implementation project application processing	City of Manhattan Beach Building and Safety Division and Public Works Department	The Community Development Department shall notify the Gabrieleno Band of Mission Indians- Kizh Nation of any received applications involving soil disturbances in the Downtown Specific Plan area.			
<b>Mitigation Measure GEO-1:</b> If paleontological resources are encountered during future grading or excavation activities associated with Specific Plan-related improvements, work shall avoid altering the resource and its stratigraphic context until a qualified paleontologist has evaluated, recorded, and determined appropriate treatment of the resource, in consultation with the City. Project personnel shall not collect paleontological resources. Appropriate treatment may include collecting and processing "standard" samples by a qualified paleontologist to recover microinvertebrate fossils in a museum repository for permanent curation and storage, together with an itemized inventory of the specimens.	As a condition of project approval and during construction activities	City of Manhattan Beach Building and Safety Division and Public Works Department	Upon finding of paleontological resources, the Building and Safety Division and Public Works Department shall consult with the qualified paleontologist upon determination of appropriate treatment for the resource and conduct periodic site inspections to ensure compliance with this measure.			

City of Manhattan Beach City of Manhattan Beach Downtown Specific Plan and Local Coastal Program Amendments Project Mitigation Monitoring and Reporting Program						
Mitigation Measures	Mitigation Monitoring			Reporting		
	Period of Implementation	Monitoring Responsibility	Monitoring Procedure	Comments	Date	Initials
<b>Mitigation Measure NOI-1:</b> Prior to the issuance of a use permit or building permit for any second-floor outdoor commercial restaurant dining that includes service of alcohol and hours of operation during the late night hours, an acoustical study shall be prepared to the satisfaction of the Community Development Director. The study shall quantify the anticipated noise levels generated by the use and demonstrate compliance with the "Exterior noise standards" identified in Sections 5.48.160 of the Manhattan Beach Municipal Code. Design and construction techniques may be utilized to reduce and/or shield noise sources to achieve compliance with the standard, such as sound-rated Plexiglas parapets, noise curtains, and other noise reducing materials, and/or operational conditions may be imposed to reduce any potential impacts.	During Use Permit or Building Permit review	City of Manhattan Beach Community Development Department	Prior to the issuance of a use permit or building permit for late night, alcohol-servicing commercial restaurants, the Community Development Director or his/her designee shall review an acoustical study to ensure compliance with the noise standards stated in the Manhattan Beach Municipal Code, and shall ensure implementation of proper design and construction techniques to reduce noise.			
<b>Mitigation Measure TR-1:</b> Public realm improvements shall be constructed in a manner in which the overall public parking supply is maintained, and no net loss in public parking occurs.	During plan review and plan check	City of Manhattan Beach Community Development Department and City of Manhattan Beach Public Works Department	The Community Development Department and Public Works Department shall ensure no net loss occurs in public parking due to public realm improvements.			

End of Mitigation Monitoring and Reporting Program.

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RESOLUTION NO. PC 16-07

A RESOLUTION OF THE MANHATTAN BEACH PLANNING COMMISSION  
RECOMMENDING ZONING CODE AND ZONING MAP AMENDMENTS TO REFLECT  
THE DOWNTOWN SPECIFIC PLAN

THE MANHATTAN BEACH PLANNING COMMISSION HEREBY FINDS AND RESOLVES AS  
FOLLOWS:

SECTION 1. On October 26, 2016, the Planning Commission held a duly noticed public hearing to consider the Downtown Specific Plan and the related amendments to the Manhattan Beach General Plan, zoning code, zoning map, and Local Coastal Program ("LCP"), and the Initial Study/Mitigated Negative Declaration ("MND") prepared in compliance with the California Environmental Quality Act.

SECTION 2. By Resolution No. PC 16-06, the Planning Commission recommended that the City Council adopt the Downtown Specific Plan and amend the Manhattan Beach General Plan. To implement the Downtown Specific Plan, it is necessary to amend Municipal Code Title 10 to reflect or reference the requirements and provisions of the Downtown Specific Plan, and to amend the Zoning Map to reflect the Specific Plan designation.

SECTION 3. CEQA. In accordance with the provisions of the California Environmental Quality Act ("CEQA") and the CEQA Guidelines, the City prepared an Initial Study/Mitigated Negative Declaration ("MND"), which analyzed the potential environmental impacts of the Downtown Specific Plan and amendments to the General Plan, zoning map, zoning code, and Local Coastal Program ("Project"). By Resolution No. PC 16-06, the Planning Commission made findings under CEQA and recommended that the City Council adopt the MND and Mitigation Monitoring and Reporting Program for the Project. The Planning Commission's CEQA findings and recommendation in Resolution No. PC 16-06 are incorporated hereto as if set forth in full.

SECTION 4. The Planning Commission finds, and recommends that the City Council find, that the proposed Zone Text and Map Amendments are consistent with the proposed General Plan Amendments for the reasons set forth in Resolution No. PC 16-06. Additionally, a consistency analysis is presented in the Land Use and Planning section of the MND, attached to Resolution No. PC 16-06 as **Exhibit C** and incorporated hereto as if set forth in full.

SECTION 5: The Planning Commission finds, and recommends that the City Council find, that the proposed Zone Text and Map Amendments are consistent with the proposed Downtown Specific Plan because the zone text and map changes reflect and reference the regulations established by the Downtown Specific Plan.

SECTION 6. The Planning Commission recommends that the City Council replace the Manhattan Beach Zoning Map with the Zoning Designations Map attached as **Exhibit A** to this Resolution to add a new designation for the Downtown Specific Plan Area entitled "D8 – Design Review – Downtown Specific Plan."

SECTION 7. The Planning Commission recommends that the City Council amend Municipal Code Title 10 (Planning and Zoning), Chapter 10.12 (Residential Districts), Section 10.12.020 to replace the first paragraph as follows:

**"10.12.020 - Land use regulations: RS, RM, RH, RPD, and RSC districts.**

In the following schedule, the letter "P" designates use classifications permitted in residential districts. The letter "L" designates use classifications subject to certain limitations prescribed under the "Additional Use Regulations" which follows. The letter "U" designates use classifications permitted on approval of a use permit, as provided in Chapter 10.68. The letters "P/U" for accessory uses mean that the use is allowed on the site of a permitted use, but requires a use permit on the site of a conditional use. Letters in parentheses in the "Additional Regulations" column refer to "Additional Use Regulations" following the schedule. Where letters in parentheses are opposite a use classification heading, referenced regulations shall apply to all use classifications under the heading.

In addition to these regulations, the Downtown Specific Plan governs the R Residential District within the Downtown Specific Plan Area, as shown on the Zoning Map. If conflicts exist between these regulations and the Downtown Specific Plan regulations, the Specific Plan regulations shall prevail in the Downtown Specific Plan Area."

SECTION 8. The Planning Commission recommends that the City Council amend Municipal Code Title 10 (Planning and Zoning), Chapter 10.12 (Residential Districts), Section 10.12.030 to replace the first paragraph as follows:

**"10.12.030 - Property development regulations: RS, RM, and RH districts.**

The following schedule prescribes development regulations for residential zoning districts in each area district, as defined in Section 10.01.060(A)(2) and designated on the zoning map. The columns establish basic requirements for permitted and conditional uses; letters in parentheses in the "Additional Regulations" column refer to "Additional Development Regulations" following the schedule. This section shall not be amended to increase the standards for maximum height of structures or maximum buildable floor area, or to reduce the standards for minimum setbacks, minimum lot dimensions or minimum lot area per dwelling unit, unless the amendment is first submitted to a city-wide election and approved by a majority of the voters.

In addition to these regulations, the Downtown Specific Plan governs the RH Residential High Density District within the Downtown Specific Plan Area, as shown on the Zoning Map. If conflicts exist between these regulations and the Downtown Specific Plan regulations, the Specific Plan regulations shall prevail in the Downtown Specific Plan Area."

SECTION 9. The Planning Commission recommends that the City Council amend Municipal Code Title 10 (Planning and Zoning), Chapter 10.16 (C Commercial Districts), Section 10.16.010 (Specific purposes) to replace the CD Downtown Commercial District paragraph to read as follows:

**"CD Downtown Commercial District.** To provide opportunities for commercial, mixed use, residential, public, and semipublic uses, preserve and enhance the small town character of the downtown area, the heart of the community. This district is intended to create a vibrant, charming area consistent with the vision and goals for the Downtown Specific Plan."

SECTION 10. The Planning Commission recommends that the City Council amend Municipal Code Title 10 (Planning and Zoning), Chapter 10.16 (C Commercial Districts), Section 10.16.020 to replace the first paragraph and tables as follows, with no amendments to the lettered "Additional Land Use Regulations":

**"10.16.020 - CL, CC, CG, CD, CNE districts: land use regulations.**

In the following schedules, the letter "P" designates use classifications permitted in commercial districts. The letter "L" designates use classifications subject to certain limitations prescribed by the "Additional Use Regulations" that follow. The letter "U" designates use classifications permitted on approval of a use permit. The letters "P/U" for an accessory use mean that the use is permitted on the site of a permitted use, but requires a use permit on the site of a conditional use. Use classifications that are not listed are prohibited. Letters in parentheses in the "Additional Regulations" column refer to regulations following the schedule or located elsewhere in this title. Where letters in parentheses are opposite a use classification heading, referenced regulations shall apply to all use classifications under the heading.

In addition to these regulations, the Downtown Specific Plan governs the CD District within the Downtown Specific Plan Area, as shown on the Zoning Map. If conflicts exist between these regulations and the Downtown Specific Plan regulations, the Specific Plan regulations shall prevail in the Downtown Specific Plan Area.

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CL, CC, CG, CD, and CNE DISTRICTS: LAND USE REGULATIONS	P — Permitted U — Use Permit L — Limited, (See Additional Use Regulations) - — Not Permitted * — see Downtown Specific Plan
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	CL	CC	CG	CD*	CNE	Additional Regulations
<b>Residential</b>						
Day Care, Small Family Home	P	-	-		L-11	
Day Care, Large Family Home	L-23	-	-		L-23	
Single-Family Residential	U	-	-		L-11	(I)(J)
Multi-Family Residential	U	-	-		U	(I)(J)
Public and Semipublic						(A)
Clubs and Lodges	U	U	U		U	
Cultural Institutions	U	U	U		U	
Day Care, General	U	U	U		U	
Emergency Health Care	U	U	U		U	
Government Offices	L-10	P	P		P	
Hospitals	-	U	U		-	
Park & Recreation Facilities	P	P	P		P	
Public Safety Facilities	U	U	U		U	
Religious Assembly	L-21	-	L-21		-	
Residential Care, General	-	-	U		-	
Schools, Public or Private	U	U	U		-	
Utilities, Major	U	U	U		U	
Utilities, Minor	P	P	P		P	
<b>Commercial Uses</b>						(B)(K)(L)
Adult Businesses	-	-	L-5		-	(C)

Ambulance Services	-	-	U		-	
Animal Sales & Services						
Animal Boarding	-	-	U		-	
Animal Grooming	P	P	P		P	
Animal Hospitals	-	-	U		-	
Animals						
Retail Sales	P	P	P		P	
Artists' Studios	P	P	P		P	
Banks and Savings & Loans	P	P	P		P	
With Drive-Up Service	-	U	U		-	
Body Art Studios	-	U	U		-	(N)
Building Materials and Services	-	-	P		-	
Catering Services	P	P	P		P	
Commercial Filming	U	U	U		U	
Commercial Recreation and Entertainment	-	P	P		L-7	(D)
Communication Facilities	-	P	P		P	
Eating and Drinking Establishments	U	U	U		U	(E)
w/ Fast-Food or Take-Out Service	U	U	U		L-7	
Drive-Through	-	U	U		-	
Food and Beverage Sales	L-9	P	P		L-9	
Funeral and Interment Services	-	-	L-5		-	
Laboratories	-	-	U		-	
Maintenance and Repair Services	P	P	P		P	
Nurseries	P	P	P		-	
Offices, Business and Professional	P	P	P		L-24	
Pawn Shops	-	-	U		-	
Personal Improvement Services	P	P	P		P	
Personal Services	P	P	P		P	
Psychic Advisor	-	-	P		-	
Research and Development Services	-	-	U		-	
Retail Sales	P	P	P		P	
Secondhand Appliances/Clothing	-	-	P		U	
Swap Meets, Recurring Travel Services	P	P	P		P	
Vehicle Equipment/Sales and Services						

1	Automobile Rentals	-	P	P		-	
2	Automobile Washing	-	-	L-8		-	
3	Commercial Parking	-	U	U		U	
4	Service Stations	U	U	U		-	(F)
5	Vehicle Equip. Repair	-	-	L-6		-	
6	Vehicle Equip. Sales and Rentals	-	P	P		-	
7	Vehicle Storage	-	-	U		-	
8	Visitor Accommodations						
9	Hotels and Motels and Time Shares	-	U	U		U	
10	Residential Hotels	-	-	U		-	
11	Warehousing and Storage, Ltd.	-	-	P		-	
12	<b>Industrial</b>						(B)
13	Industry, Custom	L-7	L-7	P		L-7	
14	Industry, Limited	-	-	L-7		-	
15	Wholesaling, Distribution and Storage	-	-	U		-	
16	<b>Accessory Uses</b>						
17	Accessory Uses and Structures	P/U	P/U	P/U		P/U	
18	<b>Temporary Uses</b>						(G)
19	Animal Shows	-	-	U		-	
20	Christmas Tree Sales/Pumpkin Sales	P	P	P		P	
21	Circus and Carnivals	-	U	-		U	
22	Commercial Filming, Limited	-	U	U		U	
23	Food Truck Sales	-	U	U		-	
24	New Year's Eve	U	U	U		U	
25	Real Estate Sales	P	P	P		P	
26	Retail Sales, Outdoor	P	P	P		P	
27	Street Fairs	U	U	U		U	
28	Trade Fairs	-	U	U		-	
29	<b>Nonconforming uses</b>						(H)
30	Mixed Use	U	-	-		U	
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SECTION 11. The Planning Commission recommends that the City Council amend and restate Municipal Code Title 10 (Planning and Zoning), Chapter 10.16 (C Commercial Districts), Section 10.16.030 to read as follows:

**"10.16.030 - CL, CC, CG, CD, and CNE districts: development regulations.**

The following schedule prescribes development regulations for the CL, CC, CG, CD, and CNE districts. The first five (5) columns prescribe basic requirements for permitted and conditional uses in each district. Letters in parentheses in the "Additional Regulations" column reference regulations following the schedule or located elsewhere in the planning and zoning ordinance.

