

Steve Cammarata, Chair
Michael Graf, Vice-Chair
Monica Dever, Commissioner
Jay Mattingly, Commissioner
Joaquin Santos, Commissioner
Bob Steinbach, Commissioner
Brenda Stephens, Commissioner



Lomita City Hall
Council Chambers
24300 Narbonne Avenue
Lomita, CA 90717
Phone: (310) 325-7110
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Next Resolution No. PC 2024-01

**AGENDA
REGULAR MEETING
LOMITA PLANNING COMMISSION
MONDAY, FEBRUARY 12, 2024
6:00 P.M.**

THE PLANNING COMMISSION HAS RESUMED PUBLIC MEETINGS IN THE COUNCIL CHAMBERS. PARTICIPATION BY MEMBERS OF THE PUBLIC IS ONLY GUARANTEED VIA IN-PERSON ATTENDANCE.

AS A COURTESY, THE CITY MAY ALSO CHOOSE TO ALLOW PUBLIC PARTICIPATION DURING THE MEETING VIA A COMPUTER OR SMART DEVICE USING THE FOLLOWING ZOOM LINK. THE COUNCIL MAY SUSPEND PUBLIC PARTICIPATION VIA ZOOM AT ANY TIME, AND THE MEETING WILL NOT BE CANCELLED NOR SUSPENDED IF TECHNICAL ISSUES PRECLUDE OR IMPACT THE ABILITY TO ACCEPT PUBLIC COMMENT OVER ZOOM. SHOULD YOU WISH TO ENSURE YOU CAN PARTICIPATE IN THIS MEETING, OR COMMENT ON AN ITEM ON THE AGENDA, YOU MUST SHOW UP IN PERSON AT THE MEETING:

<https://us06web.zoom.us/j/87314555404>

Telephone Option: (669) 900-6833 Meeting ID: 873 1455 5404

If you wish to provide public comment during Oral Communications or for a particular agenda item, you may either contact the Deputy City Clerk before the meeting, at 310-325-7110 ext. 141, complete a speaker card and give it to the Deputy City Clerk before or during the meeting, or if participating via Zoom, utilize the "raise hand" function to join the queue to speak when the Chair calls the item for discussion. Your name and city of residency is requested, but not required.

1. OPENING CEREMONIES

- a. Call Meeting to Order
- b. Flag Salute
- c. Roll Call

2. ORAL COMMUNICATIONS

Persons wishing to address the Planning Commission on subjects other than those scheduled are requested to do so at this time. Please provide your name and address for the record. In order to conduct a timely meeting, a 3-minute time limit per person has been established. Government Code Section 54954.2 prohibits the Planning Commission from discussing or taking action on a specific item unless it appears on a posted agenda.

3. CONSENT AGENDA

- a. **APPROVAL OF MINUTES:** October 9, 2023

RECOMMENDED ACTION: Approve minutes.

4. PUBLIC HEARINGS

- a. **DISCUSSION AND CONSIDERATION OF CONDITIONAL USE PERMIT NO. 327 AT 24416 CRENSHAW BOULEVARD, UNITS 4 & 5 TO SELL BEER AND WINE FOR ON-SITE CONSUMPTION, IN THE M-C (LIGHT MANUFACTURING AND COMMERCIAL) ZONE AND FIND THE PROJECT EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

APPLICANT: Jean-Luc and Veronique Chopin of Les Délices Du Chef

PRESENTED BY: Associate Planner MacMorran

RECOMMENDED ACTION: Adopt a resolution approving Conditional Use Permit No. 327, to allow a restaurant at 24416 Crenshaw Boulevard, Units 4 & 5 allowing sale of beer of wine for on-site consumption subject to the findings and conditions and find the request is exempt from the California Environment Quality Act (CEQA).

- b. **DISCUSSION AND CONSIDERATION OF ZONING TEXT AMENDMENT NO. 2024-01, AN ORDINANCE AMENDING LOMITA MUNICIPAL CODE TITLE XI (PLANNING AND ZONING) TO ALLOW, THROUGH AN APPROVED CONDITIONAL USE PERMIT, TWO-STORY STACKED ACCESSORY DWELLING UNITS UP TO 20 FEET IN HEIGHT AND TO REVIEW THE APPLICABILITY OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

APPLICANT: City of Lomita

PRESENTED BY: Community & Economic Development Director Rindge

RECOMMENDED ACTION: Adopt a resolution recommending approval of Zoning Text Amendment 2024-01 to the City Council and find the California Environmental Quality Act (CEQA) not applicable to the ordinance.

5. SCHEDULED MATTERS

- a. **COMMUNICATIONS REGARDING CITY COUNCIL ACTIONS**
- b. **UPCOMING DEVELOPMENTS AND BUSINESSES**

6. OTHER MATTERS

- a. **STAFF ANNOUNCEMENTS**
- b. **PLANNING COMMISSIONER ITEMS**
- c. **COMMISSIONERS TO ATTEND CITY COUNCIL MEETINGS**

Tuesday, March 5, 2024, City Council meeting, and Tuesday, March 19, 2024, City Council meeting

7. ADJOURNMENT

The next regular meeting of the Planning Commission is scheduled for Monday, March 11, 2024, at 6:00 p.m.

Written materials distributed to the Planning Commission within 72 hours of the Planning Commission meeting are available for public inspection via the City's website and copies are available for public inspection beginning the next regular business day in the City Clerk's Office, 24300 Narbonne Avenue, Lomita.

In compliance with the Americans with Disabilities Act (ADA) if you need special assistance to participate in this meeting, please contact the office of the City Clerk at (310) 325-7110. Notification at least forty-eight (48) hours prior to the meeting will enable the City to make reasonable arrangements.

Any person may appeal all matters approved or denied by the Planning Commission to City Council within 30 days of receipt of notice of action by the applicant. Payment of an appeal fee is required. For further information, contact City Hall at (310) 325-7110.

I hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted not less than 72 hours prior to the meeting at the following locations: Lomita City Hall, Lomita Park, and uploaded to the City of Lomita website at http://www.lomita.com/cityhall/city_agendas/.

Dated Posted: February 8, 2024



Linda E. Abbott, CMC, Deputy City Clerk

**MINUTES OF THE
LOMITA PLANNING COMMISSION
REGULAR MEETING
MONDAY, OCTOBER 9, 2023**

1. OPENING CEREMONIES

a. Call Meeting to Order

The regular meeting of the Lomita Planning Commission was called to order by Chair Cammarata at 6:01 p.m. on Monday, October 9, 2023, in the Council Chambers at Lomita City Hall, 24300 Narbonne Avenue, Lomita, California.

b. Commissioner Mattingly led the flag salute.

c. Roll Call

PRESENT: Commissioners Dever, Mattingly, Steinbach, Stephens, Vice-Chair Graf, and Chair Cammarata

ABSENT: Commissioner Santos

STAFF PRESENT: Community and Economic Director Rindge, Associate Planner MacMorran (via Zoom), Assistant Planner Barbero, Assistant City Attorney Ornelas, and Deputy City Clerk Abbott

2. ORAL COMMUNICATIONS

Chair Cammarata opened Oral Communications. There being no requests to speak, Chair Cammarata closed Oral Communications.

3. CONSENT AGENDA

a. APPROVAL OF MINUTES: August 14, 2023

RECOMMENDED ACTION: Approve minutes.

Commissioner Stephens made a motion, seconded by Vice-Chair Graf, to approve the recommended action.

MOTION CARRIED by the following vote:

AYES: Commissioners Dever, Mattingly, Steinbach, Stephens, Vice-Chair Graf, and Chair Cammarata

NOES: None

ABSENT: Commissioner Santos

4. PUBLIC HEARINGS

- a. **DISCUSSION AND CONSIDERATION OF AMENDMENT TO SITE PLAN REVIEW NO. 1049: A REQUEST TO AMEND PLANNING CONDITION NO. 14 OF PLANNING COMMISSION RESOLUTION NO. PC 2023-14, "UNIT 107 SHALL OPEN TO THE SECOND STORY," AND FINDING THE ACTION EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AT 25820 LUCILLE AVENUE WITHIN THE COMMERCIAL RETAIL (C-R) ZONE** (Applicant: Jeff S. Coffman on behalf of property owner David Nosrati / Maxnet Commercial, LLC)

RECOMMENDED ACTION: Adopt a resolution amending Site Plan Review No. 1049 to amend Planning Condition No. 14 of Planning Commission Resolution No. PC 2023-14, "Unit 107 to shall open to the second story," and finding the action exempt from the California Environmental Quality Act.

Commissioner Mattingly recused himself from discussion of this item due to the site's proximity to his residence. He left the dais and the Council Chambers.

Assistant Planner Barbero presented the staff report per the agenda material.

Chair Cammarata invited the applicant to speak. The project architect, Jeff Coffman, spoke regarding the requested amendment.

Chair Cammarata opened the public hearing at 6:17 p.m.

George Kivett, Lomita resident, supported the ceiling placement, but stated that there should be no door attached to unusable space.

Director Rindge stated that the door has since been removed from the plans.

As there were no further requests from the public to speak on this item, Chair Cammarata closed the public hearing at 6:19 p.m. and invited Commission discussion or a motion.

Vice-Chair Graf made a motion, seconded by Commissioner Steinbach, to approve the recommended action.

MOTION CARRIED by the following vote:

- AYES: Commissioners Dever, Steinbach, Stephens, Vice-Chair Graf, and Chair Cammarata
- NOES: None
- ABSENT: Commissioner Santos
- RECUSED: Commissioner Mattingly

Commissioner Mattingly returned to the dais.

- b. **DISCUSSION AND CONSIDERATION OF ZONING TEXT AMENDMENT NO. 2023-08, AN AMENDMENT TO LOMITA MUNICIPAL CODE TITLE XI (PLANNING AND ZONING), CHAPTER 1 (ZONING), ARTICLE 30 (RESIDENTIAL ZONES) REGARDING SECONDARY FRONT SETBACKS FOR ACCESSORY DWELLING UNITS ACCORDING TO STATE OF CALIFORNIA REQUIREMENTS AND FINDING THE ACTION TO BE**

EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (Applicant: The City of Lomita)

RECOMMENDED ACTION: Continue the item until after research and communication with the State Department of Housing and Community Development is complete.

Director Rindge requested continuation of the item.

As there were no questions from the Commission, Chair Cammarata opened the public hearing at 6:24 p.m. As there were no requests from the public to speak on this item, Chair Cammarata continued the public hearing to a future meeting at 6:24 p.m. and invited Commission discussion or a motion.

Commissioner Steinbach made a motion, seconded by Commissioner Stephens, to approve the recommended action.

MOTION CARRIED by the following vote:

- AYES: Commissioners Dever, Mattingly, Steinbach, Stephens, Vice-Chair Graf, and Chair Cammarata
- NOES: None
- ABSENT: Commissioner Santos

5. SCHEDULED MATTERS

a. DISCUSSION AND CONSIDERATION OF UPDATING THE PLANNING COMMISSION BYLAWS *(Continued from the July 10, 2023, and August 14, 2023, meetings)*

RECOMMENDED ACTION: Provide specific direction to staff to update the bylaws and return to the Planning Commission with a draft resolution accordingly.

Director Rindge presented the staff report per the agenda material.

Commission discussion was held relative to eliminating the City Council meeting requirement, updating the meeting time to 6:00 p.m., changing or eliminating the number of annual absences allowed, altering the City Council procedure for responding to excessive absences, and the definition of an excused absence. It was the consensus of the Commission to direct Director Rindge to make any changes she felt would be beneficial based upon this discussion.

Chair Cammarata invited public comment.

George Kivett, Lomita resident, expressed disappointment in inconsistencies pertaining to public comment on Scheduled Items. He agreed that there is no need for Planning Commission representation at City Council meetings unless a Planning-related item is on the agenda, and felt that three allowable absences per year is reasonable.

As there were no further requests from the public to speak on this item, Chair Cammarata brought the item back for further discussion. It was Commission consensus to direct staff to return with a resolution and ordinance amending Planning Commission rules of operation:

- 1) Correct the meeting time to 6:00 p.m.
- 2) Allow excusable absences
- 3) Amend the venue for determination of seat vacancy due to absences
- 4) Remove the in-person City Council meeting attendance requirement.

b. DISCUSSION AND CONSIDERATION OF LAND USE ALTERNATIVES FOR THE GENERAL PLAN UPDATE

RECOMMENDED ACTION: Recommend to City Council one of the conceptual Land Use Alternatives, a combination of Alternatives, or an Alternative with amendments, and for the General Plan Update team to prepare the Preferred Land Use Plan.

Director Rindge presented the staff report per the agenda material. She introduced Perry Banner, Principal Planner with De Novo Planning Group, the City’s General Plan consultant, who gave the background and purpose of the General Plan. He presented the findings in the Land Use Alternatives Report, which provided four alternatives:

- 1) Business as Usual
- 2) Baseline
- 3) Core & Perimeter
- 4) Neighborhood Nodes

Mr. Banner outlined each alternative including its pros and cons, and shared a Development Potential Comparison of Potential Buildout. He also touched on mobility, fiscal, and infrastructure considerations.

Chair Cammarata invited discussion from the Commission, which included such topics as the likelihood of small businesses in the City succeeding with larger competition nearby with better prices, consolidation of the small, independently owned parcels in Lomita, and making the Pacific Coast Highway area more pedestrian friendly.

As there was no further discussion from the Commission, Chair Cammarata invited public comment.

George Kivett, Lomita resident, supported preserving the scale of the downtown area and the Residential-1 and Residential-2 Zones’ densities, and supported Alternative 2.

Commission consensus was to recommend to the City Council Alternative 2 with a bit of Alternative 3 sprinkled in.

c. COMMUNICATIONS REGARDING CITY COUNCIL ACTIONS

Director Rindge commented on the following:

- 1) A resolution of public convenience and necessity for Grocery Outlet
- 2) A zone text amendment regulating murals Citywide
- 3) A zone text amendment allowing the density bonus to be applied to mixed-use buildings with four or fewer units

- 4) Updates to the Citywide User Fee Schedule and adoption of an online system for Code Enforcement appeals

Director Rindge also commented on a collaboration between the City and USC public service/economic development graduate students.

d. UPCOMING DEVELOPMENTS AND BUSINESSES

Director Rindge stated that the Target Store opening has been postponed to spring, and there is still no word on Grocery Outlet's opening but it has completed all City requirements.

