

## **Alternative Zoning Discussion**

There are a variety of waterfront zoning issues left unaddressed by the final plan approved by the Planning Commission. These issues were mentioned along the way, but since public comment is limited to 3 minutes at each of these meetings, several of these issues were not properly vetted.

Remaining open issues are presented here as follows:

- How much square footage really remains to be developed under the old zoning?
- Setting Development Standards for each Parcel
- Zoning Proposal Details
- Floor Area Ratio (FAR) Limits
- Parking Requirements for Marinas
- Protection for Marina-Related Land Uses
- Park FARs vs. Marina FARs
- Establishment of Arbitrary Development "Cap"
- Lack of Open Space Requirements for New Additional 3<sup>rd</sup> Story
- "Cap" Text Missing from Some Documents
- Coastal Land Use Plan & General Plan "Commercial/Recreation" zone
- Offsite Parking

These are the main ones. It is the above list of open issues that lead to the creation of this Alternative Plan. There will likely be other smaller issues that emerge as this process of setting new waterfront zoning continues. More information on each one can be found in the sections below.

### **How much square footage does the old zoning really allow?**

The current legal zoning limits in the harbor are determined primarily by the Harbor Civic Center Specific Plan (HCCSP). There are also some residual zoning codes floating around from the Heart-of-the-City days, but these never took effect, and were never approved by the Coastal Commission. Some have tried to represent these partially approved zoning codes as the "existing zoning". They never had any effective legal status.

A comparison sheet on the current HCCSP zoning vs. the current Planning Commission proposal can be found as a separate document linked on this website. The most common change is an increase the FAR from an average of 0.35 to 0.65 for most of the parcels, and increasing story limits from 2 stories to 3 stories.

According to city staff, there is about 315,000 square feet of additional floor area allowed under the old HCCSP, plus 9,000 square feet on the pier for a total of 324,000 square feet. According to an HCCSP "cap" analysis also found on this website, only about 220,000 square feet actually remains for development using the stated average 0.35 FAR for the identified zones and land area estimates provide by staff. The gap between these numbers has been explained as follows....the 324,000 square feet was staff's "intention", and they thought this was reflected in an average FAR of 0.35. The average FAR of 0.35 is what was written into the HCCSP legal document, not 324,000 square feet. If you take the legal HCCSP text and apply it to estimated land area, you get 220,000 square feet remaining, plus 9,000 square feet on the pier for a total of 229,000 square feet. Intentions are fine, but does not the legal text take precedent?

## **Setting Separate Development Standard for individual Parcels**

This topic needs to be clarified, as much confusion exists.

First, every individual parcel in the City of Redondo Beach, and all other cities, have individual zoning standards assigned to them. In most cases an entire block has the same zoning, but individual parcels each have their own zoning and development rights. These zoning rights are self contained in that what your neighbor does with his property does not impact what you can do with yours. If you both have R2 lots you can both build two units.

Some areas of the city have a mix of unique, closely clustered land uses and the development standard vary by parcel and not by block. The waterfront is one such area.

Second, is the more important aspect of this question. Can individual zoning development standards be set for individual parcels? There are several examples of this occurring in the current Planning Commission recommendations. Examples of individual parcel-by-parcel development standards set by the Planning Commission are:

- Parcel 10 with a special 40-foot height limit
- Golds Gym with single story, 15 feet, and a 2.25 FAR
- Crown Plaza Office with two stories, 40 feet, and a 2.25 FAR
- Crown Plaza Hotel with five stories, 60 feet, and a 2.25 FAR
- Mole B with special restrictions on Marina Related land uses.

So if the Planning Commission can specify specific zoning on a parcel-by-parcel basis and not have an issue with spot zoning, then the entire waterfront can be done this way. The goal is certainly to minimize the number of individual zoning categories, but they can still be applied on a parcel-by-parcel basis. It is entirely possible and desirable to do this as many individual waterfront parcels have unique features.

