

ORDINANCE NO. 1825

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, MAKING CHANGES TO TITLE 18, ZONING, OF THE GARDENA MUNICIPAL CODE RELATING TO AMENITY HOTELS AND OTHER MINOR REVISIONS

WHEREAS, the City's existing zoning provisions for hotels were adopted in 1990 to combat the then proliferation of hotels/motels on small narrow lots within the City that lacked amenities and led to high vacancy rates, cut-rate prices, and deleterious effects; and

WHEREAS, since that time, only one new hotel has been approved in the City; and

WHEREAS, hotels can be an important source of revenue for a city through transient occupancy taxes; and

WHEREAS, Gardena is situated to be in a position to capitalize on a demand for new hotel spaces due to its proximity to SoFi Stadium, Hollywood Park, Dignity Health Sports Park (formerly "Stub Hub"), and other attractions; and

WHEREAS, during the past year, developers have indicated that the City's development standards have been an impediment to new hotel development; and

WHEREAS, at the City Council meeting on July 14, 2020, the City Council gave direction to staff to implement changes; and

WHEREAS, the revised standards require a change to the maximum floor area ratio ("FAR") allowed under the General Commercial and Industrial land use designations of the Land Use Plan and respective zones; and

WHEREAS, in addition to the changes required to encourage hotel development, the City also determined that there are additional amendments needed to update the Zoning Code; and

WHEREAS, in accordance with SB 18 and AB 52 requiring Tribal Consultation for General Plan amendments and projects subject to CEQA, the City sent out letters to those Native American Tribes identified by the California Native American Heritage Commission; and

WHEREAS, in response to the Tribal Consultation letters the City only received one response, from the Gabrieleno Band of Mission Indians – Kizh Nation, requesting consultation for future projects; and

WHEREAS, on October 13, 2020 the City Council approved a consultant agreement with De Novo Planning Group, Inc. ("De Novo") to conduct the environmental review on the proposed change in development standards; and

WHEREAS, De Novo prepared an Initial Study and Mitigated Negative Declaration on the proposed changes to the General Plan and zoning which was reviewed by staff and circulated for a 20-day public review period from January 14, 2021 and February 3, 2021; and

WHEREAS, the Planning Commission held a duly noticed public hearing on the General Plan Amendment and this Ordinance on February 16, 2021 at which time it considered all evidence presented, both written and oral; and

WHEREAS, at the close of the public hearing the Planning Commission adopted a Resolution recommending approval of the Initial Study/Mitigated Negative Declaration, the General Plan Amendment and this Ordinance, with amendments to three provisions of the Ordinance with respect to requiring a conditional use permit (CUP) for amenity hotels, maintaining the same parking ratio for amenity hotels as for regular hotels, and maintaining the 10 foot setback requirement on side streets; and

WHEREAS, on March 9, 2021 the City Council held a duly noticed public hearing on the Initial Study/Mitigated Negative Declaration, General Plan Amendment and Zone Change amendments set forth in this Ordinance, at which time it considered all evidence presented, both written and oral and the recommendations of the Planning Commission; and

WHEREAS, after the close of the public hearing the City Council adopted Resolution No. 6498 adopting the Initial Study/Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program and adopted Resolution No. 6499, approving the General Plan Amendment to the Land Use Plan and directed the additional changes be made to this Ordinance;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. FINDINGS.

A. The City Council finds that adopting the changes to the General Plan represents good planning practices as it will allow for the development of high-quality hotels in the City which will provide economic benefits to the City and improve the City's tax base.

B. The General Plan Amendment is internally consistent with the following elements of the General Plan:

1. Land Use Goal 3: Provide high quality, attractive and well-maintained commercial, industrial, and public environments that enhance the image and vitality of the City.

- Land Use Policy 3.1: Require adequate off-street parking, internal circulation and loading spaces for commercial developments.
- Land Use Policy 3.4: Attract commercial and industrial uses that minimize adverse impacts no surrounding land uses and are economically beneficial to the City in terms of revenue generation and employment opportunities.
- Land Use Policy 3.5: Promote the development and preservation of attractive commercial and industrial development with ample landscape treatment, adequate parking and the full range of customer amenities.

2. Economic Development Goal 1: Promote a growing and diverse business community that provides jobs, goods and services for the local and regional market, and maintains a sound tax base for the City.

3. Economic Development Goal 3: Attract desirable businesses to locate in the City.

- Economic Development Policy 3.3: Maintain a multidisciplinary proactive approach to improve the City's image as a desirable business location.

The proposed changes will encourage the development of new hotels which will improve the image and vitality of the City. Studies have been conducted to ensure that there is adequate off-street parking and adequate space for internal circulation. New hotels will provide revenue to the City and create new employment opportunities for residents and those in surrounding communities.