Brief discussion was held relative to vacant commercial properties in Lomita. Director Rindge stated that she would try to find out the total number of such properties.

6. OTHER MATTERS

a. STAFF ANNOUNCEMENTS

Chair Cammarata welcomed Assistant City Attorney Ornelas.

b. PLANNING COMMISSIONER ITEMS

Commissioner Stephens remarked on her attendance at the Traffic Calming Toolkit meeting in September at which she brought up some concerns.

Brief discussion took place regarding a local business which parks its vans on City streets overnight, creating visibility problems for drivers.

Vice-Chair Graf also spoke of his attendance at the Traffic Calming Toolkit meeting.

Chair Cammarata reported locations requiring graffiti abatement in the City, and spoke regarding parking enforcement for red zone violations.

Director Rindge stated that the City had recently hired a Parking Enforcement Supervisor.

c. COMMISSIONERS TO ATTEND CITY COUNCIL MEETINGS

Commissioner Stephens will attend the Tuesday, November 7, 2023, City Council meeting; Planning Commission representation at the Tuesday, November 21, 2023, City Council meeting is to be determined.

7. ADJOURNMENT

As there was no further business to discuss, Chair Cammarata adjourned the meeting, in memory of Steve Dever, at 8:11 p.m.

Linda E. Abbott, CMC, Deputy City Clerk

DRAFT



CITY OF LOMITA PLANNING COMMISSION REPORT

TO: Planning Commission

Item No. PH 4a

FROM: Laura MacMorran, AICP, Associate Planner

DATE: February 12, 2024

SUBJECT: Discussion and Consideration of Conditional Use Permit No. 327 at 24416 Crenshaw Boulevard, Units 4 & 5 To Sell Beer and Wine for On-Site Consumption, in the M-C (Light Manufacturing and Commercial) Zone and Find the Project Exempt from the California Environmental Quality Act (CEQA)

RECOMMENDATION

Adopt a resolution approving Conditional Use Permit No. 327, to allow a restaurant at 24416 Crenshaw Boulevard, Units 4 & 5 allowing sale of beer or wine for on-site consumption subject to the findings and conditions and find the request is exempt from the California Environment Quality Act (CEQA).

BACKGROUND

Jean-Luc and Veronique Chopin (“Applicants”) of Les Délices Du Chef request approval of Conditional Use Permit No. 327 to allow a restaurant at 24416 Crenshaw Blvd. Units 4 & 5 to offer beer and wine for on-site consumption within the Light Manufacturing and Commercial (M-C) Zone. The restaurant applied for a Type 41 ABC license. The City requires a Conditional Use Permit to allow for the sale of beer or wine for on-site consumption.

Existing Conditions

Located midblock south of Crenshaw Boulevard and north of the city of Torrance, the fully occupied shopping center faces Crenshaw Boulevard. The property has 132 feet of frontage and 12,672 ft² of lot area. The site contains 22 parking spaces in front of the building and two two-way driveways that intersect with Crenshaw Blvd. The 3,660 ft² building was converted from an industrial building to commercial building in 1980 (SP No. 365 and SP No. 365 revised).

Alcoholic Beverage Entitlements

The subject property does not maintain any active entitlements to sell alcoholic beverages for on-site or off-site consumption. None of the previous restaurants in this unit served beer and wine. Another unit contained a restaurant with beer and wine service but that has closed.

ANALYSIS

Environmental Determination

Pursuant to Section 15301 (Existing Facilities) of the CEQA guidelines, a project that consists of permitting or licensing involving negligible, or no expansion of use may be found to be exempt from the requirements of CEQA. The soon-to-reopen restaurant's addition of beer and wine is expected to be a negligible expansion of the use. The building's footprint will not be altered or expanded to accommodate the conditional use permit.

General Plan Designation

The General Plan land use designation for the subject property is industrial manufacturing. The industrial manufacturing designation permits light manufacturing and commercial uses, as well as public service facilities.

Zoning Designation & Code

The site is zoned Light Manufacturing and Commercial. Per Sec. 11-1.51.05(13), restaurants serving alcoholic beverages are allowed pursuant to Article 56 (Sale of Alcoholic Beverages). Section 11-1.56.02 requires a conditional use permit for the sale of alcoholic beverages for on-site consumption.

Adjacent Zoning and Land Uses

Direction	Zone and Land Use
North & East	RVD-1000 (Residential Variable Density) Zone Land use: Residential (Sunset Gardens)
South	M-1 (Limited Manufacturing & Commercial) District in Torrance Land use: Commercial (Retail Shops)
West	P.D (Planned Development) District City of Torrance Land use: Commercial (Crossroads Shopping Center)

Development Standards Review

Staff reviewed the project and site per the applicable City code requirements as follows.

<u>Zoning Code Requirement</u>	<u>Request</u>	<u>Allowed/Required</u>	<u>Compliance</u>
Use	Restaurant serving beer and wine (Type 41 license)	Permitted in M-C with CUP for on-site consumption of beer and wine	Yes
Off-Street Parking Sec.11-1.66.03(B)	21 standard spaces + 1 ADA space	1 space / 200 ft ² of gross floor area (3,660 ft ² /200 ft ² = 18 spaces)	Yes
Trash	Existing trash area on the southerly side of the building	Will comply with building code and state laws on recycling	Yes

Restaurant Comparisons

It is generally understood that a restaurant is an on-site eating establishment with complete kitchen cooking facilities. The Planning Commission may authorize the sale of beer and wine for on-site consumption (Type 41) as an ancillary component of the bona fide restaurant business.

The City consistently requires that any restaurant serving alcoholic beverages must keep the kitchen open during the hours that allow alcoholic beverage sales. Conditions of the proposed resolution (Attachment 1) ensures that the restaurant's operations remain a restaurant first and foremost and that customers may order food at all times during beer and wine service.

Although the applicant requests to serve beer and wine from 6 a.m. to 6 p.m., staff recommends authorizing the sale of beer and wine for on-site consumption from 6:00 a.m. to 9:00 p.m. Sundays through Saturdays as the CUP runs with the land and a dinner-serving restaurant may move in. These expanded hours are similar to the other Lomita restaurants' hours, which follow.

<u>Restaurant</u>	<u>Address</u>	<u>Operating Hours</u>
<i>Les Délices Du Chef</i>	<i>24416 Crenshaw Blvd. Units 4 & 5</i>	<i>Proposed 6 a.m. – 6 p.m. Recommended 6 a.m. – 9 p.m.</i>
Katsu Bar	24218 Crenshaw Blvd.	Sundays – Thursdays 11 a.m. to 11 p.m. Fridays & Saturdays 11 a.m. – 12 p.m.
Kotosh	2408 Lomita Blvd, Suite C	Sundays – Thursdays 11 a.m. – 8 p.m. Fridays & Saturdays 11 a.m. – 9 p.m.

Public Safety

The City has five reporting districts and the subject property is located in Reporting District (RD) 1711 which includes the area north of Pacific Coast Highway to Lomita Boulevard, from Oak Street to Crenshaw Boulevard. Crime Data for 2023 was not yet available in time for this report. Reporting District 1711's 2022 incidents related to or possibly related to alcohol included three drunk incidents, three disorderly conduct incidents, and two drunk driving incidents. In 2021 and 2019, there were fewer absolute incidents in each of the categories that said the increase is very small. Any substantial escalation in alcohol-related crimes will be analyzed. Over the past year, the property called to report a suspicious person and an illegally parked vehicle.

Public Works

The water line is not equipped with a backflow device. Condition No. 16 requires installation for health and safety reasons.

Conditional Use Permit

Staff reviewed the project in accordance with Section 11-1.70.09 (Conditional Use Permit) of the Lomita Municipal Code (LMC) and advises that the project is consistent with required findings as detailed within the proposed resolution (see Attachment 1).

Any business selling alcoholic beverages for off-site or on-site consumption shall be located a minimum of 300 feet from schools, parks, public recreation areas and any other use determined to be a sensitive use by the City. In past practice, staff classified residential uses as a sensitive use because noise impacts and other potential nuisances could adversely affect quality of life. Technically, if measuring from property line to property line, dwellings on the following nearby residential streets are within 300 feet of the subject property. All are orientated away from or across the street from the subject property.

Sensitive Land Use	Address
School	2458 Lomita Blvd
Residential Dwellings	24410 Crenshaw Blvd

Per Section 11-1-56.03 (D) of the LMC, the Planning Commission may modify the distance requirements when granting a conditional use permit if the following additional findings can be made. This section enables the City to scrutinize the impacts of a new or modified alcohol use on existing sensitive uses.

Sale of Alcoholic Beverages

Staff reviewed the project in accordance with LMC's Title XI Chapter 1 Article 56 (Sale of Alcoholic Beverages) and advises that the project is consistent with required findings as detailed within the proposed resolution (see Attachment 1).

PUBLIC NOTICE

Notices of this hearing dated February 1, 2024, were mailed to property owners within 300 feet of the subject property and posted on the Lomita City webpage and at Lomita City Hall and Lomita Park.

ATTACHMENTS

1. Resolution
2. Vicinity Map
3. Zoning Map
4. General Plan Map
5. Aerial Photograph
6. Notice of Exemption
7. Site and Floor Plans
8. Menu

Prepared by:

Laura MacMorran

Laura MacMorran, AICP
Associate Planner

Reviewed by:

Brianna Rindge

Brianna Rindge, AICP
Community & Economic Development Director

RESOLUTION NO. PC 2024-01

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOMITA APPROVING A REQUEST FOR CONDITIONAL USE PERMIT NO. 327 TO ALLOW A RESTAURANT AT 24416 CRENSHAW BOULEVARD, UNITS 4 & 5 TO OFFER BEER AND WINE FOR ON-SITE CONSUMPTION WITHIN THE LIGHT MANUFACTURING AND COMMERCIAL (M-C) ZONE. FILED BY JEAN-LUC AND VERONIQUE CHOPIN OF LES DÉLICIES DU CHEF AT 24416 CRENSHAW BOULEVARD UNIT 4 & 5, LOMITA, CA 90717 (APPLICANTS) (APN: 7376-001-017)

THE PLANNING COMMISSION OF THE CITY OF LOMITA DOES HEREBY FIND, ORDER, AND RESOLVE AS FOLLOWS:

Section 1. Recitals

- A. The City of Lomita received an application to allow an existing restaurant at 24416 Crenshaw Boulevard, Units 4 & 5 to offer beer and wine service each day of the week starting at 6:00 a.m. Filed by Jean-Luc and Veronique Chopin, 3610 W 224th Street, Torrance, CA 90505 (applicants).
- B. On February 12, 2024, the Planning Commission of the City of Lomita held a duly noticed public hearing and accepted public testimony for an application.
- C. The project is categorically exempt pursuant to Section 15301 (Existing Facilities) of the California Environmental Quality Act guidelines. The project consists of permitting a license to sell beer and wine for on-site consumption, which is a negligible expansion of the onsite activities.
- D. The Planning Commission finds that the Applicants agrees with the necessity of and accepts all elements, requirements, and conditions of this resolution as being a reasonable manner of preserving, protecting, providing for, and fostering, the health, safety, and welfare of citizens in general including those who access the site.

Section 2. Findings

The amendment to the existing Conditional Use Permit is subject to the Conditional Use Permit findings contained in Lomita Municipal Code Section 11-1.70.09 (Conditional Use Permit). The required findings below are shown in italicized type and the reason(s) the project is consistent is shown in regular type. Planning Commission finds, after due study and deliberation, that the following circumstances exist:

1. *The proposed use is allowed within the district with the approval of a CUP and complies with all other applicable requirements of Article 70 (Zoning Ordinance) of the Lomita Municipal Code.*

Subject to the requirements of Article 56 (Sale of Alcoholic Beverages), restaurants serving alcoholic beverages are permitted in the M-C Zone with the approval of a conditional use permit (Section 11-1.51.05(13)).

2. *The proposed use is consistent with the General Plan.*

The General Plan land use designation for the subject property is industrial manufacturing. This designation provides for light manufacturing and commercial uses, as well as public service facilities. Commercial uses are the dominant type of uses within this area. A restaurant provides goods and services directly to the consumer and is considered a retail commercial use, which is consistent with the designation.

In addition, this project aligns with the Economic Development Element's mission to support the development and expansion of existing businesses and the Element's policies to promote the improvement and revitalization of existing commercial areas and neighborhood shopping centers. Diverse uses with varying hours of peak demand contribute to a successful shopping center.

3. *The site and building's design, location and size are compatible with existing and future land uses, building and structures in the vicinity and the proposed use will not jeopardize, adversely affect, endanger, or otherwise constitute a menace to the public health, safety, or general welfare or be materially detrimental to the property of other persons located in the vicinity.*

The shopping center and units at 24416 Crenshaw Boulevard face Crenshaw Boulevard. The footprint will remain unchanged. Adding beer and wine to a restaurant for onsite consumption will not adversely affect the public welfare or be detrimental to businesses and properties in the vicinity. The restaurant hours and beer and wine service are in keeping with the surrounding uses. A restaurant that sells beer and wine from 6 A.M. to 9 P.M. corresponds to other restaurants in the area. Specifically, 1935-1937 Pacific Coast Highway serves beer and wine until 10 P.M. Sunday to Thursday and until 11 P.M. on Friday to Saturday. The building sits 5 feet from the northerly and southerly property lines and the trash area is located on the property's southerly side adjacent to commercial. Coupling appropriate operating hours with the proposed operating conditions, beer and wine service at the restaurant is compatible with existing and future land uses and will not constitute a public nuisance or be materially detrimental to properties in the vicinity. The proposed beer and wine service coincides with mealtimes and does not extend into late night service hours.

Several conditions of approval (COA No.13 & COA No. 14) intend to ensure that operations are consistent with a bona fide eating establishment/restaurant use, protect the general welfare of employees and customers, and maintain the look and feel of a restaurant.

The commercial center's trash area is located away from the nearby residences and,

while unlikely to cause significant disturbance, Condition of Approval No. 11 requires bottles and cans to be disposed of not later than 30 minutes after closing to provide added protection.

