

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



Lomita City Hall
Council Chambers
24300 Narbonne Avenue
Lomita, CA 90717
Phone: (310) 325-7110
Fax: (310) 325-4024

Next Resolution No. PC 2024-07

**AGENDA
REGULAR MEETING
LOMITA PLANNING COMMISSION
MONDAY, MAY 13, 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/81774489033>

Telephone Option: (669) 900-6833 Meeting ID: 817 7448 9033

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:** April 8, 2024

RECOMMENDED ACTION: Approve minutes.

4. PUBLIC HEARINGS

- a. **DISCUSSION AND CONSIDERATION OF SITE PLAN REVIEW NO. 1050 TO ALLOW TWO DETACHED SINGLE-FAMILY DWELLINGS FOR USE AS PARSONAGES AND ACCESSORY STRUCTURES FOR USE AS STORAGE AT BAYCITIES COMMUNITY CHURCH LOMITA, 2043 LOMITA BOULEVARD IN THE COMMERCIAL GENERAL (C-G) ZONE AND FINDING THE PROJECT EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

APPLICANT: Dean Reuter on behalf of Baycities Community Church Lomita, 2043 Lomita Boulevard, Lomita, CA 90717

PRESENTED BY: Associate Planner MacMorran

RECOMMENDED ACTION: Adopt a resolution approving Site Plan Review No. 1050 to allow two detached single-family dwellings and an accessory structure at 2043 Lomita Boulevard subject to the findings and conditions and find the request is exempt from the California Environment Quality Act (CEQA).

- b. **DISCUSSION AND CONSIDERATION OF CONDITIONAL USE PERMIT NO. 328 FOR ONE BUILDING UP TO 20' IN HEIGHT FOR TWO ACCESSORY DWELLING UNITS AT 26038 OAK STREET IN THE RVD-2500 (RESIDENTIAL VARIABLE DENSITY 2500) ZONE AND FINDING THE PROJECT EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

APPLICANT: Rand Relatores on behalf of Rick Butch, 26038 Oak Street, Lomita, CA 90717

PRESENTED BY: Associate Planner MacMorran

RECOMMENDED ACTION: Adopt a resolution approving Conditional Use Permit No. 328 to allow a 20-foot high, two-story, two-accessory-dwelling-unit (ADU) building with five-foot side and rear yard setbacks at 26038 Oak Street subject to the findings and conditions and finding the request exempt from the California Environment Quality Act (CEQA).

- c. **DISCUSSION AND CONSIDERATION OF A DETERMINATION OF SIMILARITY APPLICATION NO. 2024-01 TO CONSIDER THE USE OF A LAUNDROMAT SIMILAR TO PERSONAL SERVICES SUCH AS A DRY CLEANER AND TAILORING AS IDENTIFIED IN LOMITA MUNICIPAL CODE SECTION 11-1.49.02(A) IN THE DOWNTOWN COMMERCIAL (D-C) ZONE.**

APPLICANT: Sheri Bonstelle, Esq. / Jeffer Mangels Butler & Mitchell, 1900 Avenue of the Stars, Los Angeles, CA 90067

PRESENTED BY: Erika Barbero, Assistant Planner

RECOMMENDED ACTION: Continue the item to the June 10, 2024, Planning Commission meeting for a concurrent hearing with a new Minor Conditional Use Permit application.

- d. **DISCUSSION AND CONSIDERATION OF A REQUEST FOR A ZONE TEXT AMENDMENT TO AMEND TO SECTION 11-1.48.02 (PRINCIPAL USES PERMITTED) OF ARTICLE 48 (C-R (COMMERCIAL-RETAIL)) OF CHAPTER 1 (ZONING) OF TITLE XI (PLANNING AND ZONING) OF THE LOMITA MUNICIPAL CODE REGARDING THE RESTRICTION OF SERVICE-BASED USES ON THE GROUND FLOOR OF COMMERCIAL SHOPPING CENTERS OVER 5,000 SQUARE FEET** *(continued from the April 8, 2024, meeting)*

APPLICANT: David Nosrati, 3435 Ocean Park Boulevard, Suites 107-502, Santa Monica, CA, 90405

PRESENTED BY: Erika Barbero, Assistant Planner

RECOMMENDED ACTION: Continue the item to a specific date to be determined at this meeting per the request of the applicant.

- e. **DISCUSSION AND CONSIDERATION OF GENERAL PLAN AMENDMENT 2024-01, ZONING TEXT AMENDMENT NO. 2024-02, AND ZONING MAP AMENDMENT NO. 2024-01 FOR 24925-25007 WALNUT STREET (APNS: 7375-015-901, 7375-015-902, 7375-015-903, AND 7375-015-904**

APPLICANT: The City of Lomita

PRESENTED BY: Laura MacMorran, Associate Planner

RECOMMENDED ACTION: Adopt a resolution recommending approval of General Plan Amendment 2024-01, Zoning Text Amendment No. 2024-02, and Zoning Map Amendment No. 2024-01 for 24925-25007 Walnut Street to create a public purpose specific plan for 24925 Walnut St. (Lomita Manor) and 25007 Walnut St. (vacant lot) and recommending an exempt finding from the California Environment Quality Act (CEQA).

- f. **DISCUSSION AND CONSIDERATION OF ZONING TEXT AMENDMENT NO. 2024-04, AN ORDINANCE AMENDING VARIOUS SECTIONS OF LOMITA MUNICIPAL CODE TITLE XI (PLANNING AND ZONING) CHAPTER 1 (ZONING) TO ADD INDOOR RECREATIONAL USES PERMITTED BY A CONDITIONAL USE PERMIT OR BY RIGHT WITHIN THE C-R (COMMERCIAL-RETAIL), C-G (COMMERCIAL-GENERAL), AND D-C (DOWNTOWN, COMMERCIAL) ZONING DISTRICTS AND TO FIND EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

APPLICANT: The City of Lomita

PRESENTED BY: Brianna Rindge, Director of Community & Economic Development

RECOMMENDED ACTION: Adopt a resolution recommending the City Council adopt Zoning Text Amendment 2024-04 and find the request exempt from the California Environmental Quality Act (CEQA).

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, June 4, 2024, City Council meeting, and Tuesday, June 18, 2024, City Council meeting

7. ADJOURNMENT

The next regular meeting of the Planning Commission is scheduled for Monday, June 10, 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: May 9, 2024



Linda E. Abbott, CMC, Deputy City Clerk

**MINUTES OF THE
REGULAR MEETING
LOMITA PLANNING COMMISSION
MONDAY, APRIL 8, 2024**

1. OPENING CEREMONIES

a. Call Meeting to Order

The regular meeting of the Lomita Planning Commission was called to order by Chair Stephens at 6:00 p.m. on Monday, April 8, 2024, 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 Cammarata, Graf, Santos, and Steinbach, Vice-Chair Mattingly, and Chair Stephens

ABSENT: Commissioner Dever

STAFF PRESENT: Community & Economic Director Rindge, Assistant City Attorney Ornelas, Associate Planner MacMorran, and Deputy City Clerk Abbott

2. ORAL COMMUNICATIONS

Chair Stephens opened Oral Communications.

George Kivett, Lomita resident, congratulated newly appointed Chair Stephens and Vice-Chair Mattingly, and thanked the Commission for their service.

As there were no further requests to speak, Chair Stephens closed Oral Communications.

3. CONSENT AGENDA

a. APPROVAL OF MINUTES: March 11, 2024

RECOMMENDED ACTION: Approve minutes.

Commissioner Santos made a motion, seconded by Commissioner Cammarata, to approve the minutes.

MOTION CARRIED by the following vote:

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

NOES: None

ABSENT: Commissioner Dever

b. 2023 ANNUAL GENERAL PLAN AND HOUSING ELEMENT PROGRESS REPORTS

RECOMMENDED ACTION: Receive and file the City's 2023 Annual General Plan and Housing Element Progress Reports.

Commissioner Steinbach made a motion, seconded by Commissioner Cammarata, to receive and file the report.

MOTION CARRIED by the following vote:

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

4. PUBLIC HEARINGS

a. DISCUSSION AND CONSIDERATION OF AN AMENDMENT TO CONDITIONAL USE PERMIT NO. 310 FOR BEER AND WINE SALES FOR OFF-SITE CONSUMPTION AT 2301 PACIFIC COAST HIGHWAY IN THE COMMERCIAL RETAIL (C-R) ZONE (Applicants: Kimberly Duncan and R. Bruce Evans)

RECOMMENDED ACTION: Approve an amendment to Conditional Use Permit No. 310 to allow the existing convenience store and gas station at 2301 Pacific Coast Highway to sell beer and wine for an additional hour beyond the existing hours every evening for off-site consumption and to confirm the categorical exemption from the California Environmental Quality Act (CEQA).

Associate Planner MacMorran presented the staff report per the agenda material. The amendment would extend the hours for the sale of beer and wine for off-site consumption and clarify the percentage of existing coolers that may contain beer and wine. The Lomita Sheriff's Department has no concerns about extending the hours for selling alcohol at this site.

Brief discussion was held relative to signage, obstruction of window view, disturbance calls, and addressing loitering on-site.

Chair Stephens invited the applicant forward to speak.

R. Bruce Evans thanked Planning staff for their professionalism. He stated that, in accordance with the conditions, supplemental landscaping will be installed, window signage will be addressed, and all alcohol will be placed at the back of the store.

The franchisee stated that Lomita Sheriff's Department is called when individuals are loitering on the premises.

Chair Stephens opened the public hearing at 6:18 p.m.

George Kivett spoke in support of the amendment.

As there were no further requests from the public to speak on this item, Chair Stephens closed the public hearing at 6:20 p.m. and invited further discussion or a motion.

Commissioner Steinbach made a motion, seconded by Commissioner Cammarata, to approve the staff recommendation, with operating hours further clarified in the resolution to read as follows: Sundays through Saturdays between the hours of 7:00 a.m. and 12:00 a.m. the next day and Saturdays and Sundays from 12:00 a.m. to 1:00 a.m.

MOTION CARRIED by the following vote:

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

b. **DISCUSSION AND CONSIDERATION OF GENERAL PLAN AMENDMENT 2024-01, ZONING TEXT AMENDMENT NO. 2024-02, AND ZONING MAP AMENDMENT NO. 2024-01 FOR 24925-25007 WALNUT STREET (APNS: 7375-015-901, 7375-015-902, 7375-015-903, AND 7375-015-904 (Applicant: City of Lomita)**

RECOMMENDED ACTION: Adopt a resolution recommending approval of General Plan Amendment 2024-01, Zoning Text Amendment No. 2024-02, and Zoning Map Amendment No. 2024-01 for 24925-25007 Walnut Street to create a public purpose specific plan for 24925 Walnut St. (Lomita Manor) and 25007 Walnut St. (vacant lot) and recommending an exempt finding from the California Environment Quality Act (CEQA).

Associate Planner MacMorran presented the staff report per the agenda material. In essence, this is a retroactive entitlement or cleanup. No new construction is proposed at this time or in the foreseeable future. The site is publicly owned but not publicly accessible, as it is a multi-family development for low-income seniors and disabled individuals. The amendments are necessary should there ever be the need for a rebuild or for construction of accessory buildings. They are consistent with the Housing Element and the rezone is needed for the City’s Regional Housing Needs Assessment (RHNA) shortfall.

Brief discussion took place relative to density, lot dimensions, keeping the site usage the same and the rents low.

Chair Stephens opened the public hearing at 6:33 p.m.

George Kivett spoke in support of the amendments.

As there were no further requests from the public to speak on this item, Chair Stephens closed the public hearing at 6:35 p.m. and invited further discussion or a motion.

Commissioner Cammarata made a motion, seconded by Commissioner Santos, to approve the staff recommendation.

MOTION CARRIED by the following vote:

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

- c. **DISCUSSION AND CONSIDERATION OF A REQUEST FOR A ZONE TEXT AMENDMENT TO AMEND TO SECTION 11-1.48.02 (PRINCIPAL USES PERMITTED) OF ARTICLE 48 (C-R (COMMERCIAL-RETAIL)) OF CHAPTER 1 (ZONING) OF TITLE XI (PLANNING AND ZONING) OF THE LOMITA MUNICIPAL CODE REGARDING THE RESTRICTION OF SERVICE-BASED USES ON THE GROUND FLOOR OF COMMERCIAL SHOPPING CENTERS OVER 5,000 SQUARE FEET** (Applicant: David Nosrati, 3435 Ocean Park Blvd., Suites 107-502, Santa Monica, CA, 90405)

RECOMMENDED ACTION: Continue the item to the May 13, 2024, Planning Commission meeting per request of the applicant.

Director Rindge stated that the applicant had requested a continuation of this item to the May 2024 meeting.

Chair Stephens opened the public hearing at 6:37 p.m.

George Kivett, Lomita resident, stated his opposition to overly restricting the use of a property, as it makes it difficult to lease out.

As there were no further requests from the public to speak on this item, at 6:38 p.m. Chair Stephens continued the public hearing to the May 2024 meeting, and invited further discussion or a motion.

Commissioner Cammarata made a motion, seconded by Commissioner Graf, to approve the staff recommendation.

MOTION CARRIED by the following vote:

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

5. SCHEDULED MATTERS

- a. **COMMUNICATIONS REGARDING CITY COUNCIL ACTIONS**

Director Rindge commented on the following:

- A new City Manager has been appointed and will start work on May 1
- Approval of the cost report for demolition of the property at 2257 Pacific Coast Highway
- The ADU height zone text amendment was approved

- The tentative tract map for a 9 unit development was approved; the tentative tract map and final tract map were approved for a 16 unit development

b. UPCOMING DEVELOPMENTS AND BUSINESSES

Director Rindge stated that both Target and Grocery Outlet are aiming for July openings.

6. OTHER MATTERS

a. STAFF ANNOUNCEMENTS

Director Rindge commented on the following:

- The first City-sponsored mural has been placed at Lomita Park
- Staff is working with management and residents of the building at 2110 Palos Verdes Drive North, which recently suffered severe fire damage

b. PLANNING COMMISSIONER ITEMS

Commissioner Cammarata stated that Planning Commission meetings have not been listed of late in the City's e-newsletter in the "Mark Your Calendars!" section.

Commissioner Steinbach thanked staff for the quick removal of graffiti at Oak Street and Pacific Coast Highway.

c. COMMISSIONERS TO ATTEND CITY COUNCIL MEETINGS

Planning Commission representation at the Tuesday, May 7, 2024, and Tuesday, May 21, 2024, City Council meetings is to be determined.

7. ADJOURNMENT 6:53 p.m.

As there was no further business to discuss, Chair Stephens adjourned the meeting at 6:53 p.m.

Linda E. Abbott, CMC, Deputy City Clerk



CITY OF LOMITA PLANNING COMMISSION REPORT

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

FROM: Laura MacMorran, AICP, Associate Planner

DATE: May 13, 2024

SUBJECT: Discussion and Consideration of Site Plan Review No. 1050 to Allow Two Detached Single-Family Dwellings for Use as Parsonages and Accessory Structures for Use as Storage at Baycities Community Church Lomita, 2043 Lomita Boulevard in the Commercial General (C-G) Zone and Finding the Project Exempt from the California Environmental Quality Act (CEQA)

RECOMMENDATION

Adopt a resolution approving Site Plan Review No. 1050 to allow two detached single-family dwellings and an accessory structure at 2043 Lomita Boulevard subject to the findings and conditions and find the request is exempt from the California Environment Quality Act (CEQA).

BACKGROUND

Dean Reuter on behalf of Baycities Community Church Lomita requests approval of Site Plan Review No. 1050 to allow detached single-family dwellings and two accessory structures within the Commercial General (C-G) Zone. One dwelling will possess 2,136 ft² and the other dwelling will possess 1,040 ft². The homes will be manufactured and attached to a solid foundation. The accessory structure is for onsite storage and will not exceed 400 ft².

Existing Conditions

2043 Lomita Blvd. is located between Woodward Avenue and Eshelman Avenue on the north side of Lomita Blvd. The 72,238 ft² lot contains a 4,022 ft² main chapel, a 3,280 ft² fellowship hall, a 1,300 ft² youth building, and two shipping containers, which will be replaced by an approximately 400 ft² accessory structure, and two 434 ft² attached accessory structures (total 868 ft²) for the parsonages' storage. Vehicles access the large parking lot from the easterly side of the property.

ANALYSIS

General Plan and Zoning Designations

The General Plan land use designation for the subject property is Commercial, and the zoning is Commercial General. Even though the zoning and land use are commercial, LMC Sec. 11-1.68.4(2) states that a religious facility established prior to January 17, 1991, “shall not be declared nonconforming with reference to standards contained in this section. Additions to such religious facilities may be approved by the planning commission.” A religious facility was established on this property in the 1960s.

Adjacent Zoning and Land Uses

Direction	Zone and Land Use
North	R-1 (Single-Family Residential) Zone Land use: Residential (Single-Family Residential)
South	M-C (Light Manufacturing and Commercial) Zone Land use: Industrial Manufacturing
East	C-G (Commercial General) Zone Land use: Commercial
West	C-G (Commercial General) Zone Land use: Commercial

Similar Entitlement History

In 1985 St. Mark’s Church, which is zoned R-1, filed a CUP application for a parsonage. While at that time neither the Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA) nor LMC Sec. 11-1.68.04 were in effect, clergy housing at religious properties was recognized as a compatible use and the application was approved.

Religious Land Use and Institutionalized Persons Act

The Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA) does not allow state and local governments to implement land use regulations in a way that imposes a substantial burden on the religious exercise of a person or religious institution unless the government can demonstrate that the regulation is in furtherance of a compelling government interest and is the least restrictive means of furthering that government interest. The statute defines land use regulation as a “zoning or landmarking law” that limits the use or development of land.

Clergyperson housing has been a long-standing part of religious properties. Part of a ministry’s function to have clergy accessible and in close proximity to the lay members, particularly in times of need. To preclude clergy houses could be considered an *overly restrictive and a substantial burden* on a religious facility. For the later reason, a conditional use permit is not required.

Project’s Development Standards Review

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

<u>GP/Zoning Code Requirement</u>	<u>Allowed/Required</u>	<u>Proposed</u>	<u>Compliance</u>
Height	35'0"	Single-Story <16'	Yes
FAR	1.0 max.	0.18	Yes
Setbacks	Front (S): 0' Sides (E/W): 0'/0' Rear (N): 10'0"	Front (S): +100' Sides (E/W): +50' Rear (N): 30'	Yes Yes/Yes Yes

Existing Site's Development Standards Review

In accordance with Lomita Municipal Code Sec. 11-1.60, staff reviewed the site and found there are two shipping containers on site for storage. Shipping containers are not permitted and the applicant is proposing to replace the containers with one shed 20' x 20'. The existing shipping containers must be removed per the proposed conditions of approval (within Attachment 1).

Site Plan Review Findings

Staff reviewed the project in accordance with Section 11-1.70.07 (Site Plan Review) of the Lomita Municipal Code (LMC) per LMC Sec. 11-1.68.4(2) and advises that the project is consistent with required findings as detailed within the proposed resolution.

CEQA

Pursuant to Section 15303(a) and Section 15303 (e)'s (New Construction of Conversion of Small Structures) requirements, projects consisting of up to three single-family dwellings and accessory structures are exempt from CEQA. The project consists of no more than two detached single-family dwellings and two small accessory structures.