4. Circulation Goal 1: Promote a safe and efficient circulation system that benefits residents and businesses, and integrates with the greater Los Angeles/South Bay transportation system.

- Circulation Policy 1.1: Prioritize long-term sustainability for the City of Gardena, in alignment with regional and state goals, by promoting infill development, reduced reliance on single-occupancy vehicle trips, and improved multi-modal transportation networks, with the goal of reducing air pollution and greenhouse gas emissions, thereby improving the health and quality of life for residents.

The proposed changes will encourage the development of new hotels along arterials and major corridors which provides better access to transit options. Only seven of the proposed sites do not screen out of a VMT analysis and transportation demand management mitigation measures will be imposed on any development on those sites. The changes will also allow visitors to stay overnight in the Los Angeles area rather than

travelling from distant areas and creating unneeded VMT. Alternative transportation is more abundantly provided in the Gardena area as opposed to more remote areas as the majority of the city is considered a high quality transit area (HQTa) as defined by the Southern California Association of Governments (SCAG).

5. Public Safety Goal 2: Protect the community from dangers associated with geologic instability, seismic hazards and other natural hazards.

- Public Safety Policy 2.3: Require compliance with seismic safety standards in the [Uniform] Building Code.

- Public Safety Policy 2.4: Require geotechnical studies for all new development projects located in an Alquist-Priolo Earthquake Fault Zone or areas subject to liquefaction.

Site specific geotechnical studies are required for any development in the City.

6. Public Safety Goal 3: Protect public health, safety and the environment from exposure to hazardous materials and other dangers.

If construction of a new amenity hotel requires demolition of an older building, an asbestos survey will be conducted to determine the presence or absence of asbestos. Asbestos removal must be performed by a State certified asbestos containment contractor. Paint which is separated from building materials is required to be evaluated for lead, and if found, disposed of by a qualified Lead Specialist.

C. The City Council further finds that this Ordinance is consistent with the changes made by Resolution No. 6499 to City's General Plan.

SECTION 2. Section 18.04.245 is hereby added to the Gardena Municipal Code to read as follows:

18.04.245 Hotel, amenity

"Hotel, amenity" means a hotel with amenities such as: indoor lobby/lounge area with complimentary Wi-Fi meant for guests to sit, relax, and work; spa facilities; outside lounge areas meant for guests to sit, relax, and work, including common area patios and rooftop decks; pool or other improved recreation areas; gym facilities; conference centers; or other amenities of similar nature that are for the benefit of guests and located outside of the individual rooms.

SECTION 3. Section 18.32.020B of the Gardena Municipal Code is hereby amended to read as follows:

18.32.020 Uses permitted

B. Stores, businesses, or commercial activities not involving any kind of manufacture, processing, or treatment of products other than that which is clearly incidental and essential to a retail business conducted on the premises and that such operations are not objectionable due to noise, odor, dust, smoke, vibration, or other similar causes. Permitted uses shall include:

1. Antique stores;
- ~~2. Deleted;~~
2. Bowling alleys;
- ~~4. Blueprinting and photostating;~~
- ~~5. Bird stores and pet shops;~~
- ~~6. Chinchilla sales;~~
37. Conservatories of music;
48. Dancing academies;
59. Gymnasiums;
640. Legal card clubs;
744. Laboratories, medical and dental;
812. Mortuaries;
913. Music and vocal instruction;
1014. Nursery sales of flowers and plants;
1145. Pet shops;
1246. Medical and dental offices and clinics;
1317. General offices ~~Real-estate offices;~~
1448. Refrigerated food lockers;
- ~~19. Taxidermists;~~
- ~~20. Telephone exchanges;~~
- ~~21. (Repealed);~~
1522. Furniture upholstery shops;
- ~~23. Repealed;~~

1624. Secondhand store and/or thrift shop, when located at least five thousand feet from pawn shop or another secondhand store and/or thrift shop;

~~25. Repealed;~~

1726. Veterinary clinics and hospitals.

SECTION 4. Section 18.32.030 of the Gardena Municipal Code is hereby amended to read as follows:

18.32.030 Uses permitted subject to a conditional use permit

The following uses may be permitted in the C-3 zone subject to the issuance of a conditional use permit in accordance with the procedure set forth in Chapter 18.46:

