

ORDINANCE NO. 1804

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, MAKING CHANGES TO TITLE 18, ZONING, OF THE GARDENA MUNICIPAL CODE RELATING PRIMARILY TO RESIDENTIAL DEVELOPMENT

WHEREAS, the Gardena's Zoning Law has not had a review and update in many years; and

WHEREAS, staff has made a determination that many changes are needed to modernize the City's Zoning Law; and;

WHEREAS, staff has determined that it is in the best interests to process these changes in phases so that the more simply changes can be quickly implemented; and

WHEREAS, the Planning Commission held a duly noticed public hearing on this Ordinance on April 16, 2019 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 Resolution No. PC 7-19 recommending approval of this Ordinance; and

WHEREAS, the City Council held a duly noticed public hearing on this Ordinance on May 14, 2019 at which time it considered all evidence presented, both written and oral;

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 set forth in this Ordinance represents good planning practices for the following reasons: it modernizes the City's Zoning Law; it makes the Municipal Code easier to use; it makes sense to have different development regulations in the medium and high density residential zones.

B. The City Council further finds that this Ordinance is consistent with the City's General Plan.

SECTION 2. The following definitions contained in Chapter 18.04 of the Gardena Municipal Code are hereby added, deleted, or amended to read as follows:

A. Section 18.04.010, "Accessory building," is hereby amended to read as follows:

"Accessory building" means a building, part of a building, or structure which is detached from and subordinate to, and the use of which is incidental to, that of the main building, structure, or use on the same lot. Where an accessory building is a part of or joined to the main building, such accessory building shall be counted as part of the main building. ~~"Accessory use" means a use incidental, appropriate, subordinate and devoted exclusively to the main use of the lot or building on such lot.~~

B. Section 18.04.015, "Accessory living quarters," is hereby deleted:

~~"Accessory living quarters" means living quarters within an accessory building located on the same premises with the main building, such quarters having no kitchen facilities and not rented or otherwise used as separate dwelling.~~

C. A new Section 18.04.015 is hereby added to read as follows:

"Accessory use" means a use ancillary, incidental, appropriate, subordinate and devoted exclusively to the main use of the lot or building on such lot.

D. Section 18.04.080, "Building height," is hereby amended to read as follows:

"Building height" means the vertical distance measured from the lowest portion of the building that is above ground to the highest point of the roof average level of the finished grade at the front of the building to the highest point of the structure, exclusive of the exceptions to building height permitted by this title.

E. Section 18.04.112, "Cluster development," is hereby added to read as follows:

"Cluster development" means a multi-family development of three or more buildings or separate units which are enclosed within a gated community or which have non-traditional orientations away from the public street, such as buildings facing each other with interior courtyards.

F. Section 18.04.143 is hereby added to read as follows:

"Density" means the number of units per acre based on gross acreage.

G. Section 18.04.190, "Floor area ratio," is hereby amended to read as follows:

"Floor area ratio" means the numerical value obtained by dividing the total floor area of all buildings located on a lot or parcel of land by the total area of such lot or parcel of land. In calculating the floor area ratio, the measurements for all structures shall be from outside wall to outside wall, using the gross square footage; provided, that for multifamily dwellings and condominiums any garage area, private street, private access way, uncovered patio, porch, or balcony, and any uncovered common recreation area including swimming pools shall be excluded from the FAR calculation. In calculating the total land area, no portion of any street, alley or right of way dedication/easement shall be included.

H. Section 18.04.195, "Freeway," is hereby deleted:

~~"Freeway" means a main highway in respect to which the owners of abutting lands have no right to easement or access to or from their abutting lands, or in respect to which such owners have only limited or restricted easement or access, and which is declared to be such in compliance with the Streets and Highways Code of the state.~~

I. Section 18.04.235, "Hospital," is hereby amended to read as follows:

"Hospital" means an establishment primarily engaged in providing diagnostic services, medical treatment including surgical services, and other inpatient medical services. Such establishment has an organized medical staff, inpatient beds, and equipment and facilities to provide health care. "Hospital" includes but is not limited to ~~a mental hospital except for the mentally retarded~~, psychiatric hospital, ~~alcoholism~~ rehabilitation hospital, cancer hospital, children's hospital, chronic disease hospital, ~~drug addiction rehabilitation hospital~~, maternity hospital, and orthopedic hospital.