PUBLIC NOTICE

Notices of this hearing dated May 2, 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 Plans, Floor Plans, Elevations

Prepared by:

Laura MacMorran

Laura MacMorran, AICP
 Associate Planner

Reviewed by:

Brianna Rindge

Brianna Rindge, AICP
 Community & Economic Development Director

RESOLUTION NO. PC 2024-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOMITA APPROVING A REQUEST FOR SITE PLAN REVIEW NO. 1050 TO ALLOW TWO DETACHED SINGLE-FAMILY DWELLINGS FOR USE AS PARSONAGES AND TWO ACCESSORY STRUCTURES AT BAYCITIES COMMUNITY CHURCH LOMITA AT 2043 LOMITA BOULEVARD (APN 7553-009-035) WITHIN THE COMMERCIAL, GENERAL (C-G) ZONE. FILED BY DEAN REUTER ('APPLICANT') ON BEHALF OF BAYCITIES COMMUNITY CHURCH LOMITA ('TENANT') AND FINDING THE ACTION TO BE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

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 on April 8, 2024, to allow two detached single-family dwellings and an accessory structure at 2043 Lomita Blvd. Filed by Dean Reuters ('Applicant') on behalf of Baycities Community Church Lomita ('Tenant'), 2043 Lomita Blvd. Lomita, CA 90717.
- B. On May 13, 2024, the Planning Commission of the City of Lomita held a duly noticed public hearing and accepted public testimony for an application.
- C. Lomita Municipal Code Sec. 11-1.68.04(2) states additions to religious facilities may be approved by the Planning Commission.
- D. This project has been evaluated in accordance with the California Environmental Quality Act and it has been determined that the proposed project is categorically exempt from CEQA under Section 15303(a) and Section 15303 (e) (New Construction of Conversion of Small Structures), which exempt projects consisting of up to three single-family dwellings and accessory structures. The proposed project consists of no more than two detached single-family dwellings and two small accessory structures.
- E. The Planning Commission finds that the Applicant agrees with the necessity of and accept 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 Site Plan Review findings are contained in Lomita Municipal Code (LMC) Section 11-1.70.07. 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 site plan complies with all applicable provisions of this title.*

Subject to the requirements LMC Title XI (Planning and Zoning) Chapter 1 (Zoning) and the Religious Land Use and Institutionalized Persons Act stipulations, the clergypersons' detached 2,136 ft² one-story dwelling and detached 1,040 ft² one-story dwelling and two new accessory structures comply with all applicable provisions of Title XI. In particular, the project meets setback and height requirements.

2. *The site is suitable for the particular use or development intended, and the total development, including the application of prescribed development standards, is arranged as to avoid traffic congestion, will not adversely affect public health, safety, and general welfare, will not have adverse effects on neighboring property, and is consistent with all elements of the general plan.*

The site is suitable for the particular use or development intended. The lot possesses 72,238 ft². The three existing buildings (main chapel, fellowship hall, and youth building) combine for a total of 8,602 ft². The proposed 3,576 ft² (two dwellings and a shed) brings the new floor area ratio to 0.17 and the General Plan's Commercial designation allows up to 1.00.

The entire development is arranged to avoid traffic congestion. The existing driveway is sufficiently wide enough to accommodate two-way traffic, the existing use, and the new structures. The project would create live-work opportunities, therefore additional vehicular traffic would be negligible or zero. The dwellings and parking area are set back more than 100' from Lomita Blvd. Vehicles entering the property should not encounter any impediments delaying a turn into the driveway.

Last, the development will not harm public health, safety, and general welfare, nor have adverse effects on the neighboring property. Residential uses are typically quiet uses. The dwellings will be located 25 feet or more from adjoining property lines, which exceeds the residential rear yard setback minimum standard. One accessory structure is for the church's private use as storage and the other is for the residential dwellings' storage. As shown on the plans, the structures are setback more than 30 feet from the rear property line. This distance from the rear property line exceeds the residential accessory structure rear yard setback minimum standard and complies with the C-G Zone development standards.

For any land use regulation to be valid, the Religious Land Use and Institutionalized Persons Act requires demonstration that the regulation is in furtherance of a compelling government interest and is the least restrictive means of furthering that government interest. The existing use remains the same and the project is a component of the existing use.

3. *The development design is suitable and functional. This requirement shall not be interpreted to require a particular style or type or architecture.*

The development design is suitable and functional for planning and zoning purposes. The buildings are set back more than 300' from the entry. The different sized dwellings should meet the needs of current and future clergypersons. The floor plans are functional and elevations depict residential design. Last, ample open space remains on the site. The Fire Department will review access in conjunction with Building and Safety plan check.

Section 3. Based on the above findings, the Planning Commission of the City of Lomita hereby approves Site Plan Review No.1050 subject to the following conditions:

GENERAL PROJECT CONDITIONS

1. The project shall conform to the revised plans dated February 21, 2024, except as otherwise specified in these conditions, or unless a minor alteration to the plans is approved by the Community and Economic Development Director.
2. This permit is granted for the Applicants' application received on April 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 Owner 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. Remove all shipping containers prior to building permit finalization.
10. Exterior lighting shall not trespass onto neighboring properties. All upward lighting shall be approved by the Community and Economic Development Director to ensure that it does not have adverse effects on neighboring property.

Section 4: The City Clerk shall certify the passage and adoption of this resolution and enter it into the book of original resolutions.

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 Site Plan Review 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 13th day May 2024 by the following vote:

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

Brenda Stephens, 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.

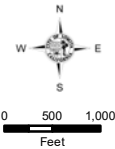
Any action to challenge the final decision of the City made as a result of the public hearing on this application must be filed within the time limits set forth in Code of Civil Procedure Section 1094.6.



Site Plan Review No. 1050
2043 Lomita Blvd.
Vicinity Map

Community & Economic
 Development
 May 2024

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





Site Plan Review No. 1050
2043 Lomita Blvd.
Aerial Map

Community & Economic
Development Department



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: Site Plan Review No. 1050

Project Description: A request for a Site Plan Review No. 1050 to allow Two Detached Single-Family Dwellings for Use as Parsonages and Accessory Structures for Use as Storage at Baycities Community Church Lomita, 2043 Lomita Boulevard in the Commercial General (C-G) Zone Filed by: Dean Reuter (Architect), 480 Palos Verdes Boulevard, Redondo Beach, CA 90277

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, Sec. 15303(a) & Sec. 15303(e) (New Construction))
- Statutory Exemption
- Emergency Project
- Quick Disapproval [CEQA Guidelines, Section 15270]
- No Possibility of Significant Effect [CEQA Guidelines, Section 15061(b)(3)]

Supporting Reasons: Pursuant to Section 15303(a) and (e)'s (New Construction of Conversion of Small Structures) requirements, projects consisting of up to three single-family dwellings and accessory structures are exempt from CEQA. The proposed project consists of no more than two detached single-family dwellings and two small accessory structures.

Date

Laura MacMorran, AICP
Associate Planner

PROJECT INFORMATION:

LEGAL DESCRIPTION: TRACT NO 16 LOT (EX OF ST) COM AT SW COR OF LOT 77 TH N 09.44 FT TH E 101.18 FT TH S 49.72 FT TH N 62°47'30" W 214.97 FT TO BEG PART OF LOT 77

ASSESSOR'S ID NO: 7374-004-053

BUILDING ADDRESS: 2043 LOMITA BOULEVARD
LOMITA, CA 90717

LOT AREA: 72,286 S.F. / 1.66 ACRES

CITY OF LOMITA ZONING: COMMERCIAL - GENERAL (CG)

(E) BUILDING FLOOR AREA:

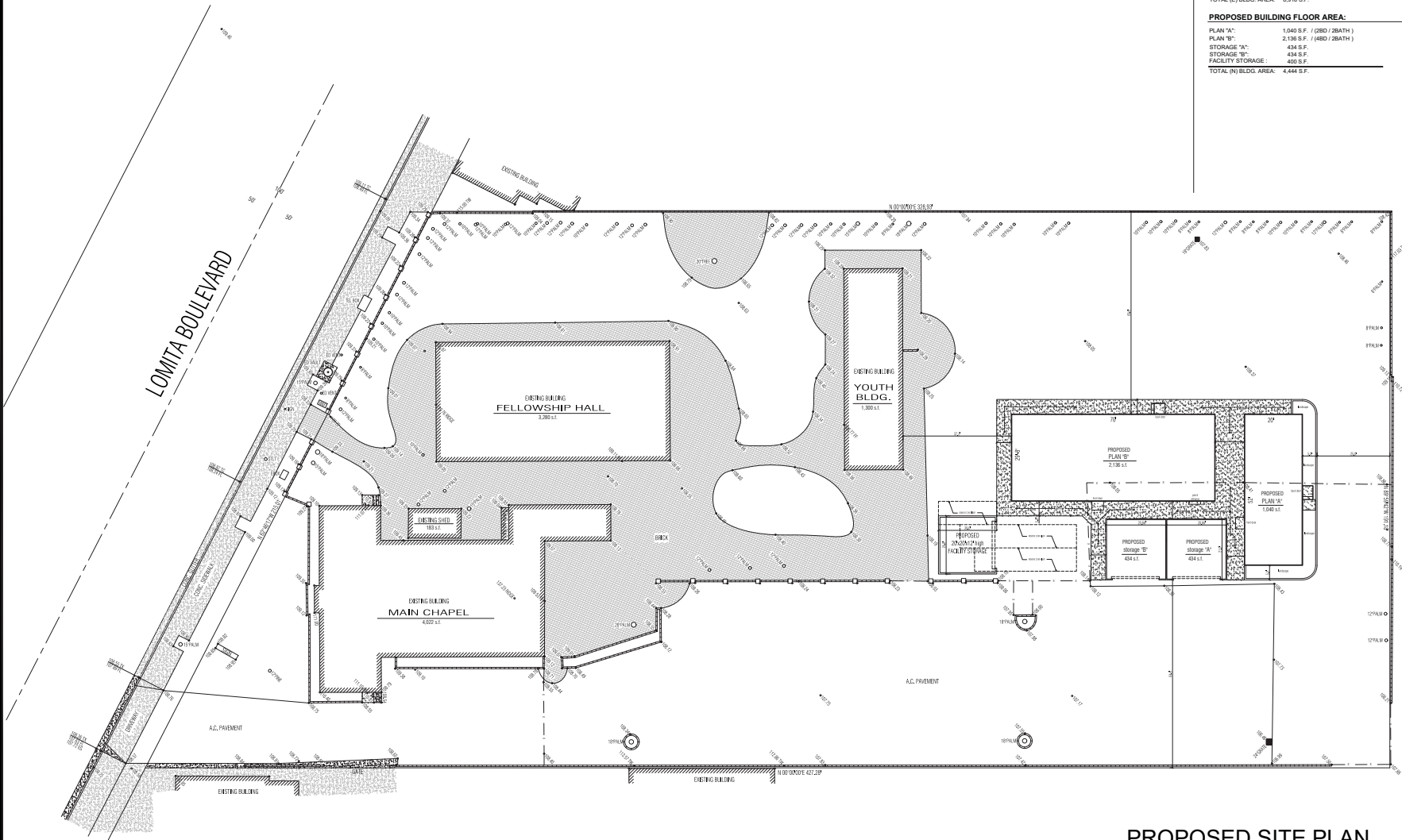
MAIN CHAPEL: 4,022 S.F. / (NO WORK THIS BLDG.)
FELLOWSHIP HALL: 3,285 S.F. / (NO WORK THIS BLDG.)
YOUTH BUILDING: 1,300 S.F. / (NO WORK THIS BLDG.)
EXISTING SHED: 183 S.F. / (NO WORK THIS BLDG.)

TOTAL (E) BLDG. AREA: 8,946 S.F.

PROPOSED BUILDING FLOOR AREA:

PLAN 'A': 1,040 S.F. / (2BD / 2BATH)
PLAN 'B': 2,136 S.F. / (4BD / 2BATH)
STORAGE 'A': 434 S.F.
STORAGE 'B': 434 S.F.
FACILITY STORAGE: 400 S.F.

TOTAL (N) BLDG. AREA: 4,444 S.F.



PROPOSED SITE PLAN



SCALE 1" = 10'

NOTE:
A TITLE POLICY WAS NOT PROVIDED TO DEHN ENGINEERS AT THE TIME OF THIS SURVEY. THEREFORE, DEHN ENGINEERS DOES NOT GUARANTEE THE LEGAL DESCRIPTION OF THE PROPERTY SURVEYED NOR DOES IT REFLECT OR ENDORSE ANY EASEMENTS THAT MAY BE ON SAID PROPERTY.

REVISIONS	BY
4-24-2024	D.R.

BAYCITIES CHURCH / 2043 LOMITA BOULEVARD, LOMITA, CA. 90717
REUTER & REUTER, INC.
 ARCHITECTURE - INTERIORS - PROJECT MANAGEMENT
 Phone 310-690-6094

Drawn by	CG
Checked by	D.R.
Date	3-28-2024
Notes	AS NOTED
Scale	AS NOTED
Sheet	A-1.1



MODIFICATIONS

PROJECT:

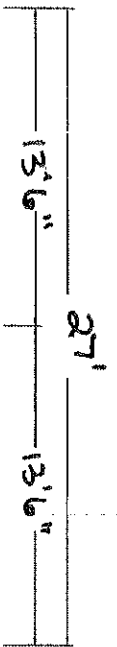
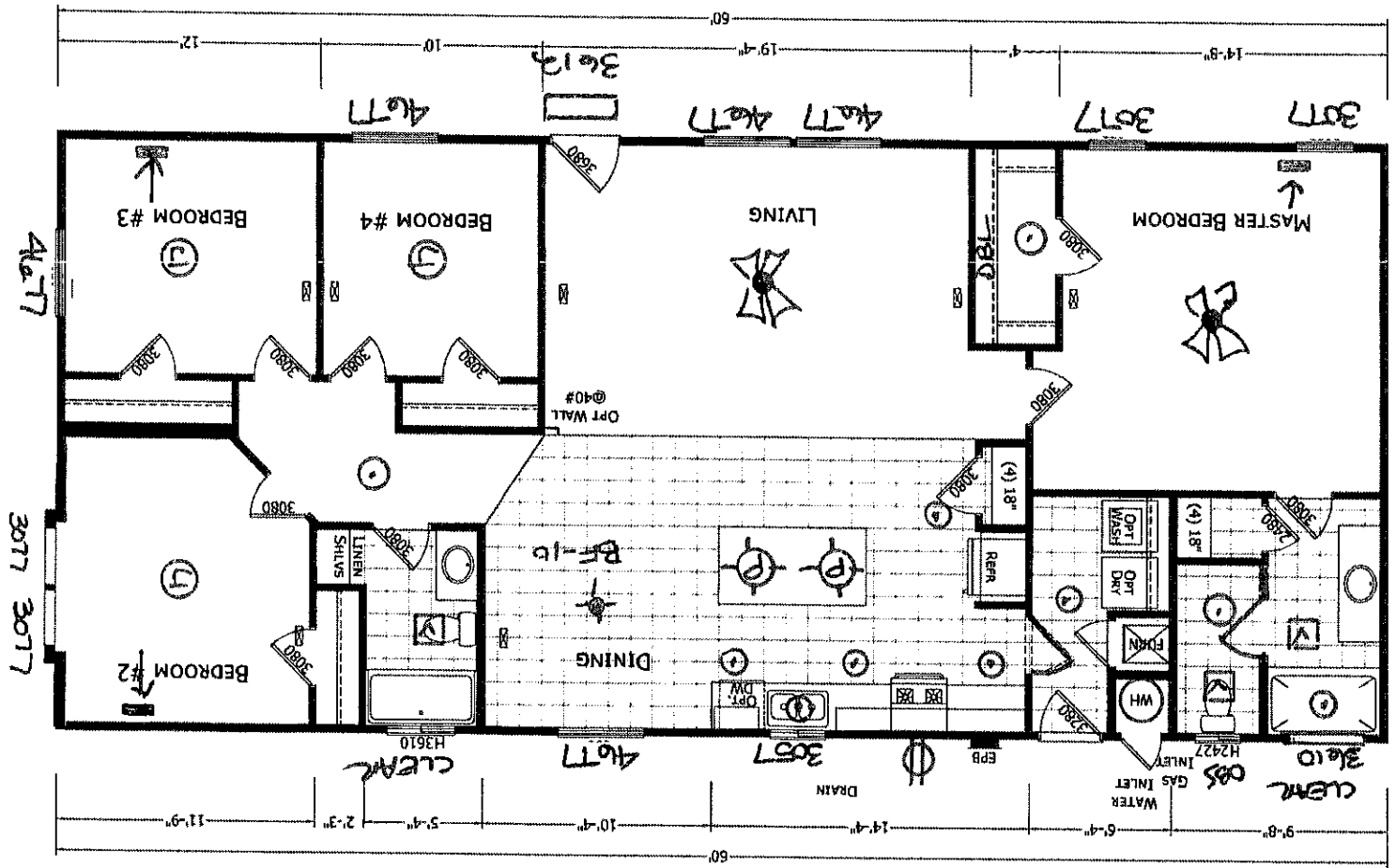
H200-C A0
 60'-0" x 26'-8"
 3 BD 2 BT

TITLE:
 LITERATURE
 PLAN

SHEET:
 L-101

Paramount - Michaels

(1600 SQ. FT. TOTAL)



SHIP AS 16-WIDE.

DIMENSIONS MAY CHANGE
 PER CONSTRUCTION PRINTS.