- 4. The site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this chapter, or as required as a condition in order to integrate the use with the uses in the neighborhood.*

The project does not require physical changes to the site layout related to buildings and parking. The site was developed in the 1960s and modified in 1980 to a commercial shopping center. The tenant mix meets Lomita Municipal Code's 1 space per 200 ft² parking requirement for a mixed commercial use property with 10,000 – 50,000 ft². LMC's Sec. 11-1.60.03 requires facilities to be maintained. When Site Plan No. 365 was approved, one shade tree was required for every ten parking spaces. Presently, the planter area does not contain any trees; therefore, COA No. 15 requires planting of two shade trees.

- 5. The site is served by highways and streets adequate to carry the kind and quantity of traffic such use would generate.*

The project is along Crenshaw Boulevard; a six-lane roadway and a left center turn lane exists in front of the subject site. This arterial street and its design can adequately carry the kind and quantity of traffic the proposed use will generate.

Section 3. Distance Requirement Findings

Any business selling alcoholic beverages for off-site or on-site consumption shall be located a minimum of 300 feet from schools, parks, public recreation areas, and any other use determined to be a sensitive use by the Community Development Director per Lomita Municipal Code Section 11-1.56.03(C). Nishiyamoto Academy, and Sunset Gardens condominiums exist within 300 feet of the subject property. Section 11-1-56.03(D) of the Lomita Municipal Code states that the Planning Commission may modify the distance requirements when granting a conditional use permit if the following additional findings can be made. This section enables the City to scrutinize the impacts of new alcohol use or modification on existing sensitive uses.

- 1. The proposed use will not have an adverse impact on public safety. Factors that could be considered to determine impact include but are not limited to Los Angeles County Sheriff Department's crime statistics for the underlying and surrounding reporting districts, Los Angeles County Sheriff's Department's crime statistics for the underlying and surrounding properties, and the types of crime within those same areas.*

While properties containing sensitive uses are located within 300 feet of the subject property, public roadway and sidewalk access provides more than a 300-foot path of travel from the restaurant to these uses. On-site consumption of beer and wine at a

restaurant will not impact safety of the sensitive uses because service is solely dine-in and neither beer nor wine will be sold in containers for off-site consumption.

2. *The business will provide beneficial commercial vitality to the area.*

Adding beer and wine service for on-site consumption to the proposed restaurant use improves the economic opportunities for the restaurant, which thereby provides residents and their families with more local dining options.

3. *The use will not be objectionable or detrimental to surrounding properties and the neighborhood.*

Restaurants have operated at this location for many years and this establishment should not cause any objectionable effects on the surrounding properties. All access is from Crenshaw Boulevard. A parking area buffers the adjacent residential building from the subject unit. Other properties separate the school on Lomita Boulevard from the subject property.

Section 4. Based on the above findings, the Planning Commission of the City of Lomita hereby approves Conditional Use Permit No. 327 subject to the following conditions:

GENERAL PROJECT CONDITIONS

1. The project shall conform to the plans, except as otherwise specified in these conditions, or unless a minor modification to the plans is approved by the Community and Economic Development Director or a major modification to the plans is approved by the Planning Commission.
2. This permit is granted for the Applicants' application received on January 8, 2024, on file with the Planning Division, and may not be transferred from one property to another.
3. By commencing any activity related to the project or using any structure authorized by this permit, Applicants accepts all the conditions and obligations imposed by this permit and waives any challenge to the validity of the conditions and obligations stated therein.
4. This permit shall not be effective for any purpose until a duly authorized representative of the owner of the property has filed with the Department of Community Development, a notarized affidavit accepting all the conditions of this permit. If the Applicants is a corporation, then an officer of the corporation shall sign the acceptance affidavit.
5. This permit shall automatically be null and void two years from the date of issuance unless a business license has been issued by the City of Lomita. A request for a one-year extension may be considered by the Planning Commission. No extension

shall be considered unless requested prior to the expiration date.

6. In the event of a disagreement in the interpretation and/or application of these conditions, the issue shall be referred back to the Planning Commission.
7. It is hereby declared to be the intent that if any provision of this permit is held or declared invalid, the permit shall be void and the privileges granted hereunder shall lapse.
8. All outstanding fees owed to the City, including staff time spent processing this application, shall be paid in full.

PLANNING CONDITIONS

9. All crimes occurring inside or outside the project property shall be reported to the Lomita Station of the Los Angeles County Sheriff's Department at the time of the occurrence.
10. The business may serve beer and wine for onsite consumption from 6:00 A.M. and until 9:00 P.M., every day of the week, and if the restaurant is open during these hours, the kitchen must be operating and serving food.
11. Trash shall be deposited into dumpsters no more than 30 minutes after closing. Bottles shall be deposited into the dumpsters no more than 30 minutes after sales end.
12. Any outdoor dining shall conform with the City's outdoor dining ordinance.
13. The windows shall not advertise the brand names of alcoholic products. The words "beer", "wine", and words that convey similar meaning may be used as part of the allowable wall sign area.
14. At least 75% of the existing windows and entry door shall consist of clear glass. Signage, architectural designs, films, or opaque glass that prevent visibility into the restaurant shall be limited to 25% of the combined window and entry door area (operable window coverings are not included in this calculation). With Director of Community and Economic Development approval, up to 50% of the window and entry door area may be opaque.
15. Two shade trees shall be planted in the parking lot's planter area. The trees shall be spaced at least 25 feet apart.

PUBLIC WORKS CONDITIONS

16. Installation of a water line backflow device to ensure that drinking water is not contaminated due to backflow.

INDEMNIFICATION

Applicants agrees, as a condition of adoption of this resolution, at Applicants' own expense, to indemnify, defend and hold harmless the City and its agents, officers and employees from and against any claim, action or proceeding to attack, review, set aside, void or annul the approval of the resolution or any condition attached thereto or any proceedings, acts or determinations taken, done or made prior to the approval of such resolution that were part of the approval process. Applicants' commencement of construction or operations pursuant to the resolution shall be deemed to be an acceptance of all conditions thereof.

COMPLIANCE

If Applicants, owner, or tenant fails to comply with any of the conditions of this permit, the Applicants, owner or tenant shall be subject to a civil fine pursuant to the City of Lomita Municipal Code.

If any of the conditions of the Minor Conditional Use Permit are not complied with or upon notice of a violation by the Code Enforcement Division, the Planning Commission, after written notice to the Applicants and a noticed public hearing, may in addition to revoking the permit, amend, delete, or add conditions to this permit at a subsequent public hearing.

PASSED, APPROVED, and ADOPTED by the Planning Commission of the City of Lomita on this 12th day of February 2024 by the following vote:

AYES: Commissioners:
NOES: Commissioners:
ABSENT: Commissioners:

Steven Cammarata, Chairperson

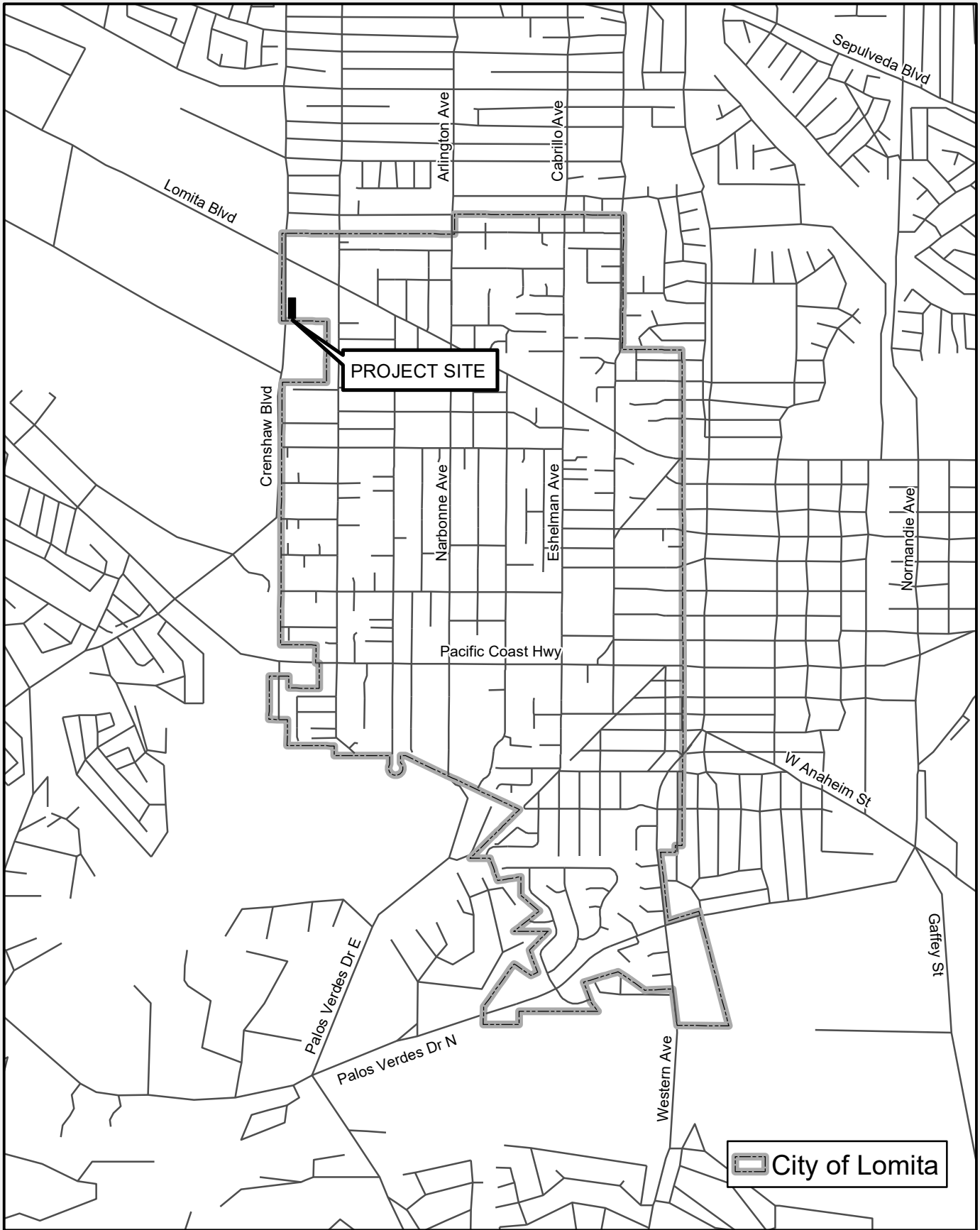
ATTEST: _____
Brianna Rindge, AICP
Community and Economic Development Director

Within 30 days of the date of this decision for an exception, permit, change of zone, or other approval, or by the person the revocation of whose permit, exception, change of zone, or other approval is under consideration, of notice of the action of, or failure to act by, the Commission, any person dissatisfied with the action of, or the failure to act by, the

Commission may file with the City Clerk an appeal from such action upon depositing with said Clerk an amount specified by resolution of the City Council.

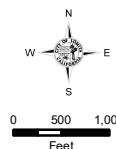
Any action to challenge the final decision of the City made as a result of the public hearing on this application must be filed within the time limits set forth in Code of Civil Procedure Section 1094.6.

DRAFT



Conditional Use Permit
No. 327
24416 Crenshaw Blvd.

Community Development



Source: Lomita GIS Data Layers, TIGER Files
 GIS/Apps/2244PCH_4vty.mxd

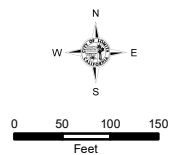


Conditional Use Permit 327
24416 Crenshaw Boulevard
Units 4 & 5

Community & Economic
 Development

February 2024

Source: GIS ArcReader



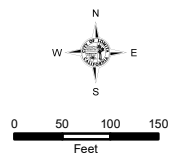


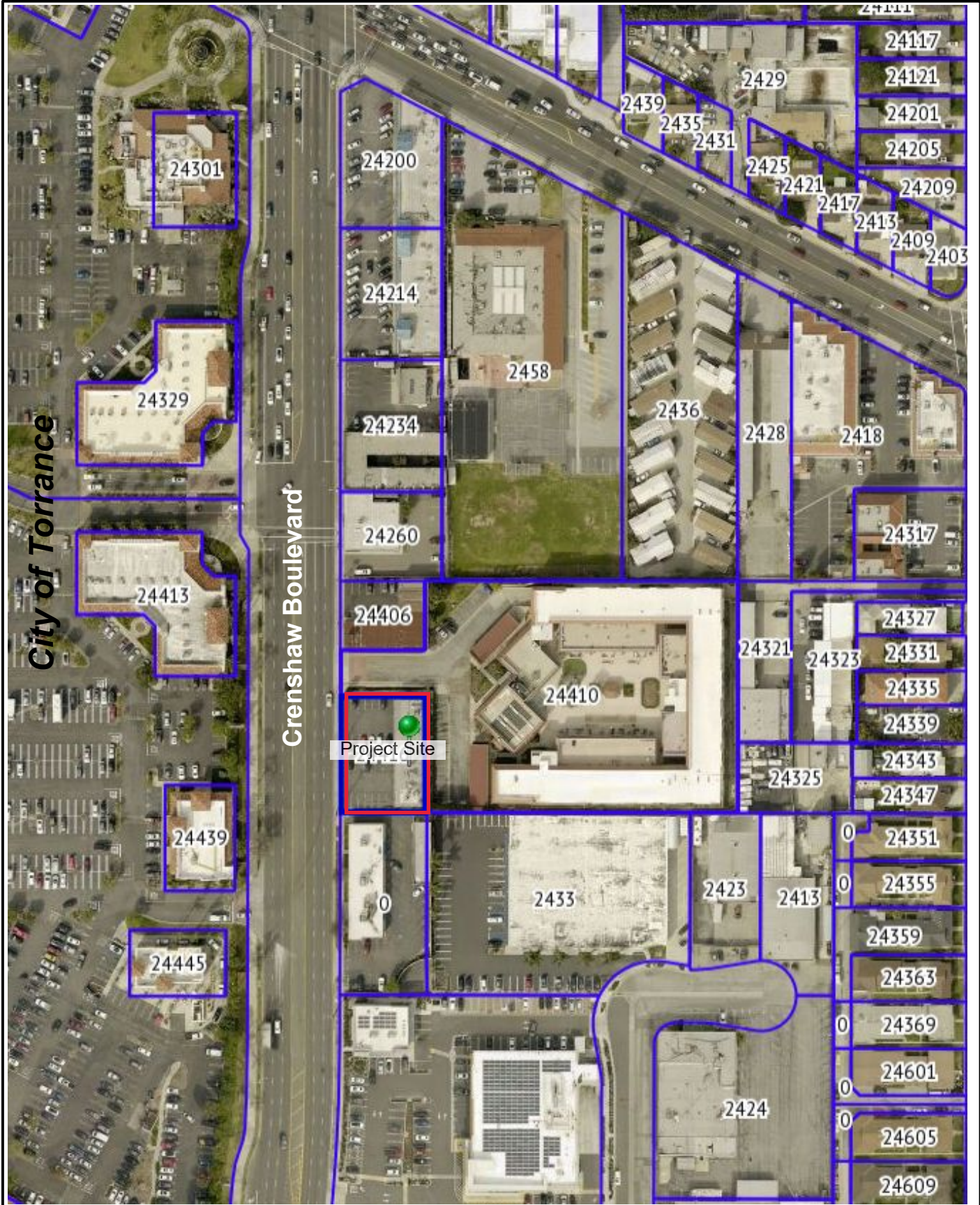
Conditional Use Permit 327
24416 Crenshaw Boulevard
Units 4 & 5