J. Section 18.04.373, "Open space," is hereby added to read as follows:

"Open space" means an unobstructed portion of a lot which is usable for active or passive recreational and leisure use.

K. Section 18.04.380, "Parking space, automobile," is hereby amended to read as follows:

"Automobile parking space" means a space within a building or public parking area for the temporary parking or storage of one automobile, exclusive of streets, alleys,

driveways, aisles and the area of ingress or egress. ~~Such parking space, when enclosed within a building, shall consist of an area not less than nine feet wide and twenty feet deep having access at all times to a public street or alley. All open parking spaces shall consist of an area not less than nine feet wide and twenty feet deep having access at all times to a public street or alley.~~

L. Section 18.04.420, "Site Plan," is hereby amended to read as follows:

"Site plan" means a plan, prepared to scale, showing all of the uses proposed for a specific property. The plan shall show clearly and with full dimensioning all buildings, building heights, spaces between buildings, off-street parking and loading spaces, points of ingress and egress, walls, fences, landscaping features, and any additional information which may be deemed necessary by the ~~building official~~ Community Development Director to clearly define the intended use of the property and determine its conformity with the provisions of this chapter and any conditions imposed in connection with a variance or conditional use permit.

M. Section 18.04.485, "Yard, front," is hereby amended to read as follows:

"Front yard" means a yard extending across the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line or planned street line and the closest permissible point on a building on the lot, excepting the limited projections permitted in this ~~chapter~~ Title.

N. Section 18.04.490, "Yard, rear," is hereby amended to read as follows:

"Rear yard" means a yard contiguous to the rear line of a lot and extending from side lot line to side lot line, the depth of which is the minimum horizontal distance between the rear lot line and the closest permissible point on a building on the lot, excepting the limited projections permitted in this ~~chapter~~ Title. On a corner lot the rear yard shall extend from the interior side lot line to the side yard on the street side.

O. Section 18.04.500, "Yard, side," is hereby amended to read as follows:

"Side yard" means a yard contiguous to the side lot line, extending from the front yard, or front lot line where no front yard is required, to the rear yard, or rear lot line where no rear yard is required, the width of which side yard is the minimum horizontal distance between the side lot line and the closest permissible point on a building on the lot, excepting the limited projections permitted in this ~~chapter~~ Title.

SECTION 3. Section 18.12.050.D of the Gardena Municipal Code, relating to development standards in the R-1 zone, is amended to read as follows; all other sections remain the same:

D. Density: A maximum of one dwelling unit per lot, except for ~~a second~~ an accessory dwelling unit.

SECTION 4. Sections 18.14.050 D and J of the Gardena Municipal Code, relating to development standards in the R-2 zone are hereby amended to read as follows; all other sections remain the same:

D. Density: a maximum of two dwelling units per lot, but no more than 17 units/acre. ~~one dwelling per two thousand five hundred sixty two and four tenths square feet of lot area (seventeen units/acre), provided no lot shall contain more than two units. When the application of such density standards results in a fraction of a dwelling unit, such fraction, if below the five tenths breakpoint, shall be rounded downward to the nearest whole number, and, if such fraction is at or above the five tenths breakpoint, it shall be rounded upward to the nearest whole number;~~

J. Useable open space: a minimum of six hundred square feet of useable open space, ~~both private and common,~~ shall be provided for each unit for the recreational and leisure use of the residents of all multiple-family dwellings and condominiums in accordance with the requirements of Section 18.42.075. ~~subject to the following provisions:~~

1. A minimum of twenty-five percent of the required useable open space shall be private and directly accessible from the ground floor living room, ~~kitchen or den of the~~ individual dwelling unit.