The zoning proposed in this Alternative Plan does not pioneer a new concept, it simply expands on the existing practice of individual development standards set for unique waterfront parcels.

## **Zoning Proposal Details**

A detailed analysis of both the 750,000 and 350,000 square foot alternative can be found on this website. Each analysis contains a set of tables. There are also corresponding zoning maps for each alternative. This information is found under separate links on the website.

The parcel details for both the 750,000 square foot and 350,000 square foot plan use the same parcel-by-parcel zoning analysis contains the following tables:

- Summary Table Showing Total Additional Area and FARs Harbor Wide.
- Marina-Related Parcel Details
- Northern Marina Area Parcel Details
- Southern Marina Area Parcel Details
- International Boardwalk, Pier Plaza, and Pier Area Parcel Details

The column titles are all the same across all the tables, only the harbor areas and individual parcels change. For some larger leaseholds, assumptions had to be made as to what land area was allocated to what buildings. These figures are shown in orange.

Each parcel is clearly shown on these tables with the actual existing land area and building area shown. The land areas are also shown on the zoning maps and are the result of a public records request. The building floor areas are also the result of public records requests, and this data is also included in some of the Planning Commission staff reports.

The existing and proposed FARs, and the resulting additional building area allowed are all clearly shown. What you see is truly what you get. It can't be made any clearer or transparent than this.

All the building and land areas are from information provided in Planning Commission staff reports and/or provided as responses to public records requests. There will be slight variations here.

The color-coded maps match the color-coded zoning on each table. The hand written figures in black are per parcel land areas provided by staff.

An earlier version of this analysis was present to the Planning Commission on January 17th. Unfortunately, the Planning Commission chose not to explore this alternative any further.

The current revised version 2.0 is found on this website. The current version corrects some building areas, adds some missing buildings, and raises the FAR for the two-story portion of Redondo Beach Marina leasehold. These changes are based on progressive feedback received to date. This is an evolving process and more feedback is welcome.

### **Floor Area Ratio (FAR) Limits**

Floor Area Ratio (FAR) is simply the ratio of land area to building floor area.

#### Planning Commission or Staff Plan

The Planning Commission has set broad FAR limits by geographic area. The current situation is that the Planning Commission set most FARs at a base of 0.35 with two 0.15 FAR bonuses totaling a maximum of 0.65. Nearly all waterfront parcels have a maximum limit of 0.65. The Crowne Plaza Hotel site has a limit of 2.25 and park areas have a limit of 0.25. The pier areas are covered under a Pier Reconstruction Plan, which according to staff would allow an additional 9,000 square feet over what is developed there now. This results in a new additional square footage of about 1.0 million square feet. By comparison, there is about 950,000 square feet developed on the waterfront right now.

Knowing that over a million additional square footage was too much to ask for, and operating under an EIR constraint that only studied up to 750,000 square feet, a maximum "cap" of 750,000 square feet had to be set.

To see where the additional million square feet could have gone, see the separate 750,000 square foot Staff Plan details found on this website.

#### Alternative Plan

The Alternative Plan was created to cut out a lot of development square foot from areas where it just should not go. Because there is no excess density assign in areas where it should never be developed, this method generates a maximum buildout of about 350,000 square feet. The base FAR for most areas is 0.35 and many areas can qualify for two FAR bonuses of 0.10 each for a maximum FAR of 0.55. By comparison, the standard C1 zone in the rest of the City has a maximum FAR of 0.35, the C2 zones have a maximum of 0.5 FAR, and the C3 zones are 0.7 FAR.

There is no need for a separate "cap" for this alternative method as the total maximum density addition is only 350,000 square feet. To see where the 350,000 square feet could be developed see the separate 350,000 square foot Alternative Plan details found on this website.

The proposed Alternative Plan only assigns 0.65 FAR on parcels with 100% offsite parking, like International Boardwalk. Most Harbor Drive parcels are set at 0.55 FAR, which matches the Marina Cove leasehold density, which is the highest density development along Harbor Drive. There are two

parcels in the marina that would be made legal, non-conforming unless they were assigned a 0.60 FAR. These two parcels are the Portofino Hotel and Harbor Cove Apartments leaseholds. These leaseholds are assigned 0.60 FAR to make them legal and conforming.

