

PLANNING AND ENVIRONMENTAL QUALITY COMMISSION

Regular PEQC Meeting Notice and Agenda

Website: www.cityofgardena.org

Tuesday, May 6, 2025 – 7:00 PM

Council Chamber at City Hall 1700 W. 162nd Street, Gardena, California

If you would like to participate in this meeting, you can participate via the following options:

- 1. VIEW THE MEETING LIVE ONLINE AT youtube.com/CityofGardena.
- 2. PARTICIPATE BEFORE THE MEETING by emailing the Gardena Board/Commission/Committee at publiccomment@cityofgardena.org two (2) hours before the meeting starts on the day of the meeting and write "Public Comment" in the subject line.
- 3. ATTEND THE MEETING IN PERSON

<u>PUBLIC COMMENT</u>: The Gardena Board/Commission/Committee will hear from the public on any item on the agenda or any item of interest that is not on the agenda at the following times:

- Agenda Items: At the time the Board/Commission/Committee considers the item or during Public Comment
- o If you wish to address the Gardena Board/Commission/Committee, please complete a "Speaker Request" form and present it to staff. You will be called upon when it is your turn to address the Board/Commission/Committee. The Board/Commission/Committee cannot legally take action on any item not scheduled on the Agenda. Such items may be referred for administrative action or scheduled on a future Agenda. Members of the public wishing to address the Board/Commission/Committee will be given three (3) minutes to speak.

The City of Gardena, in complying with the Americans with Disabilities Act (ADA), requests individuals who require special accommodations to access, attend and/or participate in the City meeting due to disability, to please contact the City Clerk's Office by phone (310) 217-9565 or email cityclerk@cityofgardena.org at least 24 hours prior to the scheduled general meeting to ensure assistance is provided. Assistive listening devices are available.

STANDARDS OF BEHAVIOR THAT PROMOTE CIVILITY AT ALL PUBLIC MEETINGS

- Treat everyone courteously;
- · Listen to others respectfully;
- Exercise self-control;
- Give **open-minded** consideration to all viewpoints;
- Focus on the issues and avoid personalizing debate; and
- Embrace respectful disagreement and dissent as democratic rights, inherent components of an inclusive public process, and tools for forging sound decisions.

Thank you for your attendance and cooperation.

1. CALL MEETING TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

- 1. Steve Sherman
- 2. Deryl Henderson
- 3. Stephen Langley
- 4. Jules Kanhan
- 5. Ronald Wright-Scherr

4. **ELECTIONS**

- 1. Election of Chair
- 2. Election of Vice-Chair

5. APPROVAL OF MINUTES

5.A April 1, 2025 2025 04 01 PCMIN - FINAL.pdf

6. ORAL COMMUNICATIONS

This is the time where the public may address the Planning Commission on items that are not on the agenda, but within the Planning Commission's jurisdiction. Comments should be limited to three minutes.

7. PUBLIC HEARING ITEMS

7.A ENVIRONMENTAL ASSESSMENT #1-25 AND CONDITIONAL USE PERMIT #1-25

A request for a Conditional Use Permit to operate an indoor batting cage within an existing 5,677-square-foot warehouse located in the Industrial (M-1) zone. The request also seeks approval to count street parking toward the facility's required parking per Section 18.40.080.B.3. of the Gardena Municipal Code.

<u>Environmental Consideration</u>: The project involves an existing facility and is being considered for a Class 1 Categorical Exemption under the California Environmental Quality Act (CEQA).

Project Site: 13008 Halldale Avenue; APN(6102-004-016)

Project Applicant: Peter Girgis (Maximize Athletic

Performance)

CUP #1-25 Staff Report

Attachment A - Planning Commission Resolution No. PC 6-25

Exhibit B - Conditions of Approval

Exhibit A - Project Plans

Attachment B - Maximize Athletic Performance Parking Study Prepared by Walker Consultants

7.B ZONE TEXT AMENDMENT #1-25 (ORDINANCE NO. 1883)

The Planning Commission will consider a recommendation to the City Council on the adoption of Ordinance No. 1883 amending the Gardena Municipal Code Chapter 18.13 relating to Accessory Dwelling Units and Junior Accessory Dwelling Units. Environmental Assessment Consideration: Adoption of this ordinance is statutorily exempt from the California Environmental Quality Act (CEQA) pursuant to Public Resources Code section 21080.17 which provides that CEQA does not apply to the adoption of an ordinance to implement ADU law.

Project Location: Citywide

Project Applicant: City of Gardena

ZTA #1-25 Staff Report

Attachment A - Planning Commission Resolution PC No. 7-25

Exhibit 1 - Ordinance No. 1883

Attachment B - Proposed Changes to Gardena Municipal Code - Redlines to

Ordinance No. 1883

Attachment C - Public Hearing Notice

7.C ZONE TEXT AMENDMENT #2-25 (ORDINANCE NO. 1884)

The Planning Commission will consider a recommendation to the City Council on the adoption of Ordinance No. 1884 amending the Gardena Municipal Code Chapter 18.12, and 18.76 of Title 18, Zoning Code, of the Gardena Municipal Code, Chapter 17.08 of Title 17, Subdivision to implement State Laws relating to housing.

<u>Environmental Assessment Consideration:</u> Adoption of this ordinance is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15601(B)(3).

Project Location: Citywide

Project Applicant: City of Gardena

ZTA #2-25 Staff Report

Attachment A - Planning Commission Resolution No. PC 8-25

Exhibit 1 - Ordinance No. 1884

Attachment B - Proposed Changes to Gardena Municipal Code - Redlines to

Ordinance No. 1884

Attachment C - Public Hearing Notice

8. COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

9. PLANNING & ENVIRONMENTAL QUALITY COMMISSIONERS' REPORTS

10. ADJOURNMENT

The Planning and Environmental Quality Commission will adjourn to the next meeting at 7:00 PM on Tuesday, May 20, 2025.

I hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted in the City Hall lobby not less than 72 hours prior to the meeting. A copy of said Agenda is available on our website at www.CityofGardena.org.

Dated this 2nd day of May 2025.

/s/ GREG TSUJIUCHI

GREG TSUJIUCHI, Secretary

Planning and Environmental Quality Commission

MINUTES Regular PEQC Meeting of the Planning and Environmental Quality Commission Tuesday, April 1, 2025

The Regular PEQC Meeting Notice and Agenda of the Planning and Environmental Quality Commission of the City of Gardena, California, was called to order at 7:00 PM on Tuesday, April 1, 2025, in the Council Chambers at 1700 W. 162nd Street, Gardena, California.

PARTICIPATE BEFORE THE MEETING by emailing the Planning Commission at publiccomment@cityofgardena.org by 5:00 PM on the day of the meeting and write "Public Comment" in the subject line.

CALL MEETING TO ORDER

The meeting was called to order at 7:00 PM.

2. PLEDGE OF ALLEGIANCE

Commissioner Stephen Langley led the Pledge of Allegiance.

3. ROLL CALL

Present: Vice-Chair Ronald Wright-Scherr; Commissioner Jules Kanhan; Commissioner Steve Sherman; and Commissioner Stephen P. Langley. Employees present: Director of Community Development Greg Tsujiuchi; Community Development Manager Amanda Acuña; Deputy City Attorney Rosemary Koo; and Planning Assistant Kevin La.

Chair Deryl Henderson was away on an excused absence.

4. ELECTIONS

- 1. Election of Chair
- 2. Election of Vice-Chair

Commissioner Langley made a motion to postpone the election of the Chair and Vice-Chair to a future Planning Commission meeting with a full quorum.