2. The remaining seventy-five percent may be private or common open space.

~~2. Useable open space, except private balconies, and patios and decks, shall have a minimum dimension of ten feet by fifteen feet.~~

~~3. Private balconies, and patios, and decks to qualify as useable open space shall have a minimum area of sixty square feet and any one dimension not less than four feet.~~

~~4. All useable open space, excluding private balconies, patios, decks, designated common game areas, and fenced swimming pool areas shall be landscaped.~~

~~5. Enclosed areas properly improved and designated for the leisure and recreational use of all the residents may contribute to a maximum of ten percent of the useable open space requirement.~~

~~6. Specifically excluded as useable open space are all open and enclosed parking areas, garages, driveways, automobile turning aisles, storage areas, refuse storage areas, roof decks, and any area fenced or otherwise inaccessible to the residents;~~

SECTION 5. Sections 18.16.050D, F, G, and J of the Gardena Municipal Code relating to development standards in the R-3 zone are hereby amended to read as follows; all other sections remain the same:

D. Density: a maximum of 17 units/acre~~one dwelling unit per two thousand five hundred sixty-two and four tenths square feet of lot area (Seventeen units/acre).~~ However, when the application of such density standard results in a fraction of a dwelling unit, such fraction, if below the five-tenths breakpoint, shall be rounded downward to the nearest whole number, and, if such fraction is at or above the five-tenths breakpoint, it shall be rounded upward to the nearest whole number;

F. Building height: the maximum building height shall not exceed thirty-five feet and shall consist of no more than three stories;

G. Yards: For cluster developments, setbacks are calculated from the project boundaries and not from individual units or buildings within the development.

1. Front yard setback: a minimum of twenty feet; no more than fifty percent, including driveways, shall be paved or otherwise covered with hardscaped materials. The remaining area shall be permanently landscaped with softscape materials and provided with a permanent irrigation system subject to city approval.

2. Side yard setback:

- a. A minimum of five feet for one-story or two-story buildings;
- b. A minimum of seven and one-half feet for two-story buildings with a semi-subterranean parking structure or three story buildings;
- c. A minimum of ten feet for buildings ~~exceeding three stories and buildings~~ which abut parcels zoned R-1 or R-2;
- d. A minimum of ten feet for corner lots (street side only); and

- e. A minimum of ten feet when a building fronts on a side yard.
3. Rear yard setback:
 - a. A minimum of five feet for one-story or two-story buildings.
 - b. A minimum of seven and one-half feet for two story buildings with a semi subterranean parking structure or three story buildings;
 - c. A minimum of ten feet for buildings ~~exceeding three stories and buildings~~ which abut parcels zoned R-1 or R-2;
 - d. A minimum of ten feet when a building fronts on a rear yard.
4. Accessory buildings: one-story accessory buildings may be constructed along the rear and side property line when located in the rear one-third of the lot. Garages fronting on public streets shall maintain a minimum twenty-foot yard setback. All garages shall be provided with garage doors. New garage doors for front facing garages shall be sectional type garage doors.

J. Useable open space: a minimum of six hundred square feet of useable open space, ~~both private and common~~, shall be provided for each unit for the recreational and leisure use of the residents of all multiple-family dwellings and condominiums in accordance with the requirements of Section 18.42.075. ~~subject to the following provisions:~~

1. A minimum of twenty-five percent of the required useable open space shall be private and directly accessible from ~~the ground floor living room, family room or kitchen of~~ the individual dwelling unit.

2. For multiple-family dwellings and condominiums of fifteen units or more, a minimum of one-third of the required useable open space shall be common and available for the use of all residents. The front yard area shall be excluded in the calculation of the required useable open space.

3. The remainder of the usable open space may be either private or common.

- ~~4. Useable open space, except private balconies, and patios and decks, shall have a minimum dimension of ten feet by fifteen feet.~~

- ~~54. Private balconies, and patios, and decks to qualify as useable open space shall have a minimum area of sixty square feet and any one dimension not less than four feet.~~

- ~~65. All useable open space, excluding private balconies, patios, decks, designated common game areas, and fenced swimming pool areas shall be landscaped.~~

~~6. Enclosed areas properly improved and designated for the leisure and recreational use of all the residents may contribute to a maximum of ten percent of the useable open space requirement.~~

~~7. Specifically excluded as useable open space are all open and enclosed parking areas, garages, driveways, automobile turning aisles, storage areas, refuse storage areas, roof decks and any area fenced or otherwise inaccessible to the residents;~~

SECTION 6. Section 18.18.020 of the Gardena Municipal Code relating to development standards in the R-4 zone is hereby amended to read as follows:

The development standards set forth herein shall apply and supersede any zoning code provision in this title to the contrary.