- A. Car wash facilities;
- B. Establishments selling serving alcoholic beverages for consumption on or off the premises;
- C. Group care facilities and community care facilities, but excluding community care facilities for residential uses for less than seven persons;
- D. Recreational vehicle storage facilities, provided they are not located on arterial and major collector streets;
- E. Motor vehicle dealerships;
- F. Hospitals;
- G. Day care facilities;
- H. Amusement arcades;
- I. Hotels and motels, subject to the requirements set forth in Section 18.46.030C.15;
- J. Amenity hotels, subject to the requirements set forth in Section 18.46.030C.29;
- K. Health facilities;
- L. Massage establishments that are not otherwise subject to an exception pursuant to Section 5.48.030;
- M. Urgent care center;

- N. Vocational colleges, such as barber and beauty colleges, modeling schools and medical training and trade schools;
- O. Churches and related facilities. Related facilities do not include day care facilities, schools (kindergarten through twelfth grade), and rectories, convents, parsonages or minister's residences;
- P. Automobile service stations;
- Q. Self-service laundromats;
- R. Neighborhood markets;
- S. Health clubs;
- T. Supermarkets;
- U. Lodges and meeting halls;
- V. Those uses permitted with a conditional use permit, pursuant to Section 18.46.030C.

SECTION 5. Section 18.32.050.C of the Gardena Municipal Code is hereby amended to read as follows; all other sections remain the same:

18.32.050 Property development standards

* * *

C. Building height/~~FAR: Building heights shall not exceed sixty-five feet in general; Building height shall be limited to two and one-half stories, shall not exceed thirty-five feet within one hundred feet of a zone boundary line between the C-3 zone and any R-1 and R-2 zone; and shall not exceed fifty forty-five feet within one hundred feet of a zone boundary line between the C-3 and R-3 or R-4 zones. The gross floor area of all buildings or structures on a lot or lots that comprise a project site shall not exceed 0.50 (FAR) with the exception of amenity hotels, which may have a FAR of up to 2.0.~~

SECTION 6. Section 18.34.030 of the Gardena Municipal Code is hereby amended to read as follows:

18.34.030 Uses permitted subject to a conditional use permit

The following uses may be permitted in the C-4 zone subject to the issuance of a conditional use permit in accordance with the procedure set forth in Chapter 18.46:

- A. Car wash facilities;

- B. Establishments selling serving alcoholic beverages for consumption on or off the premises;
- C. Recreational vehicle storage facilities;
- D. Amusement Arcades
- E. Hotels and motels, subject to the requirements set forth in Section 18.46.030C.15;
- F. Amenity hotels, subject to the requirements set forth in Section 18.46.030C.29;
- G. Health facilities;
- H. Group care facilities and community care facilities, but excluding community care facilities for residential uses for less than seven persons;
- I. Hospitals;
- J. Urgent care centers;
- K. Churches and related facilities. Related facilities do not include day care facilities, schools (kindergarten through 12th grade), and rectories, convents, parsonages or minister's residences;
- L. Motor vehicle dealerships;
- M. Automobile service stations;
- N. Self-service laundromats;
- O. Neighborhood markets;
- P. Supermarkets;
- Q. Health clubs;
- R. Lodges and meeting halls;
- S. Drive-in restaurant;
- T. Drive-in theaters;
- U. Golf driving range and golf pitch and putt courses;

V. Taxicab services;

W. Massage establishments that are not otherwise exempt from the requirements of Chapter 5.48;

X. Self-storage facilities provided that the self-storage units do not exceed more than seventy-five feet of ground floor street frontage on a major collector or arterial street, or are otherwise buffered by another allowed, or conditionally allowed, use, including a retail component of the facility, and subject to the requirements set forth in Section 18.46.030(C)(17); and

Y. Those uses permitted with a conditional use permit, pursuant to Section 18.46.030C.

SECTION 7. Section 18.34.050.C of the Gardena Municipal Code is hereby amended to read as follows; all other sections remain the same:

C. Building height/FAR: Building heights shall not exceed sixty-five feet in general, and shall not exceed thirty-five feet within one hundred feet of a zone boundary line between the C-4 zone and any R-1 or R-2 zone, and shall not exceed ~~forty-five~~ fifty feet within one hundred feet of a zone boundary line between the C-4 zone and R-3 and R-4 zones. The gross floor area of buildings or structures on a lot or lots that comprise a project site shall not exceed 0.50 FAR with the exception of:

1. A development where at least eighty percent of the development includes self-storage facilities, in which case the FAR shall not exceed 2.75;

2. Amenity hotels which may have an FAR of up to 2.0.

SECTION 8. Section 18.36.030 of the Gardena Municipal Code is hereby amended to read as follows:

18.36.030 Uses permitted subject to a conditional use permit

Provided all activities are within an enclosed building, unless otherwise provided, the following uses may be permitted in the M-1 zone, subject to the issuance of a conditional use permit in accordance with the procedures set forth in Chapter 18.46 of this code:

A. Ambulance services, provided they are not located on arterial and major collector streets.

B. Automobile repair facilities, provided they are not located on arterial and major collector streets.

C. Automobile service stations.

- D. Building supply centers.
- E. Car wash facilities.
- F. Churches and related facilities, subject to the requirements set forth in Section 18.46.030(C)(26). Related facilities do not include day care facilities, schools (kindergarten through 12th grade), and rectories, convents, parsonages, or minister's residences.
- G. Contractor businesses; provided they are not located on arterial and major collector streets.
- H. Establishments selling or serving alcoholic beverages for off or on-premise consumption.
- I. Health facilities.
- J. ~~Motels and hotels~~ Hotels and motels, subject to the requirements set forth in Section 18.46.030C.15.
- K. Amenity hotels, subject to the requirements set forth in Section 18.46.030C.29;
- L. Recreational vehicle storage facilities, provided they are not located on arterial and major collector streets.
- M. Self-storage facilities, at least five thousand feet from another similar facility and not located along a major collector or arterial street, subject to the requirements set forth in Section 18.46.030(C)(17).
- N. Urgent care centers.
- O. Warehouse uses subject to the requirements set forth in Section 18.46.030(C)(18).
- P. Single room occupancy ("SRO") residential units subject to the following requirements in addition to the other requirements of Chapter 18.46:
 - 1. Each room shall have a minimum floor area of one hundred fifty square feet and a maximum floor area of three hundred fifty square feet, which may include bathroom and/or kitchen facilities.
 - 2. Dwelling units shall be offered for rent on a monthly basis or longer.
 - 3. A SRO unit shall accommodate a maximum of two persons.

4. Each SRO development shall provide a minimum common area of ten square feet for each unit or two hundred fifty square feet, whichever is greater. All common areas shall be within the structure. Dining rooms, meeting rooms, recreational rooms, or other similar areas approved by the community development director may be considered common areas. Shared bathrooms, kitchens, janitorial storage, laundry facilities, common hallways, and other similar types of areas shall not be considered as common areas.
5. If a full kitchen is not provided in each SRO unit, common kitchen facilities shall be provided in the development. A full kitchen includes a sink, refrigerator, and a stove, range top and/or oven.
6. Each SRO unit shall have a private toilet in an enclosed compartment with a door and a sink, in addition to a kitchen sink if one is provided. The compartment shall be a minimum of fifteen square feet. If private bathing facilities are not provided for each unit, shared shower or bathtub facilities shall be provided in accordance with the most recent edition of the California Building Code for congregate residences. However, in no event shall there be less than one full shower or bathtub for every three units, and shower and bathtub facilities shall be located on each floor. Shared shower and bathtub facilities shall be accessible from a common area or hallway and shall be provided with an interior lockable door.
7. Each SRO unit shall have a separate closet.
8. Laundry facilities shall be provided in a separate room at the ratio of one washer and dryer for every ten units, with at least one washer and dryer per floor.
9. A cleaning supply room or utility closet with a wash tub with hot and cold running water shall be provided on each floor.
10. Parking shall be provided for a SRO facility at the rate of one parking space per unit plus an additional two spaces for the resident manager.
11. A management plan shall be submitted with the conditional use permit application for a SRO development, which shall be approved by the planning commission. The management plan must address management and operation of the facility, rental procedures, safety and security of the residents, and building maintenance. A twenty-four-hour resident manager shall be provided for any single-room occupancy with ten or more units. An on-site manager and a manager's office shall be provided for any SRO development with nine or less units; the manager must maintain hours in the office for at least thirty hours a week.

SECTION 9. Subsections A and B of Section 18.36.060 are hereby amended to read as follows, all other provisions remain the same:

18.36.060 Property development standards

The following changes would be made to the development standards:

A. Building height/FAR: Building heights shall in no case exceed sixty-five feet, shall not exceed thirty-five feet within one hundred feet of a zone boundary line between the M-1 zone and any R-1 and R-2 zones, and shall not exceed fifty forty-five feet within one hundred feet of a zone boundary line between the M-1 and R-3 or R-4 zones. The maximum gross floor area of buildings or structures on a lot or lots that comprise a project site shall not exceed 1.0 FAR, except for amenity hotels, which may have a FAR of up to 2.0.

B. Building restrictions:

1. No opening in the exterior wall of a building shall be allowed on industrial buildings when the exterior wall of such building faces an R zone on the rear, side, or front property lines and is within 60 feet of such zone.