MOTION: It was made by Commissioner Langley and seconded by Vice-Chair Wright-Scherr to Postpone the Election of the Chair and Vice-Chair to a future Planning Commission meeting with a full quorum:

The motion was passed by the following roll call vote:

Ayes: Langley, Wright-Scherr, Sherman, and Kanhan

Noes: None Absent: Henderson

5. APPROVAL OF MINUTES

5.A March 4, 2025

MOTION: It was made by Commissioner Langley and seconded by Commissioner Sherman to approve the minutes of the meeting on March 4, 2025:

The motion was passed by the following roll call vote:

Ayes: Langley, Sherman, Kanhan, and Wright-Scherr

Noes: None Absent: Henderson

5.B March 18, 2025

MOTION: It was made by Commissioner Kanhan and seconded by Commissioner Langley to approve the minutes of the meeting on March 18, 2025:

The motion was passed by the following roll call vote: Ayes: Kanhan, Langley, Sherman, and Wright-Scherr

Noes: None

Absent: Henderson

6. ORAL COMMUNICATIONS

Vice-Chair Wright-Scherr asked if there were any comments from the public. Planning Assistant Kevin La noted for the record that no member of the public wished to speak to the Planning Commission at this time.

7. OTHER MATTERS

7.A FIRST EXTENSION OF TIME REQUEST FOR CONDITIONAL USE PERMIT #9-23, SITE PLAN REVIEW #5-23, AND VARIANCE #1-23

A request for a six-month extension for Conditional Use Permit #9-23, Site Plan Review #5-23, and Variance #1-23, for the construction and the use of a new public utility facility by the Los Angeles County Sanitation Districts in the General Commercial (C-3) zone within the City.

LOCATION: 1919, 1923, 1931 W. Artesia Boulevard; APNs: 4094-007-903, 906, 905

APPLICANT: Los Angeles County Sanitation District No. 5

Director of Community Development Greg Tsujiuchi and Deputy City Attorney Rosemary Koo were present and available to answer any questions.

Community Development Manager Amanda Acuña presented the Staff Report and informed the Commissioners of the six-month extension request by the Los Angeles County Sanitation District for the entitlements issued by the Planning Commission back in May 2024 for the site located at 1919 - 1931 W. Artesia Boulevard in the (C-3) zone, as displayed on the screen.

Ms. Acuña proceeded to inform the Commission about the request under Conditional Use Permit #9-23, Site Plan Review #5-23, and Variance #1-23, for the demolition of the existing facility by the Los Angeles County Sanitation District and for the construction of a new facility.

Ms. Acuña displayed the approved entitlements from May 21, 2024, by the Planning Commission.

Conditional Use Permit #9-23

To allow for the relocation of a public utility facility by the Los Angeles County Sanitation District, within the C-3 zone.

Site Plan Review #5-23

The construction of a new 4,000 square foot building with a height of 35-feet, perimeter fencing and related mechanical and electrical equipment's.

Variance #1-23

Variance requests from minimum landscape setback, increase in fence height within front yard setback, and variance on roof-top equipment screening.

Ms. Acuña stated that, as conditioned by the Planning Commission, the Conditions of Approval for the Entitlements Approved called for the utilization within a 12-month period from the date of approval, unless an extension would be granted in accordance with the applicable municipal code sections.

Ms. Acuña stated that on March 13, 2025, the applicant submitted the first request for a six-month extension for all three entitlements.

Ms. Acuña noted that the Gardena Municipal Code calls for the Planning Commission's authority to grant up to two extensions of time up to six months each for both a conditional use permit and variance. The Director holds the authority to grant similar extensions of time for a site plan review. She also noted that, as all the entitlements approved for the project were by the Planning Commission, the requests for the extensions are being brought back to the Commission for an extension request.

Ms. Acuña stated that the Planning Commission is being asked to review and consider a six-month extension for Conditional Use Permit #9-23, Site Plan Review #5-23, and Variance #1-23, for the 0.54-acre site located at 1919, 1923, and 1931 W. Artesia Boulevard.

Ms. Acuña informed the Commission that the applicant was present and available to answer any questions.

Project Engineer Nan Harold from the LA County Sanitation District introduced herself and announced that they are requesting a six-month extension for the use of the Conditional Use Permit. She went on to explain their bidding process, mentioning that the contract was awarded in November. She shared details about the contractors' submittals, which included a traffic control plan for Gardena and Torrance. This plan is currently under review by the Gardena Public Works department for approval. Ms. Harold also outlined the contractors' responsibilities and requirements for the project, as specified in their contract agreement, which is the basis for the extension request.

Commissioner Langley inquired whether Ms. Harold represented Sanitation District No. 2 or No. 5. Ms. Harold confirmed that it was District No.2, because they have consolidated all their assets under District No.2.

Commissioner Sherman requested clarification on the term "potholing." Ms. Harold provided a detailed explanation.

MOTION: It was made by Commissioner Langley and seconded by Vice-Chair Wright-Scherr to Approve the First six-month extension for Conditional Use Permit #9-23, Site Plan Review #5-23, and Variance #1-23, for the site located at 1919, 1923, and 1931 W. Artesia Boulevard:

The motion was passed by the following roll call vote:

Ayes: Langley, Wright-Scherr, Kanhan, and Sherman

Noes: None Absent: Henderson

7.B **2024 General Plan Annual Progress Report**

An information report to the Planning Commission providing an overview of the City of Gardena's 2024 General Plan Annual Progress Report.

Director of Community Development Greg Tsujiuchi and Deputy City Attorney Rosemary Koo were present and available to answer any questions.

Community Development Manager Amanda Acuña shared an annual report that provides an overview of the City's efforts in implementing its goals and policies outlined in the General Plan—the City's Comprehensive Plan. She noted that the report was prepared, presented, and sent to the City Council as required by state law.

Ms. Acuña informed the Commissioners that since the Planning Commission reviews many projects that involve various elements of the General Plan, including the Housing Element. The Housing Element outlines the city's plan for an eight-year period and is the only element within the General Plan that must be updated every eight years. Currently, the city is in the 6th cycle of the Housing Element, which covers the planning period from 2021 to 2029.

Ms. Acuña also stated that the prepared report is submitted to the state office for review, where the city is required to report the number of housing units that have been processed, approved, and completed within the specified time frame.

Ms. Acuña handed the presentation to Planning Assistant Kevin La, who provided an overview of the number of Housing Element projects the City has approved to date.

Mr. La provided a recap of events from 2024, highlighting that an entitlement was approved for 300 units for the Picerne project on Western Avenue. He clarified that it is only an entitlement, meaning that it has not yet been submitted for building and safety permits, nor has it been completed; it solely reflects what the Commission or the City Council has approved. Mr. La also explained in detail the table breakdown that displayed the number of residential units that were entitled, permitted, and completed in 2024.

Ms. Acuña continued with the presentation and displayed a table detailing all the housing units that the city has developed during the Planning period from 2021 to 2029. She noted that the breakdown categorizes the units according to the different income levels assigned to the city under its Regional Housing Need Assessment (RHNA). Ms. Acuña stated that this information is crucial for the report submitted to the state to demonstrate how many units the city is constructing. The units counted towards these numbers are based on the number of building permits issued. She emphasized that in the previous table, the middle column represents the permitted units, which contribute to the city's RHNA totals. Since 2021, and including the new 189 units permitted last year, the city has a total of 966 permitted units to date. By her account, the city was allocated a total of 5,735 new units for the entire Planning period, of which 966 units have received permits.

Ms. Acuña informed the Commissioners that the report has been prepared and officially submitted to the State's Department. She clarified that the report is intended for informational purposes. Ms. Acuña acknowledged that many of these projects come before the Planning Commission, and discussions often revolve around RHNA numbers and new allocations. She wanted to ensure that the Commission is well-informed about the numbers being reported to the state.

Vice-Chair Wright-Scherr inquired if we are technically on track with the state. Ms. Acuña responded that there is no specific number that we have to hit every year, but the city is compliant with the state requirements.

Commissioner Langley stated that we are primarily building above moderate-income housing. He inquired whether the Commission has the authority to reject a project solely because it consists entirely of above moderate units, stating a preference for developments that include low to very low moderate-income housing. He also requested the locations of the seven low-income projects mentioned in the report.

Ms. Acuña provided the locations of those projects, noting that the developments that have been presented to the city, which include some affordable units, were proposed under the State's Density Bonus Program. This program offers incentives to encourage the inclusion of affordable units.

Ms. Acuña informed Commissioner Langley that he was describing an inclusionary housing ordinance, which requires the city to include a certain number of affordable units. She mentioned that a report had been conducted a few years ago to assess the feasibility of this within the city's Housing Element. However, the report was pending the outcome of other projects and involved certain fees for new housing units. She mentioned that if that type of ordinance were in place, we would stop any housing development. The city currently does not have that type of ordinance in place.