A. Density. For any project approved after August 1, 2012, the minimum permitted density shall be twenty units per acre for any residential development. This subsection shall not apply to the expansion of any existing use.

B. The maximum permitted density shall be as set forth in this subsection; fractional units shall be rounded upward if such fraction is at or above the five-tenths breakpoint:

1. Twenty-five units per acre for lots less than one-half acre;
2. Twenty-seven units per acre for lots between one-half acre and one acre; and
3. Thirty units per acre for lots greater than one acre.

C. Landscaping. The minimum landscaping requirement shall be four hundred sixty square feet.

D. Building Height. The maximum building height for habitable space shall not exceed thirty-five feet, or forty feet with architectural projections which are building elements such as towers, cupolas, and pitched roofs at a minimum pitch of 4:12, that are added to buildings to provide architectural interest without adding interior floor area, and also include skylights and chimneys. In no event may the building exceed three stories.

ED. Parking.

1. Tandem parking shall be allowed.
2. For senior or income restricted units: one off-street parking space for each one-bedroom or studio unit.

SECTION 7. Sections 18.19.060F, I and J of the Gardena Municipal Code relating to development standards in the Mixed-Use zone, are hereby amended to read as follows. All other sections remain the same.

F. Yards: For mixed use projects, setbacks are calculated from the project boundaries and not from individual units or buildings within the development.

1. Front yard setback: a minimum of twelve feet from face of curb and a maximum of twenty feet from face of curb;

2. Side yard setback: ~~ten-five~~ feet from property line ~~if adjacent to residential or industrial zone, or adjacent to side street; no setback is required if adjacent to other zones (if any setback is proposed, a minimum standard of ten feet applies);~~

3. Rear yard setback: ~~twenty-ten~~ feet from property line ~~abutting a residential or industrial zone; ten feet from property line if adjacent to commercial zones (or edge of alley easement);~~

4. Building to building:

a. Main sStructures less than or equal to forty feet in height: ~~twenty feet if adjacent to industrial structures; ten feet if adjacent to all other structures;~~

b. Main sStructures greater than forty feet in height: thirty feet if adjacent to industrial structures; twenty feet if adjacent to residential structures; and fifteen feet if adjacent to commercial structures; and.

c. A minimum of six feet between main and accessory buildings.

d. The provisions of Section 18.42.120 shall not apply to this section.

I. Usable open space⁷:

1. Residential uses: a minimum of one hundred fifty square feet of outdoor usable ~~common and private open~~ space shall be provided per dwelling unit in accordance with the requirements of Section 18.42.075.

a. A minimum of seventy square feet per unit shall be private open space and directly accessible from the individual dwelling unit. with a minimum dimension of seven feet in any direction. ~~Private open space shall be accessible directly from the living area of the unit, in the form of a fenced yard, patio, deck or balcony,~~

b. The remainder of the open space may be either private or common.

~~_____ b. A minimum of fifty square feet per unit shall be usable common open space with a minimum dimension of twenty feet in any direction;~~

~~_____ c. A minimum of thirty square feet per unit may be provided as either common or private open space.~~

~~_____ . All useable open space, excluding private balconies, patios, decks, plazas, designated common game areas, and fenced swimming pool areas shall be landscaped.~~

2. Live/work uses: a minimum of one hundred square feet of either outdoor usable common or private open space shall be provided for each live/work units in accordance with the requirements of Section 18.42.075.. ~~Minimum dimensions shall be in accordance with I(1)(a) and (b), above.~~

3. The usable common open space requirements of residential mixed use and live/work units can be combined into one or more large spaces to satisfy the usable common open space requirements, so long as the space is located along or directly accessed and visible from perimeter or interior streets.