In addition to these regulations, the Downtown Specific Plan governs the CD District within the Downtown Specific Plan Area, as shown on the Zoning Map. If conflicts exist between these regulations and the Downtown Specific Plan regulations, the Specific Plan regulations shall prevail in the Downtown Specific Plan Area.

CL, CC, CG, CD, and CNE DISTRICTS: DEVELOPMENT REGULATION						
	CL	CC	CG	CD*	CNE	Additional Regulations
<b>Residential Development</b>						(A)(B)(O)
<b>Nonresidential Development</b>						(O)
Minimum Lot Area (sq. ft.)	4,000	10,000	5,000		2,700	(B)
Minimum Lot Width (ft.)	40	100	50		30	(B)
Minimum Setbacks						(B)(C)
Front (ft.)	-	-	-		-	(D)
Side (ft.)	-	-	-		-	(E)
Corner Side (ft.)	-	-	-		-	(D)
Rear (ft.)	-	-	-		-	(E)
Maximum Height of Structures (ft.)	30	30	30		30	(F)(H)
Maximum Floor Area Factor (FAF)	1.0	1.5	1.5		1.5	
Minimum Site Landscaping (%)	8	12	8		-	(I)
Fences and Walls						(K)
Off-Street Parking and Loading						(N)
Outdoor Facilities	See Section 10.60.080					
Screening of Mechanical Equip.	See Section 10.60.090					
Refuse Storage Areas	See Section 10.60.100					
Underground Utilities	See Section 10.60.110					
Performance Standards	See Section 10.60.120					
Nonconforming Structures	See Chapter 10.68					
Signs	See Chapter 10.72					
Telecommunications Facilities	See Chapter 13.02					

Mixed Use Development	U	-	-		U	(B)(P)
<b>CL, CC, CG, CD*, and CNE Districts: Additional Development Regulations</b>						
<i>*see Downtown Specific Plan</i>						

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(A) Dwelling units as the sole use on a site shall be subject to the standards for residential development in the RH district and the area district in which the site is located, except as follows:

(1) CD district: the commercial standard for building height shall apply when dwelling units replace commercial use.

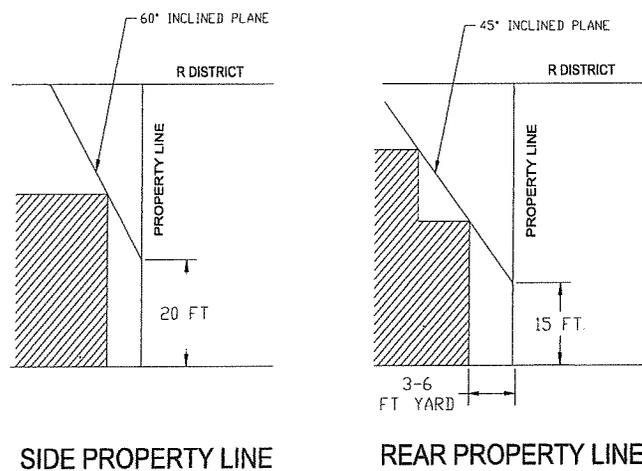
(2) CNE district, D-5 overlay: if an RH district standard conflicts with an overlay standard (Section 10.44.040), the overlay standard shall apply.

(B) See Section 10.60.020, Development of substandard lots.

(C) See Section 10.60.040, Building projections into yards and required open space. Double-frontage lots shall provide front yards on each frontage.

(D) A minimum ten-foot (10') building setback shall be provided along the west side of Sepulveda Boulevard as measured from the Sepulveda street property line prior to any required dedications.

(E) Along a rear property line abutting an R district, structures shall not intercept a 1:1 or forty-five-degree (45°) daylight plane inclined inward from a height of fifteen feet (15') above existing grade at the property line. Along a side property line abutting an R district, structures shall not intercept a sixty-degree (60°) daylight plane inclined inward from a height twenty feet (20') above existing grade at the property line.



**REQUIRED DAYLIGHT PLANE**

**AT ADJOINING DISTRICTS**

(THE DIAGRAM IS ILLUSTRATIVE)

(F) A roof pitch of at least four (4) vertical feet for each twelve (12) lineal feet of roof area is required. If the roof pitch is less, the maximum building height is twenty-two feet (22') unless structure parking is provided at or below the ground level.

(G) (Reserved)

(H) See Section 10.60.050, Measurement of height, and Section 10.60.060, Exceptions to height limits.

**(I) Planting Areas.**

(1) Required yards shall be enclosed by a solid concrete or masonry wall at least six feet (6') in height or shall be planting areas, provided that a wall within fifteen feet (15') of a street property line shall not exceed three feet (3') in height.

(2) In the CG and CC districts, the minimum percentage of the site to be landscaped may be reduced one percent (1%) for each section of street frontage improved with an adjoining landscaped strip, the dimensions of which are minimally: twenty-five feet (25') in width and, in length, a dimension equivalent to twenty percent (20%) of the street frontage, where width is measured perpendicular to the street and length is measured parallel to the street. For purposes of calculation, the frontage allocated to driveways and walks shall not be counted.

(3) For additional site landscaping requirements, see Section 10.60.070, Landscaping, irrigation and hydroseeding. Conformance with the design standards specified in Section 10.60.070 may result in a total site landscaping requirement that exceeds the minimum site requirements of this section.

(J) (Reserved)

(K) Fences and Walls. A solid masonry or concrete wall is required for all commercial properties where they abut or adjoin a ground-floor residential use or residentially zoned property. The minimum height of a fence or wall is six feet (6') as measured from the finished grade of the commercial property. However, a wall within five feet (5') of a street property line shall be a minimum of three feet (3') in height as measured from the residential property.

The maximum height of a fence or wall shall be eight feet (8') as measured from the finished grade of the commercial property unless a greater height is mutually agreed upon for a common property line by the abutting property owners and approved by the Community Development Department.

(L) (Reserved)

(M) (Reserved)

(N) See Chapter 10.64, Off-Street parking and loading regulations.

(O) See Section 10.60.140, Solar-assisted water heating.

(P) In a mixed use development, the residential standards for the RH district and area district in which the site is located shall apply to a building or portion of a building intended for residential use, and commercial standards shall apply to a building or portion of building intended for commercial use, except as follows:

(1) CD district:

FAR and Building Height shall comply with applicable requirements in the Downtown Specific Plan.

(2) CL and CNE districts:

(a) FAR: the commercial standard for maximum FAR shall apply to the entire project.

(b) CNE district D-5 overlay: if an RH district or commercial standard conflicts with an overlay standard (Section 10.44.040), the overlay standard shall apply."

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SECTION 12. The Planning Commission recommends that the City Council amend and restate Municipal Code Title 10 (Planning and Zoning), Chapter 10.24 (OS Open Space District), Section 10.24.020 to replace the first paragraph as follows:

**"10.24.020 - Applicability.**

The OS district shall be the base district for the use classifications listed in Section 10.24.030 where these classifications have a minimum contiguous site area of 2 acres, including alleys, streets or other rights-of-way. Open-space use classifications on sites of less than 2 acres shall be subject to the regulations of the base and overlay districts in which they are located.

In addition to these regulations, the Downtown Specific Plan governs all sites within the Downtown Specific Plan Area, as shown on the Zoning Map. If conflicts exist between these regulations and the Downtown Specific Plan regulations, the Specific Plan regulations shall prevail in the Downtown Specific Plan Area.

SECTION 13. The Planning Commission recommends that the City Council amend and restate Municipal Code Title 10 (Planning and Zoning), Chapter 10.28 (PS Public and Semipublic District), Section 10.28.020 to read as follows:

**"10.28.020 - Applicability.**

The regulations of the PS District shall preclude the regulations of any base district for the use classifications listed in Section 10.28.030, where these uses are permitted in the base district, and have a contiguous site area of 2 acres or more, including alleys, streets, or other rights-of-way. Public and semipublic use classifications on sites of less than 2 acres shall be subject to the regulations of the base and overlay districts in which they are located.

In addition to these regulations, the Downtown Specific Plan governs all sites within the Downtown Specific Plan Area, as shown on the Zoning Map. If conflicts exist between these regulations and the Downtown Specific Plan regulations, the Specific Plan regulations shall prevail in the Downtown Specific Plan Area."

SECTION 14. The Planning Commission recommends that the City Council amend and restate Municipal Code Title 10 (Planning and Zoning), Chapter 10.44 (D Design Overlay District), Section 10.44.010 to read as follows:

**"10.44.010 - Specific purpose and applicability.**

The specific purpose of the D design overlay district is to provide a mechanism to establish specific development standards and review procedures for certain areas of the City with unique needs, consistent with General Plan policies. This will ensure that the low-profile image of the community is preserved and neighborhoods protected from adverse effects of noise and traffic. It also will prevent development that may be detrimental to these areas, such as buildings that affect the privacy of adjoining properties or increases shadows.

Eight subdistricts are established:

- D1—Rosecrans Avenue, where higher fences in the front-yard setback area are needed to reduce traffic noise;
- D2—11th Street, where limitations on building height and density are needed to minimize building bulk and buffer adjoining residences;
- D3—Gaslamp neighborhood, where special design standards and review procedures are needed to preserve existing neighborhood character;
- D4—Traffic noise impact areas, where higher fences are needed to reduce traffic noise;

D5—North end commercial, where special design standards are needed for the north end commercial area to accommodate additional residential development;

D6—Oak Avenue, where special design standards, landscaping and buffering requirements are needed to allow commercial use of property in a residential area adjacent to Sepulveda Boulevard;

D7—Longfellow Drive area, including residential lots in Tract 14274 located on Longfellow Drive, Ronda Drive, Terraza Place, Duncan Drive and Kuhn Drive, where a special minimum lot area requirement and restriction on subdivision is needed to preserve the character of the neighborhood, including views and privacy, and prevent unwanted impacts from increased traffic, bulk and crowding that would result from increased density;

D8—Downtown Specific Plan area, where special development criteria and design guidelines are needed to perpetuate quality development, complement and enhance the area’s eclectic style and small town character and encourage Downtown’s future economic vitality.”

**SECTION 15.** The Planning Commission recommends that the City Council amend Municipal Code Title 10 (Planning and Zoning), Chapter 10.44 (D Design Overlay District), Section 10.44.040 to replace the first paragraph and tables as follows, with no amendments to the lettered “Additional Regulations”:

**“10.44.040 - Building permits to conform to overlay district regulations.**

Applications for building permits for projects within a D overlay district shall be accepted only if project plans are consistent with the development regulations of this chapter and with all other applicable requirements of this Code. The regulations imposed by this section shall apply to any new structures or improvements, intensification of use, or enlargement of an existing structure. The Downtown Specific Plan governs the D8-Downtown Specific Plan Area.