Commissioner Langley responded that without proper incentives, we will continue to see an increase in the construction of above-moderate housing. He questioned whether the Commission has the authority to declare that there is already enough above-moderate housing in the City of Gardena.

Director of Community Development Greg Tsujiuchi clarified that it depends on the specific project. If a development meets the required standards, it won't come to the Commission for approval; these are considered "by-right" projects. Developers build in accordance with the density allowed for that particular parcel. However, if a developer seeks an entitlement—meaning they want to convert a commercial property to residential or exceed the standard allowances—they may require a development agreement or a conditional use permit. In such cases, the Commission can impose conditions on the project. But for by-right projects, the Commission has no authority to intervene since the market dictates it. Developers cannot be force to take a financial loss; otherwise they simply won't build.

Vice-Chair Wright-Scherr asked how many developers are proposing projects and if they can request a specific percentage of affordable housing units, allowing developers to compete for the property.

Director Tsujiuchi clarified that the city does not have control over the land. The property is owned by someone else, and any negotiations for its acquisition will be between the developers and the property owner.

Commissioner Langley expressed concern that the number of low to very low-income units being unrealistic. Director Tsujiuchi agreed and provided a detailed explanation.

Vice-Chair Wright-Scherr inquired if the State can set a number of units, although we may not be required to meet it. Director Tsujiuchi responded with relevant information, and Commissioner Langley contributed his insights on the matter.

Commissioner Kanhan stated that everything depends on the market. When developers come to the neighborhoods, they purchase the property, and the cost of the land influences the price of the houses they are building.

Commissioner Langley then asked if there are any trends indicating that fewer developers want to build at this time or if there is less property available.

There was a brief conversation with the Commissioners, Director Tsujiuchi, and Ms. Acuña regarding Accessory Dwelling Units (ADUs) in their neighborhoods.

Vice-Chair Wright-Scherr asked a specific question about the requirements for ADUs. Mr. La responded that ADUs must have their own sanitation facilities and kitchens. He noted that only Junior Accessory Dwelling Units (JADUs) can share a sanitation facility because they are attached to the main house.

8. COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

Community Development Director, Greg Tsujiuchi announced upcoming city events.

- Hoppin Bunny Breakfast, Saturday, April 19, 2025; 8:30 AM 11:30 AM at the Nakaoka Community Center.
- 2) EggStravaganza Bonanza, Saturday, April 19, 2025; Egg Hunt begins at 11:00 AM at Rowley Park.
- 3) Cinco De Mayo Parade & Festivities, Saturday, May 3, 2025. Parade starts at 10:00 AM on Gardena Blvd.

Ms. Acuña reminded the Commissioners that staff had sent an email asking if they were interested in participating in the parade. They should fill out the application and submit it to the Recreation Department for consideration.

9. PLANNING & ENVIRONMENTAL QUALITY COMMISSIONERS' REPORTS

- 1) COMMISSIONER LANGLEY No items to report.
- 2) COMMISSIONER KANHAN No items to report.
- 3) <u>COMMISSIONER SHERMAN</u> No items to report.
- 4) VICE-CHAIR WRIGHT-SCHERR No items to report.

10. ADJOURNMENT

Vice-Chair Wright-Scherr adjourned the meeting at 7:35 PM.

APPROVED:	Respectfully submitted,		
·	By:		
DERYL HENDERSON, CHAIR	GREG TSUJIUCHI, SECRETARY		
Planning and Environmental Quality Commission	Planning and Environmental Quality Commission		

CITY OF GARDENA PLANNING AND ENVIRONMENTAL QUALITY COMMISSION

STAFF REPORT RESOLUTION NO. PC 6-25 ENVIRONMENTAL ASSESSMENT #1-25 AND CONDITIONAL USE PERMIT #1-25 AGENDA ITEM # 7.A

DATE: May 6, 2025

TO: Chair Henderson and Members of the Planning and

Environmental Quality Commission

FROM: Greg Tsujiuchi, Community Development Director

CASE PLANNER: Dayana Nava, Planning Assistant

APPLICANT: Peter Girgis, Maximize Athletic Performance

LOCATION: 13008 Halldale Avenue (6102-004-016)

REQUEST: A request for a Conditional Use Permit to operate an indoor batting cage within an existing 5,677-square-foot warehouse located in the Industrial (M-1) zone. The request also seeks approval to count street parking toward the facility's required parking per Section 18.40.080.B.3. of the Gardena Municipal Code.

<u>Environmental Consideration</u>: The project involves an existing facility and is being considered for a Class 1 Categorical Exemption under the California Environmental Quality Act (CEQA).

BACKGROUND

On January 27, 2025, the applicant, Maximize Athletic Performance, represented by Peter Girgis, submitted an application to operate an indoor batting cage within an existing 5,677-square-foot (-sf) warehouse located in the Industrial (M-1) zone located at the southeast corner of West 130th Street and Halldale Avenue at 13008 Halldale Avenue (see Figure 1: Vicinity/Zoning Map). The subject property is a rectangular shape that totals 0.9 acres that is developed with two industrial buildings, each with two tenant spaces. Each building is developed independently of each other, with their own separate parking spaces.

The applicant is proposing to occupy one of the two tenant spaces within the existing building located to the north end of the site that totals11,476-sf and is surrounded by an 8-foot-high perimeter fencing with a vehicular gate located on Halldale Avenue. There are currently 14 parking spaces for the existing building. The existing tenant space to be occupied is 5,677-sf in size and is currently vacant, but was previously used by a food processing company for wholesale marketing. The other tenant space within the building is currently occupied by an existing manufacturing company.

The project site is located in an industrial area. The project site is zoned M-1 (Industrial) with properties to the north, east, south and west having the same zoning designation as shown in Figure 1. Legal nonconforming residences are found to the east of the subject property including a 32-unit mobile home park to the west. Other surrounding uses include a food processing company to the north across West 139th Street, hardware supply warehouse to the south and furniture manufacturing to the west across Halldale Avenue.

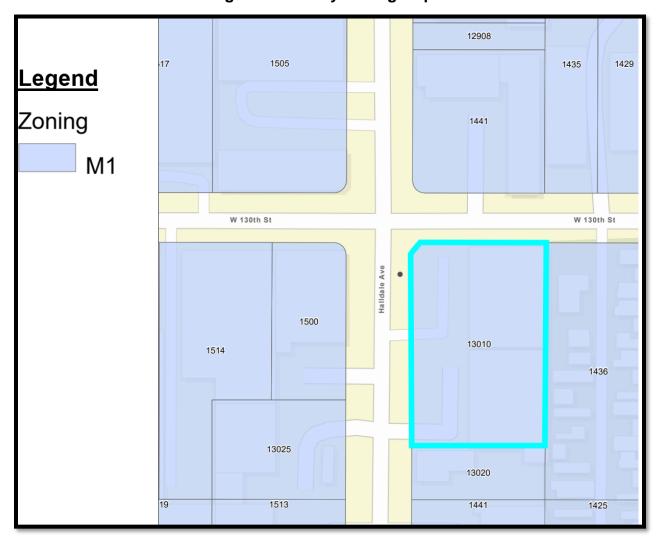


Figure 1: Vicinity/Zoning Map

Figure 2: Existing Building



PROJECT DESCRIPTION

The applicant is proposing minor tenant improvements to an existing 5,677-sf warehouse to accommodate a new indoor batting cage and athletic training facility. The proposed facility will primarily serve youth athletes, particularly those between the ages of 10 and 18, but will be open to individuals of all ages for personal training, skill development, and coaching.

Currently, the site includes 14 parking spaces serving a two-tenant building (Figure 3: Site Plan). However, 11 of those spaces do not meet the minimum dimension requirements set forth in the City's Zoning Code. As part of the proposed improvements, the applicant plans to re-stripe the parking lot to comply with current zoning and dimensional standards. This restriping effort would result in the loss of one parking space, bringing the total number of conforming spaces to 13. A parking study conducted by Walker Consultants were submitted in support of the proposal, analyzing the anticipated parking demand for the facility and assessing the availability of nearby on-street and off-site parking options.

