

ORDINANCE NO. 15-0028

AN ORDINANCE OF THE CITY OF MANHATTAN BEACH AMENDING SECTIONS A.12.010, A.12.030, AND A.84.120, OF THE MANHATTAN BEACH LOCAL COASTAL PROGRAM (LCP), PERTAINING TO MAXIMUM LOT SIZE AND MINOR EXCEPTIONS

THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH HEREBY ORDAINS AS FOLLOWS:

SECTION 1. CEQA Findings. The proposed project is exempt from the requirements of the California Environmental Quality Act because it can be seen with certainty that there is no possibility that the project will have a significant effect on the environment. The proposed LCP zoning regulation amendments add maximum lot sizes that were mistakenly not included in the final provisions of a previous Code Amendment and moderately modify procedures for addressing minor nonconformity hardships caused by existing site conditions. Thus, it is exempt pursuant to Section 15061(b)(3) of the CEQA Guidelines.

SECTION 2. On October 6, 2015 the City Council conducted a duly noticed public hearing to consider amendments to the LCP Zoning Code for Chapter A.12 (Residential Districts) and Chapter A.84 (Use Permits, Variances and Minor Exceptions). After a duly noticed public hearing held on May 8, 2013, the Planning Commission adopted Resolution No. PC 13-06 recommending approval of the amendments.

SECTION 3. The City Council hereby amends Section A.12.010 of the Local Coastal Program to add subsection "D" as follows:

"D. Encourage reduced visual building bulk with effective setback, height, open space, site area, and similar standards, and provide incentives for retention of existing smaller homes. Include provision for an administrative Minor Exception procedure to balance the retention of smaller older homes while still allowing flexibility for building upgrades below the maximum allowable square footage."

SECTION 4. The City Council hereby amends the minimum "Lot Dimensions" portion of the "Property Development Standards for Area Districts III and IV" table in Section A.12.030 of the Local Coastal Program to read as follows, with all other portions of the table to remain unchanged:

PROPERTY DEVELOPMENT STANDARDS FOR AREA DISTRICTS III AND IV

	Area District III		Area District IV	Additional Regulations
	RM	RH	RH	
Lot Dimensions				
Area (sq. ft.)				(A)(B)(C)(J)(K)
Minimum	2,700	2,700	2,700	
Maximum	7,000	7,000	7,000	
Width (ft.)				
Minimum	30	30	30	

SECTION 5. The City Council hereby amends Section A.84.120(G)(3) of the Local Coastal Program as follows:

“3. A minimum of 10% of the existing structure, located above the ground-level floor surface, based on project valuation as defined in Section A.68.030, shall be maintained.”

SECTION 6. The City Council hereby amends the table in Local Coastal Program Section A.84.120 related to minor exceptions to read as follows:

Applicable Section	Exception Allowed
A.12.030	Attachment of existing structures on a site in Area District III or IV which result in the larger existing structure becoming nonconforming to residential development regulations.
A.12.030	Site enlargements (e.g., mergers, lot line adjustments), not exceeding the maximum lot area, which result in existing structures becoming nonconforming to residential development regulations.
A.12.030(M)	Reduction in the 15% open space requirement for dwelling units that are largely 1-story in 2-story zones and for dwelling units that are largely 2-story in 3-story zones.
A.12.030(P)	Construction of retaining walls beyond the permitted height where existing topography includes extreme slopes.
A.12.030(M), and A.12.030(E)	Reduction in percentage of 15% open space requirement, side yard setbacks, and/or rear yard setback. This may be applied to small, wide, shallow, multiple front yard, and/or other unusually shaped lots or other unique conditions.
A.12—A.68	Non-compliant construction due to Community Development staff review or inspection errors.
A.68.030(D) and (E), A.12.030 and A.12.030(R)	Construction of a first, second or third story residential addition that would project into required setbacks or required building separation yard, matching the existing legal non-conforming setback(s).

Applicable Section	Exception Allowed
A.68.030(D) and (E)	Alterations, remodeling and additions (enlargements) to existing smaller legal non-conforming structures.
A.68.030(E)	Alterations and remodeling to existing legal non-conforming structures.

SECTION 7. If any sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining provisions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each sentence, clause or phrase thereof irrespective of the fact that any one or more sentences, clauses or phrases be declared unconstitutional or otherwise invalid.

SECTION 8. Any provisions of the Local Coastal Program or appendices thereto, to the extent that they are inconsistent with this Ordinance, are hereby repealed, and the City Clerk shall make any necessary changes to the Local Coastal Program for internal consistency.

SECTION 9. This Ordinance shall go into effect and be in full force and effect 30 days after its adoption.

SECTION 10. The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause this Ordinance to be published within 15 days after its passage, in accordance with Government Code Section 36933.

PASSED, APPROVED AND ADOPTED November 3, 2015.

AYES:
 NOES:
 ABSENT:
 ABSTAIN:

 MARK BURTON
 Mayor

ATTEST:

 LIZA TAMURA
 City Clerk

APPROVED AS TO FORM:

QUINN M. BARROW
City Attorney