Community & Economic
 Development

February 2024

Source: GIS ArcReader





City of Torrance

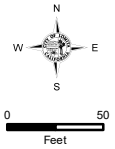
Crenshaw Boulevard

Project Site



Conditional Use Permit 327
24416 Crenshaw Boulevard

Community & Economic
 Development Department
 February 2024
 Image Source: Connect Explorer





Community Development Department
 Planning Division
 24300 Narbonne Avenue
 Lomita, CA 90717
 310/325-7110
 FAX 310/325-4024

NOTICE OF EXEMPTION

Project Title: Conditional Use Permit No. 327

Project Description: A request for a Conditional Use Permit No. 327 at 24416 Crenshaw Blvd. Unit 4 & 5 in the M-C (Light Manufacturing and Commercial) Zone

Finding:

The Planning Division of the Community Development Department of the City of Lomita has reviewed the proposed project and found it to be exempt from the provisions of the California Environmental Quality Act (CEQA).

- Ministerial Project
- Categorical Exemption (CEQA Guidelines, Section 15301(a) (Existing Facilities))
- Statutory Exemption
- Emergency Project
- Quick Disapproval [CEQA Guidelines, Section 15270]
- No Possibility of Significant Effect [CEQA Guidelines, Section 15061(b)(3)]

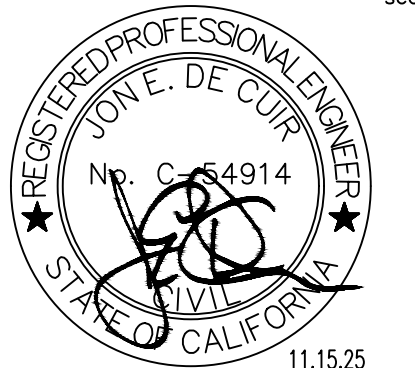
Supporting Reasons: In accordance Pursuant to Section 15301 (Existing Facilities) of the CEQA guidelines, a project that consists of permitting or licensing involving negligible expansion of use may be found to be exempt from the requirements of CEQA. The proposed conditional use permit for beer and wine on-site consumption at an existing restaurant is a permitting activity. Therefore, the Planning Commission has determined that there is no substantial evidence that the project may have a significant effect on the environment.

Date

Laura MacMorran, AICP
 Associate Planner

All designs, ideas & plans represented by these drawings are the exclusive property of 3-1 Development Inc. and shall not be reproduced in part or whole without the prior written permission of 3-1 Development, Inc. Any unauthorized use of these plans other than for the project and location shown is strictly prohibited.

seal:



FOR PLAN CHECK

TENANT IMPROVEMENT FOR

LES DELICES DU CHEF

24416 Crenshaw Blvd.,
 Space #4-5,
 Lomita, CA 90717

PLAN ISSUANCE

PLAN CHECK	DATE
	11.15.23

PLAN REVISIONS

NO.	DESCRIPTION	DATE
△ -	-	-

PROJECT NUMBER
23-025
 designer: dt
 checked: dts

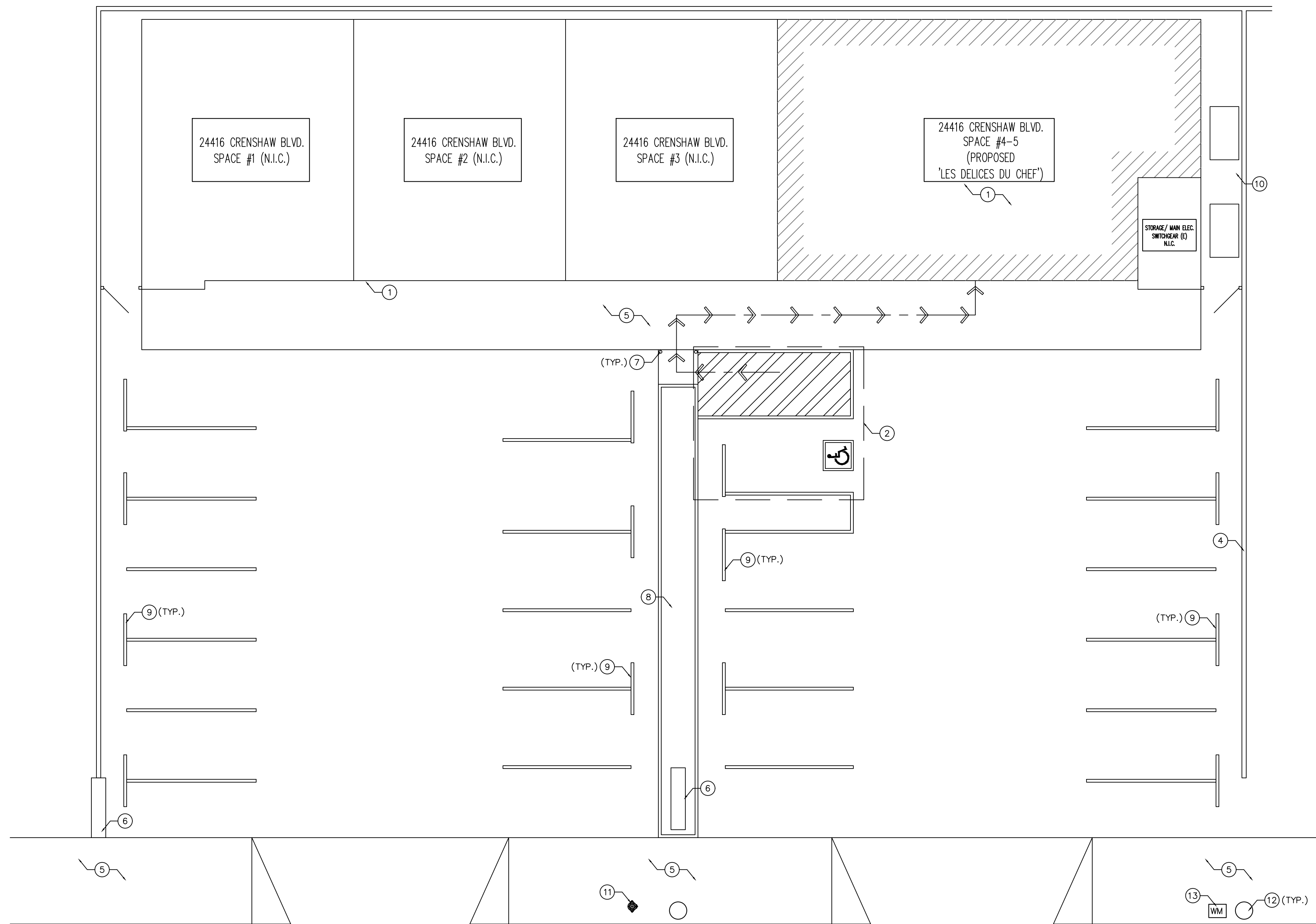
SHEET NUMBER & NAME
SITE PLAN
A-1.0

PLAN NOTES

- SEE GRADING PLAN FOR EXISTING ELEVATIONS, GRADING AND DRAINAGE INFORMATION (INCLUDING EROSION CONTROL MEASURES).

NOTES BY SYMBOL (X)

- SCOPE OF WORK UNDER THIS PERMIT.
- EXISTING DISABLED ACCESS PARKING STALL & LOADING AREA - UPGRADE PER DETAIL 1/A-1.1
- DISABLED PATH OF TRAVEL, MAX 2% SLOPE IN ALL DIRECTIONS.
- EXISTING 5 FT. HIGH CMU PROPERTY WALL - NO CHANGES.
- PUBLIC SIDEWALK - NO CHANGES
- EXISTING MONUMENT SIGNAGE - NO CHANGES
- EXISTING BOLLARD - NO CHANGES
- EXISTING LANDSCAPE - NO CHANGES
- EXISTING PARKING STOP CURB - NO CHANGES
- EXISTING TRASH ENCLOSURE - NO CHANGES
- EXISTING FIRE HYDRANT - NO CHANGES
- EXISTING POWER POLE - NO CHANGES
- EXISTING WATER METER - NO CHANGES



CRENSHAW BLVD.



SITE PLAN
 SCALE 1/8" = 1'-0"



LES DELICES DU CHEF

24416 CRENSHAW BLVD.,
SPACE #4-5,
LOMITA, CA 90717





LES DELICES DU CHEF

24416 CRENSHAW BLVD.,
SPACE #4-5,
LOMITA, CA 90717



BREAKFAST

- Brigette/Trouche with spread (Lard/Fat/Flour)
- Vanille (Custard, chocolate, vanilla, almond, orange)
- French Croissant Toss with bacon
- Crustard baguette with ham and cheese
- Yogurt (vanilla with fresh fruit)

LUNCH

Egg

- Egg, ham & cheese served with salad and rosemary potatoes or fresh fruits
- Cheese omelette served with half sweetfish or fruit
- Sourdough egg served with salad and rosemary potatoes or fresh fruits
- Egg as part served with salad and rosemary potatoes or fresh fruits
- Egg, French (large) with fresh, homemade sauce

Sandwiches

- Cheddar and cheese board with bread (croissants, ciabatta, focaccia, cheese)
- Cheese (Korean/Mexican) - half sandwich cut fruit
- Ham and cheese croissant - half sandwich cut fruit
- Fresh Veggie sandwich (eggplant, tomato, pineapple, cheese)
- Fresh Veggie sandwich (eggplant, tomato, pineapple, cheese)
- Cheddar and Ham (grilled onion, lettuce, tomato, spicy jam)
- Salad Potato chicken sandwich (lettuce, mayonnaise, tomato)
- PHY cheese bread sandwich (Cubano Burger (cheeseburger and avocado)

Salads

- Mediterranean green salad, Greek feta, olive, tomato, chickpeas, vinaigrette dressing
- Hot goat cheese (Romano salad, Tomato, Cucumber, goat cheese, vinaigrette dressing)
- Chicken caesar salad (Parmesan, Parmesan, chicken breast, caesar dressing, parsley)

Snaps

- Mushroom soup (fresh mushroom, cream, onion)
- Leek and Potato soup (French Chien Soup both cheese and croissant)

Quiche

- Quiche and leek (Dried, green pepperoni base, and Ham)
- Quiche (Dried, green pepperoni base, and Ham)
- Roasted chicken with fries
- Quiche with ham
- Quiche with spinach
- Quiche with cheese

LES DELICES DU CHEF

24416 CRENSHAW BLVD.,
 SPACE #4-5,
 LOMITA, CA 90717





3-1 DEVELOPMENT, INC
DISCOVER. DESIGN. DEVELOP.

LES DELICES DU CHEF

24416 CRENSHAW BLVD.,
SPACE #4-5,
LOMITA, CA 90717



LES DELICES DU CHEF

24416 CRENSHAW BLVD.,
SPACE #4-5,
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LES DELICES DU CHEF

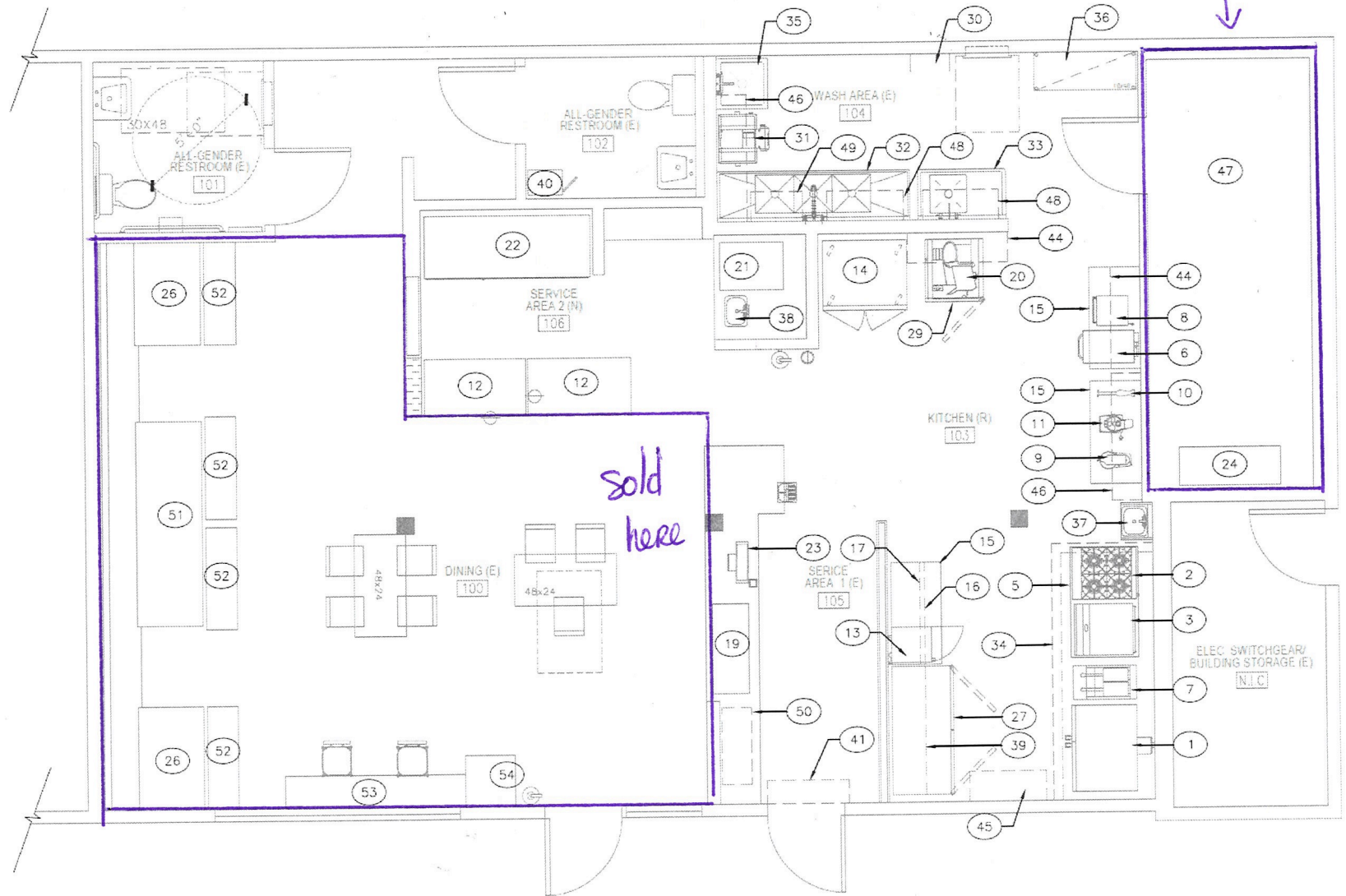
24416 CRENSHAW BLVD.,
SPACE #4-5,
LOMITA, CA 90717