Interior improvements will include the installation of batting cages of various sizes to accommodate different skill levels and training needs, along with dedicated areas for one-on-one coaching and personalized athletic training. The facility will also include upgrades to existing restrooms to ensure full compliance with current (ADA) (Americans with Disabilities Act) accessibility standards as shown in Figure 4: Floor Plan.

In addition to individualized training sessions, the facility will offer batting cage rentals equipped with pitching machines featuring adjustable speed and difficulty settings to cater to varying levels of experience and ability. Personalized coaching and skill development will be available by appointment, with programming designed to support both beginner and advanced athletes.

The proposed facility will be staffed by two full-time employees, with operating hours from 8:00 AM to 9:00 PM daily. To accommodate the scheduling needs of youth athletes and their families, most training sessions will be held by appointment. Peak operating hours are expected to be between 5:00 PM and 9:00 PM on weekdays, aligning with after-school availability for the facility's core clientele.

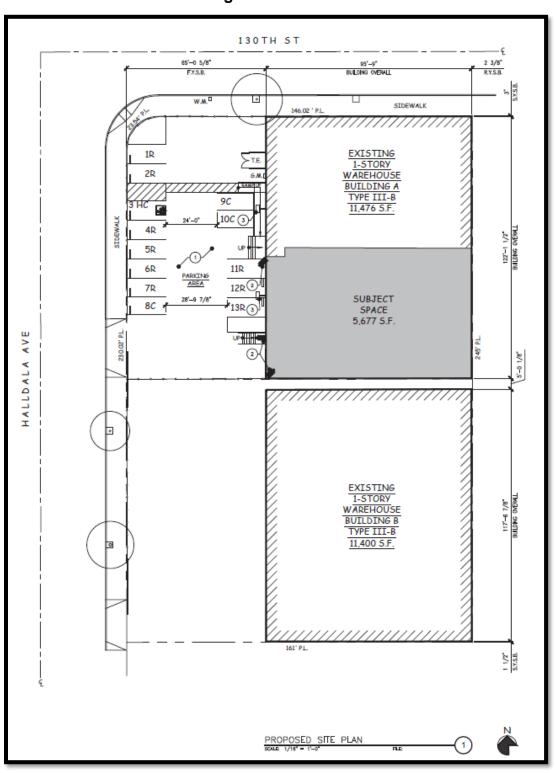


Figure 3: Site Plan

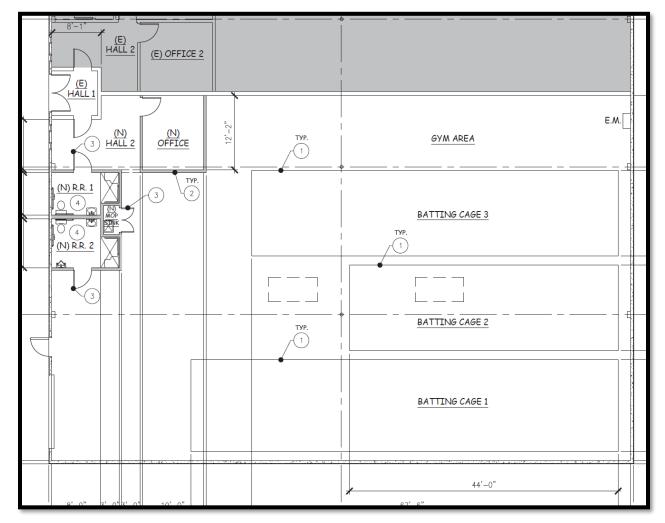


Figure 4: Floor Plan

ANALYSIS

Conditional Use Permit #1-25

Pursuant to Section 18.46.030.C.9 of the GMC, a conditional use permit is required for "uses which are not specifically listed which in no way are detrimental to surrounding properties or uses permitted in the zone and which are not permitted as a similar use." The proposed indoor batting cage facility is not a use which is specifically listed nor is it similar to any other use in the M-1 zone and the use will not be detrimental to surrounding to the properties or uses than those permitted in the M-1 zone.

In accordance with GMC section 18.46.040.F, the Planning Commission must make specific findings to grant a conditional use permit for an indoor batting cage facility.

A. The use applied at the location set forth in the application is properly zoned for which a conditional use permit is authorized by this chapter.

Although the proposed use is not specifically listed under a defined use category within the City's Zoning Code 18.46.030.C.9, it may be authorized through the Conditional Use Permit (CUP) process. As outlined in the Zoning Code, uses not explicitly identified may still be permitted if it can be demonstrated that they are compatible with the other uses of the zone and will not be detrimental to surrounding properties or land uses.

In this case, the proposed facility is consistent with the overall intent of the M-1 zone and is designed to operate in a manner that minimizes impacts on nearby uses. While there are some residential properties in the general vicinity, the facility will be equipped with appropriate interior treatments and construction materials to reduce sound transmissions and potential noise impacts.

Additionally, the City has previously approved conditional use permits for similar indoor sports and training facilities nearby. Therefore, the application for a conditional use permit is deemed proper.

B. Such use is necessary or desirable for the development of the community and is compatible with the surrounding uses, is in harmony with the general plan, is not detrimental to the surrounding properties, existing uses, or to uses specifically permitted in the zone in which the proposed use is to be located, and will not be detrimental to the public health, safety or welfare.

The proposal for a new indoor batting cage is compatible with the surrounding uses in the area, as it is located within an existing warehouse tenant space that is adequate in size to allow for the use. The nature of the use, being conducted entirely indoors and largely by appointment, helps ensure limited disruption to surrounding areas.

The applicant's proposal for an indoor batting cage is consistent with the following General Plan Goals:

- Economic Development Plan 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, encourages diversification of businesses to support the local economy, and provides a stable revenue stream.
- Economic Development Plan Goal 2: Expand, retain and revitalize quality businesses.
- Economic Development Plan Goal 3: Attract desirable businesses to locate in the City.

The facility contributes to a diversified business landscape by introducing a unique, service-based recreational and athletic training use not currently well-represented in the area. It caters to both local and regional clientele, generating economic activity while providing a valuable service to youth and families. By occupying and enhancing an underutilized warehouse space, the project supports the City's efforts to maintain a sound tax base and encourages economic growth through business diversification and sustainable use of commercial properties.

C. The site for the intended use is adequate in size and shape to accommodate such use and all of the yards, setbacks, walls, fences, landscaping, and other features required in order to adjust such use to those existing or permitted future uses on land in the neighborhood.

The subject property, located within an existing industrial zone, is adequate in size, shape, and configuration to support the proposed indoor batting cage and athletic training facility. The 5,677-square-foot warehouse space offers sufficient interior area to accommodate the tenant improvements, including multiple batting cages, training areas, restrooms upgraded to ADA standards, and circulation space for clients and staff. All required site features, including building setbacks, landscaping buffers, and screening, either currently exist or can be accommodated through minor site upgrades as part of the project. Furthermore, the project includes a proposal to re-stripe the on-site parking lot to bring parking spaces into conformance with current City off-street standards, ensuring that vehicle circulation and parking needs are appropriately addressed.

D. That the site for the proposed use relates to streets and highways properly designed and improved so as to carry the type and quantity of traffic generated or to be generated by the proposed use.

The Circulation Plan, which is part of the Community Development Element of the Gardena General Plan, designates West 130th Street and Halldale Avenue as local streets. Local streets are designed to provide vehicles, pedestrian and bicycle access to individual parcels throughout the City. They intend to carry low volumes of traffic and allow unrestricted parking. The applicant's request to operate an indoor batting cage is not anticipated to generate traffic beyond the current levels, and it is unlikely to impact the area's circulation. Staff do not foresee any adverse traffic impacts to the subject property.

<u>Parking</u>

In accordance with Section 18.40.040 of the City's Zoning Code, there is no specific parking requirement identified for an indoor batting cage facility. As such, the applicant commissioned a parking study prepared by Walker Consultants to assess the anticipated parking demand based on comparable land uses.

