

ORDINANCE NO. 1820

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, MAKING ADDITIONAL CHANGES TO TITLE 18, ZONING, OF THE GARDENA MUNICIPAL CODE RELATING TO RESIDENTIAL DEVELOPMENT AND TIME EXTENSIONS FOR ENTITLEMENTS

WHEREAS, California is facing a housing crisis; and

WHEREAS, staff continues to receive applications for high density developments which point out places where the City's Zoning law should be adjusted to provide additional flexibility to developers so that they may make individual determinations based on market considerations as to the best layout for each project; and

WHEREAS, modifications to the development standards are required in order that projects may be developed to the allowed densities of the zone; and

WHEREAS, staff will begin to work on an overall update to the City's Zoning law at a future time to modernize the City's Zoning law; and

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

WHEREAS, during the time that staff was working on the changes to the development standards, the Pandemic caused by COVID-19 caused all non-essential services to cease operations and caused havoc with the economy; and

WHEREAS, the period of recovery from the Pandemic will be not be immediate; and

WHEREAS, the City Council believes that extensions should be granted for all discretionary planning entitlements and applicants should have the ability to obtain additional extensions as needed; and

WHEREAS, the Planning Commission held a duly noticed public hearing on this Ordinance on April 21, 2020 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 this Ordinance; and

WHEREAS, the City Council held a duly noticed public hearing on this Ordinance on May 12, 2020 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. Section 18.14.050 E of the Gardena Municipal Code relating to the R-2 zone is hereby deleted.

E. ~~[Deleted] Dwelling unit size:~~

~~1. A minimum of one thousand two hundred square feet for three or more bedroom units,~~

~~2. A minimum of nine hundred square feet for two bedroom units,~~

~~3. A minimum of seven hundred fifty square feet for one bedroom units, and~~

~~4. A minimum of four hundred fifty square feet for bachelor/efficiency units;~~

SECTION 3. Section 18.16.050 E, H and Q of the Gardena Municipal Code relating to the R-3 zone are hereby amended to read as follows; all other sections remain the same:

E. ~~[Deleted] Dwelling unit size:~~

~~1. A minimum of one thousand two hundred square feet for three or more bedroom units,~~

~~2. A minimum of nine hundred square feet for two bedroom units,~~

~~3. A minimum of seven hundred fifty square feet for one bedroom units, and~~

~~4. A minimum of four hundred fifty square feet for bachelor/efficiency units;~~

* * *

H. Distances between buildings: The following distances shall apply to buildings within the project site:

1. A minimum of six feet between main and accessory buildings;
2. A minimum of fifteen feet between main buildings; provided, however:
 - a. A minimum of twenty feet for buildings front to front and with interior courts;
 - b. A minimum of thirty feet for buildings front to front and with driveways between structures; and
 - c. For buildings that are greater than two stories, the distance shall be increased two and one-half feet between buildings for each floor over the second floor;

* * *

Q. Storage space: a minimum of ~~onetwo~~ hundred ~~twenty~~ cubic feet of storage space shall be provided ~~in the garage of for~~ each dwelling unit with a minimum of four feet in any direction. Such space may be located in areas which include, but are not limited to the garage, in an outside closet, or below stairways.

SECTION 4. 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:

18.18.020 Development standards.

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

A. Lot area: a minimum of five thousand square feet

B. Lot width:

1. A minimum of fifty feet for interior lots, and

2. A minimum of fifty-five feet for corner lots;

C. Lot depth: a minimum of eighty feet;

A.D. Minimum 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.

E. Maximum Density. 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; and
2. ~~Twenty-seven~~Thirty units per acre for lots over ~~between~~ one-half acre ~~and one acre; and~~
3. ~~Thirty units per acre for lots greater than one acre.~~

F. Building Height. The maximum building height for habitable space shall not exceed ~~thirty-five feet, or~~ forty feet. An -with an additional five feet may be allowed for architectural projections which are building elements such as towers, cupolas, decorative parapets that screen equipment, and pitched roofs at a minimum pitch of four to twelve, 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~~ four 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 ten 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 and rear yard setbacks:

a. A minimum of ten feet when the building is thirty-five feet or less in height, including architectural projections, and the property directly abuts parcels zoned R-1 or R-2;

b. A minimum of fifteen feet when the building exceeds thirty-five feet in height, including architectural projections, and the property directly abuts parcels zoned R-1 or R-2;

c. A minimum of five feet when the property does not directly abut parcels zoned R-1 or R-2, unless the property is a corner lot in which case, the street side must be a minimum of ten feet;