D DESIGN OVERLAY DISTRICT: DEVELOPMENT REGULATIONS	
D1—Rosecrans west of Laurel Avenue	D5—North End Commercial
D2—11th and Aviation Boulevard	D6—Oak Avenue Overlay
D3—Gaslamp Neighborhood	D7—Longfellow Drive Area Overlay
D4—Traffic Noise Impact Areas	D8—Downtown Specific Plan Area*
*see Downtown Specific Plan	

Subdistricts	D-1	D-2	D-3	D-4	D-5	D-6	D-7	D-8*
Minimum Site Area	-	-	-	-	-	(o)		
Minimum Lot Area							(q)	
Maximum Building Height (ft.)	-	26	26 <sup>(c)</sup>	-	30 <sup>(b)</sup>	26		
Minimum Lot Area per Dwelling Unit (sq. ft.)	-	1,800	-	-	-	-		

1	Maximum Fence Height (ft.)	6 <sup>(a)</sup>	-	-	8 <sup>(b)</sup>	-	-	
2	Public Hearing and Environmental Review	-	-	(d)	-	-	-	
3	Landscaped Buffer Adjacent to Street (Required width in ft.)	-	-	-	-	(k)	5 <sup>(m)</sup>	
4	Minimum Front Setback, Upper Story (ft.)	-	-	(e)	-	(h)	-	
5	Minimum Side Setback (ft.)	-	-	-	-	-	5	
6	Required Roof Design	-	-	(f)	-	-	(f)	
7	Required Building Design	-	-	-	-	-	(n)	
8	Vehicular Access	-	-	-	-	(i)	(m)	
9	Reduced Parking	-	-	-	-	(j)	-	
10	Use Permit Required	-	-	-	-			
11	Body Art Studios	-	-	-	-	-	(r)	-

**D DESIGN OVERLAY DISTRICT: DEVELOPMENT REGULATIONS  
ADDITIONAL REQUIREMENTS**

*\*see Downtown Specific Plan*

**SECTION 16.** The Planning Commission recommends that the City Council amend and restate Municipal Code Title 10 (Planning and Zoning), Chapter 10.68 (Nonconforming Uses and Structures), Section 10.68.010 and its title to read as follows:

**"10.68.010 - Specific purposes and applicability.**

This chapter is intended to limit the number and extent of nonconforming uses by restricting their enlargement, prohibiting their re-establishment after abandonment, and their alteration or restoration after destruction of the structures they occupy. While permitting the use and maintenance of nonconforming structures, this chapter is intended to limit the number and extent of nonconforming structures by regulating and limiting their being moved, altered, or enlarged in a manner that would increase the discrepancy between existing conditions and the standards prescribed in this chapter and by prohibiting (commercial structures only) their restoration after destruction.

In addition to this Chapter 10.68, the Downtown Specific Plan governs nonconforming uses within the Downtown Specific Plan Area, as shown on the Zoning Map. If conflicts exist between this Chapter and the Downtown Specific Plan regulations, the Specific Plan regulations shall prevail in the Downtown Specific Plan Area."

**SECTION 17.** The Planning Commission recommends that the City Council amend Municipal Code Title 10 (Planning and Zoning), Chapter 10.84 (Use Permits, Variances, Minor Exceptions, Precise Development Plans and Site Development Permits), Section 10.84.060, subsections (C) and (D), and to add a new subsection, as follows:

"C. **Downtown Properties.** In addition to the findings in (A) or (B) above and any other requirement in this Chapter, the findings and requirements in the Downtown Specific Plan shall apply to all sites within the Downtown Specific Plan Area, as shown on the Zoning Map.

**G. D. For Precise Development Plans and Site Development Permits.**

- 1. The proposed project is consistent with the General Plan and Local Coastal Program;
- 2. The physical design and configuration of the proposed project are in compliance with all applicable zoning and building ordinances, including physical development standards.

D. E. **Mandatory Denial.** Failure to make all the required findings under subsections (A), (B), (C), or (D) shall require denial of the application for use permit, variance, precise development plan or site development permit."

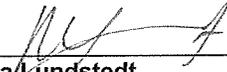
SECTION 18. The Planning Commission recommends that the City Council amend Municipal Code Title 10 (Planning and Zoning), Chapter 10.84 (Use Permits, Variances, Minor Exceptions, Precise Development Plans and Site Development Permits), Section 10.84.120 to add new subsection L to read as follows:

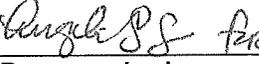
"L. **Downtown Properties.** In addition to this section and any other requirement in this Chapter, the Downtown Specific Plan governs within the Downtown Specific Plan Area, as shown on the Zoning Map. If conflicts exist between this section and the Downtown Specific Plan regulations, the Specific Plan regulations shall prevail in the Downtown Specific Plan Area."

SECTION 19. The Secretary to the Planning Commission shall certify to the adoption of this Resolution.

I hereby certify that the foregoing is a full, true, and correct copy of the Resolution as adopted by the Planning Commission at its regular meeting of October 26, 2016, and that said Resolution was adopted by the following vote:

- AYES:     Apostol, Bordokas, Conaway, Ortmann  
              Chairperson Hersman**
- NOES:     None**
- ABSENT:  None**
- ABSTAIN: None**

  
 \_\_\_\_\_  
**Marisa Lundstedt**  
 Secretary to the Planning Commission  
 Community Development Director

  
 \_\_\_\_\_  
**Rosemary Lackow**  
 Recording Secretary *Rosemary Lackow*

# Exhibit A

## Amended Zoning Designations Map

Area District Boundaries  
**Zoning Designations & Overlays**

**Residential Districts**

- RS Residential Single Family
- D1-Design Review  
-Rosecrans Avenue
- D3-Design Review  
-Gaslamp Neighborhood
- D4-Design Review  
-Traffic Noise Impact Area
- D6- Design Review  
-Oak Avenue
- D7- Design Review  
-Longfellow Drive

- RM Residential Medium Density
- D1- Design Review  
-Rosecrans Avenue
- RH Residential High Density
- D2- Design Review  
-11th Street

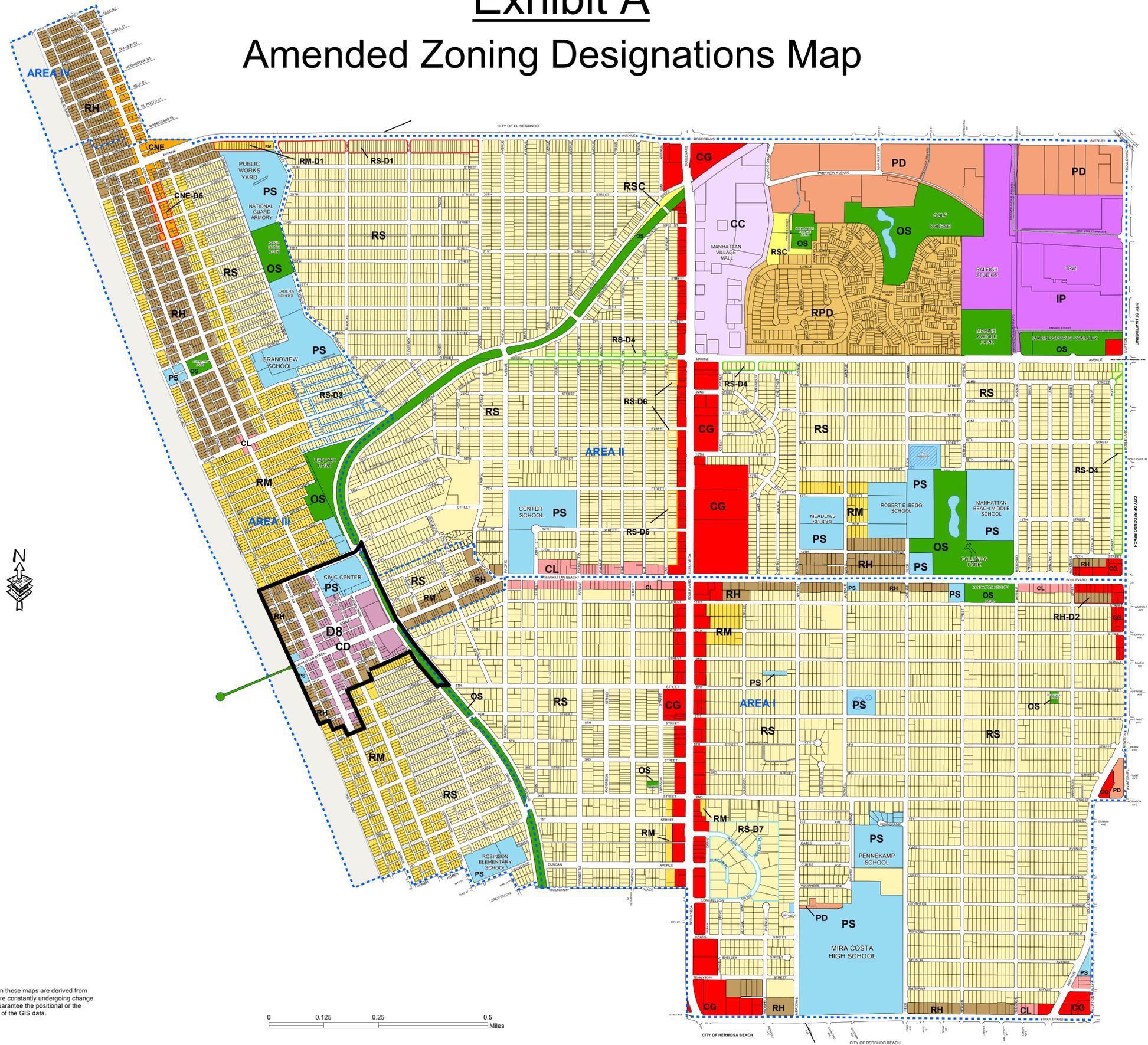
- RPD Residential Planned Development
- RSC Residential Senior Citizen

**Commercial Districts**

- CL Local Commercial
- CC Community Commercial
- CG General Commercial
- CD Downtown Commercial
- CNE North End Commercial
- D5- Design Review  
-North End Commercial

**Other Districts**

- D8- Design Review  
-Downtown Specific Plan Area
- PD Planned Development
- IP Industrial Park
- PS Public and Semi-Public
- OS Open Space



Information shown on these maps are derived from public records that are constantly undergoing change. The City does not guarantee the positional or the Thematic accuracy of the GIS data.

Map Adopted by Ordinance Number 2057 on August 3, 2004. Adoption Incorporates the Following Preceding Ordinances: 2038, 2025, 2019, 2012, 1988, 1935, 1899, 1848, 1832, 1779. It Also Incorporates the Following Amendments: 2062, 2105.

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RESOLUTION NO. PC 16-08

A RESOLUTION OF THE MANHATTAN BEACH PLANNING COMMISSION  
RECOMMENDING THAT THE CITY COUNCIL AMEND THE LOCAL COASTAL  
PROGRAM'S LAND USE POLICY AND ZONING MAPS AND IMPLEMENTING  
ORDINANCE SECTION A.16.030(G) TO RECONCILE DESIGNATION  
NOMENCLATURE AND MAP INCONSISTENCIES

RECITALS

1. In 1981, the California Coastal Commission ("Commission") certified the Local Coastal Program ("LCP") for the City of Manhattan Beach ("City"). From 1992 through 1994, the City adopted and submitted to the Commission amendments to the LCP Land Use Plan ("LUP"), which the Commission partially certified. The Commission requested modifications to the Coastal Zoning Maps and Land Use Policy Map related to designations for the El Porto area, the Metlox site, and the Santa Fe railroad right-of-way, and to certain designation titles, as well as a Coastal Access Map and text amendments to define the Local Coastal Permit jurisdiction on the west side as the mean high tide line. Although the City incorporated the requested map modifications into its LCP, the City did not submit them or the text amendments back to the Commission for formal certification and they were thus not formally incorporated into the LCP.
2. In 2003, the City adopted a General Plan Update with a Housing Element and associated amendments to its zoning map and zoning code. These actions resulted in two changes within the Downtown area of the Coastal Zone.

- A small defined area with 28 properties was re-designated from Downtown Commercial (CD) to High-Density Residential (RH) to: (i) reflect the current and long-standing use of the 28 properties and (ii) to be consistent with the General Plan's Housing Element.
- A sliver of land north of 13th Street was re-designated from Downtown Commercial to Public Facilities because of planned construction of a Public Safety Facility.

In 2004, the City adopted and submitted corresponding amendments to the LCP Implementation Plan ("LIP") to reflect the revised designations in the Coastal Zone Zoning Map and the designation boundaries in the Downtown Height Limits Diagram accompanying section A.16.030(G). Although the City also adopted corresponding amendments to the LUP's Land Use Policy Map, those changes were not submitted to the Commission and the Commission deemed the submittal incomplete. Because no further action was taken, these amendments were not certified.

3. The City desires to reconcile designation nomenclature and resolve inconsistencies with the adopted General Plan, zoning map, and zoning code in accordance with the City's prior submittals and the Commission's requests in 1994 and 2004. These LCP amendments correct the prior procedural deficiencies and are consistent with long-standing and actual land uses. As such, they do not change actual land uses or land use policies in the Coastal Zone. Instead, they merely reconcile inconsistencies and formalize prior amendments.

NOW THEREFORE, THE MANHATTAN BEACH PLANNING COMMISSION HEREBY FINDS  
AND RESOLVES AS FOLLOWS:

SECTION 1. CEQA. In accordance with the California Environmental Quality Act ("CEQA"), the City prepared an Initial Study/Mitigated Negative Declaration ("MND"), which analyzed the Downtown Specific Plan and amendments to the General Plan, zoning map, zoning code, and Local Coastal Program, including the amendments herein ("Project"). By Resolution No. PC 16-06, the Planning Commission made CEQA findings and recommended that the City Council adopt the MND and Mitigation Monitoring and Reporting Program for the Project. The CEQA findings and recommendation in Resolution No. PC 16-06 are incorporated hereto as if set forth in full. In addition, pursuant to Public Resources Code Section 21080.9, CEQA does not apply to activities and approvals by the City necessary for the preparation and adoption of an LCP amendment. The proposed action is an

amendment to the City's LCP, which must be certified by the California Coastal Commission before it takes effect.

