



**PRESS RELEASE**

FOR IMMEDIATE RELEASE

## **THE FACTS OF THE HIGHROSE/VERANDAS PROJECT**

*The City Clarifies the Project Proposal, Review Process, and Standard of Review*

**Manhattan Beach, CA (August 31, 2022)** - Over the past several weeks, the City has observed extensive communications via email, newspaper publication, social media, and verbal communications regarding the Highrose/Verandas Project, which was discussed at the August 16, 2022 City Council meeting. The City Council is scheduled to conduct a continued discussion of this item at the **September 6, 2022, City Council meeting**. The following information is intended to provide the community with the facts of the project proposal, the review process, and standard of review in advance of the City Council meeting.

**The proposed project is a multi-family residential project, not a hotel, or short-term lodging:** The project is a multi-family residential project containing 79 rental dwelling units, six of which will be set aside for “very low income” households. The City requires an Affordable Housing Agreement to ensure that the project functions the way it is proposed and is intended to function: as a project providing 79 units of housing, not as a commercial enterprise. The California Court of Appeal recently ruled that an amendment to the City’s Local Coastal Program is required to impose a Coastal Zone-wide prohibition of short-term rentals (rentals fewer than 30 days). However, in light of state housing laws, such ruling does not affect the ability of the City to prohibit short-term rentals in affordable housing projects. The official application to the City is available on the City’s website at [www.manhattanbeach.gov/highrose](http://www.manhattanbeach.gov/highrose).

**Coastal Zone:** Since the project site is in the Coastal Zone, the City’s Local Coastal Program regulates it. The Local Coastal Program (certified by the Coastal Commission) states that Precise Development Plans are intended to encourage the development of affordable housing through a streamlined permitting process. Projects that qualify for a density bonus pursuant to Chapter A.94 are processed using an administrative, non-discretionary Precise Development Plan (and associated applications).

**Ministerial Review Process:** The Highrose Project is subject to a Precise Development Plan and associated entitlements. Precise Development Plans are required for residential developments that qualify for a density bonus, which by definition include affordable housing. Pursuant to the City's General Plan, the City's Local Coastal Program, and State regulations, the utilization of density bonus law and the incorporation of affordable housing qualify the project for a streamlined, administrative, non-discretionary Precise Development Plan review, which subjects all components of the application to a ministerial review process. The ministerial review process requires staff to approve a project if the project complies with applicable, objective provisions of the General Plan, the City's zoning and building ordinances, State and local subdivision requirements, the Manhattan Beach Local Coastal Program, and State density bonus law.

**Not a "SB 35" Project:** The project is not a Senate Bill (SB) 35 project. SB 35, and its procedures and requirements, simply do not apply to the Highrose Project.

**Exempt from California Environmental Quality Act (CEQA):** Pursuant to the California Environmental Quality Act (CEQA), the Project is exempt from CEQA environmental review. The City has reviewed the Highrose Project for compliance with CEQA. The City has determined that, pursuant to California Public Resources Code Section 21080 and State CEQA Guidelines Section 15268, the project is exempt from CEQA's typical environmental review requirements because it is subject to a ministerial approval process. Although not legally required, Phase I and Phase II Environmental Assessments and a trip generation study have been prepared.

**Prior Environmental Site Assessments:** Prior to the purchase of the property by the current property owner, Phase I and Phase II Environmental Site Assessments (ESAs) were performed by Citadel EHS, an Environmental, Health, Safety and Sustainability consulting firm. The ESAs outlined the current and historical uses of the site in order to determine if these uses have impacted the soil or groundwater beneath a property, and whether these impacts pose a threat to human health and/or the environment. The ESAs documented that the property was never part of the Chevron site. Furthermore, the ESAs included a subsurface investigation. After taking soil samples and reviewing relevant databases, the Phase I and Phase II ESAs concluded that there were no conditions detected on the site that pose a threat to the environment and/or human health. Based upon the Phase I and Phase II ESAs, Citadel EHS concluded that "the [Chevron] Refinery is not considered to represent a significant environmental concern to the Site at this time." The ESAs are posted on the City's website at [www.manhattanbeach.gov/highrose](http://www.manhattanbeach.gov/highrose). In addition, the applicant is responsible for complying with federal, state, and local environmental and public health regulations prior to and during construction activity, as well as meeting requirements for building, demolition, and grading permits. These regulations pertain to all construction projects.

**The City Council Receives All Public Comments:** All comments addressed to the City Council in conjunction with an agenda item are distributed to the City Council and posted on the City's

website. Comments received prior to publication of a meeting agenda packet are available with the agenda item; comments received after publication of a meeting agenda packet are available on the City's calendar website prior to the City Council meeting.

For more information on the Highrose Project or to be included on the interested parties notification list, please visit [www.manhattanbeach.gov/highrose](http://www.manhattanbeach.gov/highrose).

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