 3. Accessory buildings: one-story accessory buildings, other than a garage, shall be set back four feet from the rear and side property lines when located in the rear one-third of the lot. Garages 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 ten-foot yard setback. All garages shall be provided with garage doors and new front facing garages and replacement garage doors for front facing garages shall be sectional type doors;

 H. Distances between buildings shall be governed by the Building and Fire Codes.

 I. Off-street parking: the provisions of Chapter 18.40 shall apply with the exception that:

1. Tandem parking shall be allowed, but not for guest parking spaces.
2. For senior or income restricted units: one off-street parking space for each one bedroom or studio unit.

 J. G. Landscaping. The minimum landscaping requirement shall be four hundred sixty square feet. Usable open space: a minimum of 600 300 hundred square feet of usable common or private open space shall be provided for each unit of all multiple-family dwellings and condominiums in accordance with the minimum size requirements of Section 18.42.065.

 K. Signs: the provisions of Chapter 18.58 shall apply;

 L. Fences: the provisions of Section 18.42.070 shall apply;

 M. Refuse areas: the provisions of Section 18.42.130 shall apply;

 N. Swimming pool areas: the provisions of Section 18.42.090 shall apply;

 O. Projections permitted in required yards: the provisions of Section 18.42.100 shall apply;

 P. Protection of intersection visibility: the provisions of Section 18.42.110 shall apply;

 Q. Storage space: a minimum of one hundred-twenty cubic feet of storage space shall be provided for each dwelling unit with a minimum of four feet in any direction.

Such space may be located in areas which include, but are not limited to, the garage, in an outside closet, or below stairways.

SECTION 5. Section 18.19.030 B of the Gardena Municipal Code related to the MU zone is hereby amended to read as follows:

~~B. If property is developed solely in accordance with provisions of the underlying zoning district, uses permitted or conditionally permitted in the underlying zoning district shall be allowed. Site plan review shall not be required for such development unless required by another provision of this title. Property may be developed solely for residential uses or solely for uses permitted or conditionally permitted in accordance with the provisions of the underlying zoning district.~~

1. If developed in accordance with the provisions of the underlying zoning district, uses permitted or conditionally permitted in the underlying zoning district shall be allowed. Site plan review shall not be required for such development unless required by another provision of this title.

2. If developed solely for residential purposes, development shall be in accordance with the provisions of this Chapter for residential development and site plan review shall be required.

SECTION 6. Section 18.19.050 of the Gardena Municipal Code is hereby amended to read as follows:

18.19.050 Uses prohibited.

~~A.~~ All uses not listed in Sections [18.19.030](#) and [18.19.040](#) ~~are prohibited~~, unless determined to be similar pursuant to the provisions of Section [18.42.040](#).

~~B. Any project consisting solely of residential uses~~

SECTION 7. Subsections 18.19.060.B.1, C.3, D, E, F, I, J.1, and L of the Gardena Municipal Code relating to development standards in the MUO zone are hereby amended to read as follows, all other provisions of section 18.19.060 remain the same:

B. Minimum project area³:

1. One half acre minimum, with the following exceptions:

* * *

C. Density and intensity:

3. Residential by itself or as part of a mixed use project: the maximum residential density shall be as follows, calculated over the portion of the project area devoted to such use, including when such use is part of a vertical development:

a. Twenty-five units per acre maximum for sites less than one-half acres;

b. ~~Twenty-five~~ Thirty units per acre maximum for sites over at least one-half acre ~~but less than one acre; and,~~

~~c. Thirty units per acre maximum for all sites of one acre or greater.~~

* * *

D. ~~[Deleted]~~ Dwelling unit size:

~~1. A minimum of one thousand two hundred square feet for three or more bedroom units;~~

~~2. A minimum of nine hundred square feet for two bedroom units;~~

~~3. A minimum of seven hundred fifty square feet for one bedroom units, and~~

~~4. A minimum of four hundred fifty square feet for bachelor/efficiency units.~~

* * *

E. Maximum Building Height. The following height standards apply to individual buildings within a project area⁵:

1. ~~Thirty-five~~ Forty feet, with an additional five feet or forty feet with for architectural projections if⁶:

a. Adjacent to single-family (R-1) or low-density multiple-family residential (R-2) zones ~~one-story residential uses~~; or

b. Adjacent to a collector or major collector street.