Some leaseholds are only appropriate for lower intensity 2 story construction, and are assigned a lower 0.35 FAR. These are the Pier Plaza area on top of the pier parking structure, and the Portofino Conference Center and Joe's Crab Shack site, which are located in the middle of the harbor where views would be impacted by additional 3-story construction.

The Crowne Plaza development is only zoned for a 2.10 FAR on the 5-story hotel itself. The FARs are reduced on the 2- and 1-story portions. This still allows for legal and conforming status, yet eliminates a lot of air rights square footage from the overall total that will never be developed anyway. You can clearly see this by comparing the square footage table for both the Staff Plan and the Alternative Plan. There is over 200,000 square feet of FAR "fat" on this parcel alone.

The moles, boat yard, and boat launch area are all clearly marina related areas. The moles also have a high storm damage and liquefaction damage history. The proposed Marina Related (MR) parcels (shown in tan on the zoning maps) only have a existing build-out of 0.05 FAR as much of this land is surface parking area for boat slips. The highest density is located on a Marina Cove property at 0.10 FAR. The limit of 0.10 FAR makes all properties in the proposed MR zone, legal and conforming and allows for an additional 32,000 square feet of additional marina related development. Waterfront parks are also set with a 0.10 FAR, down from a standard park 0.25 FAR.

The goal of the Alternative Plan is to eliminate square footage from areas that will never be developed, or should never be developed. This reduces the overall total from 1,068,000 down to about 350,000 square feet and eliminates the need for a problematic first come, first served "cap" set at an arbitrary 750,000 square staff "cap", or 557,000 square foot Planning Commission "cap".

The proposed FAR of 0.55 also fits with the option to create two bonus levels starting at a base of 0.35. Staff proposed two 0.15 bonus levels for a total maximum of 0.65. The Alternative Plan uses bonus levels of 0.10 for a maximum of 0.55. Staff proposed on bonus for 20% open space and a second for an office or hotel land use. The Alternative Plan does no favor land uses, but let the free market determine what should go where. Other alternative FAR bonus possibilities are even more open space, or possible participation in an offsite parking program to enhance the pedestrian feel of any new development.

### **Parking Requirements for Marinas**

One driving principal that seems to be pushing a lot of this higher density zoning is the concept that all the waterfront surface parking lots are bad. They all are visual blight. They all must be developed upon.

People seem to want to gloss over the critical fact that much of this surface parking is required to service the boar slips in the marina, in addition to the existing commercial development.

We all agree we should be minimizing the emphasis on the car and associated parking spaces and refocusing on pedestrian friendly design guidelines. Much can be improved in the look and feel of the waterfront, but the simple fact (inconvenient truth) is that adequate boat slip parking must be retained.

This issue has not been addressed yet so let' s go take a look at it:

- The total study area includes 65.1 acres (2,836,500 sf per zoning analysis), including the Pier Deck, Intl. Boardwalk, Pier Plaza, Crown Plaza Triangle, and Marina Areas. Much of this area is pure commercial development, like the pier area and Crowne Plaza site, which have no association with an operating marina.

-There are about 21.3 acres of land area in and around the actual marinas, including King Harbor Marina, Port Royal Marina, Portofino Marina, and Redondo Beach Marina. King Harbor Marina having the most boat slips and Redondo Beach Marina having the least.

-There are 1454 slips in King Harbor according to the 2006 Portofino remodel Coastal Commission staff Report W8e-1-2006.

-There are 0.6 parking spaces per recreational boat slip required per Section G1 in the 2005 Marina Design Guidelines by the California Department of Boating and Waterways.

-There are about 325 square feet per surface parking space per the Marshall & Swift Cost Estimating Guide.