Exceptions:

~~a. If such building is situated sixty feet or more from an R zone, openings in exterior walls facing such R zone shall be allowed.~~

a b. Any openings may be allowed in exterior walls of such buildings if they are required by law providing they are equipped with self-closers and are of solid material.

b e. Solid panels of glass block shall be allowed regardless of the distance from the property line.

~~d. Openings shall be allowed into areas used for office space only; such openings shall be glazed with obscure glass, facing side or rear property lines only.~~

2. Noise emitted by any use shall comply with standards set forth in Chapter 8.36.

* * *

SECTION 10. Section 18.40.040 of the Gardena Municipal Code is hereby amended by adding the following parking standard for amenity hotels:

Amenity Hotels: A parking ratio of 0.85 space per guest room to account for guests and employees, plus provision of spaces for additional uses within the hotel at the rates specified in this section for such uses.

SECTION 11. Section 18.42.120 of the Gardena Municipal Code is hereby amended to read as follows:

Section 18.42.120 Distance between buildings

Zones in which tall buildings are permitted: in all zones where buildings of three or more stories in height are permitted, the requirements for space between buildings on the same site shall be increased two and one-half feet for each story, or fraction thereof, above the second story.

SECTION 12. Subsection C of Section 18.46.030 is hereby amended by revising subsection 15 and adding a new subsection 29 to read as follows:

Section 18.46.030 Uses permitted subject to a conditional use permit

* * *

C. The following uses may be permitted pursuant to this section in the zones specified with a conditional use permit. In no case shall a conditional use permit be granted in a zone for a use specifically prohibited in a zone within which the subject property is located:

15. Hotels and motels, except amenity hotels, in the C-3, C-4, M-1 and M-2 zones; provided, that:

a. The minimum lot area for hotels or motels shall be one acre exclusive of all other buildings or uses located on the same lot in a mixed use development;

b. The minimum lot width for hotel or motel developments shall be one hundred feet. The minimum lot depth shall be one hundred fifty feet;

c. A minimum of twenty feet front yard setback shall be provided, and not less than twenty percent of the total paved area utilized for driveways and open parking shall be landscaped pursuant to regulations set forth in Section 18.40.090;

d. The Planning Commission may allow the reduction of parking below that set forth in Section 18.40.040 based on a A parking demand study prepared by a qualified consultant justifying the reduction and paid for by the applicant ~~proponent of a hotel/motel, has been prepared by a qualified traffic engineer;~~

e. A market analysis/financial feasibility study, paid for by the proponent of a hotel/motel, has been prepared by a qualified consultant;

~~f. The engineer/consultant preparing the studies required by subsections C(15)(d) and (e) of this section shall be from a list of engineers and consultants approved by the community development department;~~

~~f g. Not more than twenty percent of the guest rooms shall be equipped with kitchens or kitchenette facilities;~~

* * *

29. Amenity hotels, as allowed in the C-3, C-4, M-1, or M-2 zone shall comply with the following requirements:

a. The hotel contains a minimum of two amenities, including but not limited to:

- i. An indoor lobby/lounge area with complimentary Wi-Fi designed and equipped as a social space for guests to sit, relax, eat, drink, and work;
- ii. Day spa facilities;
- iii. Outside, landscaped, lounge areas designed and equipped for guests to sit, relax, eat, drink, and work, including common area patios and rooftop decks;
- iv. A pool or other outside improved and landscaped recreation areas;
- v. A fitness center that is a minimum of 400 square feet in size with sufficient equipment other than, or in addition to, free weights to allow a minimum of four individuals to work out at the same time;
- vi. Event space that is a minimum of 375 square feet in size;
- vii. Other amenities of similar nature that are for the benefit of guests and located outside of the individual rooms.

b. The majority of rooms are accessed from an interior lobby, courts, or interior hallway;

c. Lot size: minimum of $\frac{3}{4}$ of an acre;

d. Location: located on an arterial or major collector street;

e. Does not contain more than 20% of rooms with kitchens or kitchenette facilities;

f. Meets all other development standards of the applicable zone;

g. The Planning Commission may allow the reduction of parking below that set forth in Section 18.40.040 based on a parking demand study prepared by a qualified consultant justifying the reduction and paid for by the applicant;

h. Complies with the mitigation measures and standard conditions of approval that were identified in the environmental assessment for the ordinance allowing amenity hotels or that are found to be equivalent.

SECTION 13. Imposition of Mitigation Measures and Conditions of Approval. The development of all Amenity Hotels shall be subject to the Conditions of Approval, including the Mitigation Measures, set forth in Exhibit A, attached hereto, in addition to any other conditions of approval imposed by the City.

SECTION 14. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance, or any part thereof is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrase be declared unconstitutional.