LES DELICES DU CHEF

24416 CRENSHAW BLVD.,
SPACE #4-5,
LOMITA, CA 90717

stored here



Menu Restaurant

DRINKS:

Coffee
Tea
Fresh Juices

BREAKFAST:

Baguette/Brioche with spreads
Jam/Butter/Honey

Viennoiserie
Butter /Chocolate and Almond
croissant

French Cinnamon Toast with
Bacon

Toasted bagels with cream
cheese

Yogurts/ Granola
With fresh fruits

Eggs and Omelet

Ham & cheese or Spinach mushroom &
sundried tomato

Salad/Sautéed Rosemary

Potatoes or Fresh cut fruit

Omelet croissant

Half salad/fresh cut fruit

Scrambled Eggs

Half salad/Sautéed Rosemary potatoes or
Fresh cut fruits

Œufs au plat

3 eggs with half salad/Sautéed Rosemary
potatoes or Fresh cut fruits

Egg Benedict

English Muffin/Sautéed spinach and
hollandaise sauce

Plate of Charcuterie:

Melon Prosciutto
Salami
Mortadella
Spicy jack or Swiss

SANDWICHES:

Croque Monsieur/Madame

Half salad/fresh cut fruit

Ham & Cheese Croissant

Half salad/fresh cut fruit

Panini Veggie sandwich

Grilled eggplant/ zucchini (green and
yellow) Provolone cheese

Panini Hot Tuna

Salad, tomato, tuna and Provolone cheese

Cheese Burger and fries or

Cheese Burger a cheval

Grilled onions, lettuce, tomato, spicy jack
cheese

Grilled chicken pesto sandwich

Grilled breast chicken, tomato and Mozzarella
cheese

Italian pesto Panini sandwich

Pesto, Mozzarella and tomato

Merguez Sandwich

Grilled Beef lamb sausage, grilled onions and
tomatoes with fries/salad

Philly cheese steak sandwich

Beef steak, grilled onions, red and green
pepper, provolone cheese and salad

Special Delice Burger

Provolone cheese, grilled onion, tomato
lettuce , avocado, double burger

SALADS:

Nicoise

Mixed green salad, Green beans, tuna, steamed potatoes, olives and anchovies, vinaigrette sauce

Hot Goat Cheese

Romaine salad, tomatoes, parsley garlic croutons, goat cheese and vinaigrette sauce

Chicken Caesar Salad

Romaine salad, parmesan cheese, grilled breast chicken, Caesar dressing and garlic parsley parmesan croutons

ENTREES:

Soup:

Mushroom soup

Fresh mushrooms, cream, lemon

Leek potato soup

Leek potato and cream

Onions soup

Roasted fresh onions, white wine and beef stock, garlic parsley crouton with Comte cheese

Boeuf Bourguignon

Red wine sauce and mashed potatoes

Roasted Chicken,

Mustard mushroom Sauce and French fries

Steak & Frites

Sauce au poivre and side of salad

QUICHES

Ham and Comte cheese

Spinach

Onion

Comte cheese

DESSERTS:

Crème Brûlée

Mille Feuilles

Profiterole with ice cream and hot chocolate

Fruits Tarts

Lava Cake with vanilla ice cream

Almond tart



CITY OF LOMITA PLANNING COMMISSION REPORT

TO: Planning Commission **Item No. PH 4b**

FROM: Laura MacMorran, AICP, Associate Planner

THROUGH: Brianna Rindge, AICP, Community & Economic Development Dir.

MEETING DATE: February 12, 2024

SUBJECT: Discussion and Consideration of Zoning Text Amendment No. 2024-01, an Ordinance Amending Lomita Municipal Code Title XI (Planning and Zoning) to Allow, Through an Approved Conditional Use Permit, Two-Story Stacked Accessory Dwelling Units Up to 20 Feet in Height and to Review the Applicability of the California Environmental Quality Act (CEQA)

RECOMMENDATION

Adopt a resolution recommending approval of Zoning Text Amendment 2024-01 to the City Council and find the California Environmental Quality Act (CEQA) not applicable to the ordinance.

BACKGROUND

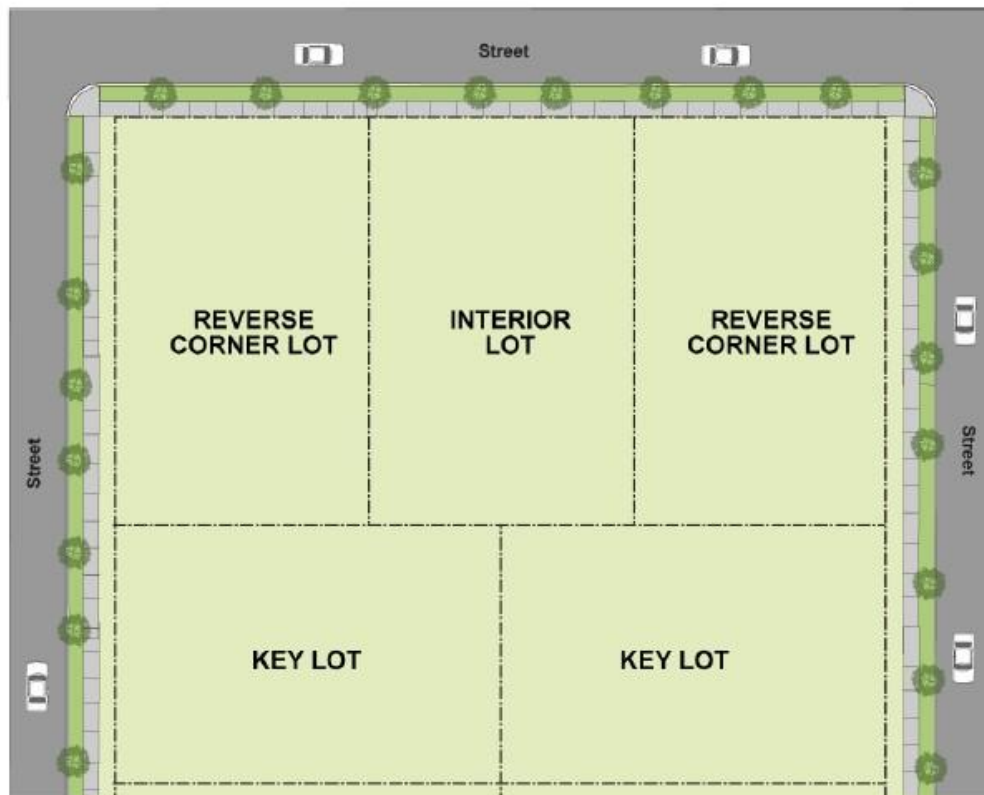
Rand Relatores, Rand Architecture, and Rick Buchta (owner of 26038 Oak Street) request to increase allowable ADU height from 16' to 20' to allow ADU stacking (one ADU on top of another) instead of require both on ground level. The co-applicants own a single-story, multifamily property within a multifamily zone so State law allows two ADUs, each up to 16' in height. Lomita allows ADUs up to 27' if built within the underlying zoning district's minimum required setbacks, but does not allow two stories of ADUs.

ANALYSIS

The applicants request additional by-right height allowance up to 20', however, staff recommends that such requests be processed on a case-by-case basis through Planning Commission approval through the conditional use permit process. The amendment would only apply to lots with a rear property line abutting an adjacent property's side property line and residential-zoned properties abutting nonresidential zones. The proposal includes a minimum rear yard setback of 5', the same distance the Code requires for a primary dwelling's side yard setback.

1) SUBDIVISION DESIGN & LOT ORIENTATION

The subdivision process is the method used to establish a city's street design and land configuration. Some areas of Lomita were subdivided in an orderly manner, and other properties were carved out incrementally and irregularly using grant deeds (this is no longer permitted). These idiosyncratic properties must adhere to the same development standards as regular blocks. Staff recognizes the prevalence of irregular property shapes and block configurations and supports offering an opportunity to use residential lots more efficiently, yielding significantly more open space. The proposal increases height and establishes 5' setback standards for properties abutting key lots (See Figure 1). Lomita's Municipal Code defines a key lot as "an interior lot adjoining the rear lot line of a reversed corner lot."



2) HEIGHT

In determining suitable height at a certain location, it is necessary to consider massing, road width, setbacks, location other buildings, and light. Any newly constructed, detached ADU with 4' side and rear yard setbacks may reach up to 16' in height, identical to Lomita's detached accessory structure's height standard (LMC Sec. 11-1.30.02). The difference is that accessory structures (such as garages) require a minimum of only 3' side and rear yard setbacks. Through the years, the State expanded circumstances allowing ADU height to exceed 16'. The following table summarizes City and State height standards.

Lomita’s Existing Accessory Structure Height & Setback Standards			
Building Type	Height	Side/Rear Setbacks	Source
Accessory structure (garage, workshop, etc.)	16’	3’/3’	Lomita
ADU new construction detached	16’	4’/4’	State
ADUs for properties with a multi-story, multifamily building	18’	4’/4’	State
ADUs located within 0.5 miles of 15 min. interval transit stop	20’ (18’ +2’ pitched roof)	4’/4’	State
ADUs attached to primary dwelling	25’ or height of principal structure, whichever is lower ^{1,2}	5’/20’	State
Detached ADUs that meet underlying zone setbacks	27’ ²	5’/20’	Lomita

¹ If an 800 ft² cannot be built, then the setbacks are modified.

² Height Variation Permit applies to properties south of PCH.

Not only does State law on ADUs change, bus line schedules sometimes change over time, so adjacent properties may have ADUs of differing height depending on when each ADU was built. This means that property owners may not have the ability to construct the same as their neighbor did the year prior. Many South Bay cities allow ADU heights greater than mandated by the State. Attachment 4 summarizes local height options.

As space on the ground is finite, additional building footprints directly impact available space for trees, landscaping, water infiltration, and parking. By offering an avenue through which an applicant may stack two ADUs rather than require the buildings to take up double the space on the ground, a meaningful portion of the open space on the ground level is preserved. In addition, the ability to capture airspace and preserve trees and landscaping via building footprint reduction lowers building costs.

The ordinance includes a provision that properties south of Pacific Coast Highway remain subject to the existing height variation permit public process.

3) KEY LOT DEFINITION

The City of Lomita defines a key lot as “an interior lot adjoining the rear lot line of a reversed corner lot.” This definition is restricted to a lot’s orientation to a reversed corner lot. In comparison, the City of Rolling Hills Estates defines a key lot as “a lot where the side lot line abuts the rear lot line of one or more other lots, and not separated by an

alley.” Similarly, Redondo Beach defines a key lot as “any lot where the side property line abuts the rear property line of one or more lots and where such lots are not separated by an alley or any public way.” Given the prevalence of irregularly configured lots in Lomita, a more expansive definition may prove more useful and fitting. Staff recommends updating the existing definition and replacing it with the language above.

4) ACCESSIBLE DESIGN & GENERAL PLAN

One of the General Plan’s Housing Element goals is to build an equitable and inclusive community (Goal 4). Also, the House Element’s Program 6 directs the City to adopt programs that incentivize creation of ADUs that can be offered at affordable rent or for those with disabilities. The Lomita population is older than the Metropolitan Statistical Area. As mobility decreases with age, designing more accessible units would provide more local housing options. Pursuant to State law, properties with a multifamily building may build two ADUs detached from the primary multifamily building by right. The proposed text amendment provides an opportunity for single-story ADUs to be combined into a two-story building. While second floor walk-up units will not increase the supply of accessible units, the ground floor units can adhere to crucial accessible design standards. Staff proposes requirements pertaining to bathroom turning radius, rough plumbing locations, rough electrical fixture locations, doorway framing widths, and entrance slope. Such minimum requirements make it simpler and less expensive to modify a dwelling unit to accommodate a person with physical challenges.

5) PLAN REVIEW & PROJECT AUTHORIZATION

Plan review is an administrative review process to verify that a project’s design complies with applicable codes. Some projects additionally require Planning Commission approval of discretionary entitlements, such as a site plan review or conditional use permit, where Planning Commission determines whether each individual, specific project meets the findings in Lomita Municipal Code Sec. 11-1.70.07(B) or Sec. 11-1.70.09(B).