STANDARD MODEL

PROFESSIONAL AND CONFIDENTIAL
 THESE DRAWINGS AND SPECIFICATIONS ARE ORIGINAL
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FILENAME: H200-C CAMPION 00 TEMP 31822

DRAWN BY: DSTORNE
 DATE: 08-04-20
 SCALE: 3/16" = 1'-0"



DATE 02-21-2024
SCALE AS SHOWN
DRAWN BY LG
CHECKED BY AA

REVISIONS/PLAN LOG

PROJECT AND CLIENT NAME

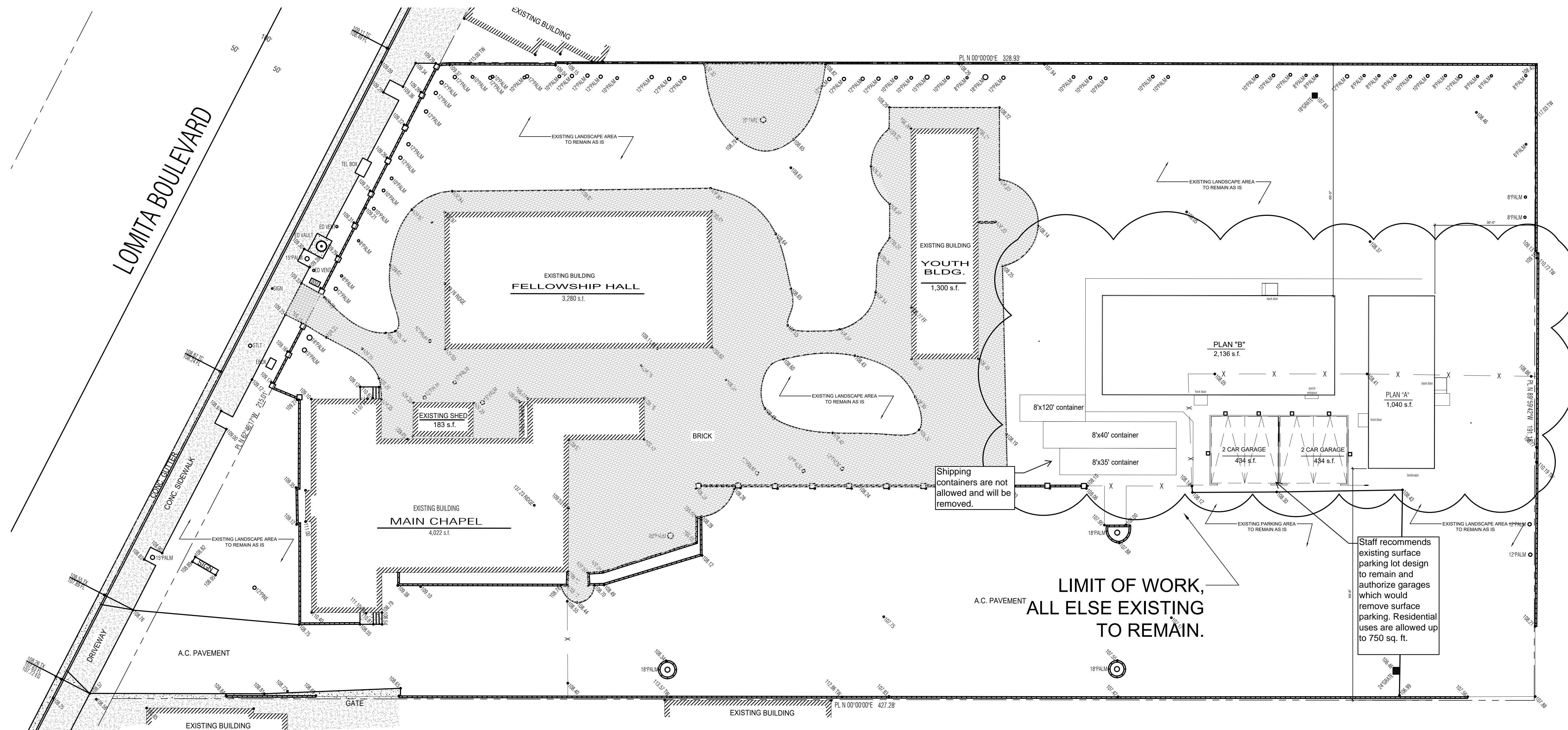
BAYCITIES CHURCH

2043 LOMITA BLVD.
LOMITA, CA 90717

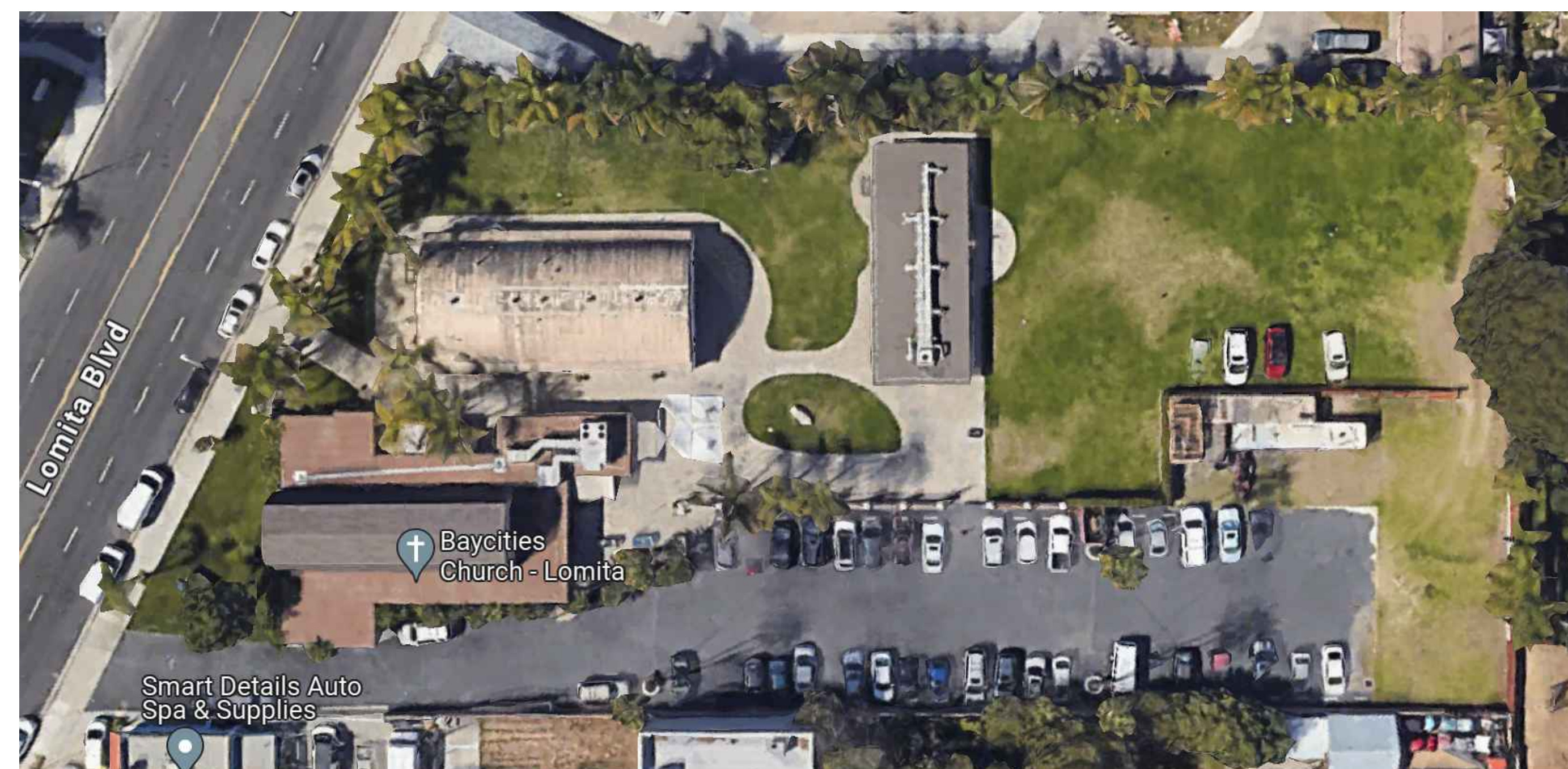
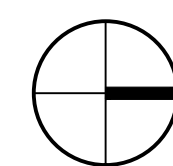
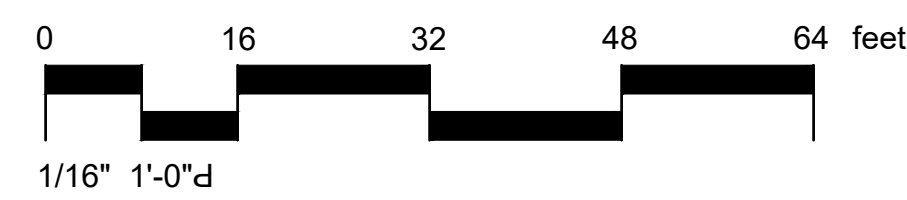
SHEET DESCRIPTION
SITE PLAN

SHEET NUMBER L-1.0
PROJECT NUMBER 2024-003

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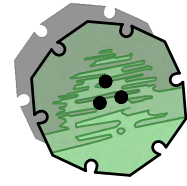

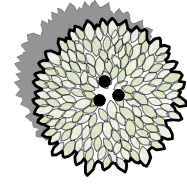

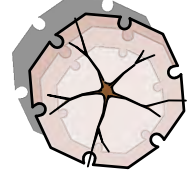
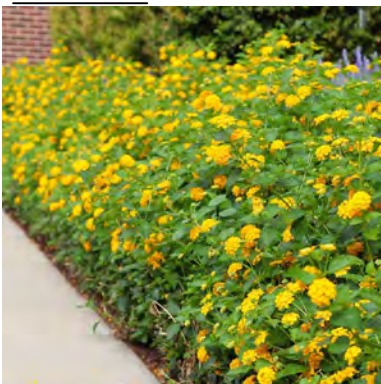





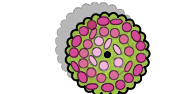


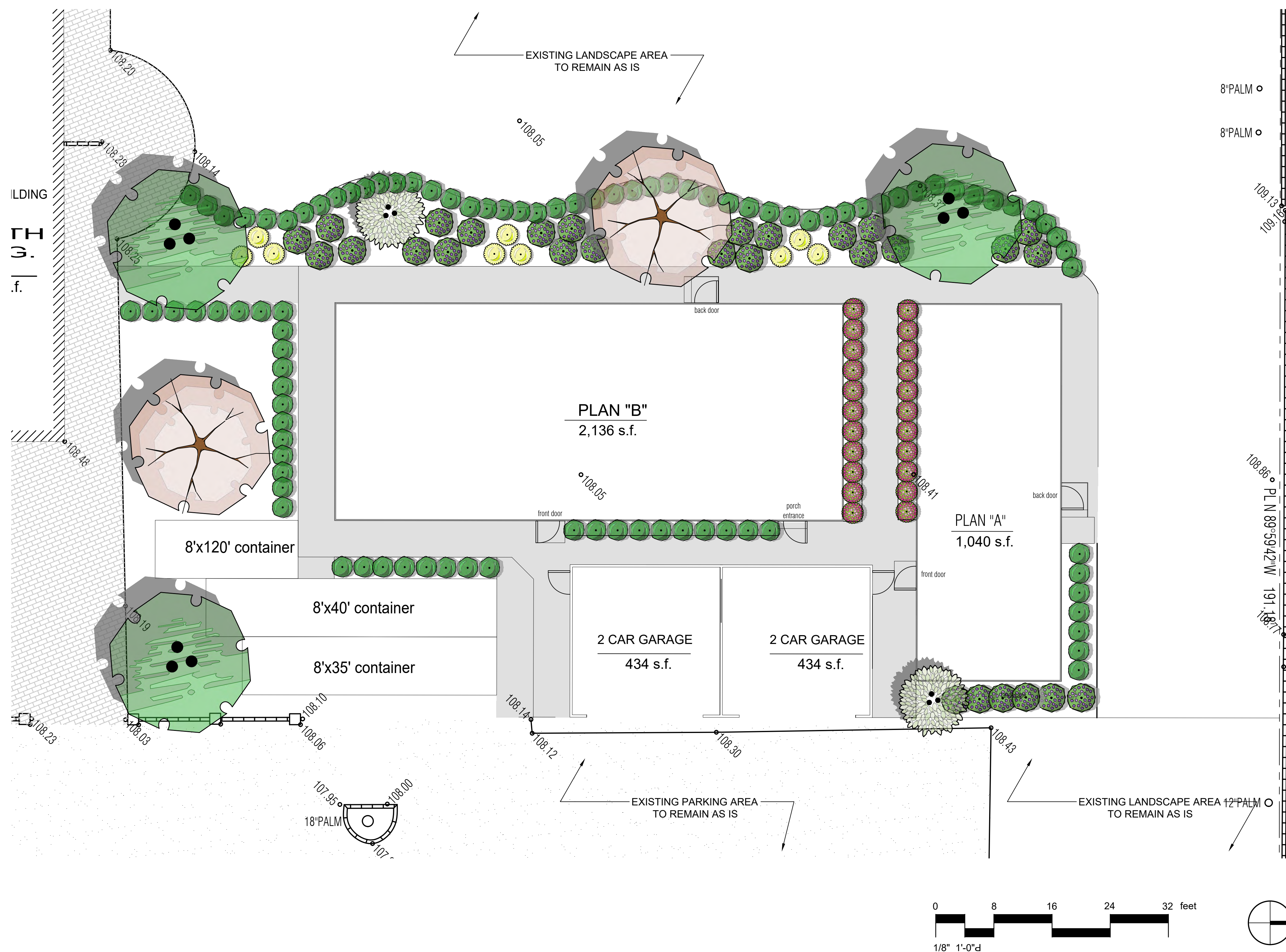
SITE PLAN



AERIAL VIEW FOR REFERENCE, NOT TO SCALE

PLANT SCHEDULE

PHOTO	SYMBOL	BOTANICAL NAME	QTY
TREES			
		Arbutus x 'Marina'	3
		Lagerstroemia indica x fauriei 'Natchez'	2
		Magnolia x soulangeana	2
SHRUBS			
		Lantana x 'New Gold'	9
		Myrtus communis 'Compacta'	95
		Polygala fruticosa 'Petite Butterfly'	29
		Raphiolepis indica 'Ballerina'	22



SEED GROUP

landscape architecture

1505 border avenue
torrance ca 90501
T 310.787.055



DATE 02-21-2024
SCALE AS SHOWN
DRAWN BY LG
CHECKED BY AA

REVISIONS/PLAN LOG

PROJECT AND CLIENT NAME

BAYCITIES CHURCH

2043 LOMITA BLVD.
LOMITA, CA 90717


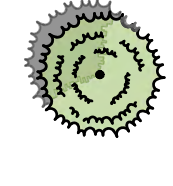
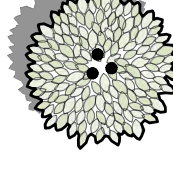

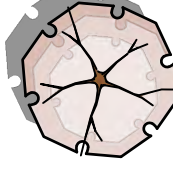
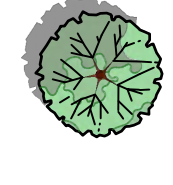


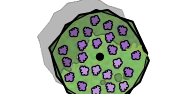
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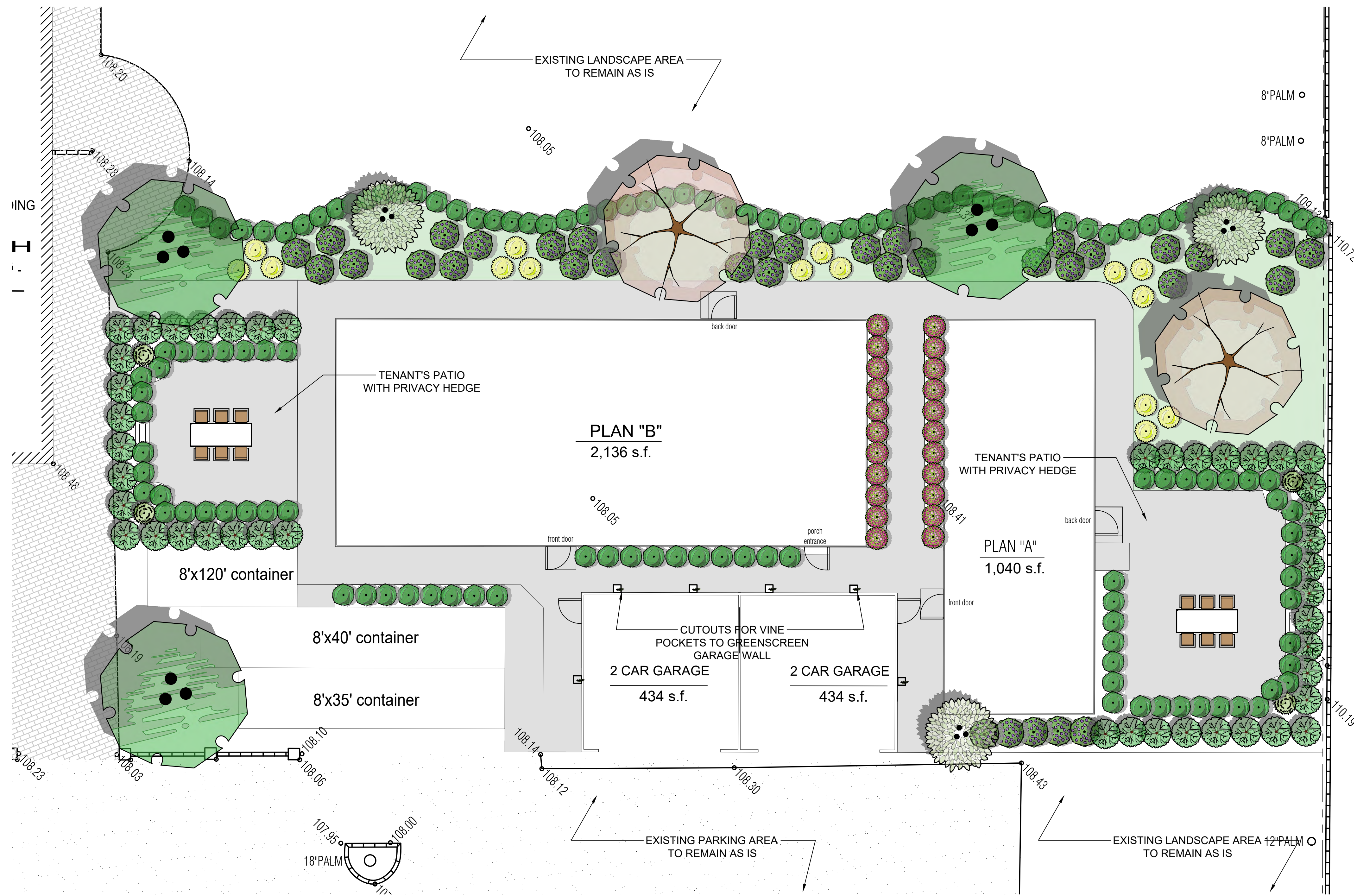
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PROJECT NUMBER 2024-003

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PLANT SCHEDULE

PHOTO	SYMBOL	BOTANICAL NAME	QTY
TREES			
		Arbutus x 'Marina'	3
		Cupressus sempervirens 'Monshel'	4
		Lagerstroemia indica x fauriei 'Natchez'	3
		Magnolia x soulangeana	2
		Podocarpus macrophyllus 'Maki'	44
SHRUBS			
		Ficus pumila	6
		Lantana x 'New Gold'	15
		Myrtus communis 'Compacta'	132
		Polygala fruticosa 'Petite Butterfly'	35
		Rhapiolepis indica 'Ballerina'	22



SEED GROUP

landscape architecture

1505 border avenue
torrance ca 90501
T 310.787.0555



DATE 02-21-2024
SCALE AS SHOWN
DRAWN BY LG
CHECKED BY AA

REVISIONS/PLAN LOG

PROJECT AND CLIENT NAME

BAYCITIES CHURCH

2043 LOMITA BLVD.
LOMITA, CA 90717

SHEET DESCRIPTION
PLANTING PLAN

SHEET NUMBER **L-2.0**
PROJECT NUMBER 2024-003

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CITY OF LOMITA PLANNING COMMISSION REPORT

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

FROM: Laura MacMorran, Associate Planner

DATE: May 13, 2024

SUBJECT: Discussion and Consideration of Conditional Use Permit No. 328 for One Building up to 20' in Height for Two Accessory Dwelling Units at 26038 Oak Street in the RVD-2500 (Residential Variable Density 2500) Zone and Finding the Project Exempt from the California Environmental Quality Act (CEQA)

RECOMMENDATION

Adopt a resolution approving Conditional Use Permit No. 328 to allow a 20-foot high, two-story, two-accessory-dwelling-unit (ADU) building with five-foot side and rear yard setbacks at 26038 Oak Street subject to the findings and conditions and finding the request exempt from the California Environment Quality Act (CEQA).

BACKGROUND

Rand Relatores ("Applicant") on behalf of Rick Butch ("Owner") requests approval of Conditional Use Permit No. 328 to allow a two-story two-accessory-dwelling-unit (ADU) building up to 20' in height with each unit possessing 800 ft² at 26038 Oak Street within the Residential Variable Density (RVD) 2500 Zone. The City requires a Conditional Use Permit to build a detached ADU taller than 16' within the rear yard setback.

Existing Conditions

26038 Oak Street is located south of Pacific Coast Highway and 8 lots north of Oak Street's terminus. The 13,110 ft² lot contains two one-story three-unit apartment buildings, which together possess 4,056 ft². Each building has three attached single-car garages accessible by a driveway that bisects the property's 85' of frontage.

Height Variation Permit Entitlement

In accordance with Lomita Municipal Code (LMC) Section 11-1.70.11, staff sent notices of the application to property owners within 300 feet of the subject property and the Owner mailed elevation plans via certified mail to adjacent property owners. The intent and purpose of the view protection article is to provide for the public health, safety, and welfare through the regulation of development in and adjacent to hillside areas in order to protect significant views.

Oak Street and the adjacent 261st Street are relatively flat streets. No objections were filed; therefore, Height Variation Permit No. 118 was approved on April 26th.