SECTION 15. This Ordinance shall take effect on the thirty-first day after passage.

SECTION 16. Certification. The City Clerk shall certify the passage of this ordinance and shall cause the same to be entered in the book of original ordinances of said City; shall make a minute passage and adoption thereof in the records of the meeting at which time the same is passed and adopted; and shall, within fifteen (15) days after the passage and adoption thereof, cause the same to be published as required by law, in a publication of general circulation.

PASSED, APPROVED AND ADOPTED this 13th day of April, 2021.


TASHA CERDA, Mayor

ATTEST:


pr MINA SEMENZA, City Clerk

APPROVED AS TO FORM:



LISA E. KRANITZ, Assistant City Attorney

EXHIBIT A**CONDITIONS OF APPROVAL FOR ALL AMENITY HOTEL PROJECTS**

COA CUL-1: If previously unidentified cultural resources are encountered during ground disturbing activities, construction activities shall cease in the immediate vicinity and construction activities shall be diverted away from the find (50-foot buffer around the find) and a qualified archaeologist who meets the Secretary of the Interior's Professional Qualification Standards for archaeology, shall be contacted immediately to evaluate the find. If the discovery proves to be significant under CEQA, the treatment plan established for the resources shall be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources and PRC Sections 21083.2(b) for unique archaeological resources. Preservation in place (i.e., avoidance) is the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. Any historic archaeological material shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, it shall be offered to a local school or historical society in the area for educational purposes. In the event that an identified cultural resource is of Native American origin, the qualified archaeologist shall consult with the Project owner and City of Gardena to implement Native American consultation procedures.

COA GEO-1: Prior to the submission of any new building permit application, as required by the City Building Official, the applicant shall provide for the City's review and consent, a comprehensive geotechnical investigation that explores and evaluates soil, groundwater, geological and seismic conditions; provides soil engineering criteria, and documents the potential for seismically induced ground shaking on the building site. Such investigations shall be conducted by a licensed civil engineer specializing in the practice of soil mechanics, and by a certified engineering geologist. Construction shall be in compliance with the findings and recommendations of the required investigations.

COA GEO-2: If excavation activities associated with the development of an amenity hotel would occur on any site mapped as middle to late Pleistocene older alluvium at the surface, prior to commencement of ground-disturbing activities a qualified vertebrate paleontologist (as defined by the Society for Vertebrate Paleontology) shall develop Worker Awareness and Environmental Program (WEAP) Training for construction personnel. This training shall be presented to construction personnel and include what fossil remains may be found within the Project area and policies and procedures that must be followed in case of a discovery. Verification of the WEAP Training shall be provided to the Gardena Community Development Department.

COA GEO-3: If fossils or fossil bearing deposits are encountered during ground-disturbing activities, work within a 25-foot radius of the find shall halt and the professional vertebrate paleontologist (as defined by the Society for Vertebrate Paleontology) shall be contacted immediately to evaluate the find. The paleontologist shall have the authority to stop or divert construction, as necessary. Documentation and treatment of the discovery shall occur in accordance with Society of Vertebrate Paleontology standards. The significance of the find shall be evaluated pursuant to the State CEQA Guidelines. If the discovery proves to be significant, before construction activities resume at the location of the find, additional work such as data recovery excavation may be warranted, as deemed necessary by the paleontologist.

COA HAZ-1: Prior to demolition activities, an asbestos survey shall be conducted by an Asbestos Hazard Emergency Response Act (AHERA) and California Division of Occupational Safety and Health (Cal/OSHA) certified building inspector to determine the presence or absence of asbestos containing-materials (ACMs). The sampling method to be used shall be based on the statistical probability that construction materials similar in color and texture contain similar amounts of asbestos. In areas where the material appears to be homogeneous in color and texture over a wide area, bulk samples shall be collected at discrete locations from within these areas. In unique or nonhomogeneous areas, discrete samples of potential ACMs shall be collected. The survey shall identify the likelihood that asbestos is present in concentrations greater than 1 percent in construction materials. The asbestos survey shall be provided to the City of Gardena Building Division. If ACMs are located, abatement of asbestos shall be completed prior to any activities that would disturb ACMs or create an airborne asbestos hazard.

Asbestos removal shall be performed by a State certified asbestos containment contractor in accordance with the South Coast Air Quality Management District (SCAQMD) Rule 1403. Common asbestos abatement techniques involve removal, encapsulation, or enclosure. The removal of asbestos is preferred when the material is in poor physical condition and there is sufficient space for the removal technique. The encapsulation of asbestos is preferred when the material has sufficient resistance to ripping, has a hard or sealed surface, or is difficult to reach. The enclosure of asbestos is to be applied when the material is in perfect physical condition, or if the material cannot be removed from the site for reasons of protection against fire, heat, or noise.