The applicant team proposes a one-size-fits-all administrative review one for two-story ADUs on key lots. This streamlined process saves time and is less expensive than a discretionary review. An administrative review authorizes a project if it meets the development standards; however, there is not an opportunity to analyze the specific site and how it will affect the unique situation of the surrounding lots and buildings. If it could be seen with certainty that an amendment’s proposed development standards would satisfy the findings, regardless of lot or building configuration, a discretionary process would be unnecessary.

Rather, staff recommends requiring discretionary entitlement approval for two-story ADUs up to 20’. If blanket development standards may not confidently satisfy concerns arising from unique situations, case-by-case review instead could ensure a specific project does not cause materially detrimental or adverse impacts on adjacent properties. Discretionary approval provides the public an opportunity to express individual viewpoints, sometimes literally. Disadvantages include higher fees and extended time for approval. As Lomita contains many nonstandard properties, it is difficult to know with certainty that by-right approval won’t create any significant adverse effects or unintended consequences.

6) APPLICABILITY

Beyond the applicant's request, staff recommends that this text amendment apply to any residential lot/ADU that abuts a nonresidential lot. Such an amendment furthers the goals and policies of the recently adopted and certified Housing Element, providing a wider range of housing by size, affordability, and proximity to services.

CEQA

This proposed code amendment has been assessed in accordance with the California Public Resources Code (CPRC) 21080.17. The California Environmental Quality Act (CEQA) does not apply to the adoption of an ordinance by a city or county implementing the provisions of Section 65852.2 of the Government Code, which is the code section for the State's Accessory Dwelling Unit law.

PUBLIC NOTICE

Notice of this hearing dated February 12, 2024, was published in the Daily Breeze Newspaper, and posted at City Hall and Lomita Park.

OPTIONS

1. Recommend approval to the City Council
2. Do not recommend approval to City Council
3. Recommend approval to the City Council with amendments
4. Provide staff with further direction.

ATTACHMENTS

1. Resolution and Exhibit A Draft Ordinance
2. Letter from the Applicant
3. Applicants' Examples
4. South Bay Cities COG ADU Height Table
5. Draft Notice of Exemption

Prepared by:

Laura MacMorran

Laura MacMorran, AICP
Associate Planner

Reviewed by:

Brianna Rindge

Brianna Rindge, AICP
Community & Economic Development Director

RESOLUTION NO. PC 2024-02

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOMITA RECOMMENDING CITY COUNCIL APPROVAL OF ZONING TEXT AMENDMENT 2024-01 AMENDING ARTICLE 15 (DEFINITIONS), AND ARTICLE 30 (RESIDENTIAL ZONES) TO ALLOW, THROUGH CONDITIONAL USE PERMIT APPROVAL, TWO-STORY STACKED ACCESSORY DWELLING UNITS UP TO 20 FEET IN HEIGHT. PER CALIFORNIA PUBLIC RESOURCES CODE (CPRC) 21080.17, THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) DOES NOT APPLY TO THE ADOPTION OF THIS ORDINANCE.

THE PLANNING COMMISSION OF THE CITY OF LOMITA DOES HEREBY FIND, ORDER AND RESOLVE AS FOLLOWS:

Section 1. Recitals

A. This proposed code amendment has been assessed in accordance with the California Environmental Quality Act (CEQA). Pursuant to California Public Resources Code (CPRC) 21080.17, the California Environmental Quality Act (CEQA) does not apply to the adoption of this ordinance.

B. On February 12, 2024, the Planning Commission held a duly noticed public hearing on Zone Text Amendment No. 2024-01 (initiated by the Rand Relatores and Rick Buchta), where public testimony was accepted on the item and after deliberations the Planning Commission recommended that the City Council approve the Zoning Text Amendment., in accordance with Lomita Municipal Code sections 11-1.70.04 and 11-1.70.05(C).

C. After review and consideration of all evidence and testimony presented in connection with this hearing, the Planning Commission recommends that the City Council approves the Zoning Text Amendment.

Section 2. In accordance with Municipal Code section 11-1.70.05, the Planning Commission finds that the proposed Zone Text Amendment is consistent with the General Plan as described in Exhibit A.

Section 3. Based on the foregoing, the Planning Commission of the City of Lomita hereby recommends City Council approve the amendments to the Lomita Municipal Code shown in the redlined ordinance (Exhibit A).

PASSED, APPROVED, and ADOPTED by the Planning Commission of the City of Lomita on this 12th day of February 2024, by the following vote:

AYES: Commissioners:
NOES: Commissioners:
ABSENT: Commissioners:

Steven Cammarata, Chair

ATTEST: _____
Brianna Rindge, AICP
Community and Economic Development Director

Any action to challenge the final decision of the City made as a result of the public hearing on this application must be filed within the time limits set forth in Code of Civil Procedure Section 1094.6.

DRAFT

Sec. 11-1.15.12(L).

(No other changes to subsection)

Lot, key, shall mean ~~an interior lot adjoining the rear lot line of a reversed corner lot.~~ a lot where the side property line abuts the rear property line of one or more lots and where such lots are not separated by an alley or any public way.

Sec. 11-1.30.06. Accessory and junior accessory dwelling units.

(A) *Purpose.*

- (1) The purpose of this section is to provide for the creation of accessory dwelling units and junior accessory dwelling units consistent with section 65852.2 of the Government Code, as amended from time to time. In any instance where there is conflict, state law shall govern.

(~~b~~B) *Definitions.*

- (1) *Accessory dwelling unit/ADU* has the same meaning as that stated in Government Code section 65852.2 as that section may be amended from time to time.
- (2) *Attached ADU* means an ADU that shares at least one common wall with the primary dwelling unit.
- (3) *Converted ADU* means an ADU that is constructed within all or a portion of the legally permitted existing interior space of an accessory structure or within all or a portion of the permitted existing interior space of a dwelling structure, including bedrooms, attached garages, and storage areas.
- (4) *Detached ADU* means an ADU that is physically separated from, but located on the same lot as, a primary dwelling structure.
- (5) *Existing.* A structure is "existing" if it was legally constructed, and the construction has passed all required final inspections.
- (6) *Junior accessory dwelling unit/JADU* shall have same meaning as that stated in Government Code section 65852.22(h)(1) as that section may be amended from time to time.
- (7) *Public transit* has the same meaning as that stated in Government Code section 65852.2 as that section may be amended from time to time.
- (8) *Floor area of an accessory dwelling unit* means, for the purpose of this chapter, the area of each floor level included within the walls enclosing each dwelling unit. The floor area shall be measured from the outside face of the walls enclosing each dwelling unit including all closet space and storage areas contained within the unit, including habitable basements and attics, but not including unenclosed porches, balconies, or any enclosed garages or carports. For purposes of calculating allowable floor area of accessory dwelling units based on a proportion of the size of the primary residence, only the livable floor area of the primary residence shall be counted. The floor area of any other structures, for

purposes of calculating total floor area, lot coverage, or other calculations, shall be calculated in the manner described in the relevant zoning regulations.

(eC) Applicability and Permissible Use.

- (1) *Accessory dwelling units required by state law.* Accessory dwelling units required by state law are allowed on lots located within a residential or mixed-use zone as provided in section 65852.2(e) of the Government Code, in compliance with all applicable provisions of subsection (E) of this section, development standards and requirements, except for those provisions which do not allow an accessory dwelling unit otherwise in compliance with section 65852.2(e) of the Government Code. An accessory dwelling unit pursuant to section 65852.2(e)(1)(B) of the Government Code shall be limited to a maximum floor area size of eight hundred (800) square feet and a maximum height of sixteen (16) feet. The combination of accessory dwelling unit categories set forth in section 65852.2(e)(A) through (D) of the Government Code is prohibited.
- (2) Applications for accessory dwelling units and junior accessory dwelling units shall be reviewed within sixty (60) days from the date the city receives a complete application if there is an existing single-family or multifamily dwelling on the lot. If the application to create an accessory dwelling unit or a junior accessory dwelling unit is submitted with a permit application to create a new single-family dwelling or multifamily dwelling on the lot, the city may delay acting on the application for the accessory dwelling unit or the junior accessory dwelling unit until the city acts on the permit application to create the new single-family dwelling or multifamily dwelling, but the application to create the accessory dwelling unit or junior accessory dwelling unit shall be considered without discretionary review or hearing. If the applicant requests a delay, the sixty (60) day time period shall be tolled for the period of the delay.
- (3) Approval of a permit for the creation of an accessory dwelling unit or junior accessory dwelling unit shall not be conditioned on the correction of nonconforming conditions on the subject property. However, this does not prevent the city from enforcing compliance with applicable building standards in accordance with California Health and Safety Code section 17980.12.
- (4) For the purpose of this section, a structure with two (2) or more attached dwellings on a single lot is considered a multifamily dwelling structure. Multiple detached single-family dwellings on the same lot are not considered multifamily dwellings. A lot with multiple detached single-family dwellings is eligible for creation of one accessory dwelling unit per lot by converting space within the proposed or existing space of a single-family dwelling or existing structure or new construction of a detached accessory dwelling unit.
- (5) It is prohibited to convert existing floor area or construct an accessory dwelling unit without first obtaining approval and issuance of a building permit. Such permit shall be issued if it is determined that the accessory dwelling unit will conform to the provisions of this section.

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- (6) Applicant shall pay all applicable development impact fees established by city council resolution. Accessory dwelling units of less than seven hundred fifty (750) square feet in size shall be exempt from all impact fees. Accessory dwelling units of greater than seven hundred fifty (750) square feet in size shall be charged impact fees.

(dD) State exempt accessory dwelling units.

- (1) All development standards (including, but not limited to lot coverage, floor area ratio, required building separation and open space) are reduced solely to the extent necessary to allow either of the following:

- a. On a lot with a proposed or existing single-family dwelling, one attached or detached ADU that is eight hundred (800) square feet or less, with a height not exceeding sixteen (16) feet, with setbacks of at least four (4) feet from the side and rear yards and complies with applicable front yard setbacks.
- b. Converted detached ADU that does not add more than one hundred fifty (150) square feet of floor area for ingress and egress.
- c. On a lot with an existing multifamily dwelling, up to two (2) detached ADUs that are eight hundred (800) square feet or less and which have a height not exceeding sixteen (16) feet, and which comply with setbacks of at least four (4) feet from the side and rear yards, and which comply with front yard setbacks.
- d. No more than twenty-five (25) percent of the number of the existing units, but at least one unit, shall be permitted as ADUs constructed within the non-livable space and are enclosed on at least three (3) sides (e.g., storage rooms, boiler rooms, attics, basements, or garages) of the existing multifamily dwelling structure provided that applicable building codes are met; fractions shall be rounded down to the next lower number of dwelling units, except that at least one accessory dwelling unit shall be allowed; development standards and requirements. Accessory dwelling units shall comply with the following development standards and requirements:

(2) *Number of units.*

- a. For lots with an existing or proposed single-family dwelling, one accessory dwelling unit shall be allowed on a lot.
- b. For lots with an existing or proposed multifamily residential dwelling structure
 1. No more than twenty-five (25) percent of the number of the existing units, but at least one unit, shall be permitted as ADUs constructed within the non-livable space and are enclosed on at least three (3) sides (e.g., storage rooms, boiler rooms, attics, basements, or garages) of the existing multifamily dwelling structure provided that applicable building codes are met; fractions shall be rounded down to the next lower number of dwelling units, except that at least one accessory dwelling unit shall be allowed; or

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2. Up to two (2) accessory dwelling units shall be permitted as detached from the multifamily residential structure and may be attached or detached to each other.

(3) *Height.*

a. In accordance with CA Government Code Section 65852.2.

1. Attached or detached ADUs complying with a four (4) foot side and four (4) foot rear setback shall not exceed one story and a height of sixteen (16) feet.
- 2.b. On a lot that is within one-half (½) of one mile walking distance of a major transit stop or a high-quality transit corridor, as those terms are defined in section 21155 of the Public Resources Code, attached or detached ADUs complying with a four (4) foot. side and four (4) foot rear setback shall not exceed one story and a height of eighteen (18) feet. A local agency shall also allow an additional two (2) feet in height to accommodate a roof pitch on the accessory dwelling unit that is aligned with the roof pitch of the of the primary dwelling unit.
- 3.e. On a lot with an existing or proposed multifamily, multistory dwelling, detached ADUs complying with a four (4) foot. side and four (4) foot rear setback shall not exceed a height of eighteen (18) feet.
- 4.d. A height of twenty-five (25) feet or the height limitation of in the zoning ordinance that applied to the ~~primary principal~~ dwelling, whichever is lower, for an accessory dwelling unit that is attached to the ~~primary principal~~ dwelling. Pursuant to section 11-1.70.11 residential lots south of Pacific Coast Highway shall obtain a height variation permit for an attached ADU over sixteen (16) feet in height measured from the natural grade. Converted area from the existing dwelling is exempt from this requirement.
5. Any mandatory accessory dwelling unit height standard adopted by the State subsequent to this ordinance.

b.e. Local allowances.

1. An attached or detached accessory dwelling unit(s) complying with the ~~primary principal~~ structure's setback requirements of the underlying zone shall not exceed sixteen (16) feet at one story and twenty-seven (27) feet at two (2) stories. An individual ADUs shall not exceed two (2) stories. Pursuant to section 11-1.70.11 residential lots south of Pacific Coast Highway shall obtain a height variation permit for an attached ADU over sixteen (16) feet in height measured from the natural grade. Converted area from the existing dwelling is exempt from this requirement.
2. Subject to a conditional use permit (Sec. 11-1.70.09), each detached accessory dwelling unit upon a key lot or any residential lot abutting a nonresidential zone along the residential lot's rear property line with a

twenty (20) foot front yard setback, ten (10) foot secondary front yard setback, five (5) foot side yard setback, and five (5) foot rear yard setback requirement shall not exceed twenty (20) feet if all the following are met. A one-story ADU does not qualify for this height provision; only two-story ADUs or two stacked ADUs may qualify.