The study utilized the City's parking standards for office and gym uses as a basis for calculating parking needs. According to the study:

- The office portion of the facility would require 1 parking space (based on 1 space per 300 square feet),
- The gym/training area would require **6 parking spaces** (based on 1 space per 150 square feet),
- While the Code does not specifically address batting cage lanes, the study applied
 a practical standard of 1 parking space per lane, resulting in a need for 3
 additional spaces.

Based on this methodology, the total parking demand for the proposed facility is 10 spaces. The site currently provides 14 parking spaces, but with the proposed restriping to bring the lot into conformance with current dimensional standards, the total number of spaces will be reduced to 13. The remaining tenant in the building is a manufacturing use, which, per Gardena Municipal Code 18.40.040, requires 7 parking spaces (1 parking space per 750 square feet). This results in a total on-site parking shortfall of 4 spaces.

However, pursuant to GMC Section 18.40.080.B.3, on-street parking may be counted toward the required parking for the facility. The submitted parking study also includes an analysis of available on-street parking in the vicinity, supporting the feasibility of meeting the overall parking demand through a combination of on-site and adjacent street parking and meeting the following pursuant to GMC Section 18.40.080.B.3:

- There are circumstances related to the proposed use, operations, location, the surrounding uses, zone, infrastructure, or there are other factors identified that cannot be accommodated by the limitations of the parking requirements of this title; and
- That the granting of the conditional use permit will not be in conflict with the policies of the general plan of the city; and
- The proposed use and off-site parking, as conditioned, will not be materially detrimental to the public health, safety, and welfare or injurious to property and improvements in the vicinity of the subject property.

The parking study demonstrates that the proposed use presents unique operational characteristics not addressed by standard parking requirements, including appointment-based scheduling and low parking demand. It also identifies 114 of off-site parking spaces within 1500 feet of the project. The project aligns with the City's General Plan. As stated, the use and parking arrangement will not negatively impact public health, safety, or surrounding properties.

ENVIRONMENTAL CONISDERATION (EA #1-25)

The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) Guidelines pursuant to Section 15301, Existing Facilities, which exempts negligible or no expansions of use in existing facilities from the provisions of

CEQA. The building in which the project is proposed already exists. The project will not include any alterations to the existing building footprint nor the exterior façade as previously approved. The building in which the indoor batting cages would be located is an existing industrial tenant space within a warehouse building, originally constructed in 1978 for manufacturing and warehousing purposes. As a result, the applicant's request to operate an indoor batting cage facility within the existing industrial space is not considered an expansion of use.

The project is not subject to any of the exceptions to the exemptions under Section 15300.2 of the California Environmental Quality Act. The cumulative impact of establishing the indoor batting cage facility is not considered significant. The project is not located along any state-designated scenic highway nor within any designated hazardous waste site. The building where the indoor facility will be located is not considered a significant historical structure by any governmental body. Staff does not expect any significant impacts or unusual circumstances related to the approval of this project.

Therefore, the proposed project is categorically exempt from CEQA.

NOTICING

The public hearing notice was published in the Gardena Valley News and mailed first class to owners and occupants within a 300-foot radius of the site on April 24, 2025. A copy of Proof of Publication and Affidavit of Mailing are on file in the office of the Community Development Department Room 101, City Hall and are considered part of the administrative record.

RECOMMENDATION

Staff recommend holding a public hearing on the application for Environmental Assessment #1-25 and Conditional Use Permit #1-25 where the Commission will:

- 1) Open the public hearing;
- 2) Receive testimony from the public;
- 3) Closing the public hearing; and
- 4) Adopt Resolution No. PC 6-25, subject to the conditions of approval and directing staff to file a notice of exemption.

ATTACHMENTS

A – Planning Commission Resolution No. PC 6-25

- Exhibit A Project Plans
- Exhibit B Conditions of Approval

B – Maximize Athletic Performance Parking Study Prepared by Walker Consultants

RESOLUTION NO. PC 6-25

A RESOLUTION OF THE PLANNING AND ENVIRONMENTAL QUALITY COMMISSION OF THE CITY OF GARDENA, CALIFORNIA, APPROVING ENVIROMENTAL ASSESMENT #1-25 AND CONDITIONAL USE PERMIT #1-25 TO ALLOW AN INDOOR BATTING CAGE WITHIN AN EXISITING WAREHOUSE LOCATED AT 13008 HALLDALE AVENUE IN THE INDUSTRIAL (M-1) ZONE.

13008 Halldale Avenue, Gardena (APN: 6102-004-016)

THE PLANNING COMMISSION OF THE CITY OF GARDENA, CALIFORNIA, DOES HEREBY FIND AND RESOLVE AS FOLLOWS:

SECTION 1. RECITALS.

- A. In January 2025, the Applicant, Maximize Athletic Performance, represented by Peter Girgis, submitted an application for a new conditional use permit to operate an indoor batting cage facility (the "Project") within the existing warehouse space addressed at 13008 Halldale Ave, (the "Subject Property").
- B. The General Plan Land Use Plan designation of the Subject Property is Industrial, and the zoning is Industrial Zone (M-1).
- C. The Subject Property is bounded by West 130th Street to the north, Halldale Avenue to the west, and industrial properties to the north, east and south and west.
- D. On April 24, 2025, a public hearing was duly noticed for a Planning and Environmental Quality Commission ("Commission") meeting for Mary 06, 2025.
- E. On May 06, 2025, the Commission held a public hearing at which time it considered all the material and evidence presented by staff, the applicant, and the public, whether written or oral, and has considered the procedures and the standards required by the Gardena Municipal Code ("GMC").

SECTION 2. CONDITIONAL USE PERMIT #1-25 FINDINGS

Conditional Use Permit #1-25 to allow the operation of an indoor batting cage facility within an existing warehouse in the M-1 zone as shown on the plans presented to the Commission on May 06, 2025, attached hereto as Exhibit "B", is hereby approved based on the following findings and is subject to the conditions attached hereto as Exhibit "B".

A. The use applied for at the location set forth in the application is properly one for which a conditional use permit is authorized by this chapter.

Pursuant to GMC section 18.46.030.C.9, a conditional use permit is required for "uses which are not specifically listed which in no way are determinantal to surrounding properties or uses permitted in the zone and which are not permitted

as a similar use". The proposed indoor batting cage facility is not a use which is specifically listed nor is it similar to any other use in the M-1 zone. The proposed use will not be more detrimental to surrounding properties or uses than those permitted in the M-1 zone. The Project will include multiple batting cages and training areas within a 5,677-square-foot existing warehouse space in the M-1 zone. Therefore, the application for a conditional use permit is deemed proper.

B. Such use is necessary or desirable for the development of the community and is compatible with the surrounding uses, is in harmony with the general plan, is not detrimental to the surrounding properties, existing uses, or to uses specifically permitted in the zone in which the proposed use is to be located, and will not be detrimental to the public health, safety, or welfare.

The Project is compatible with the surrounding uses in the area, as it is located within a warehouse tenant space that will allow for the spaces needed for the use. The nature of the use, which will be entirely indoors and largely by appointment, helps ensure limited disruption to surrounding areas. The proposed use will not negatively impact on the surrounding properties, existing businesses, or the general public's health and safety.

The Project is consistent with the following General Plan Goals:

- Economic Development Plan ED 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, encourages diversification of businesses to support the local economy, and provides a stable revenue stream.
- Economic Development Goal 2: Expand, retain and revitalize quality businesses.
- Economic Development Goal 3: Attract desirable business to locate in the City.

The Subject Project contributes to a diversified business landscape by introducing a unique serviced-based recreation and athletic training uses not currently well represented in the area. It caters to both local and regional clientele, generating economic activity while providing a valuable service to the youths and families. By occupying and enhancing an underutilized warehouse space, the project supports the City's efforts

C. The site for the intended use is adequate in size and shape to accommodate such use and all of the yards, setbacks, walls, fences, landscaping, and other

features required in order to adjust such use to those existing or permitted future uses on land in the neighborhood.