SECTION 2. The proposed LCP amendments are consistent with the General Plan because they resolve the LCP's existing inconsistencies with existing conditions and the City's land use designations in the Downtown area.

SECTION 3. The Planning Commission recommends that the City Council replace the Coastal Zone Land Use Plan, Land Use Policy Map with the map attached as **Exhibit A**.

SECTION 4. The Planning Commission recommends that the City Council adopt the Coastal Zone Access Map attached as **Exhibit B**.

SECTION 5. The Planning Commission recommends that the City Council replace the Coastal Zone Zoning Map adopted by Ordinance No. 1899, and referenced in LIP Zoning Ordinance Section A.01.020(B), to be located after page IV-2 of the Coastal Zone Land Use Plan, with the map attached as **Exhibit C**.

SECTION 6. The Planning Commission recommends that the City Council replace the Downtown Commercial District Height Limits Diagram in LIP Zoning Ordinance, Chapter A.16, Section A.16.030(G) with the diagram attached as **Exhibit D**.

SECTION 7. The Planning Commission recommends that the City Council amend the Local Coastal Program Phase II Land Use Plan Amendment, January 1994, Section I, Executive Summary, Coastal Zone, to revise the third paragraph on page I-2 to read as follows:

**"Coastal Zone**

The City's Local Coastal Permit Jurisdiction is within the City of Manhattan Beach coastal zone. The east Manhattan Beach coastal zone boundary, for the most part, is the dividing line between the RS and RM zoned properties in the beach area. The north and south boundaries are city limit lines, and the west boundary is the mean high tide line of the Pacific Ocean. (See Map I-1) The coastal zone is divided into three statistical areas (Map I-2): Area A, which is the area north of Manhattan Beach Boulevard; Area B is the neighborhood south of Manhattan Beach Boulevard; and then the El Porto area, which is north of area A, annexed to the City after the original certification of this Plan. Area A is also a subsection of census tract 6203.02, and coastal area B is a subsection of census tract 6209.02. The El Porto area is within census tract 6202. It must be kept in mind therefore that the coastal zone statistics are extrapolations of the greater census tracts in which they are contained. (Area divisions are delineated on Map I-2). The revised Table I-1 delineates coastal zone housing and population statistics which gives a brief overview of Manhattan Beach coastal zone specifics."

SECTION 8. The Secretary to the Planning Commission shall certify to the adoption of this Resolution.

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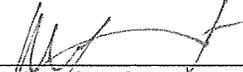
I hereby certify that the foregoing is a full, true, and correct copy of the Resolution as adopted by the Planning Commission at its regular meeting of October 26, 2016, and that the Resolution was adopted by the following vote:

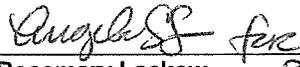
**AYES:**     **Apostol, Bordokas, Conaway, Ortmann  
                  Chairperson Hersman**

**NOES:**     None

**ABSENT:**  None

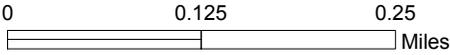
**ABSTAIN:** None

  
\_\_\_\_\_  
**Marisa Lundstedt**  
Secretary to the Planning Commission  
Community Development Director

  
\_\_\_\_\_  
**Rosemary Lackow**  
Recording Secretary *Rosemary  
Lackow*

# Exhibit A

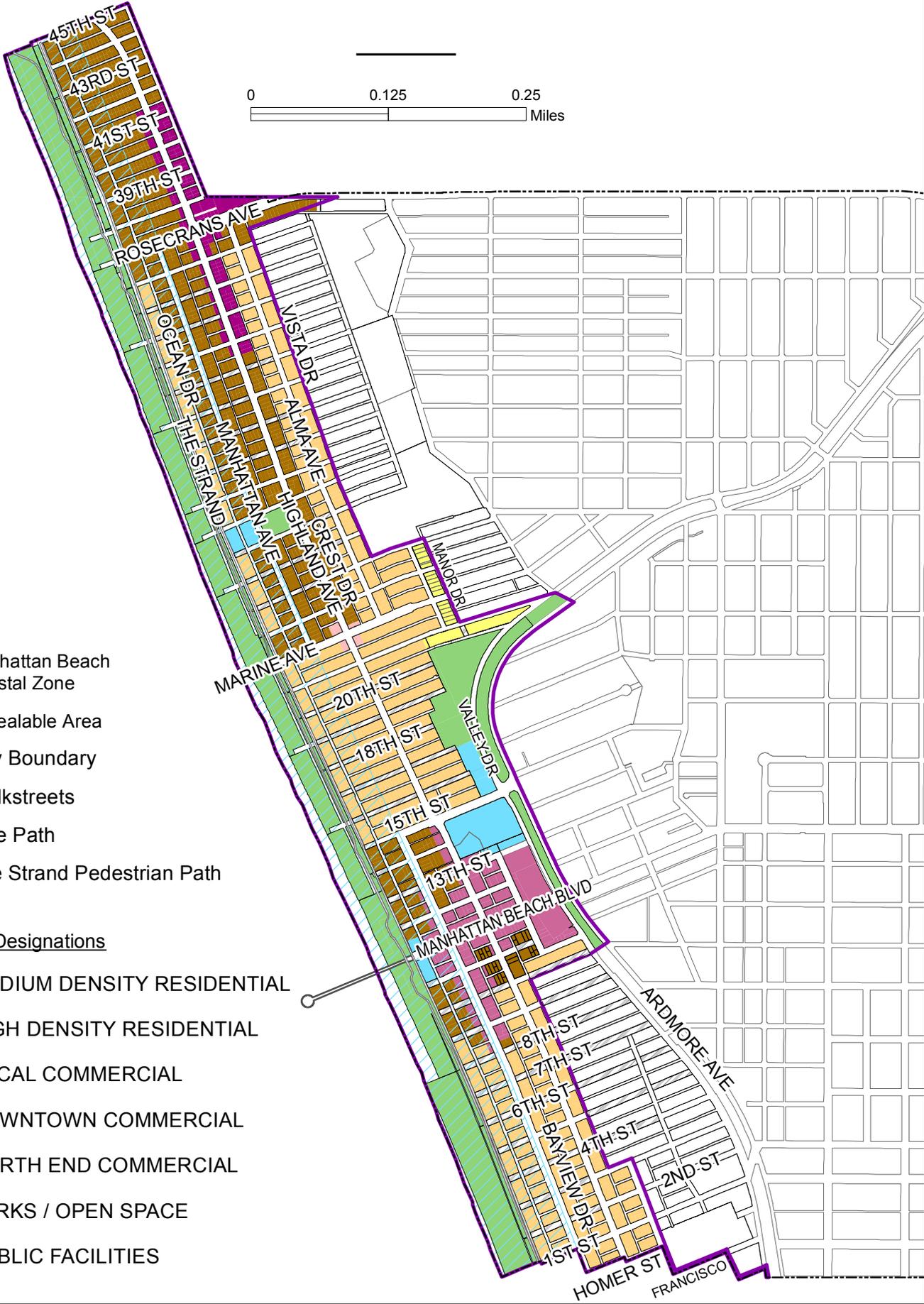
## Coastal Zone Land Use Plan, Land Use Policy Map



-  Manhattan Beach Coastal Zone
-  Appealable Area
-  City Boundary
-  Walkstreets
-  Bike Path
-  The Strand Pedestrian Path

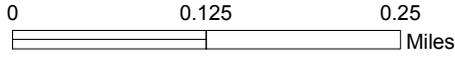
Land Use Designations

-  MEDIUM DENSITY RESIDENTIAL
-  HIGH DENSITY RESIDENTIAL
-  LOCAL COMMERCIAL
-  DOWNTOWN COMMERCIAL
-  NORTH END COMMERCIAL
-  PARKS / OPEN SPACE
-  PUBLIC FACILITIES



# Exhibit B

## Coastal Zone Access Map



- City Boundary
- Walkstreets
- Bike Path
- The Strand Pedestrian Path
- Public Parking Lots

# Exhibit C

## Coastal Zone Zoning Map

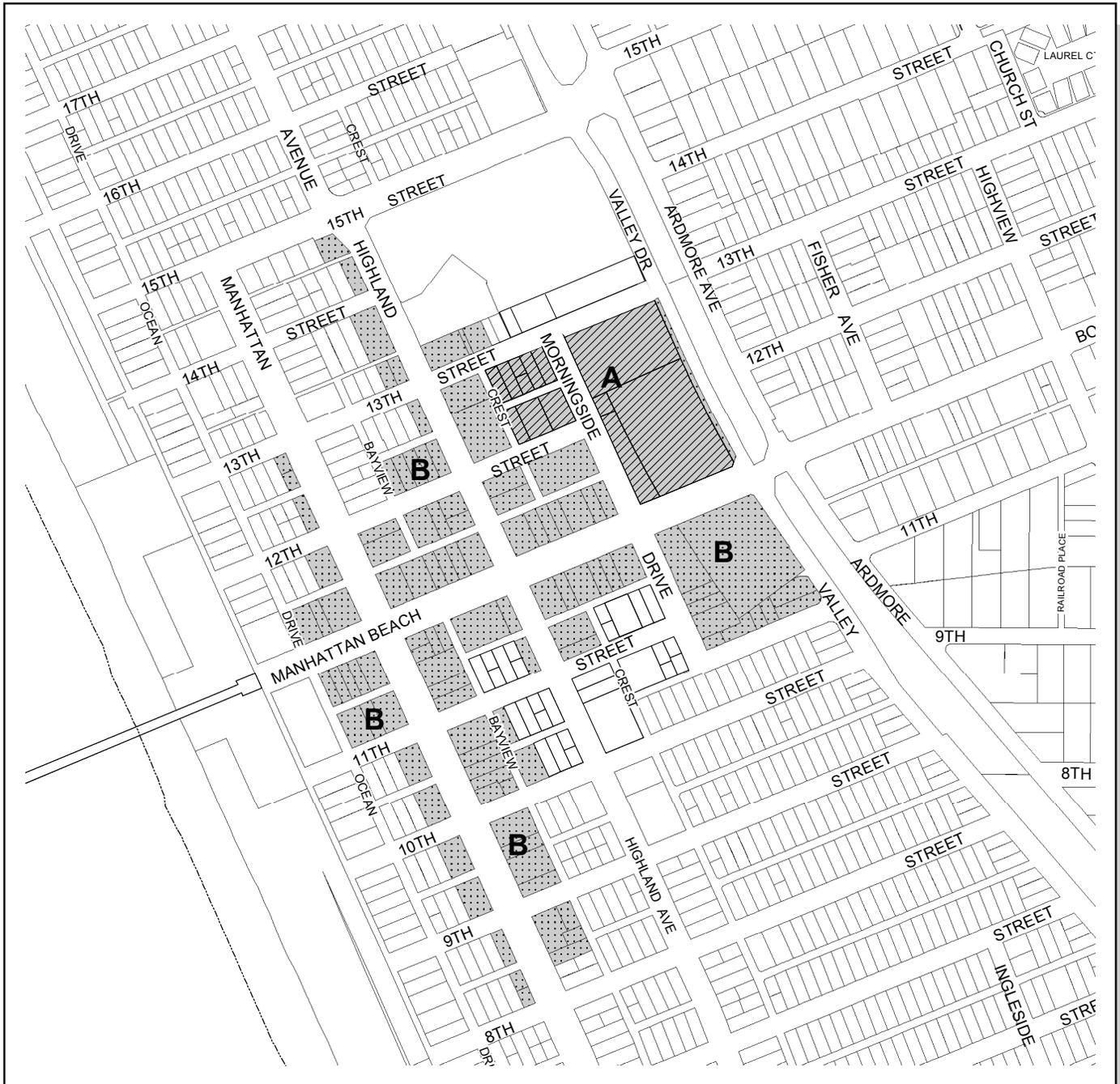


-  Manhattan Beach Coastal Zone
-  Appealable Area
-  City Boundary
-  Walkstreets
-  Bike Path
-  The Strand Pedestrian Path

**Zoning Designations**

-  **RM** Residential Medium Density
-  **RH** Residential High Density
-  **CL** Local Commercial
-  **CD** Downtown Commercial
-  **CNE** North End Commercial
-  **D5 - Design Review**  
North End Commercial
-  **PS** Public and Semi-Public
-  **OS** Open Space

Downtown Commercial District Height Limits Diagram



CD Downtown Commercial District Boundary

**Maximum Building Heights (Feet)**

- A** 30' with parking structure or a pitched roof  
22' with a flat roof
- B** 26'

Section 10.16.030(G)

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RESOLUTION NO. PC 16-09

A RESOLUTION OF THE MANHATTAN BEACH PLANNING COMMISSION  
RECOMMENDING THAT THE CITY COUNCIL AMEND THE LOCAL COASTAL  
PROGRAM'S IMPLEMENTATION PLAN TO INCORPORATE THE DOWNTOWN  
SPECIFIC PLAN

RECITALS

1. In 1981, the California Coastal Commission ("Commission") certified the Local Coastal Program ("LCP") for the City of Manhattan Beach ("City"). Concurrently herewith, the City submitted to the Commission a request to amend the LCP to reconcile designation nomenclature and other inconsistencies due to procedural deficiencies in prior LCP amendment submittals. Those recent LCP amendments, (the "corrective amendments") if certified, make the LCP consistent with the City's General Plan, zoning map, zoning code, and current and long-standing land uses.
2. The City has adopted a Downtown Specific Plan for the Downtown area, which is entirely within the Coastal Zone. Concurrent with adoption of the Downtown Specific Plan, the City amended the General Plan, zoning map, and zoning code to acknowledge and reference the Downtown Specific Plan. Amendments to the General Plan, zoning map, and zoning code did not alter the land use designations within the Specific Plan area, but designated the area as the "Downtown Specific Plan Area" and the "D8—Downtown Specific Plan" design overlay district.
3. The land use designations in the Downtown Specific Plan are consistent with the land use designations identified in the adopted General Plan, zoning code, zone map, and the LCP with the recent corrective amendments. The Downtown Specific Plan incorporated existing land use designations together with new development standards, policies and design guidelines for the area.
4. Given that the Downtown Specific Plan would establish new development standards and guidelines and would re-locate the operative land use regulations to the Downtown Specific Plan, the City desires to amend the Land Use Policy Map and Implementation Plan ("LIP") to reflect the amended zoning code and Downtown Specific Plan.