- a. The total combined area for all buildings and structures shall not occupy more than fifty (50) percent of the rear yard setback area.
- b. Pursuant to section 11-1.70.11 residential lots south of Pacific Coast Highway shall obtain a height variation permit for an attached ADU over sixteen (16) feet in height measured from the natural grade.
- c. ADU structures with exterior stairs shall locate the stairs on the side of the building facing the front property line.
- d. Accessible design features.
 - i. Entry route and door route no greater than two (2) percent slope.
 - ii. Door openings 32 (thirty-two) inches clear minimum.
 - iii. One-level ground-floor unit must provide at least one three-quarter or full bathroom that is a minimum of 8 (eight) feet 6 (six) inches by 8 (eight) feet 10 (ten) inches and has minimum clear opening of either 36 inches by 36 inches or 30 inches by 48 inches for toilet and sink, or two-story-unit with 200 feet of ground-floor area must provide an ADA-compliant half-bathroom.
 - iv. Route to bathroom minimum clear opening of 34 (thirty-four) inches.
 - v. Light switches, receptables and environmental controls mounted between 15 (fifteen) inches and 48 (forty-eight) inches above the floor.

(4) *Setbacks.*

- a. *Front yard.* Twenty (20) feet to a front property line.
 1. *Secondary front.* Ten (10) feet to property line.
- b. *Side yard.* Four (4) feet to a side property line.
- c. *Rear yard.* Four (4) feet to a rear property line.
- d. *Building separation.* Six (6) feet to the exterior wall of a dwelling, garage, or accessory structure located on the same lot.
- e. Setbacks required by utility easements and recorded setbacks shall be maintained. No portion of an ADU shall be constructed on a public or private easement. Roof eaves may not be eliminated to meet this requirement.

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- f. No setback is required for an existing living area or existing accessory structure constructed in the same location and to the same dimensions as an existing structure that is converted to an accessory dwelling unit or to a portion of an accessory dwelling unit.
 - g. ADUs are not eligible for modifications to yard setbacks pursuant to Article 70.
- (5) *Lot coverage.* An accessory dwelling unit exceeding eight hundred (800) square feet shall comply with the lot coverage and floor area ratio of underlying zone requirements of Article 30.
- (6) *Useable open space.* Accessory dwelling units exceeding eight hundred (800) square feet shall provide, at a minimum, a continuous private recreation area of two hundred twenty-five (225) square feet with minimum interior dimensions of ten (10) feet. The private recreation shall be open and unobstructed from the ground to the sky and may be located within the interior, street side, or rear setback areas.
- (7) *Floor area size.*
- a. *Maximum floor area size for new construction units.*
 - 1. Attached accessory dwelling units with zero (0) bedrooms or one bedroom are subject to a maximum size of eight hundred fifty (850) square feet or fifty (50) percent of the size of the dwelling unit, whichever is less. Attached accessory dwelling units with two (2) or more bedrooms are subject to a maximum size of one thousand (1,000) square feet or fifty (50) percent of the size of the dwelling unit, whichever is less. In no event less than eight hundred (800) square feet. Accessory dwelling units located on lots with multifamily dwelling structures shall not exceed eight hundred (800) square feet.
 - 2. Detached accessory dwelling units with zero (0) bedrooms or one bedroom are subject to a maximum size of eight hundred fifty (850) square feet. The maximum size of an accessory dwelling unit with two (2) or more bedrooms is one thousand (1,000) square feet. Accessory dwelling units located on lots with multifamily dwelling structures shall not exceed eight hundred (800) square feet.
 - b. *Minimum floor area size.* An attached or detached accessory dwelling unit shall provide a minimum floor area no less than one hundred fifty (150) square feet.
 - c. *Converted floor area size.* The conversion of an existing accessory structure or a portion of the existing primary dwelling to an accessory dwelling unit is not subject to the maximum floor area size requirement when no expansion or addition is proposed beyond the physical dimensions of the structure or dwelling other than an expansion of not more than one hundred fifty (150) square feet limited to accommodating ingress and egress for the purpose of an accessory dwelling unit; otherwise the converted floor area size shall be governed by the maximum floor area size requirement.

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- d. An accessory dwelling unit shall not be subject to the accessory buildings and structures requirements of section 11-1.30.05.
 - e. Accessory structures including, but not limited to garages and patios attached to accessory dwelling units shall comply with section 11-1.30.05— Accessory buildings and structures.
- (8) *Floor area ratio.* In general, the floor area ratio for all ADUs shall be subject to the floor area ratio requirements of section 11-1.30.02. However, ADUs which are eight hundred (800) square feet or less are exempt from floor area ratio calculation.
- (9) *Density.* For purposes of calculating allowable density under the General Plan and Zoning Code an accessory dwelling unit is an accessory use that does not count toward the allowable density for the lot.
- (10) *Parking and vehicular access.*
- a. One parking space is required per accessory dwelling unit.
 - b. Parking shall be located on the same lot containing the accessory dwelling unit and may be provided as tandem parking on a driveway. Parking shall conform to the requirements of Article 66.
 - c. Parking for the accessory dwelling unit is waived pursuant to section 65825.2(d)(1) through (5) of the Government Code.
 - d. Replacement parking is not required if a garage or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit or converted to an accessory dwelling unit
- (11) *City and public utilities.*
- a. All ADUs must be connected to public utilities, or their private equivalent, including water, electric, and sewer services. For example, if required by the building standards code, dwelling units that are proposed to be installed on a property with only septic tanks are prohibited.
 - b. Except for ADUs created solely by converting an existing single-family dwelling or a single-family accessory structure, the city may require a separate utility connection.
- (12) Design standards applicable to new construction of ADUs exceeding eight hundred (800) square feet and ADUs converted from existing structures adding more than one hundred fifty (150) square feet.
- a. Building architecture including roof type, roof pitch, exterior materials, finishes and color shall match the primary dwelling.
 - b. Address numerals of all dwelling units shall be clearly visible from the street or displayed in a building directory.
 - c. ADUs shall have a main entrance separate from the primary dwelling.
 - d. New entry door shall not open directly toward an alley.

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- e. Replacement of the garage door shall include a new façade. The new façade shall include a minimum of one window or entryway.
 - f. Entryway shall include an exterior light fixture.
 - g. Tree preservation: Any plans for an addition or new construction shall identify the location of any mature trees onsite and provide protective measures to ensure preservation of mature trees. A mature tree is defined as any tree having a main trunk or stem measuring twenty-four (24) inches in diameter, or seventy-five (75) inches in circumference, measured at a height of four and one-half (4½) feet above ground level at the root crown. A removal includes moving a tree or removing more than one-third of a tree's vegetation. Sites without an existing mature tree must provide at least two 24-inch box trees within the front yard setback or open space area.

(13) Owner-occupancy shall adhere to Government Code section 65852.2.

(14) *Illegal accessory dwelling units.* This section shall not validate any existing illegal accessory dwelling units. Any conversions from illegal units to a conforming legal accessory dwelling unit shall be considered a new accessory dwelling unit subject to the provisions of this section.

- a. Effective January 1, 2020, the property owner of a lot containing an accessory dwelling unit built before January 1, 2020, that receives a notice to correct a violation of building standards may submit an application to the community development department requesting that enforcement of the violation be delayed for up to five (5) years on the basis that correcting the violation is not necessary to protect health and safety as determined by the building official; provided, that all other violations not related to the accessory dwelling unit are corrected. This provision shall expire January 1, 2030, as provided in state law.

(eE) *Junior accessory dwelling units.*

(1) *Purpose.* The purpose of this section, junior accessory dwelling units, is to provide for the creation of junior accessory dwelling units consistent with California Government Code section 65852.22, as amended from time to time. In any instance where there is conflict, state law shall govern.

(2) *Definitions.*

- a. *Junior accessory dwelling unit* is a unit no more than five hundred (500) square feet in size and contained entirely within a proposed or existing single-family dwelling or within the walls of a garage attached to an existing single-family dwelling. It shall include permanent provisions for living, sleeping, eating, and cooking. A junior accessory dwelling unit shall not be operated as a short-term rental or rented for a period less than thirty (30) days.

(3) *Applicability and permissible use.*

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- a. Junior accessory dwelling units are allowed on lots that contain a proposed or existing single-family dwelling. Junior accessory dwelling units are not allowed on a lot with more than one residence.
 - b. Junior accessory dwelling units may be combined with an accessory dwelling unit on lots located within a residential or mixed-use zone with a proposed or existing single-family dwelling as provided in section 65852.2(e) of the Government Code.
 - c. Junior accessory dwelling units are prohibited on lots that contain multiple detached single-family dwellings.
- (4) *Development standards and requirements.* Junior accessory dwelling units shall comply with the following development standards and requirements:
- a. *Number of units.* One junior accessory dwelling unit shall be allowed on a lot.
 - b. *Owner-occupancy.* The property owner shall reside on the lot. The owner may reside in the remaining portion of the single-family dwelling or the newly created junior accessory dwelling unit.
 - c. *Covenant restriction.* A covenant restriction shall be completed and recorded, as provided in subsection (13) of this section.
 - d. *Location of junior accessory dwelling unit.* A junior accessory dwelling unit shall be created within the walls of a proposed or existing single-family dwelling, or within the walls of a garage attached to an existing single-family dwelling.
 - e. *Separate entry required.* An exterior entrance is required for all junior accessory dwelling units, independent of the exterior entrance for the single-family dwelling and shall not open directly toward an alley.
 - f. *Kitchen requirements.* The junior accessory dwelling unit shall include an efficiency kitchen, which includes a cooking facility with appliances, a food preparation counter, and storage cabinets that are reasonable to size of the unit.
 - g. *Common sanitation.* Where a junior accessory dwelling unit shares the bathroom facilities contained in the single-family dwelling, a direct unobstructed interior connection shall be provided at all times between the junior accessory dwelling unit and the bathroom facilities, and the interior connection shall not require passage through a locked door (except for a privacy lock on the bathroom door) or passage outside of the gross floor area of the junior accessory dwelling unit or single-family dwelling.
- (5) *Design standards.*
- a. Building architecture, exterior materials, finishes and color shall match the primary dwelling.
 - b. Address numerals of all dwelling units shall be clearly visible from the street or displayed in a building directory.

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- c. JADUs shall have a main entrance separate from the primary dwelling.
 - d. New entry door shall not open directly toward an alley.
 - e. Replacement of the garage door shall include a new façade. The new façade shall include a minimum of one window or entryway.
 - f. Entryway shall include an exterior light fixture.
- (6) *Parking.* No parking is required for the junior accessory dwelling unit beyond the required parking for the proposed or existing single-family dwelling. However, replacement parking for the existing single-family dwelling is required when an attached garage or portion thereof is converted to a junior accessory dwelling unit. Parking shall conform to the requirements of Article 66.
 - (7) *Setbacks and other zoning regulations.* The junior accessory dwelling unit shall be considered a part of the single-family dwelling and shall be subject to the same requirements of the underlying zoning district as required for the single-family dwelling.
 - (8) *Density.* For purposes of calculating allowable density under the General Plan and Zoning Code a junior accessory dwelling unit is an accessory use that does not count toward the allowable density for the lot.
 - (9) *Maximum floor area.* A junior accessory dwelling unit shall not exceed five hundred (500) square feet in floor area.
 - (10) *Minimum floor area.* A junior accessory dwelling unit shall provide a minimum floor area no less than one hundred fifty (150) square feet.
 - (11) *Utility service.* For purposes of providing service for water, sewer, or power, including a connection fee, a junior accessory dwelling unit shall not be considered a separate or new dwelling unit. An inspection may be assessed to confirm the junior accessory dwelling unit complies with development standards.
 - (12) *Illegal junior accessory dwelling units.* This section shall not validate any existing illegal junior accessory dwelling units. Any conversions from illegal units to a conforming legal junior accessory dwelling unit shall be considered a new junior accessory dwelling unit subject to the provisions of this section.
 - (13) *Covenant restriction.*
 - a. Prior to issuance of the building permit for a junior accessory dwelling unit, a covenant restriction, approved by the city attorney, shall be recorded with the Los Angeles County Recorder's Office, which shall include the pertinent restrictions and limitations of a junior accessory dwelling unit identified in this section. Said covenant restriction shall run with the land, and shall be binding upon any future owners, heirs, or assigns. A copy of the recorded covenant restriction shall be filed with the community development department as part of the building permit application. The recorded covenant restriction shall state that:

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1. The junior accessory dwelling unit shall not be sold separately from the single-family dwelling
 2. The junior accessory dwelling unit shall be restricted to the maximum size allowed per the development standards
 3. The junior accessory dwelling unit shall be considered legal only so long as either the single-family dwelling or the junior accessory dwelling unit is occupied by the property owner
 4. The junior accessory dwelling unit shall not be operated as a short-term rental or rented for periods less than thirty (30) days
 5. The restrictions shall be binding upon any successor in ownership of the property and lack of compliance with this provision may result in legal action against the property owner, including revocation of any right to maintain a junior accessory dwelling unit on the property.

Rand D. Relatores
Rand Architecture

VIA ELECTRONIC MAIL

February 7, 2024

Re: 26038 -26044 Oak Street A.D.U.'s
Zoning Text Amendment requesting additional 3'-10" to make 19'-10" maximum height for
2-story A.D.U.

Dear Mayor, City Council Members, and Planning Commissioners:

We would like to thank you in advance for your time and consideration of our proposed zoning text amendment (ZTA) requesting additional 3'-10" to allow 19'-10" maximum height for a 2-story A.D.U at 26038-26044 Oak Street.

We are requesting a ZTA because originally our plan and building design followed the ever constant changing State of California and City of Lomita design guidelines. Our initial design for a maximum 18' building height with an additional 2' for the roof slope for a total of 20' in height met the guidelines. The design requirement of our site needing to be closer than 0.5 miles from a local mass transit stop was met! All of the design requirements were met. Only to find out that the bus stop intervals at our closest Bus Stop location needed to be no greater than 15 minutes intervals. Currently our local bus stops' intervals are between 22-27 minutes! Therefore we are requesting a Zone Text Amendment approval.