The subject property, located within an existing industrial zone, is adequate in size, shape, and configuration to support the proposed indoor batting cage and athletic training facility. The 5,677-square-foot warehouse offers sufficient interior area to accommodate the tenant improvements, including multiple batting cages, training areas, restrooms upgraded to ADA standards, and circulation space for clients and staff. All required site features, including building setbacks, landscaping buffers, and screening, either currently exist or can be accommodated through minor site upgrades as part of the project. Furthermore, the project includes a proposal to restripe the on-site parking lot to bring parking spaces into conformance with current City standards, ensuring that vehicle circulation and parking needs are appropriately addressed.

Therefore, the site is already adequate in size and shape.

D. The site for the proposed use relates to streets and highways properly designed and improved so as to carry the type of quantity of traffic generated or to be generated by the proposed use;

In accordance with Section 18.40.040 of the City's Zoning Code, there is no specific parking requirement identified for an indoor batting cage facility. The applicant commissioned a parking study prepared by Walker Consultants to assess the anticipated parking demand based on the comparable land uses. The proposed facility is required to provide 10 spaces; currently the site provides 14 spaces. With the proposal of the restriping the total number of spaces will be reduced to 13 spaces. The remaining tenant in the building will require 7 parking spaces, per City Code, resulting in total on-site parking shortfall of 4 spaces.

The Circulation Plan, which is part of the Community Development Element of the Gardena General Plan, designates West 130th Street and Halldale Avenue as a local street. Local streets are designed to provide vehicles, pedestrian, and bicycle access to individual parcels throughout the City. They are intended to carry low volumes of traffic and allow unrestricted parking. The applicant's request to operate an indoor batting cage is not anticipated to generate traffic beyond the current levels, and it is unlikely to impact the area's circulation. Staff do not foresee any adverse traffic impacts to the subject property.

E. The conditions stated in the decision are deemed necessary to protect the public health, safety, and general welfare.

EA #1-25; CUP #1-25 May 06, 2025 Page 4 of 6

The conditions of approval have been drafted and are attached here as Exhibit "B". These conditions will help protect the public health, safety, and general welfare of the surrounding uses, residents, and businesses in the area.

SECTION 3. CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS

The Project is exempt from the provisions of the California Environmental Quality Act (CEQA), pursuant to the following exemption:

- A. Class 1- Guidelines Section 15301 Existing Facilities the building in which the Project is proposed already exists. The Project will not include any alterations to the existing building footprint nor the exterior façade as previously approved. The building in which the indoor batting cage facility would be located is an existing warehouse space, originally constructed in 1978 for warehouse use. As a result, the Project is not considered an expansion of use.
- B. The Project is not subject to any of the exceptions to the exemptions under Section 15300.2 of the California Environmental Quality Act. The cumulative impact of establishing the indoor batting cage facility is not considered significant. The project is not located along any state-designated scenic highway nor within any designated hazardous waste site. The building where the batting cage facility will be located is not considered a significant historical structure by any governmental body. Staff does not expect any significant impacts or unusual circumstances related to the approval of this Project.
- C. Staff is hereby directed to file a Notice of Exemption.

SECTION 4. APPEAL.

The approvals granted by this Resolution may be appealed within 10 calendar days from the adoption of this resolution. All appeals must be in writing and filed with the City Clerk within this time period with the appropriate fee. Failure to file a timely written appeal will constitute a waiver of any right of appeal. The City Council may also call this matter for review within the same time period.

SECTION 5. RECORD.

Each and every one of the findings and determinations in this Resolution is based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the Project. All summaries of information in the findings which precede this section are based on the entire record. The absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact.

SECTION 6. CUSTODIAN OF RECORD.

The Custodian of Record for the proceedings relating to the Project is Greg Tsujiuchi, Community Development Director, City of Gardena, 1700 West 162nd Street, Gardena, California 90247. Mr. Tsujiuchi's email is gtsujiuchi@cityofgardena.org and his phone number is (310) 217-9530.

SECTION 7. EFFECTIVE DATE.

This Resolution shall take effect immediately

SECTION 8. CERTIFICATION.

The Secretary shall certify the passage of this resolution.

PASSED, APPROVED, AND ADOPTED this 6th day of May 2025.

DERYL HENDERSON, CHAIR
PLANNING AND ENVIRONMENTAL
QUALITY COMMISSION

ATTEST:

GREG TSUJIUCHI, SECRETARY
PLANNING AND ENVIRONMENTAL QUALITY COMMISSION
STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
CITY OF GARDENA

I, Greg Tsujiuchi, Planning and Environmental Quality Commission Secretary of the City of Gardena, do hereby certify that the foregoing Resolution was duly adopted by the Planning and Environmental Quality Commission of the City of Gardena at a regular meeting thereof, held the 6th day of May 2025, by the following vote of the Planning and Environmental Quality Commission.

AYES: NOES: ABSENT:

Attachments:

• Exhibit A: Project Plans

• Exhibit B :Conditions of Approval

EXHIBIT B

CITY OF GARDENA

CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT #1-25

GENERAL CONDITIONS

- GC 1. The applicant accepts all of the conditions of approval set forth in this document and shall sign the acknowledgment.
- GC 2. The applicant shall comply with all written policies, resolutions, ordinances, and all applicable laws in effect at the time of approval. The conditions of approval shall supersede all conflicting notations, specifications, and dimensions which may be shown on the project development plans.
- GC 3. The floor plan layout shall be in accordance with the plans approved by the Commission and modified by these conditions of approval. The final completed project shall be in substantial compliance with the plans upon which the Commission based its decision, as modified by such decision.
- GC 4. The applicant shall reimburse the City for all attorney's fees spent in processing the project application, including a review of all documents required by these conditions of approval prior to the issuance of a final building permit.
- GC 5. The applicant shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any claims, actions or proceedings, damages, costs (including without limitation attorneys' fees), injuries, or liabilities against the City or its agents, officers, or employees arising out of the City's approval of the Notice of Exemption and Conditional Use Permit. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim, action, or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City. Although the applicant is the real party in interest in the action, the City may, at its sole discretion, participate in the defense of any action with the attorneys of its own choosing, but such participation shall not relieve the applicant of any obligation under this condition, including the payment of attorneys' fees.

CONDITIONAL USE PERMIT

CUP1. Conditional Use Permit #1-25 shall be utilized within a period not to exceed twelve (12) months from the date of approval unless an extension is granted in accordance with Section 18.46.040 of the Gardena Municipal Code (GMC). Utilization shall mean the issuance of a business license.

PLANNING

CUP #1-25 Resolution No. PC 6-25

Page 2 of 3

PL1. The applicant is permitted to operate an amusement arcade within the facility shown on Exhibit B and shall comply with all provisions under Gardena Municipal Code (GMC) Chapter 5.12. Any violation of the regulations under GMC Chapter 5.12 may result in the revocation of Conditional Use Permit #8-24.

- PL2. The hours of operation of the indoor batting cage facility shall be limited to 8:00 AM to 9:00 PM daily.
- PL3. No special events shall be held at the project site without the applicant obtaining a temporary event permit from the City, and paying all appropriate fees. Temporary events are those that meet the intent and purpose of GMC Section 18.60.010.
- PL4. During hours of operation, pedestrian access from Halldale Avenues shall be made available.
- PL5. The parking lot shall remain open at all times during operating hours. All onsite spaces shall be utilized to the extent feasible before vehicles are turned away from the parking lot. In the event the parking lot is full, vehicles shall be directed to park on the street where parking is available.
- PL6. The applicant shall comply with to all provisions outlined in the City's Noise Ordinance as specified in GMC Chapter 8.36.
- PL7. The applicant shall ensure that any proposed signage shall meet the necessary requirements put forth by the Chapter 18.58 of the Gardena Municipal Code.
- PL8. In the event noise, lighting, parking, or traffic nuisances or other public safety issues are brought to the attention of the City, the Community Development Director may impose further conditions or restrictions on the site operations to ensure land use compatibility.
- PL9. The applicant shall stripe the parking spaces in accordance with the size and dimension specifications in GMC Section 18.40.050. Locations shall be in accordance with the approved site plan.
- PL10. Prior to issuance of a building permit, barbed wire shall be removed from atop the perimeter fencing.
- PL11. All activities must take place within the enclosed building. Loitering outside the tenant suite is prohibited. Patrons should stay indoors while waiting for instructions or to be picked up, and must be supervised by staff.
- PL12. No outdoor storage shall be permitted.
- PL13. The applicant shall be required to notify the City of any changes to the use of the facility.