ANALYSIS

General Plan and Zoning Code Designations

The General Plan land use designation for the subject property is Residential Medium Density and LMC designates the property as RVD-2500 (Residential Variable Density 1/2500). The project’s residential use is consistent in regard to the type of use. Per CA Gov. Code Sec. 66314(c), ADUs “do not exceed the allowable density for the lot”, and “are consistent with the existing general plan and zoning designation”.

Adjacent Zoning and Land Uses

Direction	Zone and Land Use
North, South & West	RVD-2500 (Residential Variable Density) Zone Land use: Residential (Multi-Family Residential)
East	R-1 (Single-Family Residential) Zone Land use: Residential (Single-Family Residential)

Project’s Development Standards Review

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

<u>Zoning Code Requirement</u>	<u>Allowed/Required</u>	<u>Proposed</u>	<u>Compliance</u>
Height	20’	20’	Subject to CUP
Size	800 ft ² /unit	792 ft ² /unit	Yes
Setbacks	Sides (N/S): 5’/5’ Rear (E): 5’	Sides (N/S): 5’/5’ Rear (E): 5’	Yes/Yes Yes
Open Space	225 ft ² /unit	>450 ft ²	Yes
Rear Yard Open Space	50% max. of rear yard occupancy = 606 ft ²	43% Rear building = 510 ft ²	Yes
Exterior Stair Location	Facing front property line	Facing front property line west	Yes
Accessible Design Features	Entry width, Doorway opening, bathroom size, bathroom path of travel, and light switches	Building and Safety Plans must include	Yes with proposed conditions of approval

Existing Site’s Development Standards Review

In accordance with Lomita Municipal Code Sec. 11-1.60, staff inspected the site and found an unpermitted storage structure attached to the rear of the southerly building. This structure occupies a portion of the rear yard setback and must be removed prior to building permit issuance as addressed in the proposed conditions of approval.

LMC requires that 50% of the front yard must be landscaped. Front yards provide both aesthetic value and pervious surface for stormwater. The ~1,700 ft² front yard of 26038

Oak St. is paved, an issue addressed in the proposed conditions of approval.

Finally, building permit review will trigger standard code-required right-of-way improvements regarding sidewalks and driveway aprons. An easement around the driveway may be required to provide an accessible path of travel with proper slope and width as determined by the Public Works department prior to building permit approval.

Conditional Use Permit Findings

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).

The project, along with the proposed conditions of approval, is consistent with the zoning code standards and General Plan. The proposed height is compatible with the surrounding properties and expected future uses. Both 2066 & 2070 261st St. contain a two-story single-family dwelling with side property lines abutting 26038 Oak St.'s rear property line. These neighbors maintain 5' side yard setbacks from the property at 26038 Oak St., the same setback proposed at the subject property. Similarly, the side property line of 26016 Oak St. abuts 26038 Oak St.'s rear yard and the dwellings sit 5' from the property line. (See Attachment 5). More than 50% of the rear yard contains open space, which affords the neighboring property owners sunlight.

CEQA

Pursuant to Section 15303(b) (New Construction) of the CEQA guidelines exempts duplexes in urbanized areas. In addition, Section 15332 (In-Fill Development) of the CEQA guidelines exempts an in-fill project that is consistent with the general plan designation, general plan policies, zoning designation, zoning regulations, is less than five acres with no value as endangered habitat, and will not significantly affect traffic, noise, air quality or water quality. The subject property is less than five acres. This project consists of entitlement an additional four feet of height on a duplex (two-unit residential building). It is consistent with the general plan and zoning designations, and cannot conceivably have any significant effects on traffic, noise, air quality, or water quality.

PUBLIC NOTICE

Notices of this hearing dated May 2, 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 Annotated
6. Notice of Exemption
7. Site, and Floor Plans
8. Photographs of Silhouette

Prepared by:

Laura MacMorran

Laura MacMorran, AICP
Associate Planner

Reviewed by:

Brianna Rindge

Brianna Rindge, AICP
Community & Economic Development Director

RESOLUTION NO. PC 2024-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOMITA APPROVING A REQUEST FOR CONDITIONAL USE PERMIT NO. 328 FOR ONE BUILDING UP TO 20' IN HEIGHT FOR TWO ACCESSORY DWELLING UNITS AT 26038 OAK STREET (APN 7553-009-035) WITHIN THE RESIDENTIAL VARIABLE DENSITY-2500 (RVD-2500) ZONE, FILED BY RAND RELATOIRES (APPLICANT) ON BEHALF OF RICK BUTCHA (OWNER), AND FINDING THE ACTION TO BE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

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 a Conditional Use Permit (CUP) application on April 8, 2024, to allow a 20-foot-high, two-story building containing two accessory dwelling units (ADUs) with five-foot side yard and five-foot rear yard setbacks, instead of a one-story 16-foot-high building with two accessory dwelling units, at 26038 Oak Street. Filed by Rand Relatoires (Applicant), on behalf of Rick Butcha (Owner).
- B. On May 13, 2024, the Planning Commission of the City of Lomita held a duly noticed public hearing and accepted public testimony for the application.
- C. On April 26, 2024, the City administratively approved Height Variation Permit No. 118 under Lomita Municipal Code Sec. 11-1.70.11.
- D. This project has been evaluated in accordance with the California Environmental Quality Act and it has been determined that the proposed project is categorically exempt from the requirements of CEQA. Section 15303(b) (New Construction) exempts a duplex in an urbanized area. Section 15332 (In-fill Development) exempts those projects which: (1) are consistent with the applicable general plan designation and all applicable general plan policies (as well as with applicable zoning designation and regulations); (2) occur within city limits on a project site of no more than five acres substantially surrounded by urban uses; (3) have no value as a habitat for endangered, rare or threatened species; (4) would not result in any significant effects relating to traffic, noise, air quality, or water quality; and (5) have a project site that can be adequately served by all required utilities and public services. The proposed 20-foot high two-accessory-dwelling-unit building is considered a duplex and is located on a lot on less than one-half of an acre and surrounded by residential uses. The development is fully located within the City limits, is consistent with the applicable General Plan and zoning designations, is fully served by all required utilities, and the site has no value for sensitive or endangered habitats.

- E. The Planning Commission finds that the Applicant agrees with the necessity of and accept 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 Conditional Use Permit findings are contained in Lomita Municipal Code (LMC) Section 11-1.70.09 (Conditional Use Permit). 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 LMC Section 11-1.30.06(D)(3)(b)(2), a two-story 20-foot-high accessory dwelling unit building is permitted with the approval of a CUP.

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

The General Plan land use designation for the subject property is residential and accessory dwelling units are a residential use. Per CA Gov. Code Sec. 66314(c), ADUs “do not exceed the allowable density for the lot”, and “are consistent with the existing general plan and zoning designation”.

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 site and building’s design are consistent with existing and future land uses. The 20-foot-high building is lower than the 27-foot maximum height allowed in the area with a height variation permit. On April 26, 2024, the City approved Height Variation Permit No. 118 administratively under LMC 11-1.70.11. A 16-foot-high building is allowed by right and the four additional feet will not jeopardize, adversely affect, endanger, or otherwise constitute a menace to the public health, safety, or general welfare, nor will be materially detrimental to properties or persons in the vicinity. The rear yard of 26038 Oak Street abuts the side property lines of 2066 & 2070 261st Street and 26016 Oak Street. The project provides a five-foot setback, which is the equivalent of a side yard setback.

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 site is adequate in size and shape to accommodate the 225 ft² per new unit open space. The plans propose 57% of the rear yard as open space which exceeds the 50% requirement. An unpermitted storage structure is attached to the rear of the southerly building. This structure occupies a portion of the rear yard setback and is required to be removed prior to building permit issuance per the conditions of approval.

The site was developed in 1957. While the property is nonconforming because it does not contain the present-day minimum required off-site parking for the existing units, the property is within one-half of a mile of a bus stop and additional on-site parking is not required due to State ADU laws. Setback and landscaping/open space requirements are some of the City's tools to preserve pervious surfaces, which reduce stormwater runoff. This project increases the property's impervious area; therefore, the noncompliant impervious front yard coverage will be addressed per the conditions of approval.

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 located near the terminus of Oak Street and south of Pacific Coast Highway (PCH). Pacific Coast Highway is a six-lane roadway with a left center turn lane onto Oak Street at a traffic light. Oak Street is a local street and the right-of-way width varies from 50 feet to 60 feet; however, the curb-to-curb measurement remains constant. The project will be reviewed in accordance with LMC Sec. 10-5.02 and Sec. 11-1.65 and for right-of-way improvements and alterations prior to building permit approval.

Section 3. Based on the above findings, the Planning Commission of the City of Lomita hereby approves Conditional Use Permit No. 328 subject to the following conditions:

GENERAL PROJECT CONDITIONS

1. The project shall conform to the revised plans dated April 16, 2024, except as otherwise specified in these conditions, or unless a minor alteration to the plans is approved by the Community and Economic Development Director.
2. This permit is granted for the Applicants' application received on April 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. Remove the unpermitted attached storage structure from the southerly building prior to building permit issuance.
10. Apply for landscape and irrigation plan review in order to restore the front yard landscape area that satisfies Lomita Municipal Code Sec. 11-1.30.03(A)'s requirement (50% of the front yard must contain drought tolerant species). The plan must also comply with MWELo standards. Along with the submittal provide approved grading and drainage plan and the low impact development covenant. All landscaping and irrigation systems must be inspected & approved prior to building permit finalization.

Section 4: The City Clerk shall certify the passage and adoption of this resolution and enter it into the book of original resolutions.

INDEMNIFICATION

Applicant agrees, as a condition of adoption of this resolution, at Applicant's 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. Applicant's commencement of construction or operations pursuant to the resolution shall be deemed to be an acceptance of all conditions thereof.

COMPLIANCE

If Applicant, owner, or tenant fails to comply with any of the conditions of this permit, the Applicant, 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 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 Applicant 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 13th day May 2024 by the following vote:

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


Brenda Stephens, 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.



 City of Lomita



Conditional Use Permit No. 328
26308 Oak St.
Vicinity Map

Community & Economic
 Development
 May 2024

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





Zoning Map



Conditional Use Permit No. 328
26038 Oak St.
Zoning Map

Community & Economic
 Development
 May 2024

Source: GIS ArcReader





GP Map



Conditional Use Permit No. 328
26038 Oak St.

Community & Economic
 Development
 May 2024
 Source: GIS ArcReader





Conditional Use Permit 328
26038 Oak Street

Community & Economic
Development Department
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. 328

Project Description: A request for a conditional use permit to allow for one building up to 20' in height for two accessory dwelling units at 26038 Oak Street (APN 7553-009-035) within the Residential Variable Density-2500 (RVD-2500) Zone. Filed by: Rand Relatores, 24010 Palos Verdes Drive North, #2000, Rolling Hills Estates, CA 90274

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).

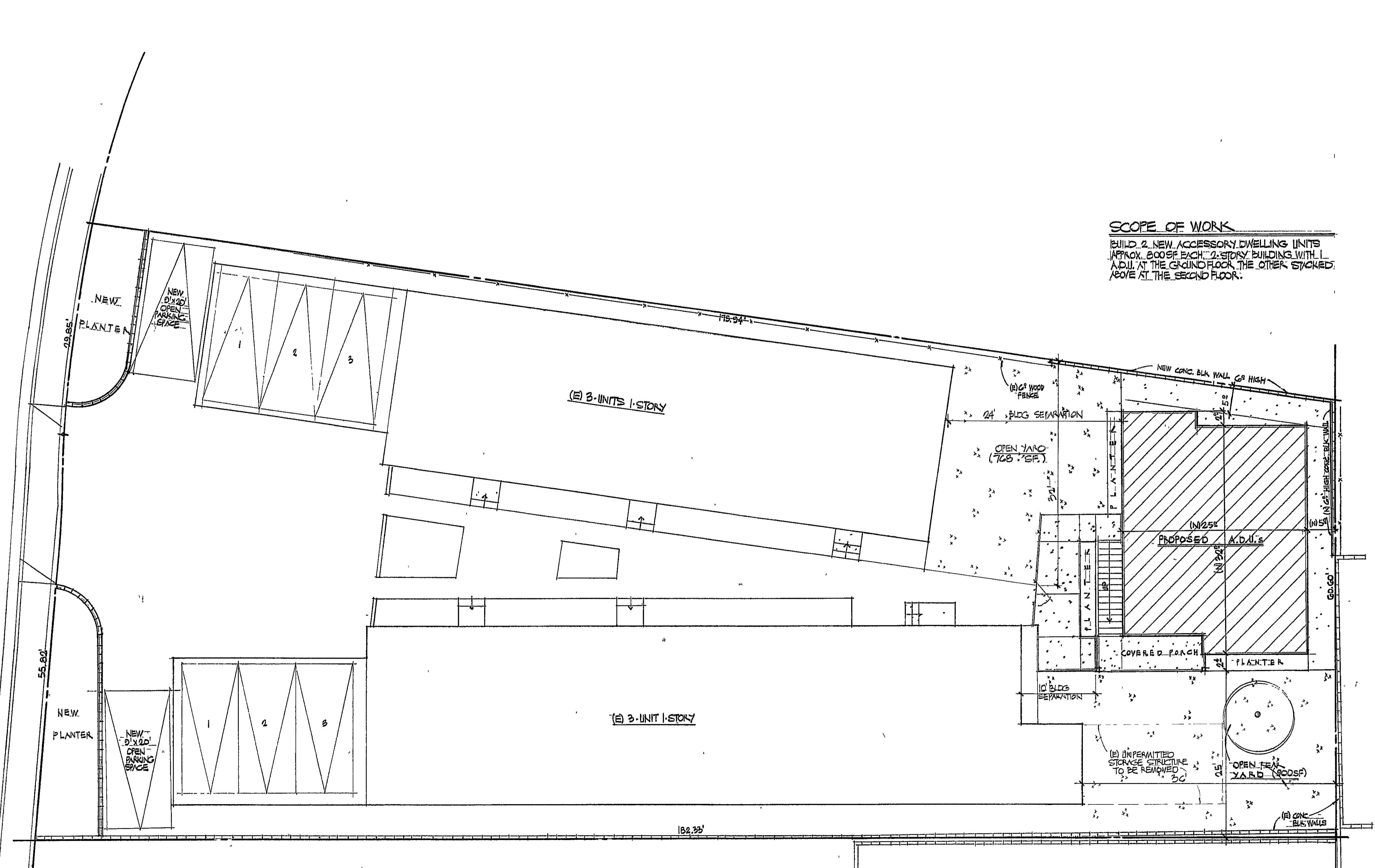
- Ministerial Project
- Categorical Exemption (CEQA Guidelines, Sec. 15303(b) (New Construction) & 15332 (In-fill Development))
- Statutory Exemption
- Emergency Project
- Quick Disapproval [CEQA Guidelines, Section 15270]
- No Possibility of Significant Effect [CEQA Guidelines, Section 15061(b)(3)]

Supporting Reasons: Pursuant to Section 15303(b) exempts a duplex in an urbanized area and Section 15332 (In-fill Development) exempts those projects which: (1) are consistent with the applicable general plan designation and all applicable general plan policies (as well as with applicable zoning designation and regulations); (2) occur within city limits on a project site of no more than five acres substantially surrounded by urban uses; (3) have no value as a habitat for endangered, rare or threatened species; (4) would not result in any significant effects relating to traffic, noise, air quality, or water quality; and (5) have a project site that can be adequately served by all required utilities and public services. The proposed 20-foot high two-accessory-dwelling-unit building is considered a duplex and is located on a lot on less than one-half of an acre and surrounded by residential uses. The development is fully located within the City limits, is consistent with the applicable General Plan and zoning designations, is fully served by all required utilities, and the site has no value for sensitive or endangered habitat.

Date

Laura MacMorran, AICP
Associate Planner

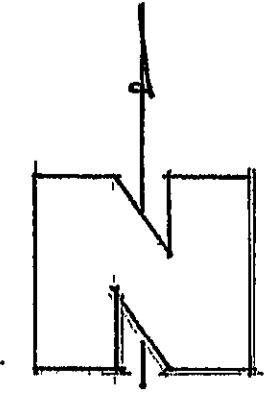
OAK STREET



SCOPE OF WORK
 BUILD 2 NEW ACCESSORY DWELLING UNITS (APPROX. 800 SF EACH) 2-STORY BUILDINGS WITH 1 A.D.U. AT THE GROUND FLOOR, THE OTHER STOKED ABOVE AT THE SECOND FLOOR.

SITE PLAN

SCALE: 1/8" = 1'-0"



RAND ARCHITECTURE

ARCHITECTURE • DESIGN
 CONSTRUCTION • MANAGEMENT

RAND D. RELATORES, AIA
 ARCHITECT C24070

4010 Palms Verdes Drive North,
 Suite #200D
 Rolling Hills Estates, CA 90274
 Office: 310-530-6543
 randarchitecture@gmail.com

ALL IDEAS, DESIGN, ARRANGEMENTS AND PLANS INDICATED OR REPRESENTED BY THIS DRAWING ARE OWNED BY & ARE PROPERTY OF RAND ARCHITECTURE AND WERE CREATED AND EVOLVED AND DEVELOPED FOR USE ON AND IN CONNECTION WITH THE SPECIFIED PROJECT. NONE OF SUCH IDEAS, ARRANGEMENTS OR PLANS SHALL BE USED BY OR DISCLOSED TO PERSON, FIRM OR CORPORATION FOR ANY PURPOSE WHATSOEVER WITHOUT THE WRITTEN PERMISSION OF RAND ARCHITECTURE.