NOW THEREFORE, THE MANHATTAN BEACH PLANNING COMMISSION HEREBY FINDS AND RESOLVES AS FOLLOWS:

SECTION 1. CEQA. In accordance with the California Environmental Quality Act ("CEQA"), the City prepared an Initial Study/Mitigated Negative Declaration ("MND"), which analyzed the Downtown Specific Plan and amendments to the General Plan, zoning map, zoning code, and Local Coastal Program, including the amendments herein ("Project"). By Resolution No. PC 16-06, the Planning Commission made CEQA findings and recommended that the City Council adopt the MND and Mitigation Monitoring and Reporting Program for the Project. The CEQA findings and recommendation in Resolution No. PC 16-06 are incorporated hereto as if set forth in full. In addition, pursuant to Public Resources Code Section 21080.9, CEQA does not apply to activities and approvals by the City necessary for the preparation and adoption of an LCP amendment. The proposed action is an amendment to the City's LCP, which must be certified by the California Coastal Commission before it takes effect.

SECTION 2. The proposed LCP amendments are consistent with the General Plan because they mirror concurrent amendments to the General Plan and Downtown Specific Plan. In addition, the LCP amendments to the LIP Zoning Ordinance are consistent with LCP and General Plan policies for the reasons set forth in the Land Use and Planning section of the MND, with the Policy LU-1.1, Project Consistency discussion modified to indicate the 2 foot height increase is limited to elevator shafts only, the relevant excerpt of which is attached as **Exhibit C** and incorporated hereto as if set forth in full.

SECTION 3. The Planning Commission recommends that the City Council replace the Coastal Zone Land Use Plan, Land Use Policy Map with the map attached as **Exhibit A**.

**SECTION 4.** The Planning Commission recommends that the City Council replace the Coastal Zone Zoning Designations Map referenced in LIP Zoning Ordinance Section A.01.020 (B), to be located after page IV-2 of the Coastal Zone Land Use Plan, with the map attached as **Exhibit B**.

**SECTION 5.** The Planning Commission recommends that the City Council amend LIP Zoning Ordinance, Chapter, A.01 (General Provisions), Section A.01.040 to read as follows:

**"A.01.040. Organization.**

A. Structure of Regulations. The zoning regulations are divided into five parts:

- Part I: General Provisions
- Part II: Base District Regulations
- Part III: Overlay District Regulations
- Part IV: Site Regulations
- Part V: Administrative Regulations

In addition, Appendix A is the Downtown Specific Plan and it contains the governing regulations for the Downtown Specific Plan Area.

B. Types of Regulations. Three types of zoning regulations control the use and development of property:

1. Land Use Regulations specify land uses permitted, conditionally permitted, or prohibited in each district, and include special requirements, if any, applicable to specific uses. Land use regulations for base zoning districts are in Part II of the zoning regulations; land use regulations for overlay districts are in Part III. Certain regulations, applicable in all or several districts, are in Part IV.
2. Development Regulations control the height, bulk, location, and appearance of structures on development sites. Development regulations for base zoning districts and area districts are in Part II of the zoning regulations; development regulations for overlay districts are in Part III. Certain development regulations, applicable in more than one class of base or overlay districts, are in Part IV. These include regulations for site development, parking and loading, signs and nonconforming uses and structures.
3. Administrative Regulations contain detailed procedures for the administration of zoning regulations, including requirements for notice and public hearings on use permits and variances; minor exceptions; condominium conversions; development agreements; amendments; appeals of zoning decisions; and enforcement. Administrative regulations are in Part V.

**SECTION 6.** The Planning Commission recommends that the City Council amend the LIP Zoning Ordinance, Chapter A.12 (Residential Districts), Section A.12.020 to replace the first paragraph as follows:

**"A.12.020. Land use regulations: RM and RH districts.**

In the following schedule, the letter "P" designates use classifications permitted in residential districts. The letter "L" designates use classifications subject to certain limitations prescribed under the "Additional Use Regulations" which follows. The letter "U" designates use classifications permitted on approval of a use permit, as provided in Chapter A.68. The letters

"P/U" for accessory uses mean that the use is allowed on the site of a permitted use, but requires a use permit on the site of a conditional use. Letters in parentheses in the "Additional Regulations" column refer to "Additional Use Regulations" following the schedule. Where letters in parentheses are opposite a use classification heading, referenced regulations shall apply to all use classifications under the heading.

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In addition to these regulations, the Downtown Specific Plan governs the R Residential District within the Downtown Specific Plan Area, as shown on the Coastal Zone zoning map. If conflicts exist between these regulations and the Downtown Specific Plan regulations, the Specific Plan regulations shall prevail in the Downtown Specific Plan area."

SECTION 7. The Planning Commission recommends that the City Council amend the LIP Zoning Ordinance Chapter A.12 (Residential Districts), Section A.12.030 to replace the first paragraph as follows:

**"A.12.030. Property development regulations: RM and RH districts.**

The following schedule prescribes development regulations for residential zoning districts in each Area District, as defined in Section A.01.060(A)(2) and designated on the zoning map. The columns establish basic requirements for permitted and conditional uses; letters in parentheses in the "Additional Regulations" column refer to "Additional Development Regulations" following the schedule. This section shall not be amended to increase the Standards for Maximum Height of Structures or Maximum Buildable Floor Area, or to reduce the Standards for Minimum Setbacks, Minimum Lot Dimensions or Minimum Lot Area Per Dwelling Unit, unless the amendment is first submitted to a city-wide election and approved by a majority of the voters.

In addition to these regulations, the Downtown Specific Plan governs the RH Residential High Density District within the Downtown Specific Plan Area, as shown on the Zoning Map. If conflicts exist between these regulations and the Downtown Specific Plan regulations, the Specific Plan regulations shall prevail when applied to property in the Downtown Specific Plan Area."

SECTION 8. The Planning Commission recommends that the City Council amend LIP Zoning Ordinance Chapter A.16 (C Commercial Districts), Section A.16.010 (Specific purposes) to replace the CD Downtown Commercial District paragraph to read as follows:

**"CD Downtown Commercial District.** To provide opportunities for commercial, mixed use, residential, public, and semipublic uses, preserve and enhance the small town character of the downtown area, the heart of the community. This district is intended to create a vibrant, charming area consistent with the vision and goals for the Downtown Specific Plan."

SECTION 9. The Planning Commission recommends that the City Council amend the LIP Zoning Ordinance Chapter A.16 (C Commercial Districts), Section A.16.020 to replace the first paragraph and tables as follows, with no amendments to the lettered "Additional Land Use Regulations":

**"A.16.020. CL, CD, CNE districts: land use regulations.**

In the following schedules, the letter "P" designates use classifications permitted in commercial districts. The letter "L" designates use classifications subject to certain limitations prescribed by the "Additional Use Regulations" that follow. The letter "U" designates use classifications permitted on approval of a use permit. The letters "P/U" for an accessory use mean that the use is permitted on the site of a permitted use, but requires a use permit on the site of a conditional use. Use classifications that are not listed are prohibited. Letters in parentheses in the "Additional Regulations" column refer to regulations following the schedule or located elsewhere in this title. Where letters in parentheses are opposite a use classification heading, referenced regulations shall apply to all use classifications under the heading.

In addition to these regulations, the Downtown Specific Plan governs the CD District within the Downtown Specific Plan Area, as shown on the Zoning Map. If conflicts exist between these regulations and the Downtown Specific Plan regulations, the Specific Plan regulations shall prevail when applied to property in the Downtown Specific Plan Area.

<p>CL, CD, and CNE DISTRICTS: LAND USE REGULATIONS</p>	<p>P — Permitted                  U — Use Permit                  L — Limited, (See <u>Additional Use Regulations</u>)                  - — Not Permitted                  * -- see Downtown Specific Plan</p>
--	--

	CL	CD*	CNE	Additional Regulations
<b>Residential</b>				
Day Care, Small Family Home	P		L-11	
Day Care, Large Family Home	L-23		L-23	
Single-Family Residential	U		L-11	(I)(J)
Multi-Family Residential	U		U	(I)(J)
Public and Semipublic				(A)
Clubs and Lodges	U		U	
Cultural Institutions	U		U	
Day Care, General	U		U	
Emergency Health Care	U		U	
Government Offices	L-10		P	
Hospitals	-		-	
Park & Recreation Facilities	P		P	
Public Safety Facilities	U		U	

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Religious Assembly	L-21	-	
Residential Care, General	-	-	
Schools, Public or Private	U	-	
Utilities, Major	U	U	
Utilities, Minor	P	P	
<b>Commercial Uses</b>			(B)(K)(L)
Adult Businesses	-	-	(C)
Ambulance Services	-	-	
Animal Sales & Services			
Animal Boarding	-	-	
Animal Grooming	P	P	
Animal Hospitals	-	-	
Animals			
Retail Sales	P	P	
Artists' Studios	P	P	
Banks and Savings & Loans	P	P	
With Drive-Up Service	-	-	
Body Art Studios	-	-	(N)
Building Materials and Services	-	-	
Catering Services	P	P	
Commercial Filming	U	U	

Commercial Recreation and Entertainment	-		L-7	(D)
Communication Facilities	-		P	
Eating and Drinking Establishments	U		U	(E)
w/ Fast-Food or Take-Out Service	U		L-7	
Drive-Through	-		-	
Food and Beverage Sales	L-9		L-9	
Funeral and Interment Services	-		-	
Laboratories	-		-	
Maintenance and Repair Services	P		P	
Nurseries	P		-	
Offices, Business and Professional	P		L-24	
Pawn Shops	-		-	
Personal Improvement Services	P		P	
Personal Services	P		P	
Psychic Advisor	-		-	
Research and Development Services	-		-	
Retail Sales	P		P	
Secondhand Appliances/Clothing	-		U	
Swap Meets, Recurring Travel Services	P		P	
Vehicle Equipment/Sales and Services				
Automobile Rentals	-		-	

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Automobile Washing	-		-	
Commercial Parking	-		U	
Service Stations	U		-	(F)
Vehicle Equip. Repair	-		-	
Vehicle Equip. Sales and Rentals	-		-	
Vehicle Storage	-		-	
Visitor Accommodations				
Hotels and Motels and Time Shares	-		U	
Residential Hotels	-		-	
Warehousing and Storage, Ltd.	-		-	
<b>Industrial</b>				(B)
Industry, Custom	L-7		L-7	
Industry, Limited	-		-	
Wholesaling, Distribution and Storage	-		-	
<b>Accessory Uses</b>				
Accessory Uses and Structures	P/U		P/U	
<b>Temporary Uses</b>				(G)
Animal Shows	-		-	
Christmas Tree Sales/Pumpkin Sales	P		P	
Circus and Carnivals	-		U	
Commercial Filming, Limited	-		U	

Food Truck Sales	-		-	
New Year's Eve	U		U	
Real Estate Sales	P		P	
Retail Sales, Outdoor	P		P	
Street Fairs	U		U	
Trade Fairs	-		-	
<b>Nonconforming uses</b>				(H)
<b>Mixed Use</b>	U		U	

“

SECTION 10. The Planning Commission recommends that the City Council amend the LIP Zoning Ordinance Chapter A.16 (C Commercial Districts), Section A.16.020 to amend the lettered "Additional Land Use Regulations" table, item L-11 to read as follows:

**"A.16.020. CL, CD, CNE districts: land use regulations.  
C Districts: Additional Land Use Regulations**

L-11 Single-family residential permitted if located (1) on a site which fronts on Crest Drive; or (2) on the rear half of a site which fronts on Highland Avenue; or (3) on a site which fronts on the east side of Highland Avenue between 38th Place to the south and Moonstone Street to the north; or (4) on a site which does not abut Rosecrans Avenue or Highland Avenue; otherwise a use permit is required. "

SECTION 11. The Planning Commission recommends that the City Council amend and restate LIP Zoning Ordinance, Chapter A.16 (C Commercial Districts), Section A.16.030 to read as follows:

**"A.16.030. CL, CD, and CNE districts: development regulations.**

The following schedule prescribes development regulations for the CL, CD, and CNE districts. The first five (5) columns prescribe basic requirements for permitted and conditional uses in each district. Letters in parentheses in the "Additional Regulations" column reference regulations following the schedule or located elsewhere in the Zoning Ordinance.