The statewide need for more housing brings along the need for creative solutions in tight spaces. We believe that a 2-story development will have many advantages and brings design solutions and positive space planning with amenities. Our proposed 2-story design will reduce the lot coverage by minimum 50% and will create over 2,000 SF of usable open space. Our current senior tenants and young children can use it for recreation space. The 2-story concept allows us to design a detached structure away and separated from the existing site structures. Avoiding any new construction from attaching to the existing units therefore eliminating any disruptions and/or possible displacement of the current tenants from their homes. Additionally, the 2-story design allows for better environmental design. Eliminating attached common walls on 1 or even 2 sides with zero window openings commonly found in attached 1-story units. This allows for more natural light and privacy. It also allows space to provide an open private balcony area (5'x12'). Lastly, there will be a considerable reduction in construction costs by "stacking" identically designed units vertically. Not only will there be a reduction in building costs but a considerable reduction in construction wastes and materials!

Single family homes and 2-story low density multi-unit properties surround our site. Some design concessions were made to "mirror" the context of the immediate neighborhood. We increased the minimum 4' rear yard setback and positioned the building back 1' additional foot making it a 5' rear yard setback. We designed a "low profile" building keeping the ceiling heights at minimum 8' and the minimum allowed flat roof slope design that will drain towards the north side yard. Keeping our building height below 20' high at 19'-10"!

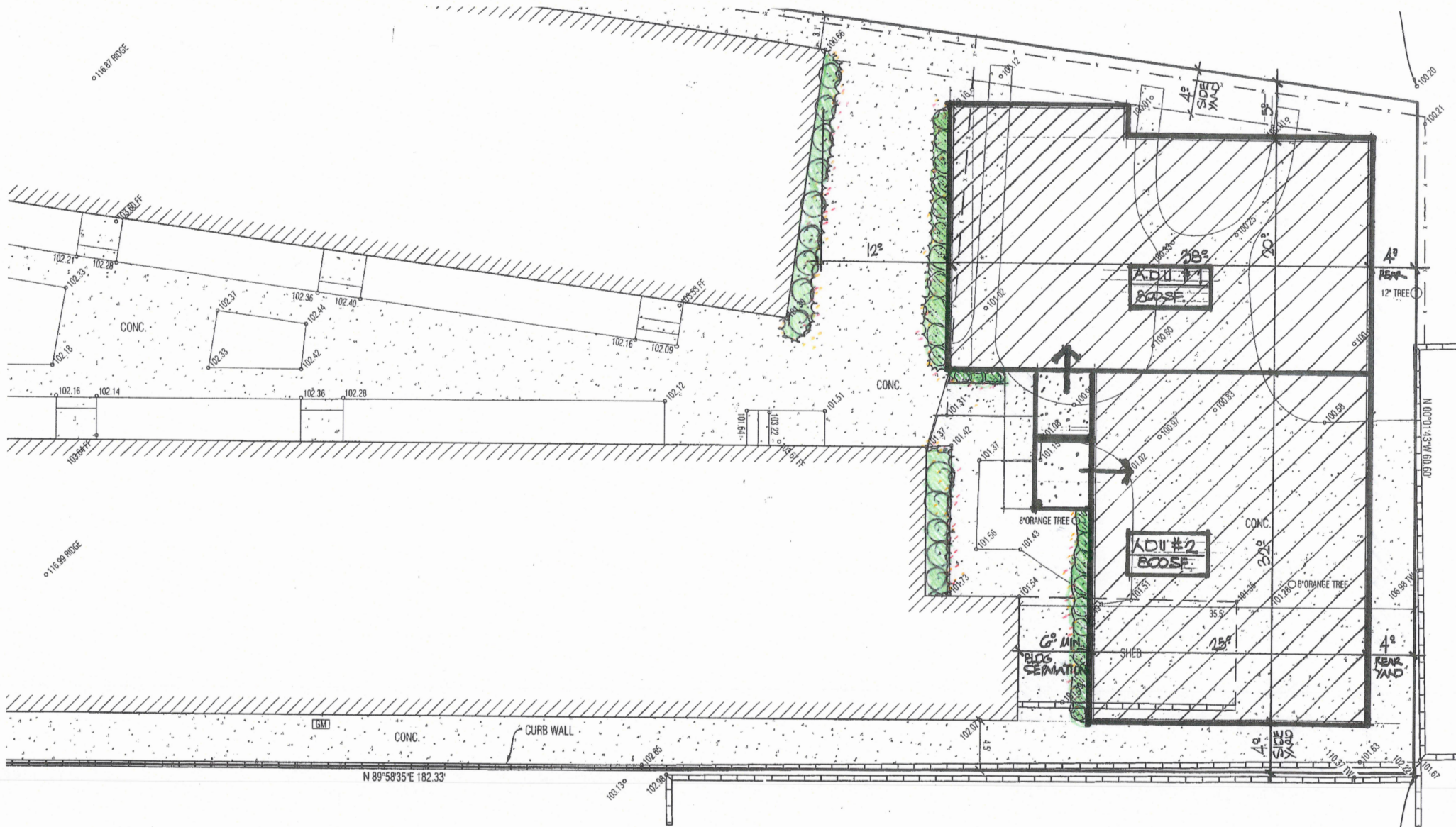
Along with this letter, drawings are attached that will help illustrate our design concept. There are 2 site plans, one with a 2-story design illustrating the large open spaces and the other a 1-story design showing the considerable lot coverage and leaving minimal open space. The remaining drawings are cross sections through the property illustrating the scale and height of neighboring structures immediately adjacent to our proposed 2-story design along with the setbacks and open spaces between the existing and proposed structures. Section A-A shows that our proposed building will be 1' to 4' lower than the neighboring structures. Section B-B shows a 15' building separation between our proposed building and our neighbor to the East at 2066 W. 261st Street along with natural privacy provided by dense tree and shrubs growth on the neighbor's side. Lastly, our Plot Plan will show that our proposed building is actually placed immediately adjacent to the open rear yard of our neighbor located at 2070 W. 261st Street. Our building is ideally located where the worst late afternoon sun during the winter time will cast the shadow from our proposed structure onto the open yard of the neighbor and NOT onto their home on the property.

If you have any questions prior to our scheduled Planning Commission and City Council meetings, please feel free to contact me at 310-530-6543 or via electronic mail at randarchitecture@gmail.com or Rick Buchta at 310-493-9195 or via electronic mail at rickbuchta@icloud.com. Thank you again in advance for your consideration of this zoning text amendment.

Sincerely,

Rand D. Relatores, Architect C24070
Rand Architecture

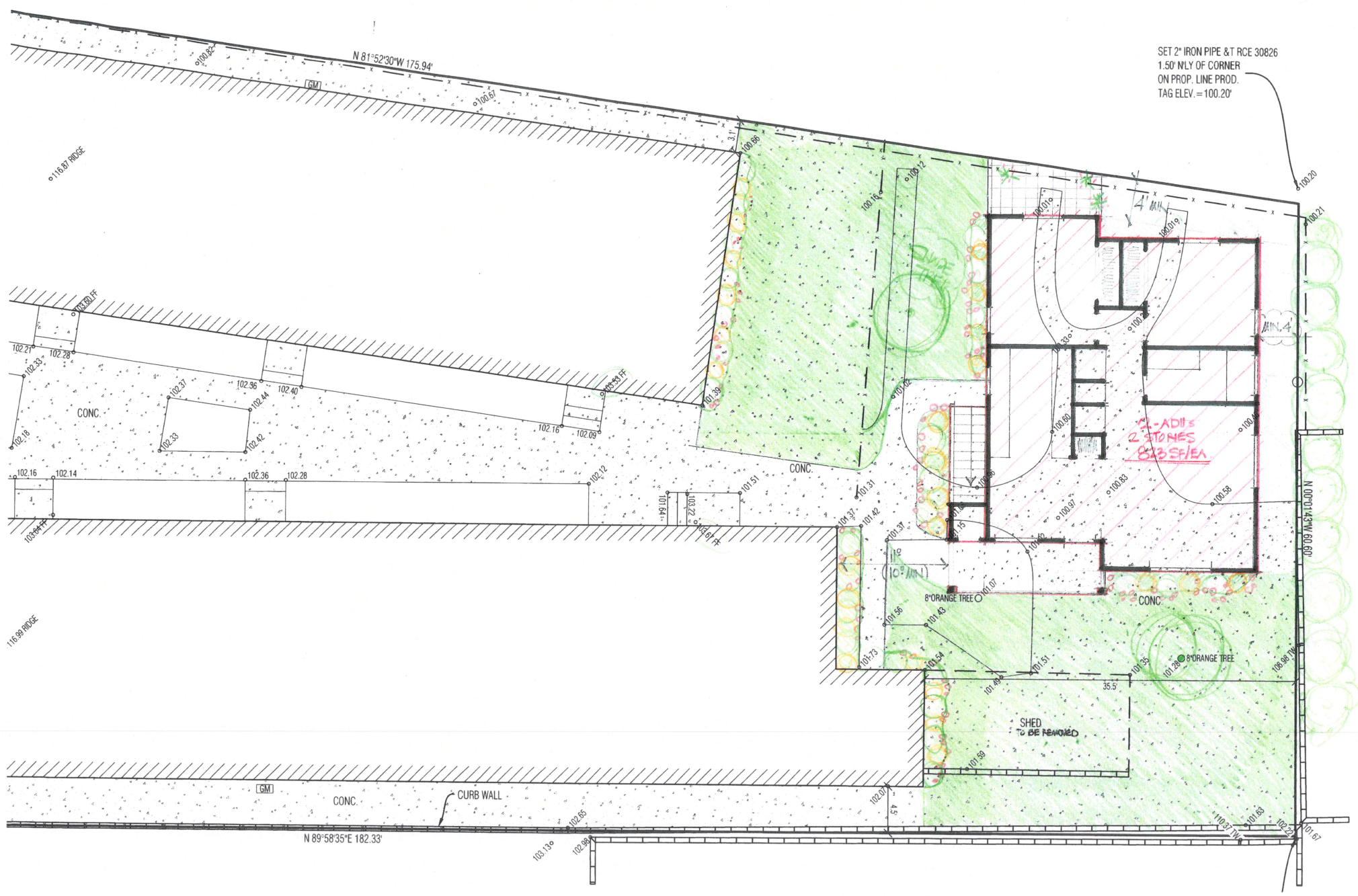
CC: Laura MacMorran – Associate Planner, City of Lomita
Rick Buchta – RBR Properties
Annemarie Carretta – RBR Properties



LAN-SINGLE STORY DESIGN

01/23/24

SET L&T RCE 30826
 IN NLY FACE OF WALL
 0.26' SLY OF CORNER
 ON PROP. LINE PROD.
 TAG ELEV. = 105.24'



Sample of South Bay Cities' Local ADU Heights

Agency	ADU Height Single-Family	ADU Height Multi-Family												
City of El Segundo	26' for a flat roof 32' for a pitched roof	26' for a flat roof 32' for a pitched roof												
City of Gardena	18'; or 18' single-story detached +2' for roof pitch; or 25', if on top of a garage	18'; or 18' single-story detached +2'. for roof pitch; 25' if on top of a garage												
City of Manhattan Beach	Two-stories are allowed outside the Coastal Zone 26', if on top of a garage	Two-stories are allowed outside the Coastal Zone 26', if on top of a garage												
City of Inglewood	35', if built on top of an existing accessory structure	35'-40', if built on top of an existing accessory structure, depending on zone												
City of Lawndale	18'; or 18' single-story detached +2 ' for roof pitch; or 25' two-story attached to existing two-story home	18'; or 18'. single-story detached + 2'. for roof pitch; or 25'. two-story attached to existing two-story multifamily												
City of Torrance	<p style="text-align: center;"><u>Designated Areas</u></p> <table style="width: 100%; border: none;"> <tr> <td style="text-align: center; width: 50%;"><u>Attached</u></td> <td style="text-align: center; width: 50%;"><u>Detached</u></td> </tr> <tr> <td style="text-align: center;">18' one-story</td> <td style="text-align: center;">20' one-story</td> </tr> <tr> <td style="text-align: center;">27' two-story</td> <td style="text-align: center;">23'. two-story</td> </tr> </table> <p style="text-align: center;"><u>Limited Designated Areas</u></p> <table style="width: 100%; border: none;"> <tr> <td style="text-align: center; width: 50%;"><u>Attached</u></td> <td style="text-align: center; width: 50%;"><u>Detached</u></td> </tr> <tr> <td style="text-align: center;">18' one-story</td> <td style="text-align: center;">16'.</td> </tr> <tr> <td style="text-align: center;">25' two-story</td> <td style="text-align: center;">State Law</td> </tr> </table>	<u>Attached</u>	<u>Detached</u>	18' one-story	20' one-story	27' two-story	23'. two-story	<u>Attached</u>	<u>Detached</u>	18' one-story	16'.	25' two-story	State Law	Follows State Law
<u>Attached</u>	<u>Detached</u>													
18' one-story	20' one-story													
27' two-story	23'. two-story													
<u>Attached</u>	<u>Detached</u>													
18' one-story	16'.													
25' two-story	State Law													



Community & Economic Development
Department
Planning Division
24300 Narbonne Avenue
Lomita, CA 90717
310/325-7110
FAX 310/325-4024

NOTICE OF EXEMPTION

Project Title: ZONE TEXT AMENDMENT NO. 2024-01

Project Description:

ZONE TEXT AMENDMENT NO. 2024-01, An amendment to Lomita Municipal Code Article 30 (Residential Zones) modifying the zoning code related to Accessory Dwelling Unit height. Initiated by the Rand Relatores and Rick Butcha.

Finding:

The City Council of the City of Lomita has reviewed the above proposed project and found it to be exempt from the provisions of the California Environmental Quality Act (CEQA).

- Ministerial Project
- Categorical Exemption
- Statutory Exemption
- Emergency Project
- Quick Disapproval [CEQA Guidelines, Section 15270]
- No Possibility of Significant Effect [CEQA Guidelines, Section 15061(b)(3)]

Supporting Reasons:

This proposed code amendment has been assessed in accordance with the California Public Resources Code (CPRC) 21080.17. The California Environmental Quality Act (CEQA) does not apply to the adoption of an ordinance by a city or county implementing the provisions of Section 65852.2 of the Government Code, which is the code section for the State’s Accessory Dwelling Unit law.

Therefore, City Council has determined that there is no substantial evidence that the project may have a significant effect on the environment.

(Date)

Laura MacMorran
Associate Planner