J. Off-street parking: the provisions of Chapter [18.40](#) shall apply, with the following exceptions:

1. Tandem parking: up to fifty percent of parking requirements for residential or live/work units may be satisfied by tandem parking. Guest spaces may not be tandem. Garaged tandem parking shall be no smaller than twelve feet wide by forty feet long, as measured from the interior walls;

2. No curb cuts are allowed for lots less than twenty thousand square feet that abut alleys;

3. Bachelor/efficiency units: One space shall be required for each unit;

4. Live/work units: Two resident spaces and 0.5 guest spaces per unit. Resident spaces shall be covered; guest spaces may be uncovered. Three additional parking spaces shall be provided for every one thousand square feet of non-residential square footage; except that ten additional parking spaces shall be provided for every one thousand square feet of restaurant uses; parking spaces for nonresidential uses may be uncovered;

5. Shared parking is allowed subsequent to a shared parking analysis, prepared by a California-licensed, independent traffic engineer, at the developer's expense, and approved by the community development director;

6. Due to variations in parking demand and needs of mixed use projects, vehicle parking requirements and the design of the parking areas, including ingress and egress, may be reduced or modified as part of the site plan

review process, by the planning commission, based upon information contained in a parking demand study prepared by a California-licensed, independent traffic engineer, at the developer's expense;

7. Parking for any residences shall be secured and separated from public parking;

8. Assigned parking shall be provided within one hundred fifty feet of the front entrance of the dwelling unit for which it serves;

9. An above- or below-grade parking structure is permitted subject to the following standards:

a. Entrance and exit to garage shall be from side-street or rear of primary building,

b. If the parking structure has retail, office or similar uses on the street-level floor on the side facing the street, the minimum front or side garage setback may be reduced from minimum eight feet from the property line to zero feet (providing that the building allows for an enhanced walkway with landscaping or streetscape elements as depicted in Section [18.19.070](#) within the twelve-foot yard setback from the face of the curb), subject to site plan review and approval per Chapter [18.44](#).

SECTION 8. Footnote 7 of Chapter 18.19 of the Gardena Municipal Code is hereby deleted:

~~⁷ Usable open space may include plazas, and accessible hardscape or landscape areas. Usable open space shall not include sidewalks or paved pathways; slope areas exceeding five percent; areas within public rights-of-way; storage areas; or any portion of open and enclosed parking areas, garages, streets, driveways, or automobile turning aisles.~~

SECTION 9. Section 18.20.050B.3 of the Gardena Municipal Code relating to property development standards in the Commercial-Residential zone is hereby amended to read as follows:

3. Open Space Requirements. Each residential unit shall have a minimum of one hundred fifty square feet of usable common and private open space in accordance with the requirements of Section 18.42.075:

a. A minimum of fifty square feet per unit shall be ~~outdoor~~ private open space with a minimum dimension of four feet in any direction and directly accessible from the individual dwelling unit. Private open space shall be

~~accessible directly from the living area of the unit, in the form of a fenced yard, patio, deck, or balcony.~~

b. A minimum of seventy-five square feet per unit shall be usable common open space. ~~with a minimum of twenty feet in any direction. At least fifty square feet shall be outdoor common open space.~~

c. The remaining twenty-five square feet per unit may be provided as either common or private open space.

SECTION 10. Section 18.40.060 B of the Gardena Municipal Code relating to tandem parking is hereby amended to read as follows:

B. ~~Unless tandem parking is specifically allowed by the zone, t~~Tandem parking shall not be considered as satisfying the parking requirements of this chapter.

SECTION 11. Section 18.40.070 D of the Gardena Municipal Code related to garage parking standards is hereby amended to read as follows:

D. ~~Unless tandem parking is allowed, a~~A two-car garage shall be fully enclosed and have a minimum interior dimension of twenty feet in width by twenty feet in depth. ~~A garage designed for tandem parking shall have a minimum interior dimension of twelve feet in width by forty-one feet in depth.~~ Designated parking area shall be designed to remain free and clear of all obstructions, including, but not limited to, washer/dryer units, water heaters, etc.

SECTION 12. Section 18.40.090 of the Gardena Municipal Code relating to landscape regulations for parking areas is hereby amended to read as follows:

18.40.090 Landscape regulations for parking areas.

A. ~~Landscape plans for parking areas shall be submitted in accordance with Section 18.42.075 A and landscape shall be maintained in accordance with Section 18.42.075 D. — A complete landscaping plan shall accompany site development plans for all newly constructed or expanded buildings or structures in all the multiple-family residential, commercial, and industrial zones. The landscaping plan shall include:~~

~~1. — The botanical and common names of the plants listed alphabetically with a key number assigned to each plant so it can easily be located on the plan;~~

~~2. — The size and quantity of the plants;~~

~~3. The spacing and design of landscape material.~~

B. For commercial and industrial developments, the amount of landscaping required shall be not less than five percent of the total paved area utilized for driveways and open parking areas. Said landscaping shall be evenly distributed throughout the parking areas wherever feasible. Any unused space resulting from the design of the parking spaces shall be landscaped. This requirement does not apply to indoor parking areas.