2 NEW A.D.U.s
 RDR PROPERTIES LLC
 26088 OAK STREET
 LOMITA, CA 90717

DRAWN BY
 RDR
 CHECKED

DATE
 04/16/2024
 SCALE
 1/8" = 1'-0"

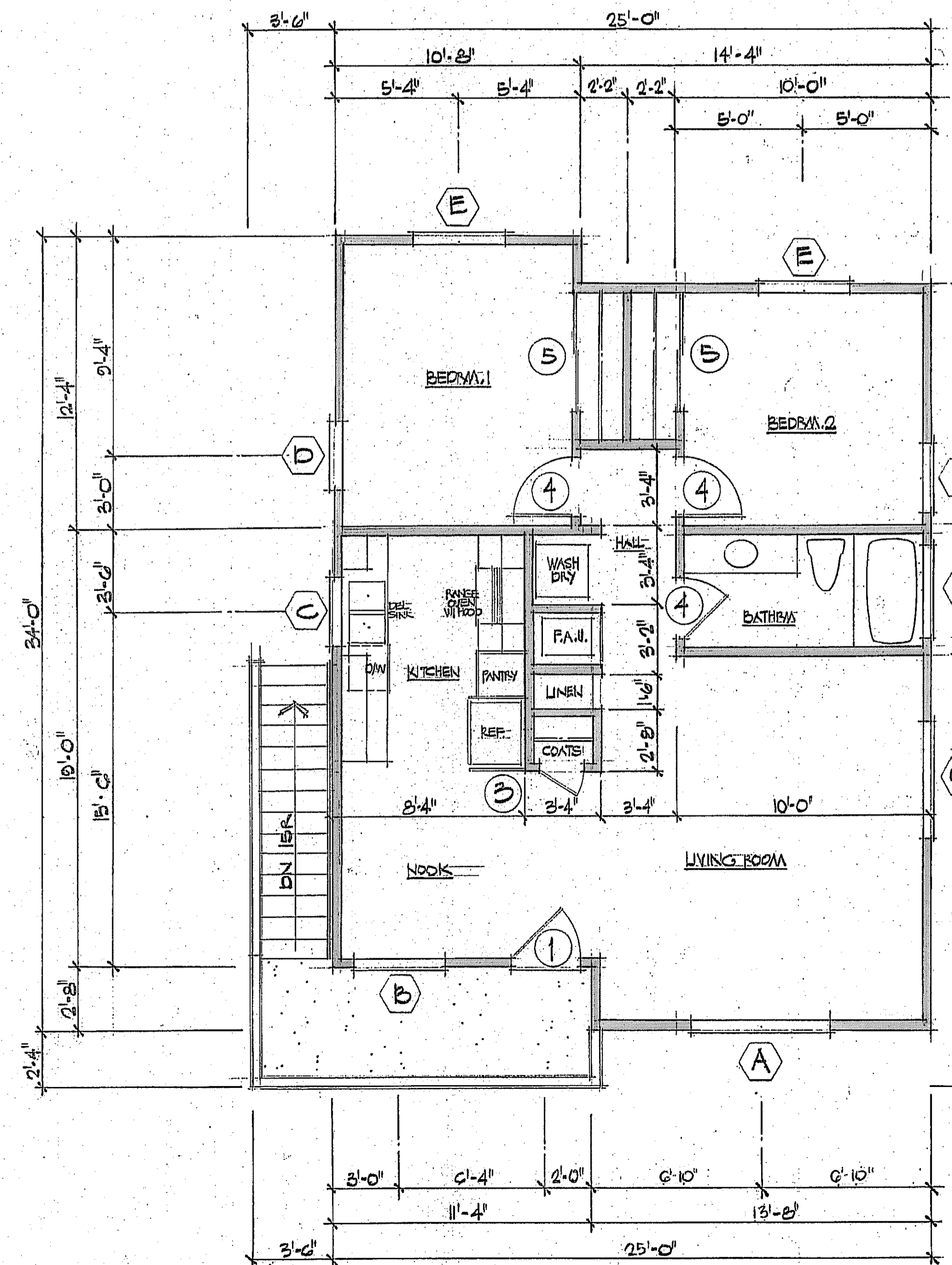
JOB NO
 SHEET
 1
 OF SHEETS

DOORS SCHEDULE

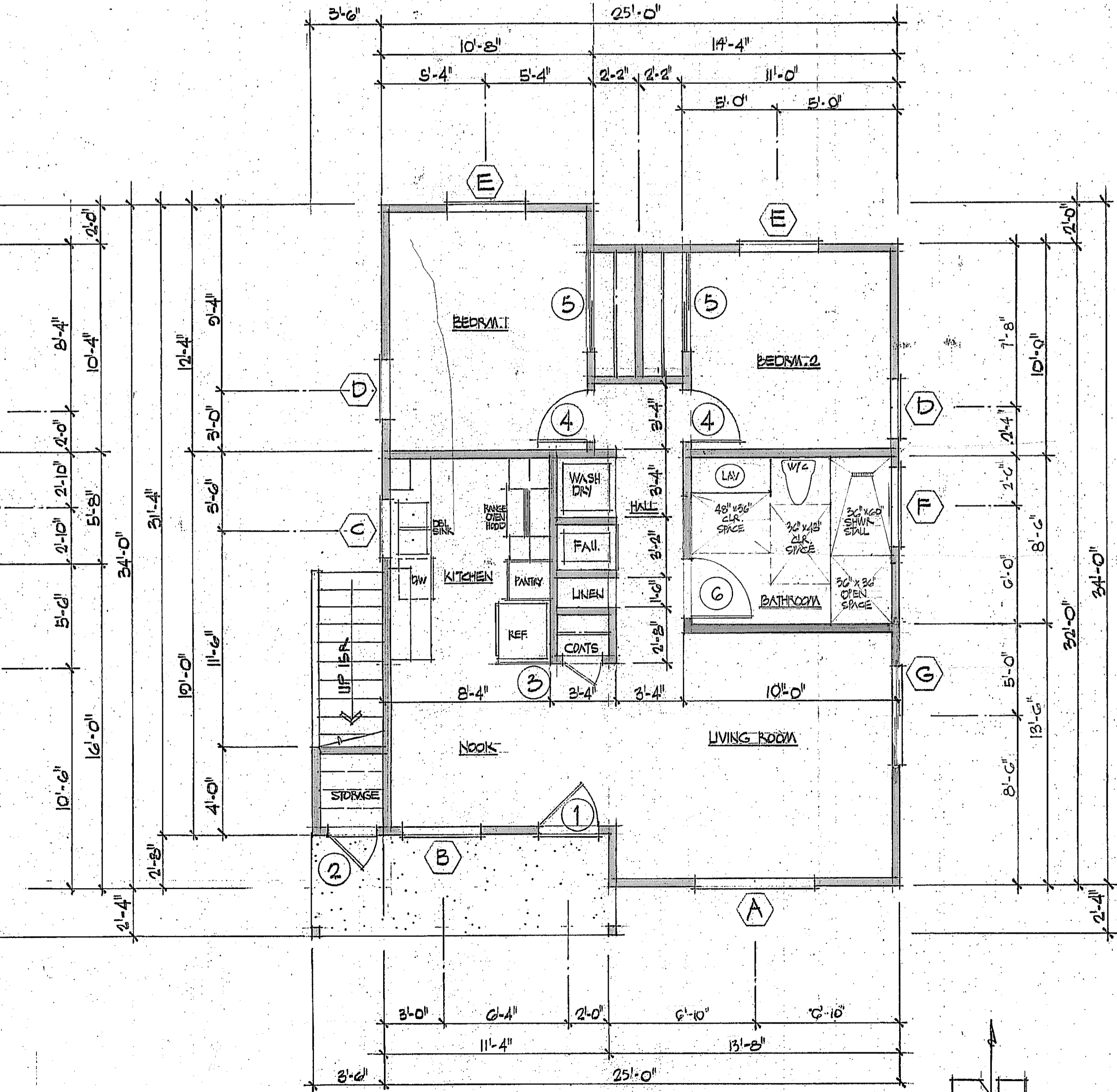
S/N	WIDTH	HEIGHT	THK	KG/SC	TYPE	QTY	HARDWARE	REMARKS
①	3'-0"	6'-2"	1 3/4"	SC	STEEL	2	LOCKSET DEADBOLT	ENTRY DOOR
②	2'-0"		1 3/4"	SC	STEEL	1		STORAGE
③	2'-0"		1 3/8"	HC	HANOWD	2	PASSAGE	
④	2'-2"					6	PRIVACY	
⑤	2'-0"					4	DUMMY	WARDROBE CLOSET
⑥	3'-0"					1	PRIVACY	

WINDOW SCHEDULE

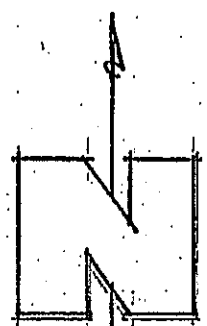
S/N	WIDTH	HEIGHT	TYPE	FRAME	SCRN	LITES	QTY	SPEC	UP/COR	REMARKS
A	6'-0"	4'-0"	SLIDER	VINYL	YES	2	2			
B	4'-0"	4'-0"					2			
C	3'-0"	3'-0"					2			TEMPERED GLASS
D	3'-0"	4'-0"	SHUNG				4			
E	4'-0"	2'-0"	SLIDER				4			HEAD AT 7'-0"
F	4'-0"	1'-0"					2			OBSCURE/TEMPERED GLS
G	5'-0"	2'-0"					2			HEAD AT 7'-0"

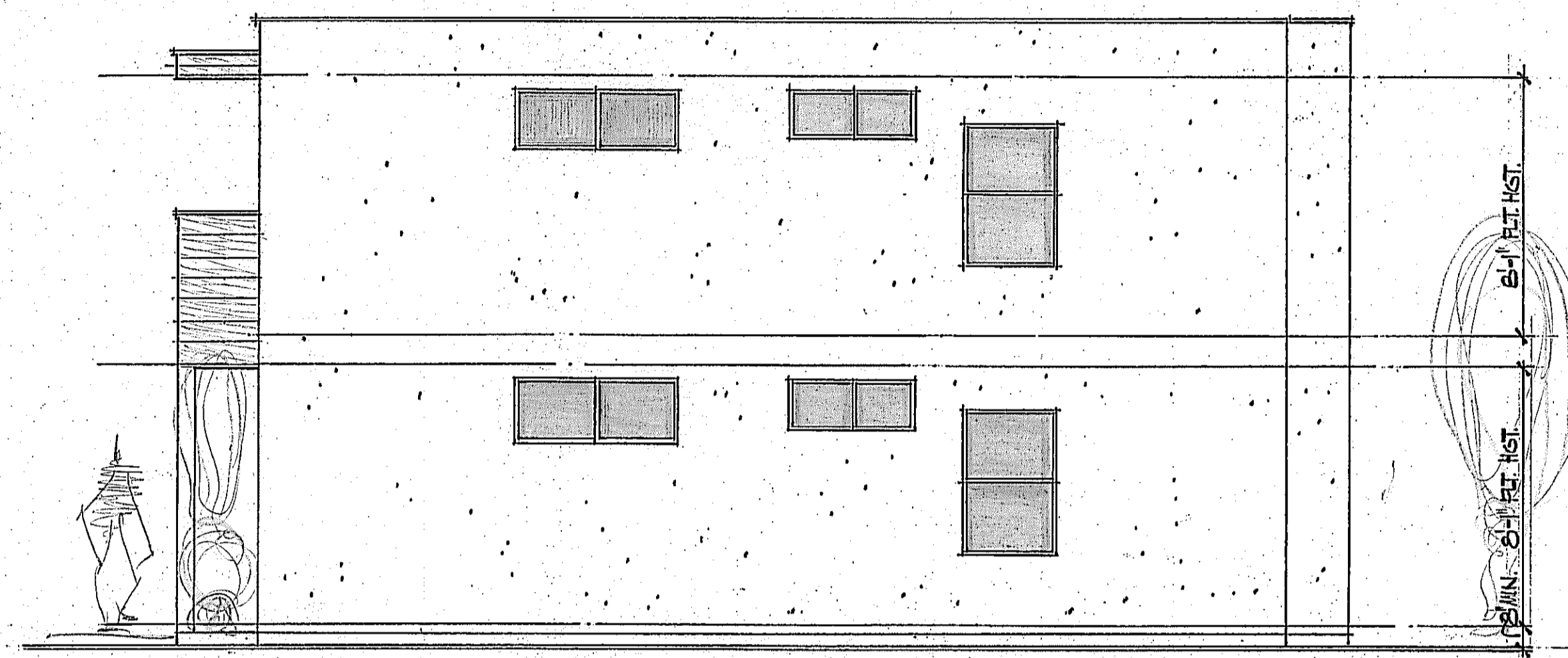


SECOND FLOOR PLAN SC: 1/4" = 1'-0"

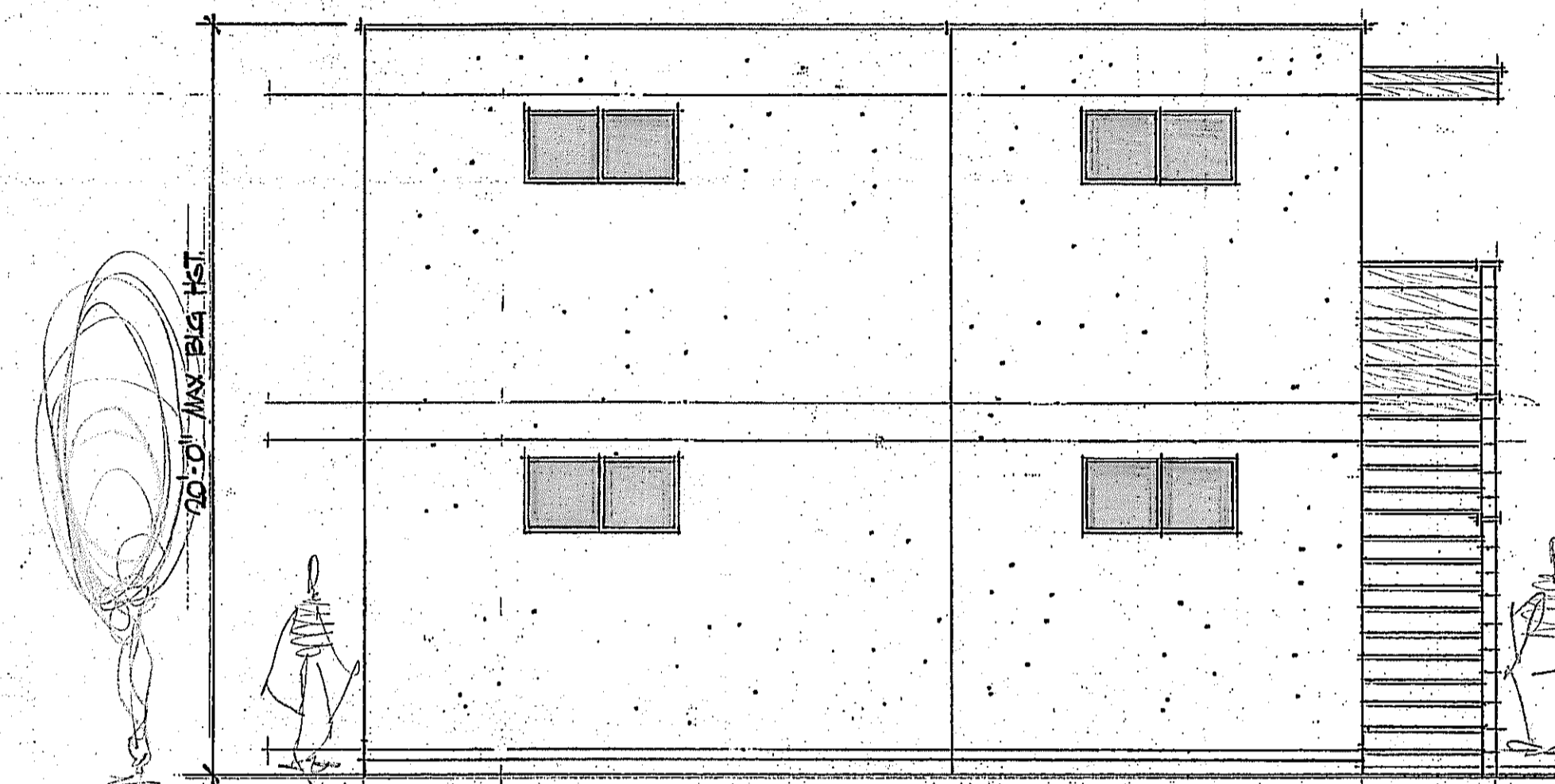


FIRST FLOOR PLAN SC: 1/4" = 1'-0"

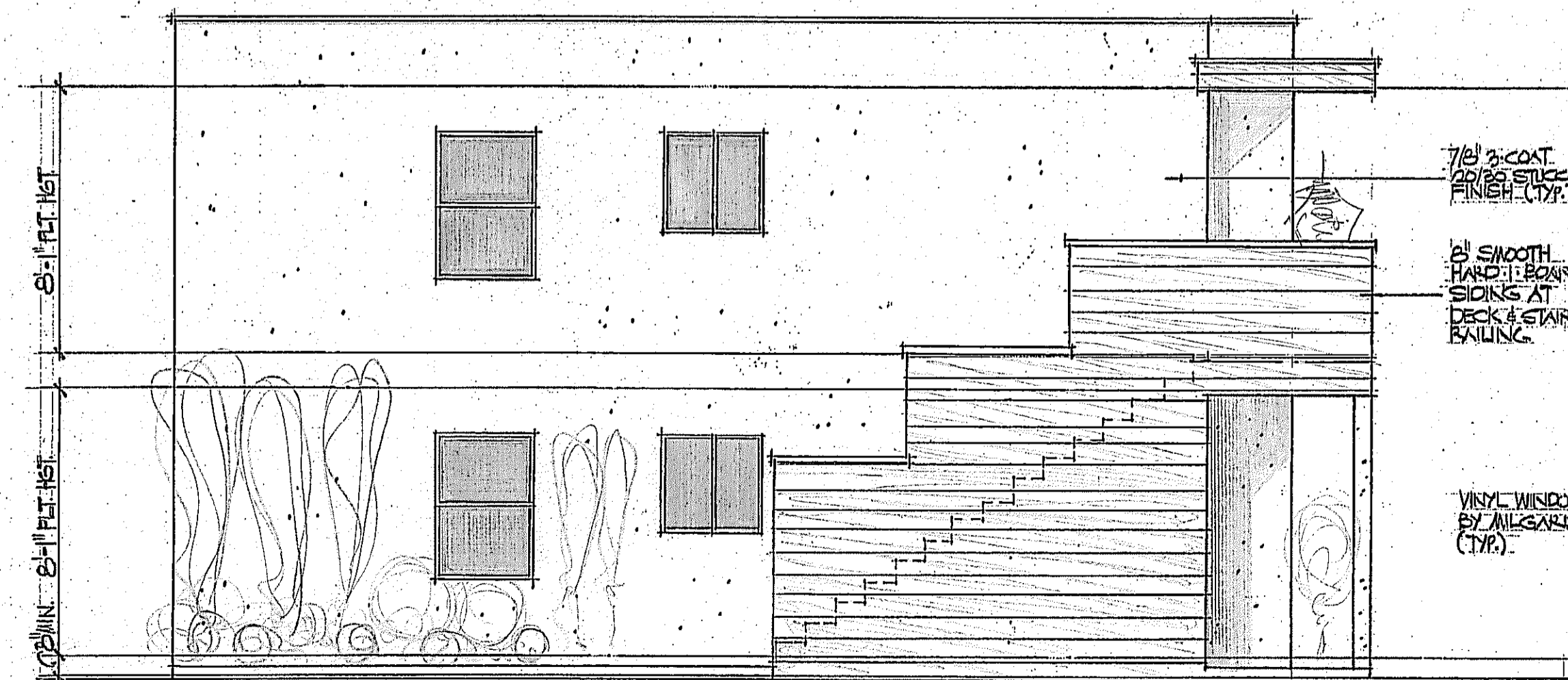




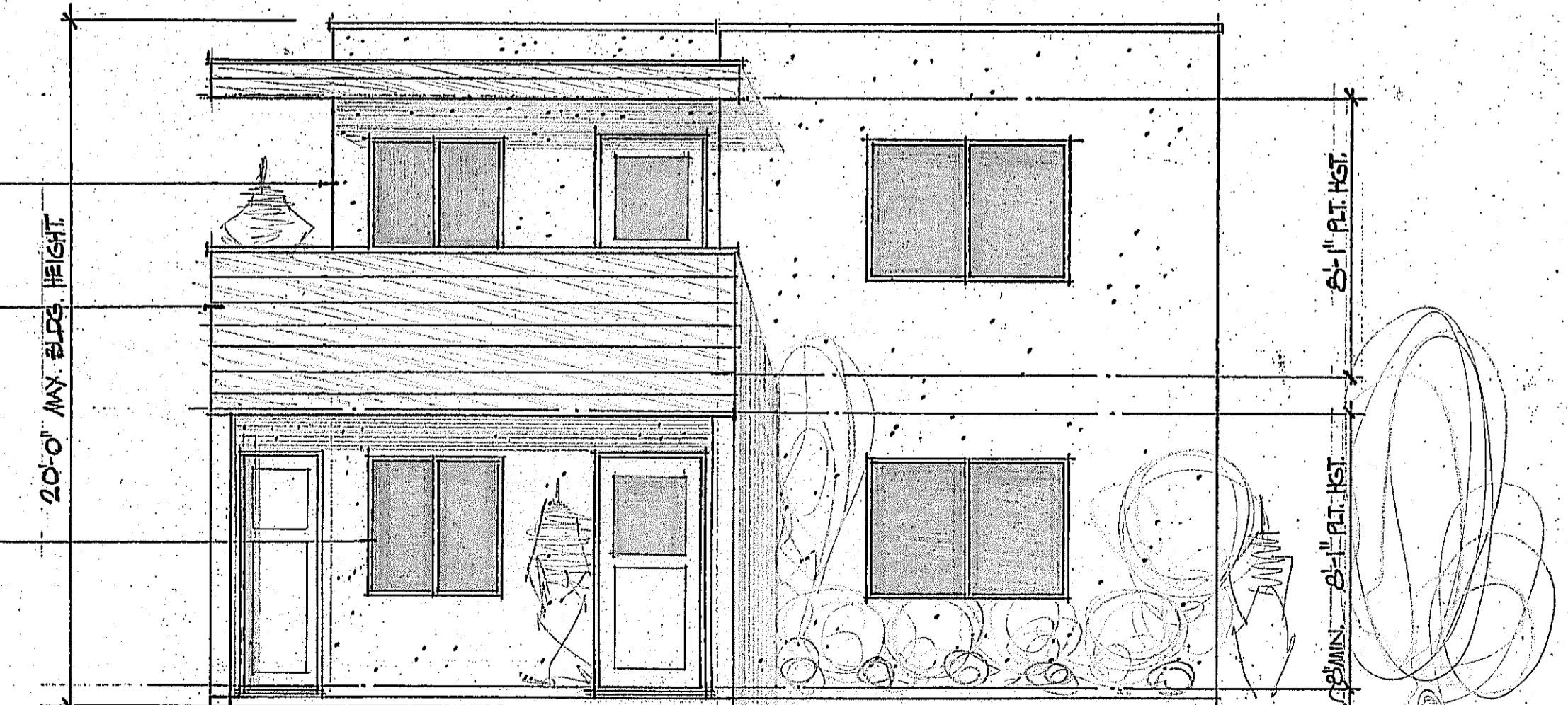
EAST ELEVATION



NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION

SC: 1/4" = 1'-0"

26038 Oak Street Facing East



Northerly Property Line with a 5-foot Side Yard Setback



East Property Line 5-Foot Rear Yard Setback
Background (white fence) Northerly Property Line Side Yard



Facing East /Rear Property Line
Neighboring Key Lot's side and rear yard





CITY OF LOMITA PLANNING COMMISSION REPORT

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

FROM: Erika Barbero, Assistant Planner

MEETING DATE: May 13, 2024

SUBJECT: Discussion and consideration of a Determination of Similarity application No. 2024-01 to consider the use of a Laundromat similar to personal services such as a dry cleaner and tailoring as identified in Lomita Municipal Code section 11-1.49.02(A) in the Downtown Commercial (D-C) zone. Filed by Sheri Bonstelle, Esq. / Jeffer Mangels Butler & Mitchell at 1900 Avenue of the Stars, Los Angeles, CA 90067

RECOMMENDATION

Continue the item to the June 10, 2024, Planning Commission meeting for a concurrent hearing with a new Minor Conditional Use Permit application.

