

## NONCONFORMING RESIDENTIAL BUILDINGS AND USES

Summary of rules for Expansions and Alterations to Non-Conforming Buildings and Uses (Hermosa Beach Municipal Code (HBMC) Chapter 17.52)

Please refer to the HBMC for complete information. The Code is available via the link below and also online at [www.hermosabch.org](http://www.hermosabch.org) under 'Hermosa Beach Municipal Code' at 'Title 17 Zoning'. Please refer to Chapter 17.52 for complete information on zoning requirements for nonconforming buildings and uses. <https://www.codepublishing.com/CA/HermosaBeach/#!/HermosaBeach17/HermosaBeach1752.html#17.52>

**“Nonconforming Building”** means a building, structure, or portion thereof, which was lawfully erected or altered and maintained, but no longer conforms to the zoning standards of the zone of in which it is located.

### Nonconforming Building/Structures

	Less than One Parking Space Per Unit	One or More Parking Spaces Per Unit But Less than 2 spaces	2 or More Parking Spaces Per Unit
<b>*Expansion Allowed:</b>	100 square feet in floor area**  <b>THE EXPANSION MUST NOT RESULT IN GREATER THAN 3,000 SQUARE FEET FOR A SINGLE DWELLING UNIT AND FOR SITES WITH MORE THAN ONE UNIT DWELLING UNIT, THE EXPANSION MUST NOT RESULT IN GREATER THAN 5,000 SQUARE FEET PER BUILDING SITE*</b>	500 square feet in floor area	100% increase in floor area
<b>Structural Removal Allowed:</b>	Unlimited removal of existing conforming portions of the structure (foundation/floor system must be retained)  To maintain existing nonconforming portions (i.e. existing walls with nonconforming yards or roofs over the height limit) these portions of the structure cannot be completely removed		

**“Nonconforming Use”** means a use that was lawfully established and maintained but which no longer conforms to the use regulations, or the lot area per dwelling unit regulations, of the zone in which it is located.

### Nonconforming Uses/Densities

	Less than One Parking Space Per Unit	One or More Parking Spaces Per Unit But Less than 2 spaces	2 or More Parking Spaces Per Unit
<b>*Expansion Allowed:</b>  <i>Expansion not permitted if residential density exceeds forty-five (45) units per acre.</i>	100 square feet in floor area**  <b>THE EXPANSION MUST NOT RESULT IN GREATER THAN 3,000 SQUARE FEET FOR A SINGLE DWELLING UNIT AND FOR SITES WITH MORE THAN ONE UNIT DWELLING UNIT, THE EXPANSION MUST NOT RESULT IN GREATER THAN 5,000 SQUARE FEET PER BUILDING SITE*</b>	500 square feet or 50% increase in floor area, whichever is less	50% increase in floor area
<b>Structural Removal Allowed:</b>	Unlimited removal of existing conforming portions of the structure (foundation/floor system must be retained)  To maintain existing nonconforming portions (i.e. existing walls with nonconforming yards or roofs over the height limit) these portions of the structure cannot be completely removed		

\* Garage area(s) and/or decks and/or balcony areas are not included in the calculation of expanded floor area. Building sites that contain a density exceeding 45-units per acre shall not be expanded, building sites containing three (3) or more dwelling units shall not be expanded in floor area unless the site provided two parking spaces per unit plus one guest space for every two units. Expanded area means the cumulative total of all expansions on and after October 26, 1989.

\*\* Up to five hundred (500) square feet may be added if one or more parking spaces are added to an existing building, even if the resulting total is less than one parking space per unit. **Residential buildings that have the minimum required parking spaces meeting at least the criteria contained in the following exception and have no other nonconforming conditions shall be considered conforming buildings and are not subject to the expansion limitations of this chapter:** Existing parking spaces for existing residential buildings shall be counted if compliant with: minimum 17-foot 6-inch length and minimum 8-foot 6-inch width (inside measurements); minimum 20-foot turning radius (measured from far side of alley or street or street parking stall); minimum 8-foot driveway width; maximum 15% driveway slope; alley or street setback width as necessary to provide 20-foot turning radius; and no other nonconforming conditions exist.

Residential parking within the front 20 feet shall be allowed only when paved and leading to a garage.

Refer also to HBMC Chapter 17.44 Off-Street Parking (linked below).

<https://www.codepublishing.com/CA/HermosaBeach/#!/HermosaBeach17/HermosaBeach1744.html#17.44>