This means that the MIMIMUM requirement for 1454 boat slips would be 873 parking spaces or 1454 slips \* .60 space per slip = 873 spaces. Ok, how much land area is that?

A fair number to use for the average land area per surface parking space is 325 square feet, which also includes the access ways through the parking lot. The land requirement would be 873 spaces x 325 sf per space = 293,725 sf divided by 43,560 sf per acre = 6.5 acres. This means that 6.5 acres needs to be set aside for boat slip parking. This is 30% of the land area around the marinas

- How many boat slip surface parking spaces do we have now? We don't know yet.
- How much land area is presently allocated to boat slip parking? We don't know yet
- How much boat slip parking will be displaced by CC zoning? We don't know yet.

The waterfront is first and foremost a small boat harbor. Commercial development can go anywhere in a city, but the primary land uses of a small boat harbor must be maintained. This concept does stop new development, it only protects areas that should not be developed. Clearly, these fundamental land planning details deserve further study before be set much high 0.65 FARs along the entire waterfront.

Large surface parking areas are component of nearly every boat slip marina in the State of California. To declare these required parking areas as fair game for development would be a violation of the Coastal Act. To see the limited amounts of commercial development and large amounts of boat slip surface parking in other California marinas, check out the marina aerial tour link on this website.

### **Protection for Marina Related land uses**

A few quotes from the California Coastal Act, January 1, 2008 version:

#### **"Section 30220 Protection of certain water-oriented activities**

*Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses."*

#### **"Section 30224 Recreational boating use; encouragement; facilities**

*Increased recreational boating use of coastal waters shall be encouraged, in accordance with this division, by developing dry storage areas, increasing public launching facilities, providing additional berthing space in existing harbors, limiting non-water-dependent land uses that congest access corridors and preclude boating support facilities, providing harbors of refuge, and by providing for new boating facilities in natural harbors, new protected water areas, and in areas dredged from dry land."*

According to State law, there are two key operative phrases that apply.

**“water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected”** This applies to the marinas and associated parking; and

**“limiting non-water-dependent land uses that congest access corridors and preclude boating support facilities”** This applies to the boat yard.

The only protections in the proposed Planning Commission zoning apply just to the Mole B parcel, yet there are several marina-related parcels in the harbor that legally qualify for such protection as they are directly related to marina parking, marina operations, or marina support facilities, like the boat yard.

This is the fundamental basis for establishing the new Marina Related (MR). What the Planning Commission has done is to substantial up zone the harbor area from a max FAR of 0.35 to 0.65 almost doubling the allowed development area. This will no place significant new development pressure on core Marina Related parcels.

There is no perfect way to set the various MR zones on the waterfront. The following is proposed.

- Mole “A”
- Mole “A” Access Road
- Marina Offices and Marina Parking behind SEA Lab.
- The Boat Yard
  
- Mole “B” Access Road and Parking Area
- Mole “B”
  
- Port Royal Marina Offices and Parking Area
- Commercial Hoist Area or Proposed Boat Ramp Area

These areas are all clearly Marina-Related and should be protected from increased development pressures.

One additional parcel is the Port Royal surface parking lot between the Blue Water Grill and Venezia Restaurant. While this is technically Marina Related it is also prime Harbor Drive frontage. There may be a way to incorporate the required marina boat slip parking in a shared parking plan for this entire block.

The Port Royal office and parking areas not prime Harbor Drive frontage and are included in the proposed MR zone.

The boat yard is prime harbor drive frontage, but it is also a major “boating support facility”. Boat yards are critical to the functioning of the marina. Current environmentally friendly bottom paint requires repainting a boat bottom every 2-3 years as these paints are designed to slowly dissolve away. With 1,454 boats in local slips, this reflect about 480 bottom paint jobs per year, or more than one a day. That does not count any other maintenance work. Because of slow travel speeds, taking a boat elsewhere for maintenance is a time consuming task. Just the trip to Marina Del Rey can take 2 hours. This is like being forced to drive your car up to Ventura just to have it worked on.