Recommended by:

Brianna Rindge

Brianna Rindge, AICP
Community & Economic Development Director

Prepared by:

Erika Barbero

Erika Barbero
Assistant Planner



CITY OF LOMITA PLANNING COMMISSION REPORT

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

FROM: Erika Barbero, Assistant Planner

MEETING DATE: May 13, 2024

SUBJECT: Discussion and Consideration of a Request for a Zone Text Amendment to amend to Section 11-1.48.02 (Principal Uses Permitted) of Article 48 (C-R (Commercial-Retail)) of Chapter 1 (Zoning) of Title XI (Planning and Zoning) of the Lomita Municipal Code Regarding the Restriction of Service-Based Uses on the Ground Floor of Commercial Shopping Centers Over 5,000 Square Feet

RECOMMENDATION

Continue the item to a specific date to be determined at this meeting per the request of the applicant.

PUBLIC NOTICE

Notice of this hearing was published in the Daily Breeze Newspaper on March 28, 2024, and posted at City Hall and Lomita Park.

Recommended by:

Brianna Rindge

Brianna Rindge, AICP
Community & Economic Development Director

Prepared by:

Erika Barbero

Erika Barbero
Assistant Planner



CITY OF LOMITA PLANNING COMMISSION REPORT

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

FROM: Laura MacMorran, AICP, Associate Planner

DATE: May 13, 2024

SUBJECT: Discussion and Consideration of General Plan Amendment 2024-01, Zoning Text Amendment No. 2024-02, and Zoning Map Amendment No. 2024-01 for 24925-25007 Walnut Street (APNs: 7375-015-901, 7375-015-902, 7375-015-903, and 7375-015-904)

RECOMMENDATION

Adopt a resolution recommending approval of General Plan Amendment 2024-01, Zoning Text Amendment No. 2024-02, and Zoning Map Amendment No. 2024-01 for 24925-25007 Walnut Street to create a public purpose specific plan for 24925 Walnut St. (Lomita Manor) and 25007 Walnut St. (vacant lot) and recommending an exempt finding from the California Environment Quality Act (CEQA).

SUMMARY

Notice of this hearing was published in the Daily Breeze and posted at City Hall and Lomita Park. The notice satisfied the requirement for the General Plan Amendment; however, the zoning map amendment and zoning text amendment involve a Specific Plan. Property owners within a 300 foot radius must be notified by mail of a request for a Specific Plan. Staff discovered this oversight before the City Council meeting. Nothing about the General Plan Amendment, Zoning Map Amendment, or Zoning Text Amendment has changed from the April 8th Planning Commission meeting. This Planning Commission hearing is required to ensure that the public, in particular, the property owners within 300 feet of the site, is well-informed and afforded an opportunity to participate in the hearing.

OPTIONS

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

PUBLIC NOTICE

Notices of this hearing dated May 2, 2024, were published in the Daily Breeze and 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. Planning Commission Staff Report of April 8, 2024
2. General Plan Amendment Resolution
3. Zoning Text Amendment and Zoning Map Amendment Resolution with Exhibit A Draft Ordinance

Reviewed by:



Brianna Rindge, AICP
Community & Economic Development Director

Prepared by:



Laura MacMorran, AICP
Associate Planner



CITY OF LOMITA PLANNING COMMISSION REPORT

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

FROM: Laura MacMorran, AICP, Associate Planner

DATE: April 8, 2024

SUBJECT: Discussion and Consideration of General Plan Amendment 2024-01, Zoning Text Amendment No. 2024-02, and Zoning Map Amendment No. 2024-01 for 24925-25007 Walnut Street (APNs: 7375-015-901, 7375-015-902, 7375-015-903, and 7375-015-904)

RECOMMENDATION

Adopt a resolution recommending approval of General Plan Amendment 2024-01, Zoning Text Amendment No. 2024-02, and Zoning Map Amendment No. 2024-01 for 24925-25007 Walnut Street to create a public purpose specific plan for 24925 Walnut St. (Lomita Manor) and 25007 Walnut St. (vacant lot) and recommending an exempt finding from the California Environment Quality Act (CEQA).

BACKGROUND

In the 1980s, the City created the Lomita Housing Authority and developed a 78-unit affordable senior multi-family housing project, known as Lomita Manor. The City of Lomita is initiating this General Plan Amendment, Zoning Text Amendment, and Zoning Map Amendment, because General Plan Land Use's designation, Public Facilities/Open Space, and the current zoning, R-1 (Single-Family Residential), are inconsistent with the high-density residential multifamily use. In addition to the need for order, consistency, and clarity, when Lomita Manor applies for federal programs, this land use and zoning inconsistency could hinder or derail an application.

Existing Conditions

The subject property consists of four interior lots south of Lomita Blvd and west of Walnut Street. The total area is 1.86 acres. Lomita Manor occupies the northerly three lots and consists of two three-story buildings with 78 combined units. The site has a parking lot and drainage easement. One gated driveway connects Lomita Manor to Walnut Street. The fourth lot is vacant and secured by a fence and wall.

Typically, the distance from the property line to the right-of-way's centerline is 25 feet, but the distance from the four parcels to the centerline is only 20 feet. A dedication is not a pressing concern because a sidewalk exists on Housing Authority property, which is an entity of the City and therefore publicly controlled.

ANALYSIS

Environmental Determination

Section 15061(b)(3) states that CEQA applies only to projects that have the potential for causing a significant effect on the environment. The Ordinance will not have a significant effect on the environment because no new in-fill construction is proposed with the project. Also, Section 15301 (Existing Facilities) of the CEQA guidelines finds that a project consisting of permitting, leasing, licensing or no expansion of existing or former use is exempt from CEQA. This is limited to a change in the land use and zoning designations to be consistent with the existing affordable housing development and provide objective development standards where none exist, effectively a retroactive entitlement. The site is almost entirely built and is identified in the Housing Element as an affordable housing site. The nature of the zoning amendments and General Plan Land Use amendment correspond directly to permitting's purpose, which is to allow an activity, use, or structure. Furthermore, no new building is proposed; only the site's use and existing building design standards will be legitimized by approval of the applications.

General Plan Amendment

The General Plan land use designation for the subject property is Public Facilities/Open Space. This designation applies to "the Civic Center, Fire Station, County Offices, Library, Museum and Navy Fuel Storage facility. The designation also applies to schools, churches, parks, and often public and quasi-public uses."

A public facility, such as a library, police station, or park, is almost universally accessible and for the general public's use or intended for a specific demographic, such as a school or senior center.

A High-Density Residential use is a more fitting designation for the site. Even though a public entity owns Lomita Manor and it serves the public good by providing affordable senior housing, the property's use is a different matter than the ownership. Since Lomita Manor was built, the site has been used exclusively for residential use. Each apartment is leased to a tenant for their private use. Only tenants and their guests can access the multifamily site; the general public cannot access Lomita Manor.

The High-Density Residential designation applies to sites with up to 45.3 units/acre or 88 units an acre subject to a specific plan. The three developed lots have a density of 54 units per acre. The vacant lot could have the same density.

Specific Plan

As authorized in Article 8 of Chapter 3 of the State Planning and Zoning Law, a specific plan is an instrument for guiding, coordinating, and regulating the development of property within a given area. The proposed specific plan replaces the existing zoning regulations for a particular area and must be consistent with, and carry out, the provisions and objectives of the General Plan.

The Lomita Manor Specific Plan provides objective development standards for the proposed project on this site. Since neither the R-1 or RVD development standards do

not allow the development of this multifamily residential use, specific site development standards such as building height, intensity, parking requirements, setback requirements, and landscaping regulations have been established for the specific plan area that support and regulate the development of a multifamily residential use within the Specific Plan area.

As proposed, the ordinance will establish the Lomita Manor Specific Plan and establish the site development standards in accordance with existing conditions (see Attachment 2 of Exhibit A - Draft City Council Ordinance).

Zoning Text Amendment

To implement the Specific Plan, a Zoning Text Amendment is necessary. The proposed zoning text amendment will incorporate the new specific plan into the body of the Municipal Code. Staff proposes to place the Specific Plan regulations within Title XI (Planning and Zoning), Chapter 1 (Zoning) Part 2 (Establishment of Zones), creating a new Article 28 titled “Lomita Manor Specific Plan”.

Zoning Map Amendment

Similar to the Zoning Text Amendment, the Zoning Map Amendment is the instrument by which the City changes its official zoning map, in this case from R-1 Single Family Residential to the Lomita Manor Specific Plan.

Together the zoning map amendment and zoning text amendment implement and codify the specific plan into the City’s Municipal Code.

Consistency with the General Plan

The project is consistent with the City’s Land Use Element and Housing Element. The table below explains the relationship between the project and General Plan.

Application Consistency with Land Use Element (LU) and Housing Element (HE)	
Policy	Project’s Consistency Reasoning
Land Use Element Policy 10: The City will promote the improvement of aesthetic and visual qualities of the community by landscaping and beautifying streets and highways and by implementing development standards for private improvements.	The Zoning Code does not contain development standards for Lomita Manor, so creation of such adheres to this Policy. While the property may be owned by the public housing authority, the Authority is akin to a private affordable housing nonprofit and development standards are necessary to further LU Policy 12.
Land Use Element Policy 12: To plan for the orderly future growth and development, the City will maintain the planning studies and surveys of the General Plan undertaken as part of its preparation and review and periodically update the General Plan, and other related plans and ordinances critical to the Land Use Element’s implementation.	Correcting the inconsistency between the land use designation and zoning designation supports the planning of orderly future growth and development. The site contains a residential use with a density of 54 units per acre, which places it in the High-Density Residential category.

<p>Housing Element Policy 1.2: Preserve and rehabilitate housing for lower income households.</p>	<p>Correcting the inconsistency between the land use designation and zoning designation furthers the preservation of Lomita Manor, as well as removes a probable hinderance to future rehabilitation funding applications.</p>
<p>Housing Element Policy 3.1: Prioritize the identification of sites and zones to accommodate Lomita’s fair share of the existing and future housing need.</p>	<p>Updating the designations and establishing standards to match the use makes proper identification and planning for Lomita’s housing fair share more accurate.</p>
<p>Housing Element Program 11: Objective design standards increase transparency and certainty in the development process.</p>	<p>The proposed land use designation provides density maximums, which guide objective development and design standards captured in the specific plan. It also adds clarity as to what can and may be built on the vacant parcel should it be developed in the future.</p>
<p>Housing Element Program 14: Rezone to accommodate the shortfall for the lower-income RHNA.</p>	<p>This property’s rezoning in advance of the General Plan’s update is consistent with the rezoning program to accommodate for lower income housing unit shortfall because it includes the undeveloped fourth lot.</p>

FISCAL IMPACT

These legislative amendments will not create additional revenue or additional expenses.

OPTIONS

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

PUBLIC NOTICE

Notices of this hearing dated March 28, 2024, were published in the Daily Breeze and 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. General Plan Amendment Resolution
2. Zoning Text Amendment and Zoning Map Amendment Resolution with Exhibit A Draft Ordinance

Reviewed by:



Brianna Rindge, AICP
Community & Economic Development Director

Prepared by:



Laura MacMorran, AICP
Associate Planner

**PLANNING COMMISSION
RESOLUTION NO. PC 2024-06**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOMITA RECOMMENDING CITY COUNCIL APPROVAL OF GENERAL PLAN AMENDMENT 2024-01 AMENDING THE CITY OF LOMITA GENERAL PLAN LAND USE MAP AND LAND USE DESIGNATION FROM PUBLIC/OPEN SPACE TO HIGH-DENSITY RESIDENTIAL FOR THE PROPERTY LOCATED AT 24925-25007 WALNUT STREET (APNs 7375-015-901, 7375-015-902, 7375-015-903, AND 7375-015-904) AND RECOMMENDING THAT THE PROJECT BE FOUND EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA). INITIATED BY THE CITY OF LOMITA.

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

Section 1. Recitals

A. The proposed General Plan Land Use Map and Land Use Designation change has been assessed and found exempt from the California Environmental Quality Act (CEQA). Section 15061(b)(3) of the state CEQA guidelines states that CEQA applies only to projects that have the potential for causing a significant effect on the environment. The proposed change will not have a significant effect on the environment because the site is already developed with a high-density residential use, an affordable multifamily apartment complex, and such a land use designation change is merely a reconciliation of the existing use with the appropriate designation. Section 15301 (Existing Facilities) of the CEQA guidelines finds that a project consisting of permitting, leasing, licensing or no expansion of existing or former use is exempt from CEQA. This project is limited to a change in the land use and zoning designations to be consistent with the existing affordable housing development and provide objective development standards where none exist, effectively a retroactive entitlement. The site is almost entirely built and is identified in the Housing Element as an affordable housing site. The nature of the zoning amendments and General Plan Land Use amendment correspond directly to permitting's purpose, which is to allow an activity, use, or structure. No physical construction is proposed as part of this application.

B. On May 13, 2024, the Planning Commission held a duly noticed public hearing on General Plan Amendment No. 2024-01 (initiated by the City of Lomita), where public testimony was accepted on the item and after deliberations the Planning Commission recommended that the City Council approve the General Plan Amendment.

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 General Plan Amendment changing the Land Use Map and Land Use Designation from Public/Open Space to High Density Residential on the subject properties.

Section 2. The Planning Commission finds that the proposed General Plan Amendment is consistent with the General Plan's goals, objectives, and policies, specifically, Land Use Element Policy 12 requiring the City to plan for the orderly future growth and development. The amendment corrects an inconsistency between the existing and future high-density residential use and the designation.

Section 3. Based on the foregoing, the Planning Commission of the City of Lomita hereby recommends City Council approve the General Plan Land Use Map and Land Use Designation change.

PASSED and ADOPTED by the Planning Commission of the City of Lomita on this 13th day of May 2024, by the following vote:

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

Brenda Stephens, 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.

**PLANNING COMMISSION
RESOLUTION NO. PC 2024-07**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOMITA RECOMMENDING CITY COUNCIL APPROVAL OF ZONING TEXT AMENDMENT 2024-02 AND ZONING MAP AMENDMENT 2024-01 ADOPTING AN ORDINANCE TITLED “LOMITA MANOR SPECIFIC PLAN”, CHANGING THE ZONING DESIGNATION FROM R-1 SINGLE-FAMILY RESIDENTIAL TO THE LOMITA MANOR SPECIFIC PLAN FOR 24925-25007 WALNUT STREET (APNs 7375-015-901, 7375-015-902, 7375-015-903, AND 7375-015-904), AND RECOMMENDING THAT THE PROJECT BE FOUND EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA). INITIATED BY THE CITY OF LOMITA.

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

Section 1. Recitals

A. The proposed code amendment and zoning map amendment have been assessed in accordance with the California Environmental Quality Act (CEQA) Section 15061(b)(3) states that CEQA applies only to projects that have the potential for causing a significant effect on the environment. The proposed text amendment and zoning map change will not have a significant effect on the environment because the proposed amendments would provide for preservation of existing standards consistent with State Law and no physical construction is proposed as part of this application. Section 15301 (Existing Facilities) of the CEQA guidelines finds that a project consisting of permitting, leasing, licensing or no expansion of existing or former use is exempt from CEQA. This action is limited to a change in the land use and zoning designations to be consistent with the existing affordable housing development and provide objective development standards where none exist, effectively a retroactive entitlement. The site is almost entirely built and is identified in the Housing Element as an affordable housing site.

B. On May 13, 2024, the Planning Commission held a duly noticed public hearing on Zoning Text Amendment No. 2024-02 and Zoning Map Amendment No. 2024-01 (initiated by the City of Lomita), 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 and Zoning Map Amendment.

Section 2. In accordance with Municipal Code section 11-1.70.05, the Planning Commission finds that the proposed Zoning Text Amendment and Zoning Map Amendment are 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 draft Ordinance (Exhibit A).

PASSED and ADOPTED by the Planning Commission of the City of Lomita on this 13th day of May 2024, by the following vote:

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

Brenda Stephens, 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.

ORDINANCE NO. XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOMITA, CALIFORNIA, APPROVING: (1) ZONING TEXT AMENDMENT 2024-02 AMENDING LOMITA MUNICIPAL CODE TITLE XI (PLANNING AND ZONING), CHAPTER 1 (ZONING), PART 2 (ESTABLISHMENT OF ZONES) TO CREATE THE “LOMITA MANOR SPECIFIC PLAN” AND (2) ZONING MAP AMENDMENT 2024-01 CHANGING THE ZONING DESIGNATION OF 24925-25007 WALNUT STREET (APNs 7375-015-901, 7375-015-902, 7375-015-903, AND 7375-015-904) FROM R-1 SINGLE-FAMILY RESIDENTIAL TO THE LOMITA MANOR SPECIFIC PLAN; AND (3) A DETERMINATION THAT THE PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Section 1. Recitals.