BUILDING

- BS1. The project shall comply with all applicable portions of the City adopted version of the California Building Code (Title 24, California Code of Regulations), in effect at the time of permit application.
- BS2. The applicant shall comply with all applicable State and Federal Accessibility code.
- BS3. The applicant shall comply with all conditions set forth by other departments and agencies including but not limited to the Los Angeles County Health Department, Los Angeles County Fire Department, Planning, and Public Works.
- BS4. The approval of plans and specifications does not permit the violation of any section of the Building Code, City Ordinances, or State law.
- BS5. The applicant shall submit plans and specifications to the Building Division for review.

PUBLIC WORKS

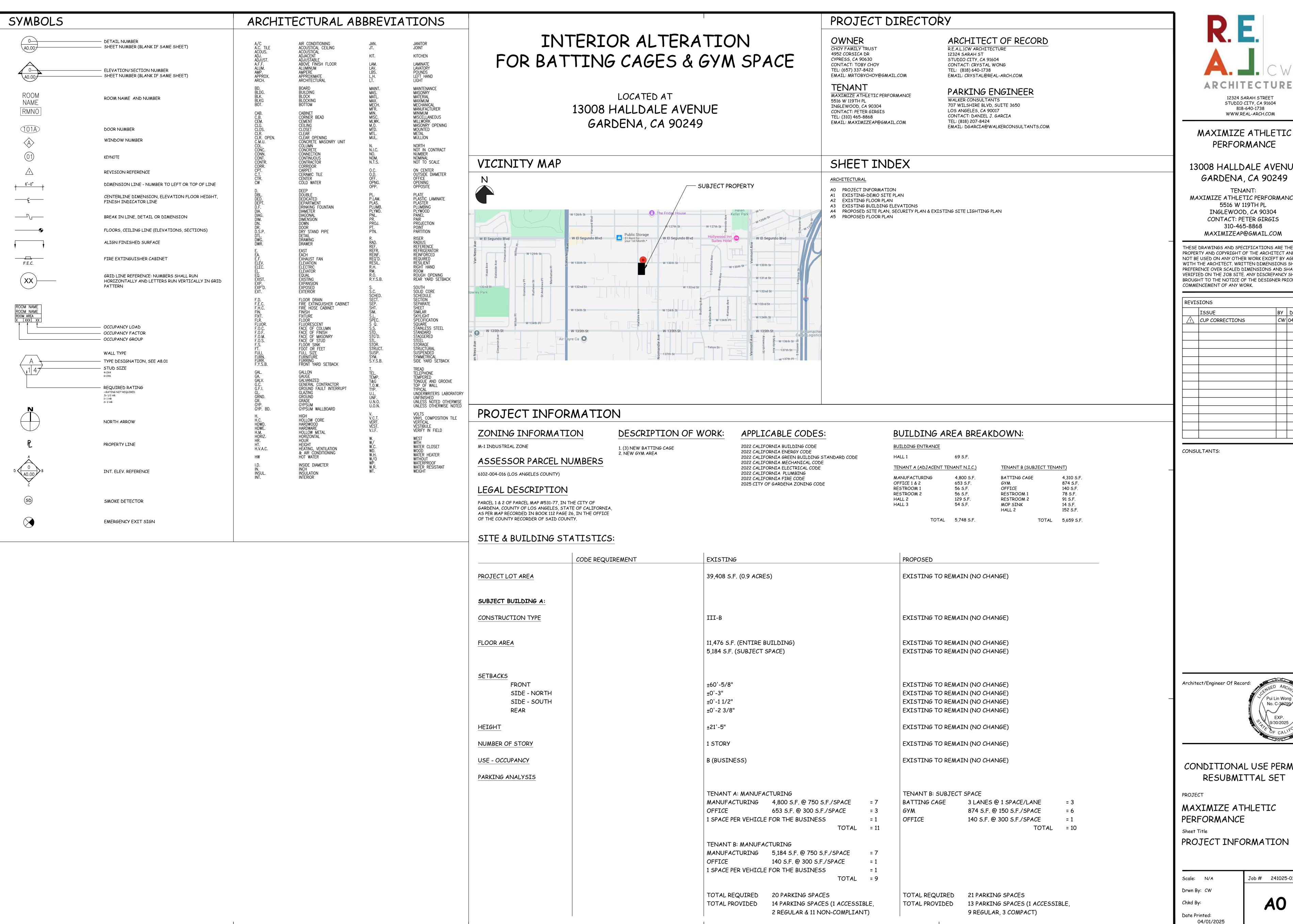
- PW1. All work in the public right of way shall be constructed in accordance with the Standard Plans and Standard Specifications for Public Works Construction, latest edition and the City and State Codes as applicable. This includes supplements thereto and City of Gardena Standard Drawings.
- PW2. Before undertaking any Encroachment/Excavation within the public right of way, the owner must first obtain the applicable permit from the Public Works Engineering Division.
- PW3. Prior to issuance of permits, all public improvements (if any) shall be guaranteed to be installed by the execution of an Agreement for Pubic Improvements secured by sufficient bond sureties or cash, complete indemnification form, Certification of Insurance (General Liability, Auto & Workers Compensation) naming City of Gardena as additional insured, contractor State License and City Business License.
- PW4. The applicant shall plant 3 new street trees in open tree wells along the property street frontages along West 130th Street and Halldale Avenue. Street tree(s) improvements to be coordinated with City Public Works Superintendent.
- PW5. Contractor/Applicant is responsible for all applicable permits, plan check surety, and other incidental fees pertaining to the proposed project.

Gardena Police Department – Standard Conditions

PD1.	Exterior lighting of all entrances, exits, and parking lot area shall be maintained
	during hours of operation and darkness. Parking lot lighting fixtures shall be
	sufficient (minimum one foot-candle, average of two foot-candles) to illuminate
	the parking lot to monitor activity as well as be fully shielded and directed to
	confine illumination entirely on parking areas of the subject site.

Maximize Athletic Performance certifies that he/she/it has read, understood, and agrees to the Project Conditions listed herein.