COA HAZ-2: If paint is separated from building materials (chemically or physically) during demolition of the structures, the paint waste shall be evaluated independently from the building material by a qualified Environmental Professional. A portable, field X-ray fluorescence (XRF) analyzer shall be used to identify the locations of potential lead paint, and test accessible painted surfaces. The qualified Environmental Professional shall identify the likelihood that lead is present in concentrations greater than 1.0 milligrams per square centimeter (mg/cm²) in/on readily accessible painted surfaces of the buildings.

If lead-based paint is found, abatement shall be completed by a qualified Lead Specialist prior to any activities that would create lead dust or fume hazard. Potential methods to

reduce lead dust and waste during removal include wet scraping, wet planning, use of electric heat guns, chemical stripping, and use of local High Efficiency Particulate Air (HEPA) exhaust systems. Lead-based paint removal and disposal shall be performed in accordance with California Code of Regulation Title 8, Section 1532.1, which specifies exposure limits, exposure monitoring and respiratory protection, and mandates good worker practices by workers exposed to lead. Contractors performing lead-based paint removal shall provide evidence of abatement activities to the City of Gardena Building Division.

COA N-1: Prior to approval of grading plans and/or prior to issuance of demolition, grading, and building permits for individual amenity hotel developments, the following noise reduction techniques shall be included in the construction plans or specifications:

- Construction contracts shall specify that all construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers and other state required noise attenuation devices.
- The Project applicant shall demonstrate to the satisfaction of the City's Building Official that construction noise reduction methods shall be used where feasible, including shutting off idling equipment.
- During construction, equipment staging areas and stationary construction noise sources, such as generators or pumps, shall be located such that the greatest distance is between the staging area noise sources and noise-sensitive receptors.
- Per Gardena Municipal Code Section 8.36.080, construction activities shall not occur during the hours of 6:00 p.m. and 7:00 a.m. on weekdays; between the hours of 6:00 p.m. and 9:00 a.m. on Saturday; or any time on Sunday or a Federal holiday.

MITIGATION MEASURES: The following mitigation measures shall be imposed upon the project.

BIO-1: If a Project site includes trees with the potential to support nesting migratory birds, construction, grubbing, brushing, or tree removal shall be conducted outside of the state identified nesting season for migratory birds (i.e., typically March 15 through September 1), if possible. If construction activities cannot be conducted outside of nesting season, a Pre-Construction Nesting Bird Survey within and adjacent to the Project site shall be conducted by a qualified biologist within three days prior to initiating construction activities. If active nests are found during the Pre-Construction Nesting Bird Survey, a Nesting Bird Plan (NBP) shall be prepared by a qualified biologist and implemented during construction. At a minimum, the NBP shall include guidelines for addressing active nests, establishing buffers, monitoring, and reporting. The size and location of all buffer zones, if required, shall be based on the nesting species, nesting sage, nest location, its sensitivity to disturbance, and intensity and duration of the disturbance activity.

CUL-1: Future development of an amenity hotel on a property with a potential historical resource, shall require a Historic Resources Assessment prepared by a qualified

professional, which shall be submitted to the City of Gardena Community Development Department for review and approval. The Historic Resource Assessment shall determine whether the resource(s) is potentially historic and if the proposed project would potentially cause a substantial adverse change to the historical resource. Feasible measures shall be identified in order to mitigate the known and potential significant effects of the subject development project, if any.

GEO-1: If excavation activities associated with the development of an amenity hotel would occur at a depth of greater than five feet on any site mapped as middle to late Pleistocene older alluvium at the surface, paleontological resources monitoring by a qualified vertebrate paleontologist (as defined by the Society for Vertebrate Paleontology) shall be required during ground disturbances greater than 5.0 below the historic surface elevation in native sediments. Auguring, potholing, and pile driving activities do not need to be monitored as these activities are unlikely to produce significant fossil because information about formation, depth, or context is impossible to discern. Should similar activities be planned, the qualified paleontologist shall be consulted prior to commencement so they may determine if that activity requires monitoring.

HAZ-1: Prior to the sale or development of a property where the City is involved with the financing or acquisition of the property, the City shall require a full Phase I Environmental Assessment of the site. In addition, an environmental consultant, familiar with the handling of hazardous wastes, should be either on-site or on call to properly remove and dispose of any hazardous wastes encountered during the excavation and/or grading of the site.

Construction requiring soil excavation and soil filling in areas of known commercial and industrial uses, proper sampling shall be required prior to the disposal of excavated soil.