- A. Chapter 1 of Title XI of the Lomita Municipal Code establishes allowable uses and development standards of properties within all zoning districts in the city.
- B. The City desires to amend Title XI of the Lomita Municipal Code to create consistency between the present single-family zoning designation and the existing multifamily use.
- C. On April 8, 2024, the Planning Commission held a duly noticed public hearing on Zoning Text Amendment No. 2024-02 and Zoning Map Amendment 2024-01 where public testimony was accepted on the item and recommended City Council _____.
- D. On _____, 2024, City Council held a duly noticed public hearing to consider the proposed text and map amendments regarding the establishment of the Lomita Manor Specific Plan and objective development standards for the site.

Section 2. General Plan Consistency

This Ordinance’s amendments to Title XI of the Lomita Municipal Code are consistent with, and in furtherance of, the City’s adopted General Plan as they effectuate the following Policies of the General Plan.

- A. Land Use Element Policy 10 promotes improvement of the community’s aesthetic and visual qualities by implementing development standards for private improvements. The proposed amendment establishes standards for the proposed specific plan area in accordance with existing development.
- B. Housing Element Policy 1.2 seeks to preserve and rehabilitate housing for lower income households. By correcting the inconsistency between the R-1 Single-

Family zoning designation and the properties' multifamily use, the nonconforming status, which can hinder reinvestment, will be removed.

- C. Housing Element Policy 3.1 commits the City to prioritize the identification of sites and zones to accommodate Lomita's fair share of the existing and future housing need. As this amendment pertains to affordable multifamily residential use, it demonstrates the City's prioritization of accommodating Lomita's fair share of housing.
- D. Housing Element Program 14 directs the City to increase transparency and certainty in the development process by creating objective design standards. The proposed specific plan establishes objective development standards and thereby achieves transparency.

Section 3. Environmental Review

The City Council finds and determines that the adoption of this Ordinance regarding changing the zoning text and map and creating a specific plan is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines, which states that CEQA applies only to projects that have the potential for causing a significant effect on the environment. The Ordinance will not have a significant effect on the environment because no new construction is proposed with the project, and it can be seen with certainty that any new project under the same development standards of the proposed specific plan would be relatively small in comparison to and proportional to the existing development and not have a significant effect on the environment.

In addition, pursuant to Section 15301 (Existing Facilities) of the CEQA guidelines, a project that consists of permitting, leasing, licensing, or no expansion of existing or former use is exempt from CEQA. This project is limited to a change in the land use and zoning designations to be consistent with the existing affordable housing development and provide objective development standards where none exist. The site, identified in the Housing Element as an affordable housing site, is almost entirely built-out. The nature of the zoning amendments and General Plan Land Use designation change correspond directly to permitting's purpose, which is to allow an activity, use, or structure to match existing conditions. Furthermore, no new building is proposed; only the site's use and existing building design standards are being legitimized.

THE CITY COUNCIL OF THE CITY OF LOMITA HEREBY ORDAINS AS FOLLOWS:

Section 4. Zoning Text Amendment

Based on the foregoing, the City Council hereby approves the following amendment to the Lomita Municipal Code:

A. Section 11-1.28. of Title XI of the Lomita Municipal Code is amended to read as follows:

“Sec. 11-1.28.01. Lomita Manor Specific Plan location.

The Lomita Manor Specific Plan applies to the property located at 24925-25007 Walnut Street (APNs 7375-015-901, 7375-015-902, 7375-015-903, and 7375-015-904), on the west side of Walnut Street, and is generally bound by Metropolitan Water District property to the north and by private property south and west. The precise boundaries of the Lomita Manor Specific Plan are depicted in Figure 1.

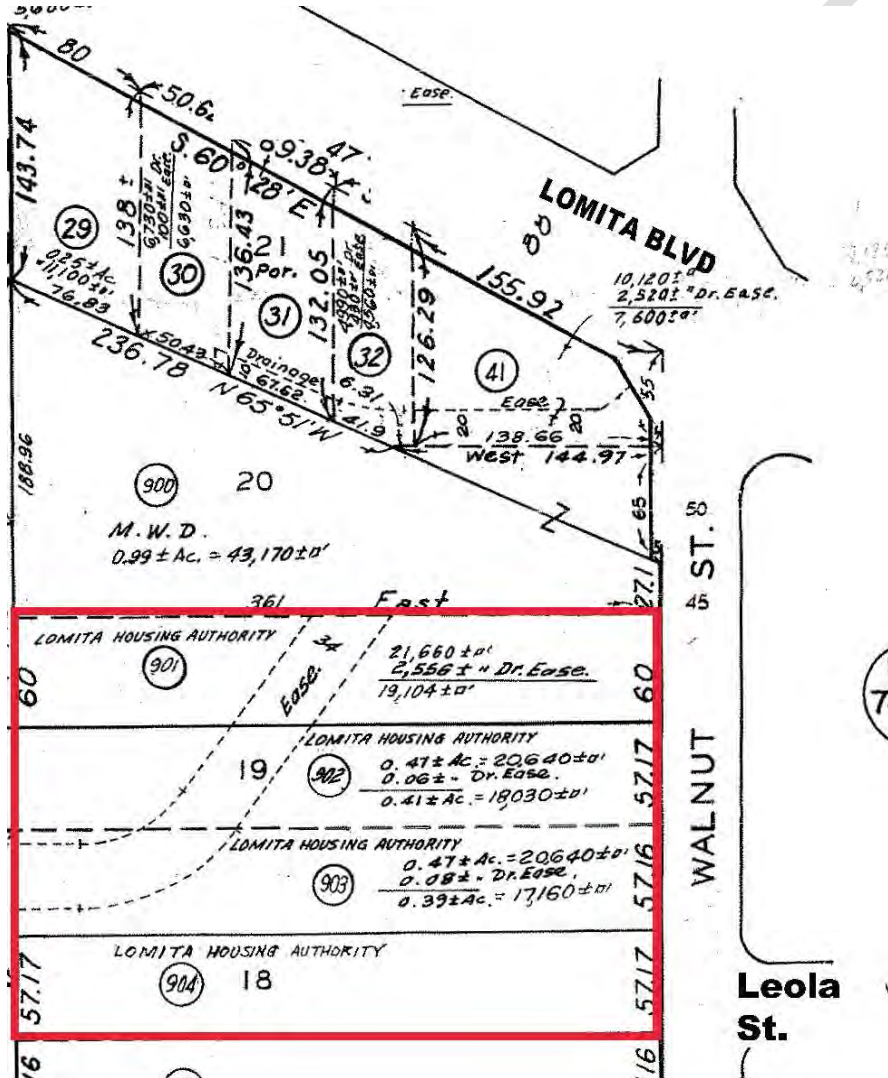


Figure 1

Sec. 11-1.28.02. Permitted uses.

The following uses shall be permitted in the development area subject to the provisions of this chapter:

(A) Multiple-family dwellings and amenities commonly associated with multifamily dwellings including, without limitation, leasing office, pool, gazebos, parking facilities, community room, fitness center, and other complimentary ancillary uses.

Sec. 11-1.28.03. Density.

Dwelling unit density shall not exceed fifty-four (54) units per acre.

Sec. 11-1.28.04 Floor Area Ratio.

Maximum floor area ratio shall be 1.5.

Sec. 11-1.28.05. Maximum building height.

The maximum building height of all structures shall not exceed thirty-seven (37) feet. Staircases, elevator shafts, and other minor accessory structures may exceed maximum height to the minimum extent necessary for compliance with the building code of the City of Lomita.

Sec. 11-1.28.06. Minimum Setbacks.

(A) Front (Walnut Street.): Ten (10) feet.

(B) Rear (West): Ten (10) feet.

(C) Side (North): None.

(D) Side (South): Five (5) feet.

Sec. 11-1.28.07. Open space.

(A) Common useable open space, including active recreation open space and passive open space (including landscaping), shall be provided and shall occupy at least five (5) percent of the total unbuilt land area.

Sec. 11-1.28.08. Dwelling unit area.

The gross area per dwelling unit, not including patios or balconies, shall average no more than five hundred fifty (550) square feet for studio units, shall average no more than seven hundred fifty (750) square feet for one-bedroom units, and shall average no more than nine hundred fifty (950) square feet for two-bedroom units. There is no minimum or maximum size per unit.

Sec. 11-1.28.09. Loading.

No off-street loading spaces shall be required.

Sec. 11-1.28.10. Parking and drive aisles.

(A) Standard parking stalls shall be nine (9) feet by nineteen (19) feet. Compact stalls shall be nine (9) feet by fifteen (15) feet. No more than thirty percent (30%) of minimum required parking shall be compact stalls.

(B) Drive aisles shall be a minimum twenty-four (24) feet in width for two-way traffic.

(C) Parking Spaces:

Use	Ratio
Multifamily Residential	0.3 space per unit

Sec. 11-1.28.11. Exterior Lighting.

(A) Lighting fixtures shall be aimed directly downward or shielded.

(B) Light produce a maximum initial illuminance of no greater than the moon's potential ambient illumination of 0.10 horizontal and vertical footcandles at the site boundary and beyond, and no greater than 0.01 footcandles 10 feet beyond the site boundary.

Sec. 11-1.28.12. Perimeter Improvements.

(A) Fences, hedges, and walls:

(1) Shall not exceed forty-two (42) inches in height within the minimum required front yard setback, except vacant property may be secured with a fence or wall up to six (6) feet in height;

(2) Shall not exceed eight (8) feet in height along rear and interior side property lines; and

(3) Shall be erected to not create visual obstruction of vehicular and pedestrian traffic.

(4) The height of the fence, wall, or hedge shall be measured from natural grade.

(B) Driveway gates:

(1) Shall be setback at least 20 feet from the property line over which the driveway provides access;

- (2) Shall be at least fifty percent (50%) transparent;
- (3) Shall operate electronically; and
- (4) The design, color, material, and location shall be subject to the approval of the community development director or designee.

Sec. 11-1.28.13. Signs.

(A) *Intent and purpose.* The intent and purpose of this section is to establish a framework for a comprehensive system of sign controls governing the display, design, construction, installation, and maintenance of signs that will discourage indiscriminate and unregulated erection and maintenance of signs and other visual media which tend to create a garish, gaudy, and unsafe atmosphere and which tend to be out of harmony with the goals and objectives of the community.

(B) *Definitions.*

- (1) *Area of Sign;* Refer to section 11-1.67.02.
- (2) *Directional sign* shall mean a sign that is intended to provide directions for motorists entering a site from a public right-of-way.
- (3) *Monument sign* is a freestanding sign where the base of the structure connects to the ground and is supported primarily by an internal structural framework or integrated into landscaping or other solid structural features other than support poles.
- (5) *Private regulatory sign* shall mean a sign that provides information on regarding conduct on private property. Examples include, no trespassing, no dumping, guest parking, no parking, towing, and other similar signs.
- (6) *Real estate sign;* Refer to section 11-1.67.02.
- (7) *Sign;* Refer to section 11-1.67.02.
- (9) *Wall sign;* Refer to section 11-1.67.02.

(C) Permanent signs.

- (1) Monument sign.
 - a. One fifteen (15) square-foot or less sign shall be allowed to identify a building, but it may not obstruct the visibility of pedestrians and vehicular traffic. Area is calculated per sign face.
 - b. The maximum height shall be four (4) feet from the lowest finished grade.

- c. The sign shall be set back at least two (2) feet from any property line.
- d. The sign may be externally illuminated.

(2) Wall sign.

- a. Only one (1) flush-mounted wall sign shall be allowed per building.
- b. A wall sign shall not exceed one hundred (100) square feet or thirty (30) square feet for nonresidential buildings.

(D) Exempt signs.

(1) Directional signs less than two (2) square feet in area.

(2) Private regulatory signs.

- a. The sign shall not exceed twelve (12) square feet in surface area per face and shall be no more than one-inch thick.
- b. A lot may have up to two (2) signs visible from the frontage and an unlimited quantity of signs not visible from the public rights-of-way.

(3) Real estate signs less than four (4) square feet.

(E) Sign Illumination.

- (1) A wall or monument sign may only be illuminated with one single color. No other signs shall be illuminated.
- (2) The brightness level shall not pose a nuisance or danger, to the satisfaction of the director of community development.

Sec. 11-1.28.14 Location of other structures and projections into yards.

Shall be in accordance with Section 11-1.30.04.

Sec. 11-1.28.15. Mechanical equipment.

Mechanical equipment, devices, or facilities that are ancillary to residential dwelling units including, but not limited to, antennas, air conditioning systems, and filtration systems, are permitted in accordance with the following:

- (A) The mechanical equipment shall comply with the city's noise ordinance.
- (B) The air conditioning and filtration system units shall be screened by parapet walls or roof-mounted enclosure that matches the existing building's colors, style, and finishes.

Sec. 11-1.28.16. Trash facilities.

Trash facilities, including trash chutes, trash receptacles, or bins, shall be hidden from public view.

Sec. 11-1.28.17. Infrastructure.

Due to the urbanized nature of the surrounding area and the limited project size, the Lomita Manor Specific Plan site, as of the date of the adoption of this ordinance, is provided with adequate facilities and services for sewage, water, drainage, solid waste disposal, and energy. In addition, all utility construction, connections, and maintenance shall conform to the provisions of the City of Lomita Municipal Code.”

Section 5. Zoning Map Amendment

Based on the foregoing, the City Council hereby approves the following amendment to the Lomita Zoning Map:

Designate the 24925-25007 Walnut Street (APNs 7375-015-901, 7375-015-902, 7375-015-903, and 7375-015-904) with legal descriptions as TR 241 S 60 FT OF LOT 20; TR 241 N 57.17 FT OF LOT 19, TR 241 S 57.16 FT OF LOT 19 and TR 241 N 57.17 FT OF LOT 18 as the “Lomita Manor Specific Plan” on the City’s Zoning Map.

Section 6. Severability

If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance or any part hereof is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining portions of this ordinance or any part thereof. The City Council of the City of Lomita hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared invalid.

Section 7. Effective Date.

This ordinance shall take effect thirty (30) days after the date of its passage; and prior to fifteen (15) days after its passage, the City Clerk shall cause a copy of this ordinance to be published in accordance with the provisions of the law. The City Clerk shall certify the adoption of this ordinance.

PASSED, APPROVED AND ADOPTED, this ____ day of _____, 2024.

Bill Uphoff, Mayor

ATTEST:

Kathleen Horn Gregory, MMC, City Clerk

APPROVED AS TO FORM:

Trevor Rusin, City Attorney

DRAFT



CITY OF LOMITA PLANNING COMMISSION REPORT

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

FROM: Brianna Rindge, AICP, Director of Community & Economic Development

DATE: May 13, 2024

SUBJECT: Discussion and Consideration of Zoning Text Amendment No. 2024-04, an Ordinance Amending Various Sections of Lomita Municipal Code Title XI (Planning and Zoning) Chapter 1 (Zoning) to Add Indoor Recreational Uses Permitted by a Conditional Use Permit or By Right within the C-R (Commercial-Retail), C-G (Commercial-General), and D-C (Downtown, Commercial) Zoning Districts and to Find Exemption from the California Environmental Quality Act (CEQA)

RECOMMENDATION

Adopt a resolution recommending the City Council adopt Zoning Text Amendment 2024-04 and find the request exempt from the California Environmental Quality Act (CEQA).

BACKGROUND

In the wake of the COVID-19 pandemic, group recreation has exploded. People are ready to get out and socialize over an activity they were unable to do while quarantined at home. Throughout the 2023 public engagement for the General Plan Update, the desire for these types of uses was echoed by many. The City has received a plethora of requests for indoor recreation investment involving uses not fully contemplated by Lomita Municipal Code (LMC). Staff agendaized this item to update code through an economic development lens. The City lacks comprehensive guidance on regulation of the following indoor recreational commercial uses.

- Gymnasiums
- Workout studios
- Course-based indoor recreation including escape rooms, mini-golf, laser tag, skating, trampoline parks, and obstacle courses
- Bay-based indoor recreation including, but not limited to, bowling alleys, axe throwing alleys, darts alleys, and golf simulation
- Computer-based indoor recreation including virtual reality and esports

A few businesses such as a golf simulator and a yoga studio opted to utilize the municipal code's "Determination of Similarity" process to earn use allowance through a public process where Planning Commission may approve a specific use outside of a zoning text

amendment. The upcoming zoning ordinance amendment will remove this ability so that the municipal code remains clear and transparent to the public.

ANALYSIS

Lomita’s three commercial zones with specified uses are described below.

Zone D-C (Downtown, Commercial)

- Article 49 of LMC Title XI
- Location: Downtown Lomita (Narbonne Ave. at Lomita Blvd. and further north along Narbonne Ave.)
- “Intent and purpose: The Zone D-C is established to promote the revitalization and development of the downtown area. This zone promotes a wide range of commercial retail, service, and entertainment uses.”

Zone C-G (Commercial, General)

- Article 45 of LMC Title XI
- Location: Lomita Blvd., Narbonne Ave., Western Ave. except Downtown Lomita
- “Intent and purpose: Zone C-G is established to provide for regional commercial needs. This zone provides for intensive commercial activities and specialized service establishments that require a central location within a large urban population. This zone would also permit the development of wholesale businesses and major financial administrative centers that may serve an entire region.”

Zone C-R (Commercial-Retail)

- Article 48 of LMC Title XI
- Location: Pacific Coast Highway
- “Intent and purpose: Zone C-R is established to provide for regional retail sale needs. This zone provides for retail activities and limited service establishments.”

Staff researched several nearby cities and made two discoveries:

1. Other cities permit many indoor recreational uses by right
2. Other cities lack regulation for some of the more modern uses, of which Lomita could take advantage.

Staff proposes amending the use regulations for these three commercial zoning districts as conveyed in the redline (Attachment 1 Exhibit A) and summarized below. By-right indicates the use may be approved administratively while CUP means the use will only be allowed through the public Conditional Use Permit process as approved by Planning Commission.

Use	C-R	C-G	D-C
Gymnasiums and workout studios with a capacity of more than forty (40) people	By-right	By-right	Not permitted
Workout studios with a capacity of ten (10) to forty (40) total class	By-right	By-right	By-right above ground floor; otherwise CUP

members and staff members per class.			
Workout studios with a capacity of less than ten (10) total customers and staff members.	By-right above ground floor; otherwise CUP	CUP	By-right above ground floor; otherwise CUP
Course-based indoor recreation including escape rooms, mini-golf, laser tag, skating, trampoline parks, and obstacle courses.	By-right	By-right	CUP
Bay-based indoor recreation including, but not limited to, bowling alleys, axe throwing alleys, darts alleys, and golf simulation	CUP	CUP	CUP
Computer-based indoor recreation including virtual reality, esports, and arcade games.	By-right above ground floor; otherwise CUP	By-right	By-right above ground floor; otherwise CUP

In general, the ordinance proposes to expand investment opportunities by-right for direct wellness activities and permit the more nuanced indoor recreational uses through Planning Commission approval except where such businesses may fill above-ground vacancies. The ordinance also includes unsubstantial clean-up (5 instances) as notated in the redline (Attachment 1 Exhibit A).

Planning Commission approval would still be required for the following (no change to these regulations proposed):

- a. Any new building construction (with the exception of minor additions not increasing the required parking within the C-G Zone)
- b. Any alcohol sales
- c. Outdoor elements

The parking ordinance already covers the newly itemized uses as they fall under the already regulated categories of “indoor recreational entertainment” or “mixed-use commercial developments”. Additionally, the proposal strikes “parking lots” from the list of uses permitted by-right as parking is already required per Lomita Municipal Code based on the use associated with the parking.