C. The size and type of planting materials shall be as follows:

1. One twenty-four inch box size tree for every ten parking spaces. If less than ten spaces, two fifteen-gallon size trees shall be acceptable;

2. One five gallon size shrubbery for each twenty square feet of planter area;

3. Xeriscaping shall be utilized wherever feasible with plants used being predominantly drought tolerant types and a combination of trees, shrubs, and ground cover and evenly distributed throughout the parking area; and

4. Planting beds shall have a minimum width of three feet. The front three feet of parking spaces may be used for planting beds. A minimum four-inch high curb shall be provided on all sides of planting beds for the protection of the landscaped areas.

SECTION 13. Section 18.42.070 A of the Gardena Municipal Code relating to the height of fences, hedges and walls is hereby amended to read as follows:

A. Height.

1. Residential Uses. A fence, hedge or wall not more than seven feet in height may be located along the side or rear property lines ~~provided such fence, hedge or wall shall have a maximum height of three and one-half feet for interior lots and three feet for corner lots in the required front yard setback area.~~

2. Residential front yard fences shall be composed of only the following materials: wood, wrought iron, tubular steel, stone, brick, stucco, or decorative block such as slump stone or split-faced block. If the fence consists of wrought iron or tubular steel, it shall be interspersed with stone, brick, stucco, or decorative block for aesthetic reasons.

a. Driveway gates shall be set back at least twenty feet from front or corner side yards.

b. Driveway gates abutting alleys shall be located at least twenty-five feet from the opposite side of the alley.

c. Except as provided by subsection d below, fences in the front yard setback shall have a maximum height of three and one-half feet for interior lots and three feet for corner lots in the required front yard setback area. Fences in the front yard beyond the setback shall not exceed seven feet in height.

d. In cluster developments that provide perimeter fencing, fences in the front yard setback may be up to seven feet in height provided the following requirements are met:

i. The fence shall consist of wrought iron or tubular steel and shall be interspersed with stone, brick, stucco, or decorative block for aesthetic reasons; and

ii. There is a minimum of five feet of landscaping between the front of the fence and the back of the sidewalk area closest to the fence.

3. **Nonresidential Uses.** A fence, hedge or wall not more than eight feet in height may be located along the ~~front~~, side or rear property lines. A provided such fence, hedge or wall shall have a maximum height of three and one-half feet for interior lots and three feet for corner lots in the required front yard setback area when such setback is required pursuant to the provisions of this code.

a. Nonresidential fences shall be composed of only the following materials: wrought iron, tubular steel, stone, brick, stucco or decorative block such as slump stone or split-faced block.

b. Nonresidential fences and walls located on street frontages shall have a minimum three-foot landscape setback.

4. Nonresidential Parking Lot Abutting Residential Zone. Wall enclosure requirements shall be as follows:

a. Where a commercial or industrial parking lot abuts property in a residential zone, a decorative masonry wall at least eight feet in height shall be constructed along the abutting property line. Such walls shall uniformly step down to a height of three and one-half feet within the required front yard setback area of the adjacent property.

b. Where a commercial or industrial parking lot is adjacent to a street or highway, a decorative masonry wall three feet in height or a landscape hedge shall be constructed to serve as a visual screen.

SECTION 14. Section 18.42.065 is hereby added to the Gardena Municipal Code to read as follows:

18.42.065 Open Space – Residential Uses.

A. Open space may be either private or common.

1. "Private open space" must be directly accessible from the individual dwelling unit and may be in the form of patios, decks, balconies, and roof decks.

2. "Common open space" must be accessible to all residents and may include plazas, courtyards and paseo areas. "Open space" shall not include: sidewalks; parking areas; garages; driveways; turning aisles; storage areas; refuse areas; or areas inaccessible to residents.

