

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802-4302
(562) 590-5071



March 14, 2014

Richard Thompson, Director of Community Development
City of Manhattan Beach
1400 Highland Avenue
Manhattan Beach, CA 90266-4795

Re: Manhattan Beach Local Coastal Program Amendment Request No. 1-13 (MNB-MAJ-1-13).

Dear Mr. Thompson:

You are hereby notified that the California Coastal Commission, at its March 12, 2014 meeting in Long Beach, approved City of Manhattan Beach Local Coastal Program (LCP) Amendment No. 1-13 with suggested modifications. The LCP amendment request, contained in City Council Ordinance No. 13-0012 and submitted by City Council Resolution No. 13-0045, amends the Implementing Ordinances (LIP) portion of the certified LCP in order to implement changes adopted as part of the City's 2013 Housing Element Update (e.g., residential use class definitions, affordable and senior housing incentives, standards for emergency shelters and transitional housing, and reasonable accommodation).

Since the Commission approved the LCP amendment with suggested modifications, LCP Amendment No. 1-13 will not be effective for implementation in the City's coastal zone until: 1) the Manhattan Beach City Council adopts the Commission's suggested modification, 2) the City Council forwards the adopted suggested modification to the Commission by resolution, and, 3) the Executive Director certifies that the City has complied with the Commission's March 12, 2014 action. The Coastal Act requires that the City's adoption of the suggested modification be completed within six months of the Commission's March 12, 2014 action.

Pursuant to the Commission's action on March 12, 2014, certification of City of Manhattan Beach LCP Amendment No. 1-13 is subject to the following four (A-D) suggested modifications:

[Note: Text added by the suggested modification is identified by **underlined bold text**, and text suggested to be deleted by the Commission is crossed-out underlined text (~~deleted text~~).]

A. Chapter A.85 Reasonable Accommodation – Required Findings

Section A.85.050 Required Findings.

The request for a reasonable accommodation shall be approved, or approved with conditions, if the reviewing authority finds that all of the following findings can be made:

- A. The dwelling, which is the subject of the request for reasonable accommodation, will be used by a disabled person;

- B. The requested accommodation is necessary to make housing available to a disabled person;
- C. The requested accommodation will not impose an undue financial or administrative burden on the City; and
- D. The requested accommodation will not require a fundamental alteration in the nature of the City's zoning ordinance **or the certified Local Coastal Program.** **A request for reasonable accommodation under this section may be approved if it is consistent with the certified Local Coastal Program; or it may be approved and the City may waive compliance with an otherwise applicable provision of the Local Coastal Program if the City finds both of the following: 1) The requested reasonable accommodation is consistent, to the maximum extent feasible, with the certified Local Coastal Program; and, 2) There are no feasible alternative means for providing an accommodation at the property that would provide greater consistency with the certified Local Coastal Program.**

B. Chapter A.94 Affordable Housing Density Bonus and Incentive Program

Section A.94.010 General Affordable Housing Provisions.

A. State Law Governs. The provisions of this chapter shall be governed by the requirements of Government Code Section 65915, as that statute is amended from time-to-time. Where conflict occurs between the provisions of this chapter and State law, the State law provisions shall govern, unless otherwise specified. **The intent of the following regulations is to ensure that, to the maximum extent feasible, the requirements of Government Code Section 65915 are implemented in a manner consistent with the land use policies and zoning ordinance provisions set forth in the certified Local Coastal Program.**

C. Chapter A.94 Affordable Housing Density Bonus and Incentive Program - Findings

Section A.94.040.B Proposal of Incentives and Findings.

B. Proposal of Incentives and Findings. An applicant may propose specific incentives or concessions that would contribute significantly to the economic feasibility of providing affordable units pursuant to this chapter and State law. In addition to any increase in density to which an applicant is entitled, the City shall grant one or more incentives or concessions that an applicant requests, up to the maximum number of incentives and concessions required pursuant to subsection A, unless the City makes a written finding that either:

1. The concession or incentive is not necessary in order to provide for affordable housing costs, as defined in Section 50052.5 of the Health and Safety Code, or for rents for the targeted units to be set as specified in Government Code Section 65915(c), or

2. The concession or incentive would have a specific adverse impact, as defined in Government Code Section 65589.5(d)(2), upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low- and moderate-income households, or
3. The concession or incentive would be contrary to state or federal law, or
4. **The concession or incentive would be inconsistent with the provisions of the Local Coastal Program to the extent that the concession or incentive would adversely impact coastal access, public recreation, community character, any other sensitive coastal resource, or any other resource governed by Chapter 3 of the Coastal Act.**

D. Section A.64.240 Parking and Loading Regulations for Affordable Housing Dev.

When requested by the applicant, multi-family residential developments meeting the minimum requirements for a density bonus pursuant to Chapter A.94 shall provide off-street parking according to the following formula:

Unit Size	Parking Spaces
Studio or 1-bedroom	One space Two spaces
2 or 3 bedrooms	Two spaces
4 or more bedrooms	Two and one-half spaces

The number of required parking spaces shall be inclusive of guest parking. If the total number of parking spaces required for a development is other than a whole number, the number shall be rounded up to the next whole number.”

Please call me at (562) 590-5071 if you have any questions regarding the modifications required for effective certification of City of Manhattan Beach LCP Amendment No. 1-13. Thank you for your cooperation and we look forward to working with you and your staff in the future.

Sincerely,

Charles R. Posner
Coastal Program Supervisor