~~2. Forty feet, or forty five feet with architectural projections if:~~

~~a. Adjacent to two-story residential uses; or~~

~~b. Adjacent to a major collector street.~~

23. Fifty-five feet, with an additional five feet for ~~or sixty feet with~~ architectural projections if:

a. Adjacent to any use other than single-family (R-1) or low-density multiple-family (R-2) residential zones; ~~three-story or greater residential uses; or adjacent to commercial or other nonresidential uses; and or~~

b. Adjacent to an arterial street.

* * *

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. Five feet from the public right of way for vertical residential developments that do not have front doors facing the street;

b. Twenty feet from the public right of way for residential developments that have front doors which face on to the street; and

c. A ~~a~~ minimum of twelve feet from face of curb and a maximum of twenty feet from face of curb for all other developments;

2. Side yard setback:

a. A minimum of ten feet when the building is thirty-five feet in height or less, including architectural projections, and the property directly abuts parcels zoned R-1 or R-2;

b. A minimum of fifteen feet when the building exceeds thirty-five feet in height, including architectural projections, and the property directly abuts parcels zoned R-1 or R-2;

c. A minimum of five feet when the property does not directly abut parcels zoned R-1 or R-2, unless the property is a corner lot in which case, the street side must be a minimum of ten feet;

3. Rear yard setback: ~~ten feet from property line;~~

a. A minimum of fifteen feet when the building exceeds thirty-five feet in height, including architectural projections, and the property directly abuts parcels zoned R-1 or R-2;

b. A minimum of ten feet when the building is thirty-five feet in height or less, including architectural projections, and the property directly abuts parcels zoned R-1 or R-2;

c. A minimum of five feet when the property does not directly abut parcels zoned R-1 or R-2, unless the property is a corner lot in which case, the street side must be a minimum of ten feet.;

4. ~~Building to building:~~Distances between buildings shall be governed by the Building and Fire Codes.

a. ~~Main structures 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 structures 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 space:

1. Residential uses: a minimum of one hundred fifty square feet of outdoor usable common or private open space shall be provided per dwelling unit in accordance with the minimum size requirements of Section 18.42.065.

a. ~~A minimum of seventy square feet per unit shall be private open space and directly accessible from the individual dwelling unit.~~

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

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 unit in accordance with the requirements of Section [18.42.065](#).

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 Residential and Live/Work~~ 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~~ garage parking shall be no smaller than ~~twelve~~ 10.5 feet wide by ~~38~~ forty feet long, as measured from the interior walls;

* * *

L. Storage ~~areasspace~~: a minimum of one hundred-twenty cubic feet of storage space shall be provided for each dwelling unit with a minimum of four feet in any direction. ~~F~~or dwelling units without a private parking garage, general storage cabinets/closets ~~with a minimum size of one hundred cubic feet capacity shall be required for each unit. The storage cabinets~~ are encouraged to be located within the parking area, in close proximity to the respective units, or below interior stairways. ~~For dwelling units with tandem parking garages, each storage cabinet/closet shall be a minimum of two hundred cubic feet capacity.~~

SECTION 8. Section 18.20.050B is hereby amended to read as follows:

B. Residential Units.

1. Multiple-family residential uses built as a mixed use shall be restricted to the upper stories in a vertical development or the rear of the property in a horizontal development.

2. [Deleted.] ~~The minimum size of residential units shall be as follows:~~

a. ~~Studio/efficiency/bachelor: four hundred fifty square feet.~~

~~b. One bedroom: six hundred square feet.~~

~~c. Two bedrooms: eight hundred square feet.~~

~~d. Three or more bedrooms: one thousand one hundred square feet.~~

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 [18.42.065](#).

~~a. A minimum of fifty square feet per unit shall be private open space and directly accessible from the individual dwelling unit.~~

~~b. A minimum of seventy-five square feet per unit shall be usable common open space.~~

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

4. The maximum residential density shall be thirty-four units per acre.

5. If multifamily residential is the only use on the property:

a. The minimum density shall be twenty-four units per acre;

b. No more than fifty percent of the front yard setback, 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.