In addition to these regulations, the Downtown Specific Plan governs the CD District within the Downtown Specific Plan Area, as shown on the Zoning Map. If conflicts exist between these regulations and the Downtown Specific Plan regulations, the Specific Plan regulations shall prevail when applied to property in the Downtown Specific Plan Area.

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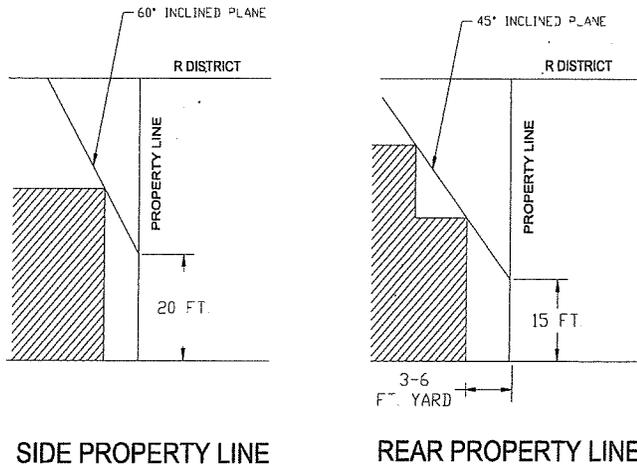
	CL	CD*	CNE	Additional Regulations
<b>Residential Development</b>				(A)(B) (O)
<b>Nonresidential Development</b>				(O) (P) (Q)
Minimum Lot Area (sq. ft.)	4,000		2,700	(B)
Minimum Lot Width (ft.)	40		30	(B)
Minimum Setbacks				(B)(C)
Front (ft.)	-		-	(D)
Side (ft.)	-		-	(E)
Corner Side (ft.)	-		-	(D)
Rear (ft.)	-		-	(E)
Maximum Height of Structures (ft.)	30		30	(F)(H)
Maximum Floor Area Factor (FAF)	1.0		1.5	
Minimum Site Landscaping (%)	8		-	(I)
Fences and Walls				(K)
Off-Street Parking and Loading	8			(N)
Outdoor Facilities	See Section A.60.080			(O)
Screening of Mechanical Equip.	See Section A.60.090			
Refuse Storage Areas	See Section A.60.100			
Underground Utilities	See Section A.60.110			

Performance Standards	See Section A.60.120			
Nonconforming Structures	See Section A.68			
Signs	See Section A.72			
Telecommunications Facilities	See Section 13.02			
<b>Mixed Use Development</b>	U		U	(B)(R)
<b>CL, CD*, and CNE Districts: Additional Development Regulations</b>				
<i>*see Downtown Specific Plan</i>				

**CL, CD, and CNE Districts:  
Additional Development Regulations**

- (A) Dwelling units as the sole use on a site shall be subject to the standards for residential development in the RH district and the area district in which the site is located, except as follows:
  - (1) CD district: the commercial standard for building height shall apply when dwelling units replace commercial use.
  - (2) CNE district, D-5 overlay: if an RH district standard conflicts with an overlay standard (Section A.44.040), the overlay standard shall apply.
- (B) See Section A.60.020: Development of substandard lots.
- (C) See Section A.60.040: Building projections into yards and required open space. Double-frontage lots shall provide front yards on each frontage.
- (E) Along a rear property line abutting an R district, structures shall not intercept a 1:1 or 45-degree daylight plane inclined inward from a height of 15 feet above existing grade at the property line. Along a side property line abutting an R district, structures shall not intercept a 60-degree daylight plane inclined inward from a height 20 feet above existing grade at the property line.

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**REQUIRED DAYLIGHT PLANE  
AT ADJOINING DISTRICTS**  
(THE DIAGRAM IS ILLUSTRATIVE)

- (F) A roof pitch of at least 4 vertical feet for each 12 lineal feet of roof area is required. If the roof pitch is less, the maximum building height is 22 feet unless structure parking is provided at or below the ground level.
- (G) (Reserved)
- (H) See Section A.60.050: Measurement of height, and Section A.60.060, Exceptions to height limits.
- (I) Planting Areas:
  - (1) Required yards shall be enclosed by a solid concrete or masonry wall at least 6 feet in height or shall be planting areas, provided that a wall within 15 feet of a street property line shall not exceed 3 feet in height.
  - (2) For additional site landscaping requirements, see Section 10.60.070: Landscaping, irrigation and hydroseeding. Conformance with the design standards specified in Section 10.60.070 may result in a total site landscaping requirement that exceeds the minimum site requirements of this Section (10.16.030).
- (J) (Reserved)
- (K) **Fences and Walls.** A solid masonry or concrete wall is required for all commercial properties where they abut or adjoin a ground floor residential use or residentially zoned property. The minimum height of a fence or wall is 6 feet as measured from the finished grade of the commercial property. However, a wall within 5 feet of a street property line shall be a minimum of 3 feet in height as measured from the residential property.  
  
The maximum height of a fence or wall shall be 8 feet as measured from the finished grade of commercial property unless a greater height is mutually agreed upon for a common property line by the abutting property owners and approved by the Community Development Department.
- (L) (Reserved)
- (M) (Reserved)

- (N) See Chapter A.64: Off-Street parking and loading regulations.
- (O) See Section A.60.140: Solar-assisted water heating.
- (P) In commercial zones, vehicular access to parking shall be from the alley abutting the property. If such alley is not available, access shall be from an east west street. If neither the alley nor the east west street is feasible, access shall be taken from another vehicular street.
- (Q) The Highland Marine commercial node shall not expand, nor shall uses such as parking ancillary to commercial uses be established in the adjacent residential zoned district."
- (R) In a mixed use development, the residential standards for the RH district and area district in which the site is located shall apply to a building or portion of a building intended for residential use, and commercial standards shall apply to a building or portion of building intended for commercial use, except as follows:
  - (1) CD district:

FAR and Building Height shall comply with applicable requirements in the Downtown Specific Plan.
  - (2) CL and CNE districts:
    - (a) FAR: the commercial standard for maximum FAR shall apply to the entire project.
    - (b) CNE district D-5 overlay: if an RH district or commercial standard conflicts with an overlay standard (Section A.44.040), the overlay standard shall apply.

SECTION 12. The Planning Commission recommends that the City Council amend and restate LIP Zoning Ordinance, Chapter A.24 (OS Open Space District), Section A.24.020 to read as follows:

**"A.24.020. Applicability.**

The OS district shall be the base district for the use classifications listed in Section A.24.030 where these classifications have a minimum contiguous site area of 2 acres, including alleys, streets or other rights-of-way. Open-space recreation use classifications on sites of less than 2 acres shall be subject to the regulations of the base and overlay districts in which they are located. In the Coastal Zone, no residential or commercial use is permitted on open space land even if it is less than two acres.

In addition to these regulations, the Downtown Specific Plan governs all sites within the Downtown Specific Plan Area, as shown on the Zoning Map. If conflicts exist between these regulations and the Downtown Specific Plan regulations, the Specific Plan regulations shall prevail when applied to property in the Downtown Specific Plan Area."

SECTION 13. The Planning Commission recommends that the City Council amend and restate LIP Zoning Ordinance, Chapter A.28 (PS Public and Semipublic District), Section A.28.020 to read as follows:

**"A.28.020. Applicability.**

The regulations of the PS District shall preclude the regulations of any base district for the use classifications listed in Section A.28.030, where these uses are permitted in the base district, and have a contiguous site area of 2 acres or more, including alleys, streets, or other rights-of-way. Public and semipublic use classifications on sites of less than 2 acres shall be subject to the regulations of the base and overlay districts in which they are located.

In addition to these regulations, the Downtown Specific Plan governs all sites within the Downtown Specific Plan Area, as shown on the Zoning Map. If conflicts exist between these regulations and the

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Downtown Specific Plan regulations, the Specific Plan regulations shall prevail when applied to property in the Downtown Specific Plan Area."

SECTION 14. The Planning Commission recommends that the City Council amend and restate LIP Zoning Ordinance, Chapter A.44 (D Design Overlay District), Section A.44.010 to read as follows:

**"A.44.010. Specific purpose and applicability.**

The specific purpose of the D Design Overlay District is to provide a mechanism to establish specific development standards and review procedures for certain areas of the Coastal Zone with unique needs, consistent with General Plan and Local Coastal Plan policies. This will ensure that the low-profile image of the community is preserved and neighborhoods protected from adverse effects of noise and traffic. It also will prevent development that may be detrimental to these areas, such as buildings that affect the privacy of adjoining properties or increases shadows.

Two areas within the Coastal Zone have been designated as a Design overlay district. The Downtown area is designated D-8—Downtown Specific Plan area because special development criteria and design guidelines are needed to perpetuate quality development, complement and enhance the area's eclectic style and small town character and encourage Downtown's future economic vitality. A portion of the CNE designation near Highland Avenue and Rosecrans Avenue is designated D5—North end commercial because special design standards are needed for the North End Commercial Area to accommodate additional residential development."

SECTION 15. The Planning Commission recommends that the City Council amend LIP Zoning Ordinance, Chapter A.44 (D Design Overlay District), Section A.44.040 to replace the first paragraph and tables as follows, with no amendments to the lettered "Additional Regulations":

**"A.44.040. Building permits to conform to overlay district regulations.**

Applications for building permits for projects within a D overlay district shall be accepted only if project plans are consistent with the development regulations of this chapter and with all other applicable requirements of the Municipal Code. The Downtown Specific Plan governs the D8- Downtown Specific Plan Area.

<b>D DESIGN OVERLAY DISTRICT: DEVELOPMENT REGULATIONS</b>		
<b>D5—North End Commercial</b>	<b>D8—Downtown Specific Plan Area*</b>	
<i>*see Downtown Specific Plan</i>		
	D-5	D-8*
Minimum Site Area	-	

Maximum Building Height (ft.)	30 <sup>(g)</sup>	
Minimum Lot Area per Dwelling Unit (sq. ft.)	-	
Maximum Fence Height (ft.)	-	
Landscaped Buffer Adjacent to Street (Required width in ft.)	(k)	
Minimum Front Setback, Upper Story (ft.)	(h)	
Minimum Side Setback (ft.)	-	
Required Roof Design	-	
Required Building Design	-	
Vehicular Access	(i)	
Reduced Parking	(j)	
Use Permit Required		

“  
**SECTION 16.** The Planning Commission recommends that the City Council amend and restate LIP Zoning Ordinance Chapter A.68 (Nonconforming Uses and Structures), Section A.68.010 and its title to read as follows:

**“A.68.010. Specific purposes and applicability.**

This chapter is intended to limit the number and extent of nonconforming uses by restricting their enlargement, prohibiting their re-establishment after abandonment, and their alteration or restoration after destruction of the structures they occupy. While permitting the use and maintenance of nonconforming structures, this chapter is intended to limit the number and extent of nonconforming structures by regulating and limiting their being moved, altered, or enlarged in a manner that would increase the discrepancy between existing conditions and the standards prescribed in this chapter and by prohibiting (commercial structures only) their restoration after destruction.

In addition to this Chapter 10.68, the Downtown Specific Plan governs nonconforming uses within the Downtown Specific Plan Area, as shown on the Zoning Map. If conflicts exist between this Chapter and the Downtown Specific Plan regulations, the Specific Plan regulations shall prevail when applied to property in the Downtown Specific Plan Area.”

**SECTION 17.** The Planning Commission recommends that the City Council amend LIP Zoning Ordinance Chapter A.84 (Use Permits, Variances and Minor Exceptions), Section A.84.060 to add new subsection C and amend re-lettered subsection D as follows:

- “C. **Downtown Properties.** In addition to the findings in (A) or (B) above and any other requirement in this Chapter, the findings and requirements in the Downtown Specific Plan shall apply to all sites within the Downtown Specific Plan Area, as shown on the Zoning Map.

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D. **Mandatory Denial.** Failure to make all the required findings under subsections (A), (B), or (C) shall require denial of the application for use permit or variance.”

SECTION 18. The Planning Commission recommends that the City Council amend LIP Zoning Ordinance Chapter A.84 (Use Permits, Variances and Minor Exceptions), Section A.84.120 to add new subsection J to read as follows:

“J. **Downtown Properties.** In addition to this section and any other requirement in this Chapter, the Downtown Specific Plan governs within the Downtown Specific Plan Area, as shown on the Zoning Map. If conflicts exist between this section and the Downtown Specific Plan regulations, the Specific Plan regulations shall prevail when applied to property in the Downtown Specific Plan Area.”