Both the existing and upcoming General Plans support the proposed changes in several ways. First, the changes would expand investment opportunities and attract modern uses not yet contemplated by municipal codes across the region, allowing such a business in Lomita to become a regional draw and increase the number of visitors, which increases the City’s funding. Additionally, such location of recreational uses will likely expand patronage to nearby businesses, as people choose to visit a restaurant or other service before or after their recreation time. The patrons may enjoy the surrounding businesses to the point that they return to Lomita to dine or shop at their newly discovered business, beyond the recreational use originally targeted.

Beyond economic development, expanding allowance for gyms and workout studios increases healthy recreational opportunities for residents, working to improve the overall health of the city and limit the number of medical calls. In addition, allowing gyms and

workout studios along our commercial corridors will likely increase the sense of safety and mobility of the streets as such patrons are more inclined to walk or bike to such health club facilities, rather than add vehicular trips (increasing traffic, emissions, and noise) and take up more off- or on-street parking spaces.

CEQA

The proposal is not subject to the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15060(c)(3) because it is not a “project” as defined by CEQA Guidelines Section 15378. The Zoning Text Amendment will specify commercial uses within a zoning district. In addition, adoption of the Zoning Text Amendment does not have the potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment. Further projects subject to the proposed Zoning Text Amendment will require a discretionary permit and CEQA review and will be analyzed at the appropriate time in accordance with CEQA and the City’s Municipal Code. The Zoning Text Amendment is further exempt from CEQA pursuant to Section 15301 (Existing Facilities) because the actions identified in the ordinance are limited to the specification of commercial uses not previously contemplated by the municipal code yet similar to permitted uses established by the municipal code. The Zone Text Amendment would not result in any expansion of existing commercial uses or of the public’s use of City right-of-way. Additionally, the Zone Text Amendment is exempt from CEQA because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. (State CEQA Guidelines, § 15061(b)(3).)

PUBLIC NOTICE

Notices of this hearing dated April 30, 2024, were published in *The Daily Breeze* Newspaper, and posted at City Hall and Lomita Park.

OPTIONS

1. Recommend approval to the City Council as recommended by staff.
2. Recommend approval to the City Council with amendments.
3. Provide staff with further direction.

ATTACHMENTS

1. Resolution with Exhibit, Lomita Municipal Code Redlined

Prepared by:



Brianna Rindge, AICP
Community & Economic Development Director

RESOLUTION NO. PC 2024-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOMITA RECOMMENDING CITY COUNCIL APPROVAL OF ZONING TEXT AMENDMENT NO. 2024-04, AN ORDINANCE AMENDING VARIOUS SECTIONS OF LOMITA MUNICIPAL CODE TITLE XI (PLANNING AND ZONING) CHAPTER 1 (ZONING) TO ADD INDOOR RECREATIONAL USES PERMITTED BY A CONDITIONAL USE PERMIT OR BY RIGHT WITHIN THE C-R (COMMERCIAL-RETAIL), C-G (COMMERCIAL-GENERAL), AND D-C (DOWNTOWN, COMMERCIAL) ZONING DISTRICTS AND FINDING EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).

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). The proposal is not subject to the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15060(c)(3) because it is not a “project” as defined by CEQA Guidelines Section 15378. The Zoning Text Amendment will specify commercial uses within a zoning district. In addition, adoption of the Zoning Text Amendment does not have the potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment. Further projects subject to the proposed Zoning Text Amendment will require a discretionary permit and CEQA review and will be analyzed at the appropriate time in accordance with CEQA and the City’s Municipal Code. The Zoning Text Amendment is further exempt from CEQA pursuant to Section 15301 (Existing Facilities) because the actions identified in the ordinance are limited to the specification of commercial uses not previously contemplated by the municipal code yet similar to permitted uses established by the municipal code. The Zone Text Amendment would not result in any expansion of existing commercial uses or of the public’s use of City right-of-way. Additionally, the Zone Text Amendment is exempt from CEQA because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. (State CEQA Guidelines, § 15061(b)(3).)

B. On May 13, 2024, the Planning Commission held a duly noticed public hearing on Zone Text Amendment No. 2024-04, 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 13th day of May 2024, by the following vote:

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

Brenda Stephens, 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.

Sec. 11-1.45.02. Principal uses permitted.

Premises in Zone C-G may be used for the following principal uses:

- (1) Any use similar to the following uses which the commission finds to fall within the intent and purpose of this zone, that will not be more obnoxious or materially detrimental to the public welfare and which the commission finds to be of a comparable nature and of the same class as the uses enumerated in this section.
- ~~(2)~~ ~~Reserved.~~
- ~~(3)~~(2) Automobile sales and rentals.
- ~~(4)~~(3) Bakery shops, including baking only when incidental to retail sales from the premises.
- ~~(5)~~(4) Bicycle, scooter and similar vehicle rentals.
- ~~(6)~~(5) Billiard and pool halls.
- ~~(7)~~(6) Blueprint shops.
- ~~(8)~~ ~~Repealed by Ord. No. 473, § 2, 1-7-91.~~
- ~~(9)~~(7) Commercial printers.
- ~~(10)~~(8) Electric distribution substations including microwave facilities incorporated as a part of a public utility installation.
- ~~(11)~~(9) Employment agencies.
- ~~(12)~~(10) Glass edging, beveling and silvering in connection with the sale of mirrors and glass decorating furniture.
- ~~(13)~~(11) Horticultural nurseries, including the growing of nursery stock, but not including medical marijuana dispensaries, cannabis cultivation, or any other commercial cannabis activity.
- ~~(14)~~(12) Laboratories, medical or dental, not including medical marijuana dispensaries, cannabis cultivation, or any other commercial cannabis activity.
- ~~(15)~~(13) Locksmith shops.
- ~~(16)~~(14) Mail-order houses, not to include warehousing.
- ~~(17)~~(15) Manufacturer's agent, carrying no inventory other than samples.
- ~~(18)~~(16) Mimeographing and addressograph services.
- ~~(19)~~ ~~Parking lots and parking buildings, pursuant to the provisions of Article 66 (Off-Street Parking, Storage and Loading).~~
- ~~(20)~~(17) Pet shops, household pets only.
- ~~(21)~~(18) Photography studios.
- ~~(22)~~(19) Post offices.
- ~~(23)~~(20) Restaurants and cafes not serving alcoholic beverages.
- ~~(24)~~(21) Sale of new and used merchandise at retail only.
- ~~(25)~~(22) Servicing of consumer electronic equipment and components repair.
- ~~(26)~~ ~~Skating rinks.~~
- ~~(27)~~(23) Transient miniature kiddy rides of less than ten (10) pieces of equipment, not to exceed twenty-five (25) feet in height.
- ~~(28)~~(24) Truck sales and rental agencies.
- ~~(29)~~(25) Typewriter sales and incidental repairs.
- ~~(30)~~(26) Upholstery shops.
- ~~(31)~~(27) Veterinary outpatient clinics, household pets only, no animal to be kept overnight.
- ~~(32)~~(28) Watch repair shops.
- ~~(33)~~(29) Barber and beauty shops.
- ~~(34)~~(30) Civic center uses, banks, savings and loan and credit unions.
- ~~(35)~~(31) Cleaning and dyeing agencies, including incidental spotting, sponging, pressing and repairs.
- ~~(36)~~(32) Dental clinics, including laboratories in conjunction therewith.
- ~~(37)~~(33) Dry cleaning, self-service.
- ~~(38)~~(34) Laundries, self-service.
- ~~(39)~~(35) Markets and grocery stores not selling alcoholic beverages.
- ~~(40)~~(36) Shoe repair shops.
- ~~(41)~~(37) Medical clinics, including laboratories and prescription pharmacies in conjunction therewith, not including medical marijuana dispensaries, cannabis cultivation, or any other commercial cannabis activity.
- ~~(42)~~(38) Offices, business and professional.
- ~~(39)~~ Parks, public.
- ~~(40)~~ Gymnasiums and workout studios with a capacity of more than forty (40) people.
- ~~(41)~~ Workout studios with a capacity of ten (10) to forty (40) total class members and staff members per class.
- ~~(42)~~ Course-based indoor recreation including escape rooms, mini-golf, laser tag, skating, trampoline parks, and obstacle courses.
- ~~(43)~~ Computer-based indoor recreation including virtual reality, esports, and arcade games.

Sec. 11-1.45.05. Uses by conditional use permit.

Premises in Zone C-G may be used for the following purposes, provided a conditional use permit has first been obtained, pursuant to the provisions of Article 70, "Zoning Ordinance Administration":

- ~~(1)~~ ~~Reserved.~~
- ~~(2)~~ ~~Arcades.~~
- ~~(3)~~(1) Automobile body and fender shops, repair, painting and upholstering, provided that such activity is conducted within an enclosed building and automobile repair garages, provided all operations are conducted within a building enclosed on three (3) sides.
- ~~(4)~~(2) Bakery goods distributor.
- ~~(5)~~(3) Bars and cocktail lounges, pursuant to Article 56 of the Lomita Zoning Code.
- ~~(6)~~(4) Brewpub as defined in Section 11-1.15.02(B) and pursuant to Article 56 (Alcoholic Beverages) of the Lomita Zoning Code.
- ~~(7)~~(5) Business and professional schools.
- ~~(8)~~(6) Car washes.
- ~~(9)~~ ~~[Repealed by Ord. No. 519.]~~
- ~~(10)~~(7) Drive-in restaurants.
- ~~(11)~~(8) Electrical, plumbing and contractors' shops.
- ~~(12)~~(9) Equipment rentals.
- ~~(13)~~(10) Extended day care centers.
- ~~(14)~~(11) Feed and grain sales.
- ~~(15)~~ ~~Gymnasiums (with a capacity of more than fifty (50) people).~~
- ~~(16)~~(12) Mortuaries.
- ~~(17)~~(13) Novelty retail or service specialty establishments purveying primarily novelties, curios, curiosa and related items.
- ~~(18)~~(14) Nursery schools.
- ~~(19)~~(15) Restaurants and cafes serving alcoholic beverages, pursuant to Article 56 of the Lomita Zoning Code.
- ~~(20)~~(16) Single-family residence: provided, however, that such is a legal nonconforming use or is being used under a conditional use permit at the time the application is filed, and provided further, that a conditional use permit granted under this provision shall be automatically revoked and terminated in the event of any change, substitution, addition or modification of the use of said premises, whether permitted in the zone or not.

~~(20)~~(17) Theaters (with a capacity of more than fifty (50) people).

~~(21)~~(18) Thrift stores subject to standards contained in Section 11-1.68.08.

~~(22)~~(19) Wholesale businesses.

~~(23)~~(20) Assembly halls, subject to the provisions of section 11-1.68.04.

~~(24)~~(21) Buildings exceeding thirty-five (35) feet in height.

~~(25)~~(22) Fueling service stations.

~~(26)~~(23) Hospitals.

~~(27)~~(24) Schools, and unless otherwise exempted by the school district, schools with a total school capacity of more than fifty (50) students (as determined by the department of building and safety) shall be subject to the development standards in section 11-1.68.04.

~~(28)~~(25) Bay-based indoor recreation including, but not limited to, bowling alleys, axe throwing alleys, darts alleys, and golf simulation.

Sec. 11-1.48.02. Principal uses permitted.

Premises in Zone C-R may be used for the following principal uses:

- (A) Any use similar to the following uses which the commission finds to fall within the intent and purpose of this zone that will not be more obnoxious or materially detrimental to the public welfare and which the commission finds to be of a comparable nature and of the same class as the uses enumerated in this section.
- (1) Appliance stores.
 - (2) Antique shops.
 - (3) Auto parts (new and reconditioned).
 - (4) Bakeries (retail only).
 - (5) Banks and savings and loan institutions.
 - (6) Bicycle sales and rentals.
 - (7) Blueprinting shops.
 - (8) Camera sales and repair.
 - (9) Clothing stores.
 - (10) Computer equipment, sales and repair.
 - (11) Confectionery stores.
 - (12) Drug stores, not including medical marijuana dispensaries, cannabis cultivation, or any other commercial cannabis activity.
 - (13) Fine art galleries (commercial).

- (14) Florist shops.
- (15) Food markets (excluding the sale of alcoholic beverages).
- (16) Furniture stores.
- (17) Hardware and home improvement stores, provided that all building materials, nursery stock, etc., are stored in an enclosed building.
- (18) Home furnishing stores.
- (19) Jewelry stores and incidental repair.
- (20) Meat stores.
- (21) Notions and dry goods stores.
- (22) Paint stores.
- (23) Pet shops (not including grooming and boarding).
- (24) Photo processing and print shops.
- (25) Printing and copying.
- (26) Restaurants and cafes (not serving alcoholic beverages).
- (27) Shoe stores.
- (28) Sporting goods stores.
- (29) Stationery and book stores.
- (30) Video and audio recording sales and rental.

- (31) Watch sales and repair.
- (32) Gymnasiums and workout studios with a capacity of more than forty (40) people.
- (33) Workout studios with a capacity of ten (10) to forty (40) total class members and staff members per class.
- (34) Course-based indoor recreation including escape rooms, mini-golf, laser tag, skating, trampoline parks, and obstacle courses.

(B) The following additional uses provided, however, that the ground floor area occupied by said use or uses may not exceed thirty (30) percent of the ground floor area on any lot or parcel of land where the total ground floor area exceeds five thousand (5,000) square feet.

- (1) Barber shops.
- (2) Beauty shops, including nail care.
- (3) Laundry and dry cleaning agencies (not including laundromats or wholesale dry cleaning or laundry plants).
- (4) Locksmiths.
- (5) Offices, business and professional.
- (6) Photography studios.

- (7) Shoe repair.
- (8) Tailors and dressmakers.
- (9) Television and radio repair (not including automobile stereo installation).
- (10) Theaters, movie.
- (11) Upholstery shops (the front of the shop must be retail in appearance).
- (12) Workout studios with a capacity of less than ten (10) total customers and staff members.
- (14) Computer-based indoor recreation including virtual reality, esports, and arcade games.

Subsection (A) of Sec. 11-1.48.04. Uses by conditional use permit.

- (1) Automobile rental, with the following restrictions and requirements:
 - (a) All vehicles must be less than two (2) years old and maintained in good condition.
 - (b) No automobile sales are permitted on the same premises without the planning commission's approval.
 - (c) No advertising is allowed on the rental vehicles except identification tags or decals permitted by the planning commission.
 - (d) No repairs or truck rentals are permitted.
 - (e) All rental vehicles must be stored on-site.
- (2) Automobile, boat, trailer and recreational vehicle sales, new and used, including servicing, mechanical repairs, painting, body and fender repair and rental when such uses are in conjunction with the primary use.
- (3) Brewery with tasting room as defined in Section 11-1.15.02(B) and pursuant to Article 56 (Alcoholic Beverages) of the Lomita Zoning Code.
- (4) Brewpub as defined in section 11-1.15.02(B) and pursuant to article 56 (Alcoholic Beverages) of the Lomita Zoning Code.
- (5) Fueling service stations that do not include servicing and repair facilities.
- (6) Fueling service stations with ancillary automated car-wash facilities that do not include servicing and repair facilities.
- (7) Hotels and motor inns, subject to architectural review by the planning commission. The establishment of these uses must, as a minimum, have in excess of thirty-five (35) units.

- (8) Hotels and motor inns, subject to architectural review by the planning commission and subject to the special development standards contained in section 11-1.68.07.
- (9) Outdoor storage or display provided that the planning commission shall require information on the specific materials to be stored or displayed and the following possible conditions:
 - (a) Screening fences or walls.
 - (b) Special setbacks relative to the materials stored or displayed.
 - (c) Time limits.
 - (d) Special regulations relative to access by trucks.
 - (e) Other conditions deemed necessary to protect the public health, safety and welfare.
- (10) Packaged liquor stores exceeding three thousand (3,000) square feet in floor area provided that such use is not located closer ~~then~~ [than] fifteen hundred (1,500) feet from another packaged liquor store, including food markets selling packaged liquor.
- (11) Packaged liquor when ancillary to food sales, pursuant to Article 56 of the Lomita Zoning Code.
- (12) Restaurants and cafes serving alcoholic beverages, pursuant to Article 56 of the Lomita Zoning Code.
- (13) Theaters, movie (not covered under 11-1.48.02(B)).
- (14) Thrift stores subject to standards contained in section 11-1.68.08.
- (15) Bay-based indoor recreation including, but not limited to, bowling alleys, axe throwing alleys, darts alleys, and golf simulation.
- (16) Workout studios with a capacity of less than ten (10) total customers and staff members games (not covered under 11-1.48.02(B)).
- ~~(14) Computer-based indoor recreation including virtual reality, esports, and arcade games (not covered under 11-1.48.02(B)).~~

Sec. 11-1.49.02. - Principal uses permitted.

Premises in zone D-C may be used for the following principal uses:

- (A) Any use similar to the following uses which the commission finds to fall within the intent and purpose of this zone that will not be more obnoxious or materially detrimental to the public

welfare and which the commission finds to be of a comparable nature and of the same class as the uses enumerated in this section.

- (1) Antique shops.
- (2) Bakeries (retail only).
- (3) Basic personal services including: barber/beauty shop, dry cleaner, nail/manicure shop, tailoring, and shoe repair. Permanent makeup is permitted as an ancillary use to a beauty or nail shop.
- (4) Confectionery stores/ice cream parlors.
- (5) Florist shops.
- (6) Permanent flower stand or news stand within the right-of-way subject to an encroachment permit or license agreement.
- (7) Food markets (excluding the sale of alcoholic beverages).
- (8) Restaurants and cafes (not serving alcoholic beverages).
- (9) Retail sale and the ancillary service of merchandise. Not including home furnishing, or specialty home improvement stores.
- (B) The following additional uses located above the ground floor of the building in which they are located:
 - (1) Office, business and professional, including medical.
 - (2) Personal improvement uses such as: music studio, tutoring, children's group classes, ~~fitness center/health club~~, and dance/karate studio, with less than fifty (50) persons based upon occupant load as determined by building and safety.
 - (3) Computer-based indoor recreation including virtual reality, esports, and arcade games.
 - (4) Workout studios with a capacity of ten (10) to forty (40) total class members and staff members per class.
 - (2)(5) Workout studios with a capacity of less than ten (10) total customers and staff members.

Subsection (A) of Sec. 11-1.49.04. Permitted uses by conditional use permit

- (1) Brewpub as defined in section 11-1.15.02(B) and pursuant to article 56 (alcoholic beverages) of the Lomita Zoning Code.
- (2) Outdoor vending from a retail store: Flower, plant, or clothing sales in conjunction with sale of related products from a retail store.

- (3) Off-site sale of alcohol at service and retail establishments as an accessory use, and pursuant to article 56 of the Lomita Zoning Code.
- (4) Packaged liquor when ancillary to food sales, pursuant to article 56 of the Lomita Zoning Code.
- (5) Restaurants, bars, cocktail lounges, nightclubs and cafes serving alcoholic beverages, pursuant to article 56 of the Lomita Zoning Code.
- (6) Residential uses permitted under the mixed use overlay designation pursuant to section 11-1.58 of the Lomita Municipal Code.
- (7) Theaters, live stage and movie.
- (8) Wine stores and ancillary wine tasting, and pursuant to article 56 of the Lomita Zoning Code.
- (9) Bay-based indoor recreation including, but not limited to, bowling alleys, axe throwing alleys, darts alleys, and golf simulation.
- (10) Course-based indoor recreation including escape rooms, mini-golf, laser tag, skating, trampoline parks, and obstacle courses.
- (11) The following additional uses located on the ground floor of the building in which they are located:
 - (a) Workout studios with a capacity of ten (10) to forty (40) total class members and staff members per class.
 - (b) Workout studios with a capacity of less than ten (10) total customers and staff members.
 - (8)(c) Computer-based indoor recreation including virtual reality, esports, and arcade games