SECTION 9. Section 18.39.015B of the Gardena Municipal Code is hereby deleted.

~~B. A specific plan shall be required for any housing project on a site of five acres or more, planned as an integrated development in the R-1, R-2, R-3, R-4, MU, or C-R zone.~~

SECTION 10. Section 18.39.030B of the Gardena Municipal Code is hereby deleted.

~~B. Specific plan applications for a single structure on a single parcel shall not be permitted. [Deleted.]~~

SECTION 11. Section 18.39.040 of the Gardena Municipal Code is hereby amended to read as follows:

A. In addition to state requirements as specified in the California Government Code Section 65450 et seq., the contents listed below shall be included in all specific plans, unless the ~~applicant demonstrates to the satisfaction of the~~ community development director determines that the item is clearly not applicable or relevant to the specific plan application under consideration.

B. Specific plan contents shall include the following, but need not be in the order listed:

1. Title, table of contents, acknowledgements;
2. Summary statement;
3. Introduction:
 - a. Initiator of plan,
 - b. Purpose and intent,
 - c. Site location, brief description and maps,
 - d. Project history/background,
 - e. ~~[Deleted] Relationship to neighboring jurisdictions, regional agencies and the state,~~
 - f. Environmental assessment,
 - g. Related applications and documents;
4. Detailed description of site:
 - a. Topography,
 - b. Geology/soils,
 - c. Hydrology,
 - d. Biological resources,
 - e. Land use,

- f. General plan and zoning designations,
 - g. Circulation,
 - h. Cultural resources,
 - i. Public services,
 - j. Utilities,
 - k. Site summary,
 - l. Appropriate maps and diagrams;
5. Specific plan concepts:
- a. Project goals and objectives,
 - b. ~~Opportunities and constraints~~,
 - c. Conceptual site plan/land use plan,
 - d. Transportation/circulation plan:
 - i. Private,
 - ii. Public,
 - iii. Internal and affected external,
 - iv. Pedestrian, vehicular and mass transit,
 - e. Grading plan,
 - f. Public facilities/utilities plan:
 - i. Sewage,
 - ii. Water,
 - iii. Drainage,
 - iv. Solid waste,
 - v. Energy,

- vi. Utilities,
 - g. Recreation and open space plan,
 - h. ~~Fire protection/fuel modification plan~~[Deleted],
 - i. Natural and man-made resources protection,
 - j. Phasing program,
 - k. Home-owners association,
 - l. Landscape plan,
 - m. Appropriate maps and diagrams,
 - n. Other appropriate conceptual plans;
6. Development regulations and requirements:
- a. Development standards,
 - b. Recreation and open space standards,
 - c. Parking,
 - d. Nonconformities,
 - e. Lighting standards,
 - f. Sign program,
 - g. Maintenance standards,
 - h. Standards for accessory structures, additions, walls, fences,
- other changes;
7. Design guidelines:
- a. Architecture,
 - b. Landscape, streetscape,
 - c. Views,

- d. Performance standards;
- 8. General plan consistency:
 - a. Applicable goals and policies,
 - b. How the specific plan meets the requirements of and implements the general plan;
- 9. Implementation:
 - a. Phasing plan,
 - b. Precise plan review process,
 - c. Infrastructure improvements/coordination,
 - d. Financing measures,
 - e. Monitoring programs,
 - f. Administration of plan,
 - g. Amendment procedures.

SECTION 12. Section 18.40.040 A of the Gardena Municipal Code is hereby amended to read as follows:

Use	Number of Parking Spaces Required
A. Residential:	
Single-family:	Two-car <u>enclosed</u> garage.
Two-family <u>Low-Density and Medium-Density Multiple-Family Residential</u>	Two spaces <u>per dwelling unit</u> in an <u>enclosed</u> garage or in an enclosed parking facility <u>structure</u> , per dwelling unit.

Use**Number of Parking
Spaces Required**

High-Density and multiple-family dwellings (anything over 20 units per acre):

Two spaces per dwelling unit, other than a studio unit, one of which must be in an enclosed garage or parking structure and the other which may be in a covered parking area.

Studio unit

One space per dwelling unit

Mobile home parks:

Two spaces per mobile home or trailer on the same space where the mobile home or trailer is located.

Accessory dwelling units:

See Chapter [18.13](#).