All development and businesses operating within the City shall obtain, prior to receiving a use permit, all relevant licenses and permits from the appropriate agencies charged with regulation of hazardous materials.

TRA-1: The hotel operator of an amenity hotel on APN 4064-023-018, APN 4064-023-034, or APN 4064-030-019 shall implement at least one of the following VMT reduction measures:

- Implement Price Workplace Parking for a reduction of 3.7%. This assumes 100% of employees would be subject to a \$2 per day parking charge.
 - To achieve the necessary 3.1% reduction, a minimum of 84% of employees shall be subject to a \$2 per day parking charge.
- Implement Rideshare Program for a reduction of 10%. This assumes 100% of employees would be eligible for this program.
 - To achieve the necessary 3.1% reduction, a minimum of 31% of employees shall be eligible for this program.

- Implement Employee Transit Subsidies for a reduction of 5.2%. This assumes 100% of employees would be eligible for this program.
 - To achieve the necessary 3.1% reduction, a minimum of 60% of employees shall be eligible for this program.
 - This assumes an LA Metro EZ Pass subsidy of approximately \$3.67 per day per employee.
- Implement Promotions and Marketing for a reduction of 4.0%. This assumes 100% of employees would be eligible for this program.
 - To achieve the necessary 3.1% reduction, a minimum of 78% of employees shall be eligible for this program.

New employees shall be informed of any rideshare and transit subsidy programs and subsidy program information shall be displayed within areas where the greatest number of employees are likely to see it (consistent with Gardena Municipal Code Section 18.68.020). Verification of the provision of one of the VMT reduction measures shall be provided annually to the City of Gardena Community Development Department.

TRA-2: The hotel operator of an amenity hotel on APN 6106-027-039, 6106-027-028, or 6106-030-011 shall implement at least one of the following VMT reduction measures or combination of measures:

- Implement Price Workplace Parking for a reduction of 6.8%. This assumes 100% of employees would be subject to a \$6 per day parking charge.
 - To achieve the necessary 6.8% reduction, a minimum of 100% of employees shall be subject to a \$6 per day parking charge.
- Implement Rideshare Program for a reduction of 10%. This assumes 100% of employees would be eligible for this program.
 - To achieve the necessary 3.1% reduction, a minimum of 68% of employees shall be eligible for this program.

The following combination of measures can also achieve the necessary 6.8% VMT reduction:

- Implement Employee Transit Subsidies and Promotions and Marketing for a reduction of 9%. This requires 100% of employees being eligible for both programs. This assumes an LA Metro EZ Pass subsidy of approximately \$3.67 per day per employee.

New employees shall be informed of any rideshare and transit subsidy programs and subsidy program information shall be displayed within areas where the greatest number of employees are likely to see it (consistent with Gardena Municipal Code Section 18.68.020). Verification of the provision of at least one of the VMT reduction measures or

combination of measures specifically identified shall be provided annually to the City of Gardena Community Development Department.

TRA-3: If an amenity hotel is proposed on a site meeting the conditions for an amenity hotel that was not analyzed by the *Hotel Development Standards General Plan & Zoning Code Amendment Project Transportation Memorandum*, prepared by Kittelson & Associates, dated December 9, 2020, the applicant of the proposed development shall prepare a Vehicle Miles of Travel (VMT) analysis in compliance with the City of Gardena SB 743 Implementation Transportation Analysis Updates in effect at that time for review and approval by the City of Gardena Community Development Department. The applicant shall be required to implement mitigation measures required to reduce potential VMT impacts.

TCR-1: Within 14 days of determining that an application for an amenity hotel project is complete, the City of Gardena Community Development Department shall provide notification to the designated contact for the Gabrieleno Band of Mission Indians – Kizh Nation, which shall be accomplished by means of at least one written notification that includes a brief description of the proposed project and its location, the lead agency contact information, and a notification that the Tribe has 30 days to request consultation.

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss:
CITY OF GARDENA)

I, **MINA SEMENZA**, City Clerk of the City of Gardena, do hereby certify that the whole number of members of the City Council of said City is five; that the foregoing Ordinance being **Ordinance No. 1825** was duly passed and adopted by the City Council of said City of Gardena, approved and signed by the Mayor of said City, and attested by the City Clerk, all at a special meeting of said City Council held on the **13th day of April, 2021**, and that the same was so passed and adopted by the following roll call vote:

AYES: MAYOR PRO TEM HENDERSON AND COUNCIL MEMBERS TANAKA,
 KASKANIAN, FRANCIS, AND MAYOR CERDA

NOES: NONE

ABSENT: NONE

Becky Romero
for _____
City Clerk of the City of Gardena, California