The Portofino renovation was just the subject to an extensive Coastal Commission review and approval process. No more square footage can be allowed on the hotel portion of this property. The Coastal Commission mandated adequate parking for the boat slips. Since this is one contiguous mixed-use parcel, and boat slip parking as already been protected there, no MR zoning is applied here.

The proposed MR zone locations are a reasonable compromise to protect most, but not all, key Marina Related land use areas

## **Park FAR vs Marina FAR**

Staff has recommended applying the Floor Area Ratio (FAR) used in P-PRO park zoning for only selected portions of the proposed MR zone areas (Moles "A" and "B" only). The P-Pro zoning allows for a 0.25 FAR. The real question is the FAR for a "park" the same as a "marina".

Many parks contain community buildings of various types and some can be quite large like meeting halls or gymnasiums. Pure marina land uses on the other hand contain little or no building floor area. Most only contain a marina office, restrooms, small community building or yacht club at most. Docks do not count toward FAR. A marina with only boat slips and parking facilities scores a zero FAR. So what is actually built on the proposed MR zone?

The alternative zoning plan parcel-by-parcel analysis covers this. The current FAR for all the proposed MR zone areas is 0.05. The proposed MR zoning would double this to 0.10 FAR. This would allow for a total of 32,000 more marina-related buildings. It also make all structures in the MR zone legal and conforming land uses. The 32,000 square feet of new floor area is about the same figure presented to the City Manager's Harbor Visioning Group as desired new boating related facilities

A 0.10 FAR would allow about 7,000 more square feet of development on the city owned Mole "B" parcel. For size comparison, the Baleen restaurant and marina office areas on the Portofino leasehold are 6,700 square feet.

The application of the P-PRO FAR of 0.25 without any additional analysis is not appropriate. The 0.10 FAR will allow for all the marina-related floor area the harbor is likely to ever need, and it significantly reduces unnecessary commercial development pressures as required by law. It also takes into consideration the life safety issues related to a history of land failures and significant storm damage on Moles "A" and "B".

## **Establishment of Arbitrary Development "Cap"**

This is direct from the Planning Commission official minutes.

*" suggested just splitting the difference between the 324,000 and 750,000 coming up with 557,000."*

The mathematical difference between 324 and 750 is 537, but somehow 557 was stated. The initial suggestion of 557,000 as a rough starting point for further refinement is probably Ok. What is not Ok is the lack of any further analysis. Staff provided no further guidance here. As has been stated earlier, the 324,000 square foot figure is not the legal. A separate analysis on this website shows it to be only 229,000 square feet (220,000 HCCSP + 9,000 Pier).

This is the single most important thing this commission will do in years. This zoning will have a major impact on our community. The above statement reflects the extent of the technical analysis that went into determining the "cap".

The implication of 1) approving over one million square feet of development and 2) setting an arbitrary 557,000 square foot "cap" is that the first ½ of the approved density is up for grabs and will start a development rush. The losers get zero development rights. No other area of the city has zoning like this where separate owners can engage in a free for all. This is like zoning a block of 100 lots all R-2 and then telling people only the first 50 units of 100 new possible 2<sup>nd</sup> units will be approved. Would you buy a vacant lot on that block knowing you could end up not getting a second unit?

The answer to the whole "cap" question is to set reasonable development standard to begin with, be completely transparent about it, and add it all up. If the total level of allowable new development is reasonable, then there is no need for an arbitrary "cap".

Since the grand total for additional development under the Alternative Plan is considered by many to be reasonable, there is no need to set an additional "cap". Leaseholders do not have to worry about someone else poaching their development rights. Each parcel has its own self contained zoning.

### **Lack of Open Space Requirements for New Additional 3<sup>rd</sup> Story**

Much has been said about tall buildings creating more open space around them. This debate is not new it has been going for decades. The answer for the vast majority of all downtown commercial areas is contiguous storefront of 2-stories or less. Examples, Downtown Hermosa, Downtown Manhattan Beach, Riviera Village 3<sup>rd</sup> Street Promenade, City Walk, Old Torrance, Malaga Plaza and main street at Disneyland. People want to walk storefront to storefront. They do not want to ride elevators up and down tall skinny commercial buildings.