B. Dimensions.

1. All common areas shall have a minimum continuous area of 150 square feet and no dimension less than eight feet in any zone;

2. Except for balconies, patios, and decks, private open space in the R-2, R-3 and R-4 zones shall have a minimum continuous area of 150 square feet and no dimension less than eight feet;

3. Except for balconies, patios, and decks, private open space in the MU or C-R zone shall not have any dimension less than eight feet;

4. Private balconies, patios, and decks shall have a minimum area of forty square feet and no dimension less than four feet.

C. Landscaping. All useable open space, excluding private balconies, patios, decks, designated common game areas, and fenced private swimming pool areas shall be landscaped. Common swimming pool areas may be landscaped if feasible.

D. Indoor areas. Indoor areas improved and designated for the leisure and recreational use of all the residents may contribute to a maximum of ten percent of the useable open space requirement.

SECTION 15. Section 18.42.075 is hereby added to the Gardena Municipal Code to read as follows:

18.42.075 Landscape Regulations

A. A complete landscaping plan shall accompany site development plans for all newly constructed or expanded buildings or structures in all the multiple-family residential, commercial, and industrial zones. This requirement shall not apply to the following:

1. A change in use; involving no addition or alterations to buildings or parking layout.

2. An addition to or alteration of any building or structure required by other provisions of this code or state laws;

3. An addition to or alteration of any building or structure, which does not exceed five hundred square feet.

B. The landscaping plan shall include:

1. The botanical and common names of the plants listed alphabetically with a key number assigned to each plant so it can easily be located on the plan;

2. The size and quantity of the plants;

3. The spacing and design of landscape material.

C. For commercial and industrial developments, the amount of landscaping required in parking areas and size of planting materials shall be as set forth in Section 18.40.090.

D. Landscape maintenance requirements shall be as follows:

1. An automatic sprinkler or irrigation system shall be installed and permanently maintained in working order.

2. All landscaping shall be permanently maintained in thriving condition.

3. Lawn and ground covers shall be trimmed or mowed regularly. All planted areas shall be kept free of weeds and debris.

4. Adjustments, replacements, repairs and cleaning of plant material shall be a part of the regular maintenance.

5. Stakes, guys, and ties on trees shall be checked regularly for correct function. Ties shall be adjusted to avoid creating abrasion or girding on trunks or branches.

SECTION 16. Section 18.50.020 of the Gardena Municipal Code relating to administrative adjustments is hereby amended by adding a new subsection E to read as follows:

E. Distances between buildings – of up to fifteen percent.

SECTION 17. CEQA. This Ordinance is categorically exempt from CEQA pursuant to the common sense exemption set forth in Guidelines section 15061(b)(3) that CEQA only applies to projects which have the potential for causing a significant effect on the environment and where it can be seen with certainty that there is no possibility that the activity will have a significant effect, the activity is not subject to CEQA. None of the changes to the development standards and definitions set forth above would change the density, intensity, or allowed uses or would have other effects on the environment. The changes are primarily a reorganization and clarification of the existing code and practices relating to residential development standards. For these same reasons, the Ordinance

also qualifies for an exemption under CEQA Guidelines section 15305 (Class 5) for minor alterations in land use limitations in areas with an average slope of less than 20%. No part of Gardena has a slope in excess of 20%. The changes are not for any specific project and therefore will not impact any environmental resource of hazardous or critical concern, will not create cumulative impacts, or impacts to scenic highways, hazardous waste sites, or historical resources. Because this is an ordinance pertaining to citywide development standards there will not be any significant effects on the environment due to unusual circumstances. As such, staff is directed to file a Notice of Exemption.

SECTION 18. 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 19. This Ordinance shall take effect on the thirty-first day after passage.

SECTION 20. 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 28th day of May, 2019.


TASHA CERDA, Mayor

ATTEST:


MINA SEMENZA, City Clerk

APPROVED AS TO FORM:


PETER L. WALLIN, City Attorney

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. 1804** 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 meeting of said City Council held on the **28th** day of **May, 2019**, and that the same was so passed and adopted by the following roll call vote:

AYES: COUNCIL MEMBER HENDERSON, MAYOR PRO TEM KASKANIAN, COUNCIL
 MEMBER TANAKA, MAYOR CERDA, AND COUNCIL MEMBER MEDINA

NOES: NONE

ABSENT: NONE

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

(SEAL)