Additional standards and requirements:

See Section 18.40.070

SECTION 13. Subsection 18.40.050 A and C of the Gardena Municipal Code relating to parking spaces is hereby amended to read as follows:

A. Parking spaces shall have a minimum dimension of nine feet by eighteen feet; parallel parking spaces shall have a minimum dimension of nine feet by ~~twenty-five~~ two feet.

C. Compact parking spaces.

1. Compact parking shall ~~not have exceed twenty-five percent of all required parking spaces and shall have~~ a minimum dimension of eight feet by seventeen feet. All compact spaces shall be so marked on the pavement and/or wheel stop.

2. Twenty-five percent of all non-residential parking may be compact in size.

3. In the R-4 and MU zones, where there is a minimum of four guest parking spaces, twenty-five percent of such spaces may be compact in size.

4. Except as may specifically be allowed, ~~Notwithstanding any provision of this code to the contrary,~~ compact parking spaces shall not be considered as satisfying the parking requirements for residential uses, as set forth in Section 18.40.040(A).

SECTION 14. Section 18.40.050F relating to the tables and charts for parking spaces is hereby amended by changing the minimum parking layout dimension for the stall length for a parallel space to 22 feet from 25 feet.

SECTION 15. Section 18.40.070 relating to additional standards for residential parking areas is hereby amended by revising subsection D to read as follows and adding a new subsection G; all other sections remain the same:

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

G. If parking spaces are not provided in an attached garage, then the spaces in the parking structure or parking area shall be assigned to a specific unit.

SECTION 16. Section 18.42.150 is hereby amended to read as follows:

18.42.150 Security and lighting plan.

Complete security and lighting plans shall accompany all site development plans for multiple-family development of four or more units and commercial and industrial developments to ensure that safety and security issues are addressed in the design of the development.

A. Lighting plans for commercial and industrial developments shall demonstrate an average of 2-foot candle with no single point less than 1-foot candle for all public/common areas.

A.B. Lighting plans for multiple-family developments shall demonstrate an average of 1-foot candle for all public/common areas.

SECTION 17. Section 18.44.020 of the Gardena Municipal Code is hereby amended to read as follows:

18.44.020 Review

A. Whenever a site plan review is required, a site plan for the total development of a lot or lots that comprise the development project shall be approved pursuant to the provisions of this chapter prior to the issuance of a building permit.

B. The planning commission shall hold a noticed, public hearing and approve, conditionally approve, or deny site plans required by sections 18.44.010_A through G or pursuant to any other provision of the Gardena Municipal Code, except as specified herein.

1. Notice of hearings shall be given in accordance with government Code Section 65091.

C. The community development director shall review and approve, conditionally approve, or deny all other site plans, ~~and no notice or public hearing shall be required.~~ Additionally, the community development director shall approve site plans required by sections 18.44.010 B through G when the site plan relates only to minor changes to the existing buildings and does not involve an expansion of more than ten percent of existing square footage. In such cases, no notice or public hearing shall be required. In such cases the community development director shall make all decisions required by CEQA or other environmental laws. In his discretion, the community development director may refer a site plan review application to the planning commission when he believes that the application would be of concern to the surrounding community.

D. If a site plan is required by any other provision of this title, no notice or public hearing is required and the matter shall be reviewed by the community development director unless such provision requires otherwise.

SECTION 18. Section 18.44.030 of the Gardena Municipal Code is hereby amended to read as follows:

18.44.030 Factors for Approval

A. A site plan shall be approved, or conditionally approved, only after finding that the proposed development, ~~including the uses~~ and the physical design of the development, is consistent with the intent and general purpose of the general plan and provisions of the municipal code, and will not adversely affect the orderly and harmonious development of the area and the general welfare of the city; otherwise such plans shall be disapproved.

B. In addition to all other applicable zoning and development requirements and policies, the following factors shall also be considered in determining whether the site plan shall be approved:

1. The dimensions, shape and orientation of the parcel;

2. The placement of buildings and structures on the parcel;
3. The height, setbacks, bulk and building materials;
4. The distance between buildings or structures;
5. The location, number and layout of off-street parking and loading spaces;
6. The internal vehicular patterns and pedestrian safety features;
7. The location, amount and nature of landscaping;
8. The placement, height and direction of illumination of light standards;
9. The location, number, size and height of signs;
10. The location, height and materials of walls, fences or hedges;
11. The location and method of screening refuse and storage areas, roof equipment, pipes, vents, utility equipment and all equipment not contained in the main buildings of the development;
12. ~~Compatibility and overconcentration of uses in the immediate area~~
Deleted; and
13. Such other information which the community development director or commission may require to make the necessary findings that the provisions of this code are being complied with.