SECTION 19. The Secretary to the Planning Commission shall certify to the adoption of this Resolution.

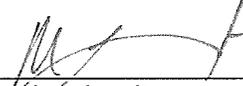
I hereby certify that the foregoing is a full, true, and correct copy of the Resolution as adopted by the Planning Commission at its regular meeting of October 26, 2016, and that said Resolution was adopted by the following vote:

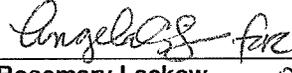
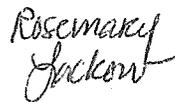
**AYES: Apostol, Bordokas, Conaway, Ortmann  
Chairperson Hersman**

**NOES: None**

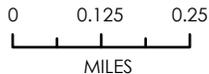
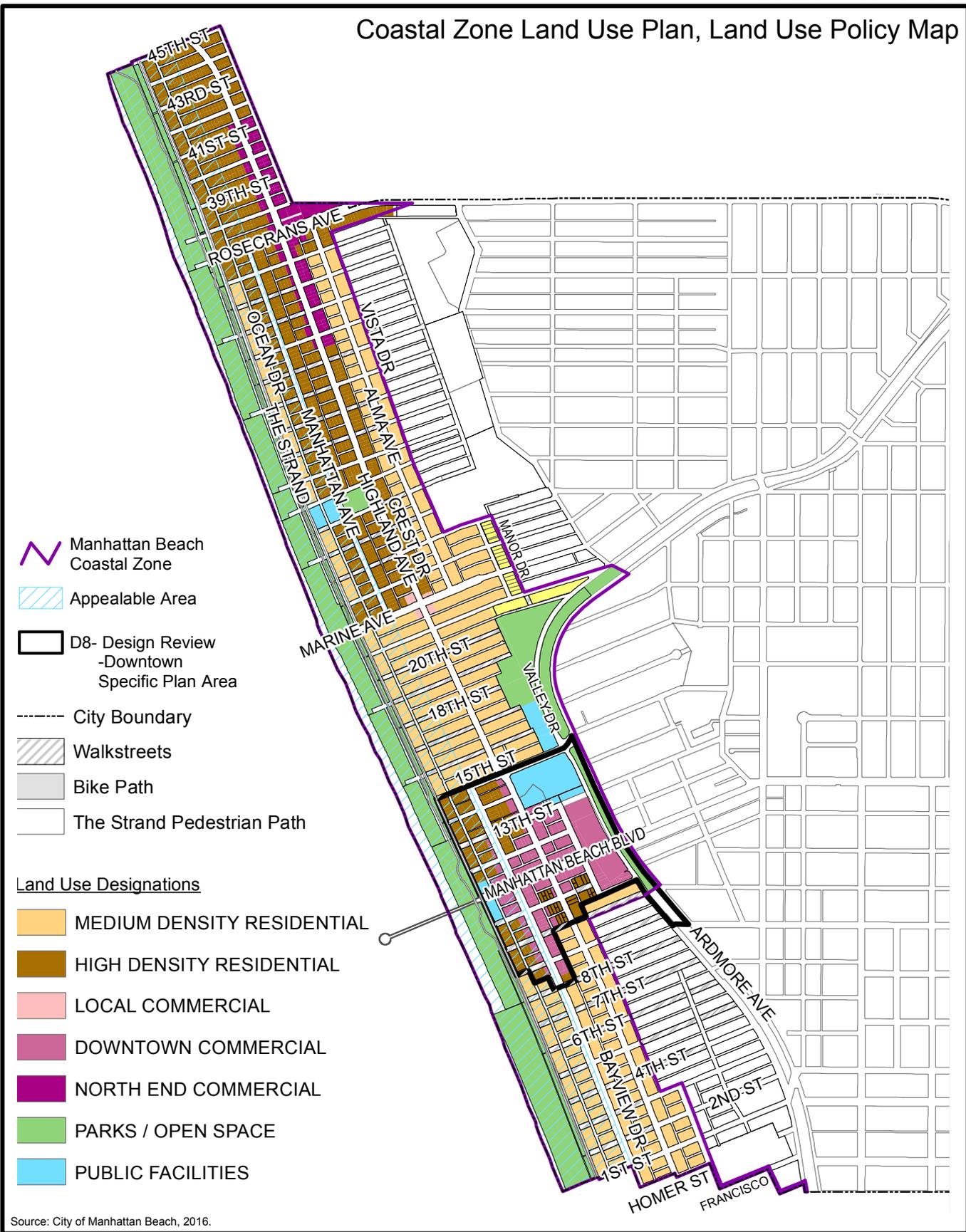
**ABSENT: None**

**ABSTAIN: None**

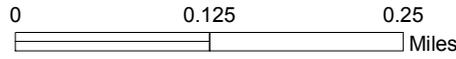
  
\_\_\_\_\_  
**Marisa Lundstedt**  
Secretary to the Planning Commission  
Community Development Director

  
\_\_\_\_\_  
**Rosemary Lackow**  
Recording Secretary 

Coastal Zone Land Use Plan, Land Use Policy Map



Coastal Zone Zoning Designations Map



-  Manhattan Beach Coastal Zone
-  Appealable Area
-  D8- Design Review -Downtown Specific Plan Area
-  City Boundary
-  Walkstreets
-  Bike Path
-  The Strand Pedestrian Path

Zoning Designations

-  **RM** Residential Medium Density
-  **RH** Residential High Density
-  **CL** Local Commercial
-  **CD** Downtown Commercial
-  **CNE** North End Commercial
-  **D5 - Design Review -North End Commercial**
-  **PS** Public and Semi-Public
-  **OS** Open Space



## Exhibit C

### General Plan and Local Coastal Program Consistency Analysis

#### GENERAL PLAN CONSISTENCY ANALYSIS

Policy	Project Consistency
<b>Land Use</b>	
<p><b>Policy LU-1.1:</b> Limit the height of new development to three stories where the height limit is thirty feet, or two stories where the height limit is twenty-six feet, to protect the privacy of adjacent properties, reduce shading, protect vistas of the ocean, and preserve the low-profile image of the community.</p>	<p>The proposed Specific Plan is generally consistent with this policy. The Specific Plan maintains the 26-foot height limit for two-story buildings, with exceptions in the Downtown Commercial designation, Area B, for a 2-foot increase to 28 feet to allow for elevator shafts. The Code already provides height exceptions for vent pipes, antenna (up to 10 feet) and chimneys (up to 5 feet) and this proposal is consistent with these current exceptions.</p> <p>See also the analysis of potential aesthetic impacts regarding the proposed height limit exception in Section 1(a, c), above.</p>
<p><b>Policy LU-1.2:</b> Require the design of all new construction to utilize notches, balconies, rooflines, open space, setbacks, landscaping, or other architectural details to reduce the bulk of buildings and to add visual interest to the streetscape.</p>	<p>The proposed Specific Plan is consistent with this policy. The Specific Plan, Chapter 6 establishes design guidelines and development standards for private development, including identifying the requirement for setbacks, building articulation and optional setbacks for upper stories. The Specific Plan would enhance the plan area's small-town character by implementing these design guidelines and development standards.</p>
<p><b>Policy LU-3.2:</b> Promote the use of adopted design guidelines for new construction in Downtown, along Sepulveda Boulevard, and other areas to which guidelines apply.</p>	<p>The proposed Specific Plan is consistent with this policy. The Specific Plan establishes new design guidelines and development standards for the Downtown area, and provides a framework to preserve the Downtown's character.</p>

Policy	Project Consistency
<p><b>Policy LU-3.4:</b> Establish and implement consistent standards and aesthetics for public signage, including City street signs.</p>	<p>The proposed Specific Plan is consistent with this policy. The Specific Plan establishes design guidelines and development standards, including standards for public signs for use in the Downtown area.</p>
<p><b>Policy LU-3.6:</b> Encourage the beautification of the walkstreets, particularly through the use of landscaping.</p>	<p>The proposed Specific Plan is consistent with this policy. The Specific Plan does not revise the walkstreet landscape standards that encourage private low-height landscaping. The Plan also establishes guidelines for landscaping in the Downtown area where landscaping would be used to create a distinct character for specific streets and neighborhoods.</p>
<p><b>Policy LU-4.1:</b> Protect public access to and enjoyment of the beach while respecting the privacy of beach residents.</p>	<p>The proposed Specific Plan is consistent with this policy. Implementation of the Specific Plan would result in future improvements to Downtown's streets, sidewalks, and open spaces that enhance pedestrian and bicycle access to the project area. This would encourage the public to access the beach areas through the City's Downtown and minimize residential neighborhood intrusion.</p>
<p><b>Policy LU-4.2:</b> Develop and implement standards for the use of walkstreet encroachment areas and other public right-of-way areas.</p>	<p>The proposed Specific Plan is consistent with this policy. Implementation of the Specific Plan would not revise the current walkstreet encroachment area landscape and private improvement standards that allow private low height landscaping and other private improvements that enhance and beautify the environment while strengthening the project area's sense of place.</p>
<p><b>Policy LU-4.6:</b> When public improvements are made, they should preserve and maintain distinctive neighborhood characteristics.</p>	<p>The proposed Specific Plan is consistent with this policy. The public realm improvements envisioned in the Specific Plan would complement and enhance the Downtown's small-town character with features that include streetscape furnishings, decorative bicycle parking racks, accent lighting, and thematic signage. Private development and public improvements guided by the policies, standards, and guidelines of the Specific Plan would preserve and enhance the unique character of Downtown.</p>
<p><b>Policy LU-5.1:</b> Require the separation or buffering of residential areas from businesses which produce noise, odors, high traffic volumes, light or glare, and parking through the use of landscaping, setbacks, or other techniques.</p>	<p>The proposed Specific Plan is consistent with this policy. The proposed land use plan designations for the plan area are consistent with the land use designations identified in the General Plan and the LCP. Future uses in the Specific Plan area would be required to comply with the City's noise regulations and lighting requirements (Manhattan Beach Municipal Code Chapters 5.48 and 10.60, respectively). In addition, the proposed Specific Plan includes policies related to trash and litter</p>

Policy	Project Consistency
	management in the Downtown area to address trash-related odors. Thus, conflicts between residential and business uses are not anticipated.
<p><b>Policy LU-5.7:</b> Recognize the unique qualities of mixed-use areas, and balance the needs of both the residential and commercial uses.</p>	<p>The proposed Specific Plan is consistent with this policy. The Downtown would continue to be a thriving commercial mixed-use District. The Specific Plan, Chapter 6 establishes design guidelines and development standards for private development, including identifying the requirement for setbacks, building articulation, and optional setbacks for upper stories, which would serve to help balance the needs of the residential and commercial uses.</p>
<p><b>Policy LU-6.1:</b> Support and encourage small businesses throughout the City.</p>	<p>The proposed Specific Plan is consistent with this policy. The vision, policies, design guidelines and development standards of the Specific Plan support this goal. Proposed development standards that support and encourage small businesses include limitations for individual commercial tenants on the length of frontage along a street, limitation of new ground floor uses to those that are small and pedestrian oriented with a total square footage cap for retail uses.</p>
<p><b>Policy LU-7.2:</b> Encourage the use of the Downtown Design Guidelines to improve the Downtown's visual identification as a unique commercial area.</p>	<p>The Specific Plan establishes new design guidelines and development standards for the Downtown area, and provides a framework to preserve the Downtown's character while creating an environment conducive to development. The proposed Specific Plan would repeal, replace, and expand upon the existing Downtown Design Guidelines with the new design guidelines.</p>
<p><b>Policy LU-7.3:</b> Support pedestrian-oriented improvements to increase accessibility in and around Downtown.</p>	<p>The proposed Specific Plan is consistent with this policy. Implementation of the Specific Plan would result in coordinated, custom streetscape furnishings, landscaping, and materials that enhance the pedestrian environment. Additionally, the Specific Plan would result in future improvements to Downtown's streets and sidewalks, that would provide a safe, comfortable environment for pedestrians and bicyclists that achieves a significant reduction in conflicts between both modes of transportation and motor vehicles.</p>
<p><b>Policy LU-7.4:</b> Encourage first-floor street front businesses with retail, restaurants, service/commercial, and similar uses to promote lively pedestrian activity on Downtown streets, and consider providing zoning regulations that support these uses.</p>	<p>The proposed Specific Plan is consistent with this policy. The Specific Plan would encourage first-floor business providing attractive storefronts and outdoor dining spaces that activate the project area's commercial streets. Commercial buildings would incorporate prominent ground floor storefronts,</p>