It should also be noted that very few downtown districts have individual parcels with onsite parking. Off site parking is the norm for downtown areas. Look at Riviera Village. Applying a big box retail development model to a downtown district is a misfit.

The floor heights in the harbor are being raised from 2 stories to 3 stories across the board. Three stories were allowed on the Portofino site and the builder wasted no time in maximizing the building area creating a 3-story wall in the process. Today, Portofino is what it is and should be made legal and conforming. We do have a responsibility to prevent such designs in the future.

The Planning Commission proposal has no protection against 3-story walls being constructed. Loosely worded "design guideline" are not enough. The 3-story option should only be allowed if an open space requirement of 50% is exceeded.

A clear Open Space definition is also needed. Normal walkways between buildings should not be counted as open space or so called "plaza areas". A real plaza is a wider than normal walkway or a separate area unrelated to normal building walkways. Normal set back requirements should also not be counted as true open space. The proposed zoning does state that parking areas or landscaping in parking areas will not count. A tighter definition of open space is required.

### **"Cap" Text Missing From Some Documents**

There are issues with the text and maps in the proposed resolution being sent to the council. The Seaside Lagoon parcel is not included in any of the 4 Coastal LUP sub areas. It needs to be added to one, or it will be excluded from the 557,000 square foot development cap.

Also the only place the proposed "cap" of 557,000 square feet is mentioned is in the Coastal Land Use Plan. This key restriction should be included in the actual zoning, the HCCSP, General Plan, and the Coastal LUP. There was open discussion on the Planning Commission about raising the "cap" in the future. If one wanted to make it easy to raise this "cap" they would only write it in to one set of documents and just make reference to it in all the others. This appears to be what is happening.

### **Coastal Land Use Plan & General Plan "Commercial/Recreation" zone**

While this is a separate planning document it needs to align with all the rest. This generalized commercial/recreational zone needs to be clearly split between Coastal Commercial (CC) and general recreational zone or the Commercial/Recreational zone, and the proposed Marina Related (MR) zone. The protection and preservation of water related boating and support land uses the clear intent of The Coastal Act and also the existing Harbor Civic Center Specific Plan. This proposed zone needs to be specifically identified in the Coastal Land Use Plan.

## **Offsite Parking**

It should also be noted that very few downtown districts have parcel with onsite parking. Off-site parking is the norm for downtown areas. Applying a big box retail development model to a downtown district is a misfit. Not all parking need to be provided onsite. There are opportunities for offsite parking areas in the waterfront. The goal here is to get people out of there cars and walking around. Not clogging Harbor Drive going from place to place in their cars. A busy weekend or peak evening hour shuttle would help. People will walk if the right atmosphere is provided for them.

Forcing 100% onsite parking is inconsistent with the pedestrian focus we are looking for. Some have said they do not want this mandatory. Economic incentives should be provided by building lower cost public parking facilities on a cost per space basis. Spending \$30,000+ per space trying to force 100% onsite parking with semi-subterranean construction in a liquefaction zone only drives up development costs and corresponding density requirements.

The current Planning Commission proposal only talks about special event parking and does not address incentives for off-site parking. Offsite parking is the critical issue here.

## **Additional Feedback Welcome**

This is very much an evolving process and new zoning for our waterfront deserves appropriate attention and community feedback. Many people are not even aware of what is happening, let alone have had time to clearly understand the details of some of the proposals.

Several people have already provided feedback on this Alternative Plan. Some wanting more square footage, and other wanting less. It will continue to be circulated for additional comment. Please use the "Contact Us" link on the website to provide even more feedback.

The primary purpose of this Alternate Plan is to give people another option and to identify unresolved issues with the current Planning Commission proposal.

Dated: March 20, 2008

Compiled by Gary Ohst