SECTION 19. Section 18.44.060 of the Gardena Municipal Code relating to time limits for Site Plan Review is hereby amended to read as follows:

18.44.060 Time limits for development.

A. The subject property under a site plan review shall be developed within a period of time not exceeding twelve months from and after the date of its approval, and, if not so developed and utilized, such approval automatically shall become null and void at the expiration of such twelve-month period.

B. Upon a showing of good cause, the community development director may grant one or more an-extensions of up to six months each, upon receipt of a written request from the applicant prior to expiration.

C. When such a request for an extension is filed, a fee in an amount established by city council resolution shall be paid for the purpose of defraying the costs incurred by the city in processing such extension of time.

SECTION 20. Section 18.46.040H of the Gardena Municipal Code related to time limits for conditional use permits is hereby amended to read as follows:

H. Time Limits for Development.

1. The subject property and the use granted under a conditional use permit shall be developed within a period of not to exceed twelve months from and after the date of granting such permit, and, if not so developed and utilized, such conditional use permit automatically shall become null and void at the expiration of such twelve month period.

2. The permittee may apply in writing to the Planning Commission for ~~one an~~ extension of time, ~~not to exceed six months~~, within which to develop and use such conditional use permit. Such application shall be made prior to the expiration of the utilization period. ~~The application for such extension of time shall be in duplicate.~~ When such an application for an extension is filed, a filing fee established by city council resolution shall be paid for the purpose of defraying the costs incidental to the processing of such extension. Upon a showing of good cause, tThe Planning Commission~~commission, after due consideration, shall may either grant one or more or deny such extensions~~ s of up to six months each ~~of time for such development and use. Only one such extension shall be permitted.~~

SECTION 21. Section 18.48.030H of the Gardena Municipal Code related to time limits for variances is hereby amended to read as follows:

H. Time Limits for Development.

1. The construction or occupancy of land or buildings granted under a variance shall be utilized within a period of not to exceed twelve months from and after the date of granting such permit, and, if not so developed and utilized, such variance automatically shall become null and void at the expiration of such twelve-month period.

2. The permittee may apply in writing to the Planning Commission for ~~one an~~ extension of time, ~~not to exceed six months~~, within which to develop and use such variance. Such application shall be made prior to the expiration of the utilization period. When such an application for an extension is filed, a filing fee established by city council resolution shall be paid for the purpose of defraying the costs incidental to the processing of such extension. Upon a showing of good cause, tThe Planning Commission~~commission, after due consideration, shall may either grant one or more extensions of up to six months each or deny such extension of time for such development and use. Only one such extension shall be permitted.~~

SECTION 22. Section 18.50.040E of the Gardena Municipal Code related to time limits for administrative adjustments is hereby amended to read as follows:

E. Time Limits for Development. The construction or occupancy of land or buildings granted under the administrative adjustment shall be utilized within a period not to exceed twelve months from and after the date of approval, and if not so developed and utilized, such administrative adjustment shall automatically become null and void at the expiration of such period. The permittee may apply in writing to the community development director for ~~an one-time extension of time, not to exceed six months,~~ prior to the expiration of the utilization period. Upon a showing of good cause, the community development director may grant one or more extensions of up to six months each. Only one such extension shall be permitted.

SECTION 23. Notwithstanding any other provision of the Gardena Municipal Code to the contrary, all entitlements that were in effect as of March 16, 2020 for site plan reviews, conditional use permits, variances, and administrative adjustments are automatically extended for a six month period from the date of expiration without the need to apply for an extension pursuant to Sections 18.44.060, 18.44.040, 18.48.030, and 18.50.040.

SECTION 24. 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 25. 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 26. This Ordinance shall take effect on the thirty-first day after passage.

SECTION 27. 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 ____ day of _____, 2020.

TASHA CERDA, Mayor

ATTEST:

MINA SEMENZA, City Clerk

APPROVED AS TO FORM:

CARMEN VASQUEZ, City Attorney

May 26, 2020