Policy	Project Consistency
	occupied by retailers and restaurants that activate the adjacent streets, with limitations on other non-active streetfront uses. Proposed development standards that support this policy include minimum requirements for ground floor commercial façade transparency and maximum front setbacks, as well as maximum tenant frontages and ground floor retail square footage caps.
<b>Infrastructure</b>	
<b>Policy I-3.1:</b> Review the existing Downtown Parking Management Program recommendations, re-evaluate parking and loading demands, and develop and implement a comprehensive program, including revised regulations as appropriate, to address parking issues.	The proposed Specific Plan is consistent with this policy. The Specific Plan provides for multipurpose drop-off zones, specialized motorcycle and electric vehicle parking and rideshare/taxi/shuttle loading areas to help reduce parking demand. The Specific Plan also includes new technologies, and minor improvements such as new signage to address parking issues in the plan area.
<b>Policy I-3.5:</b> Encourage joint-use and off-site parking where appropriate.	The proposed Specific Plan is consistent with this policy. The proposed Specific Plan provides recommendations for the provision of valet as well as shuttle services to and from existing and potential future remote parking lots.
<b>Policy I-6.1:</b> Implement those components of the Downtown Design Guidelines that will enhance the pedestrian oriented environment.	The proposed Specific Plan is consistent with this policy. Implementation of the Specific Plan would result in future improvements to Downtown’s streets, sidewalks, and open spaces that enhance pedestrian and bicycle access to the project area.
<b>Policy I-6.6:</b> Incorporate bikeways and pedestrian ways as part of the City’s circulation system where safe and appropriate to do so.	The proposed Specific Plan is consistent with this policy. Implementation of the Specific Plan would result in future improvements to Downtown’s streets, sidewalks, and open spaces that enhance pedestrian and bicycle access to the project area. Bicyclists will enjoy safe passage along the project area’s streets and ample bicycle parking facilities at key destinations throughout the district.
<b>Policy I-9.3:</b> Support the use of storm water runoff control measures that are effective and economically feasible.	The proposed Specific Plan is consistent with this policy. The Specific Plan includes goals to manage, maintain, and improve stormwater drainage and capacity in the plan area. The increased landscaping that would occur with implementation of the Specific Plan would serve to capture and control runoff prior to entering the City’s stormwater drainage system.
<b>Policy I-9.4:</b> Encourage the use of site and landscape designs that minimize surface runoff by minimizing the use of concrete and maximizing the use of permeable surface materials.	The proposed Specific Plan is consistent with this policy. The Specific Plan includes goals to manage, maintain, and improve stormwater drainage and capacity in the plan area. The increased landscaping that would occur with implementation of the Specific Plan would serve to capture and control runoff prior

Policy	Project Consistency
	to entering the City's stormwater drainage system. Alternative ground surface treatments are encouraged that maximize permeable surfaces.
<b>Community Resources</b>	
<b>Policy CR-2.2:</b> Continue to encourage and support cultural arts programs and events.	The proposed Specific Plan is consistent with this policy. The Specific Plan would enhance public spaces and amenities that provide the opportunity to showcase Manhattan Beach's unique history, art, and culture.
<b>Policy CR-2.4:</b> Include artwork in City capital improvement projects.	The proposed Specific Plan is consistent with this policy. One of the goals and visions of the Specific Plan is to utilize the public realm to celebrate the history of the community and its support of public arts and positive aesthetics.
<b>Policy CR-4.1:</b> Protect existing mature trees throughout the City and encourage their replacement with specimen trees whenever they are lost or removed.	The proposed Specific Plan is consistent with this policy. The proposed Specific Plan encourages the retention of existing street trees, as well as other public trees, and private trees in appropriate areas, and the planting of native or naturalized species for new or replacement trees.
<b>Policy CR-4.2:</b> Investigate methods to improve the quality and maintenance of street trees and public landscape improvements.	The proposed Specific Plan is consistent with this policy. The Specific Plan provides for increased landscaping within the plan area to enhance the physical, ecological, and cultural aspects of the City.
<b>Policy CR-4.3:</b> Recognize that landscaping, and particularly trees, provide valuable protection against air pollution, noise, soil erosion, excessive heat, and water runoff, and that they promote a healthy environment.	The proposed Specific Plan is consistent with this policy. The Specific Plan provides for increased landscaping within the plan area to enhance the physical, ecological, and cultural aspects of the City. The Specific Plan also encourages, when opportunities exist, allowing the street to function as an air quality and water quality enhancer by providing shade utilizing urban forestry and water quality improvements through stormwater runoff capture and use through planted bioswales.
<b>Air Quality</b>	
<b>Policy CR-6.1:</b> Encourage alternative modes of transportation, such as walking, biking, and public transportation, to reduce emissions associated with automobile use.	The proposed Specific Plan is consistent with this policy. Implementation of the Specific Plan would result in coordinated, custom streetscape furnishings, landscaping, and materials that enhance the pedestrian environment. Additionally, the Specific Plan would result in future improvements to Downtown's streets and sidewalks, that would provide a safe, comfortable environment for pedestrians and bicyclists, as well as support for alternative modes of transportation and electric

Policy	Project Consistency
	vehicles, that achieves a reduction in motor vehicle trips.
<p><b>Policy CR-6.2:</b> Encourage the expansion and retention of local serving retail businesses (e.g., restaurants, family medical offices, drug stores) to reduce the number and length of automobile trips to comparable services located in other jurisdictions.</p>	<p>The proposed Specific Plan is consistent with this policy. The Specific Plan includes a goal to support a vital Downtown business district that is chiefly comprised of small, pedestrian-oriented commercial business that serve Manhattan Beach residents, and includes visitor-oriented uses limited to low-intensity businesses that provide goods and services primarily to beachgoers. This would serve to reduce motor vehicle trips.</p>

**LOCAL COASTAL PROGRAM CONSISTENCY ANALYSIS**

Policy	Project Consistency
<b>I- COASTAL ACCESS POLICIES</b>	
<b>Access Policies</b>	
<p><b>Policy I.A.1:</b> The City shall maintain the existing vertical and horizontal accessways in the Manhattan Beach Coastal Zone.</p>	<p>The proposed Specific Plan is consistent with this policy. The Specific Plan does not suggest or require any changes to physical access to the beach. Existing views would not be substantially altered by new development, even with the potential two-foot height exception in Area B. The Specific Plan establishes standards for street lighting such that new lighting standards would be arched in such a way to frame and enhance views of the beach or ocean.</p> <p>Existing views would not be altered with the consistency changes from commercial to residential in a small portion of the Plan area. The reconciliation of the Land Use Policy and Zoning Maps will not have any changes to accessways.</p>
<p><b>Policy I.A.2:</b> The City shall encourage, maintain, and implement safe and efficient traffic flow patterns to permit sufficient beach and parking access.</p>	<p>The proposed Specific Plan is consistent with this policy. The Specific Plan provides for multipurpose drop-off zones, specialized motorcycle and electric vehicle parking, and rideshare/taxi/shuttle loading areas to help reduce parking demand. The Specific Plan also includes new technologies, and minor improvements such as new signage to address parking issues in the plan area.</p> <p>Implementation of the Specific Plan would result in future improvements to Downtown’s streets, sidewalks, and open spaces that enhance pedestrian and bicycle access to the project area. This would encourage the public to access the beach areas through the City’s Downtown.</p>
<b>Transit Policies</b>	
<p><b>Policy I.B.1:</b> The City shall encourage public transportation service to mitigate excess parking demand and vehicular pollution. All transportation/congestion management plans and mitigation measures shall protect and encourage public beach access.</p>	<p>The proposed Specific Plan is consistent with this policy. The Specific Plan does not suggest changes to transit services with the exception of instituting shuttle service to aid in the utilization of remote parking locations to increase parking opportunities. The Specific Plan provides for multipurpose drop-off zones, specialized motorcycle and electric vehicle parking and rideshare/taxi/shuttle loading areas to help reduce parking demand. The Specific Plan also includes new technologies, and minor improvements such as new signage to address parking issues in the plan area. This would encourage the public to access the beach areas through the City’s Downtown.</p>

Policy	Project Consistency
<p><b>Policy I.B.3:</b> The City shall encourage pedestrian and bicycle modes as a transportation means to the beach.</p>	<p>The proposed Specific Plan is consistent with this policy. Implementation of the Specific Plan would result in future improvements to Downtown’s streets, sidewalks, and open spaces that enhance pedestrian and bicycle access to the project area. This would encourage the public to access the beach areas through the City’s Downtown.</p>
<p><b>Policy I.B.7:</b> The City shall provide adequate signing and directional aids so that beach goers can be directed toward available parking.</p>	<p>The proposed Specific Plan is consistent with this policy. The Specific Plan establishes design guidelines and development standards, including standards for public signs for use in the Downtown area. The Specific Plan also includes new technologies, and minor improvements such as new signage to address parking issues in the plan area.</p>
<p><b>Parking Policies</b></p>	
<p><b>Policy I.C.1:</b> The City shall maintain and encourage the expansion of commercial district parking facilities necessary to meet demand requirements.</p>	<p>The proposed Specific Plan is consistent with this policy. The proposed Specific Plan would result in no net loss of public parking and further recommends the development of various parking strategies to manage and accommodate commercial parking demand. Examples include the provision of shuttle services to and from existing and potential future remote parking lots, the designation of rideshare/taxi/shuttle loading areas and drop-off zones, and the use of stacked parking with valets/attendants. Through the use of these strategies, not only will existing parking areas be maximized, but overall parking demand will decrease, resulting in more available parking capacity. See the discussions of Policy I.B.1 and Policy I.B.7, above.</p>
<p><b>Policy I.C.2:</b> The City shall maximize the opportunities for using available parking for weekend beach use.</p>	<p>The proposed Specific Plan is consistent with this policy. See the discussions of Policy I.B.1, Policy I.B.7, and I.C.1, above.</p>
<p><b>Policy I.C.3:</b> When public improvements are made, they should preserve and maintain distinctive neighborhood characteristics.</p>	<p>The proposed Specific Plan is consistent with this policy. The public realm improvements envisioned in the Specific Plan would complement and enhance the Downtown’s small-town character with features that include streetscape furnishings, decorative bicycle parking racks, accent lighting, and thematic signage. Private development and public improvements guided by the policies, standards, and guidelines of the Specific Plan would preserve and enhance the unique character of Downtown.</p>
<p><b>Policy I.C.10:</b> Concentrate new parking in the Downtown Commercial District to facilitate joint use opportunities (office and weekend beach parking uses).</p>	<p>The proposed Specific Plan is consistent with this policy. See the discussions of Policy I.B.1, Policy I.B.7, and I.C.1, above.</p>

Policy	Project Consistency
<b>II- COASTAL LOCATING AND PLANNING NEW DEVELOPMENT POLICIES</b>	
<b>A. Commercial Development</b>	
<p><b>Policy II.A.2:</b> Preserve the predominant existing commercial building scale of one and two stories, by limiting any future development to a 2-story maximum, with a 30' height limitation as required by Sections A.04.030, A.16.030, and A.60.050 of Chapter 2 of the Implementation Plan.</p>	<p>The proposed Specific Plan is consistent with this policy. The Specific Plan maintains the current 26-foot height limit for the majority of the commercial area of the Specific Plan, with exceptions in, Area B, for a 2-foot increase to 28 feet to allow for elevator shafts which would still be under the 30' height limitation within the policy. Area A, of the commercial area allows a 30 foot height limit and no revisions are proposed. The Code already provides height exceptions for vent pipes, antennas (up to 10 feet) and chimneys (up to 5 feet) and this proposal is consistent with these current exceptions.</p>
<p><b>Policy II.A.3:</b> Encourage the maintenance of commercial area orientation to the pedestrian.</p>	<p>Implementation of the Specific Plan would result in coordinated, custom streetscape furnishings, landscaping, and materials that enhance the pedestrian environment. The Specific Plan would encourage first-floor business providing attractive storefronts and outdoor dining spaces that activate the project area's commercial streets. Proposed development standards that support this policy include minimum requirements for ground floor commercial façade transparency and maximum front setbacks, as well as maximum tenant frontages and ground floor retail square footage caps.</p>
<p><b>Policy II.A.7:</b> Permit mixed residential/commercial uses on available, suitable commercial sites.</p>	<p>The proposed Specific Plan is consistent with this policy. The Downtown would continue to be a thriving commercial mixed-use District. The Specific Plan, Chapter 6 establishes design guidelines and development standards for private development, including identifying the requirements for setbacks, building articulation, and optional setbacks for upper stories, which would serve to help balance the needs of the residential and commercial uses.</p>
<b>B. Residential Development</b>	
<p><b>Policy II.B.1:</b> Maintain building scale in coastal zone residential neighborhoods consistent with Chapter 2 of the implementation Plan.</p>	<p>The proposed new LCP land use Policy Map and zoning designations are consistent with the building scale in the coastal zone neighborhood and would result in no changes to the physical environment. The area has historically been, since the 1930's predominately residential and has been, since at least 1995 and remains currently, entirely residential. The LCP Land Use Policy and Zoning Map consistency revisions will only reconcile the designation nomenclature and not have any changes to any development standards including building scale.</p>

Policy	Project Consistency
<p><b>Policy II.B.3:</b> Maintain Coastal Zone residential height limit not to exceed 30' as required by Sections A.04.030 and A.60.050 of Chapter 2 of the Implementation Plan.</p>	<p>The proposed new LCP land use policy map and zoning designation is consistent with the 30' Coastal Zone residential height limit as required by the LCP - Implementation Program. Specifically, the height limitation within the "RH" zone is 30 feet, which is consistent with historical and current development in the area.</p>