Maximize Athletic Performance, Represen	tative
Ву	Date



12324 SARAH STREET STUDIO CITY, CA 91604

MAXIMIZE ATHLETIC

13008 HALLDALE AVENUE GARDENA, CA 90249

MAXIMIZE ATHLETIC PERFORMANCE INGLEWOOD, CA 90304 CONTACT: PETER GIRGIS

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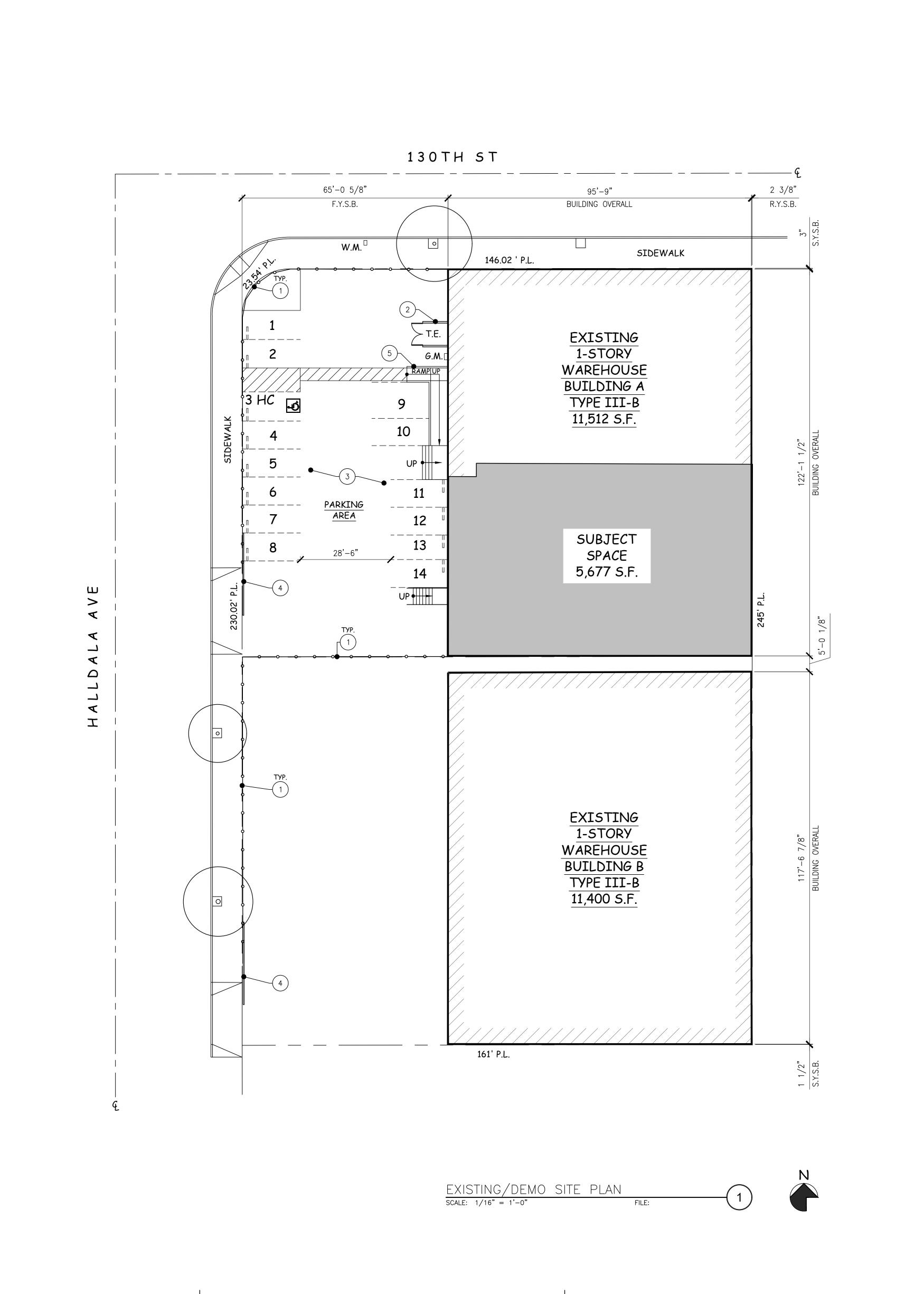


CONDITIONAL USE PERMIT RESUBMITTAL SET

MAXIMIZE ATHLETIC

PROJECT INFORMATION

Job# 241025-01



SITE PLAN KEYNOTES:

EXISTING CHAINLINK FENCE TO REMAIN, REMOVE EXISTING BARB WIRE AT TOP OF CHAINLINK FENCE

2) EXISTING TRASH ENCLOSURE TO REMAIN

EXISTING PARKING LOT TO BE RESTRIPPED PER PROPOSED SITE

(4) EXISTING GATE TO REMAIN

EXISTING ACCESSIBLE RAMP TO REMAIN

R.E. A.J. CW

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MAXIMIZE ATHLETIC
PERFORMANCE

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TENANT:

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INGLEWOOD, CA 90304

CONTACT: PETER GIRGIS

310-465-8868

MAXIMIZEAP@GMAIL.COM

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CONSULTANTS:

Architect/Engineer Of Record:

CENSED AR

Pui Lin W

No. C-38

CONDITIONAL USE PERMIT RESUBMITTAL SET

ROJECT

MAXIMIZE ATHLETIC
PERFORMANCE

Sheet Title

EXISTING/DEMO SITE PLAN

Scale: 1/16" = 1'-0"

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Chkd By:

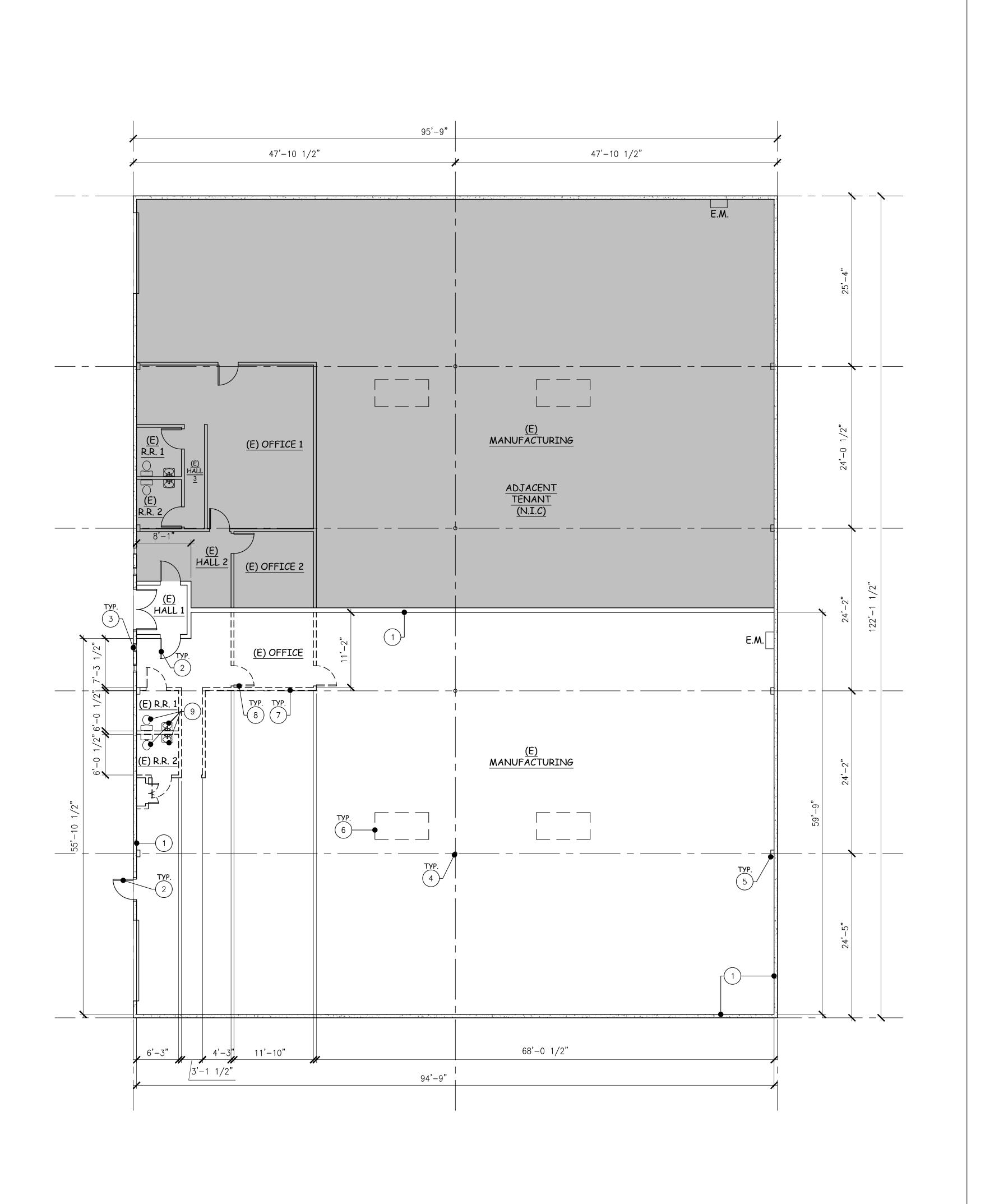
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Job # 241025-01

Chkd By:

Date Printed:

04/01/2025



EXISTING FLOOR PLAN

SCALE: 1/8" = 1'-0"

PLAN LEGEND:

EXISTING WALL TO REMAIN

EXISTING WALL TO BE REMOVED

EXISTING CONCRETE WALL

PLAN KEYNOTES:

- EXISTING WALL TO REMAIN
- EXISTING DOOR TO REMAIN
- EXISTING WINDOW TO REMAIN
- EXISTING COLUMN TO REMAIN
- EXISTING PILASTER TO REMAIN
- EXISTING WALL TO BE REMOVED

EXISTING SKYLIGHT TO REMAIN

- EXISTING DOOR TO BE REMOVED
- EXISTING PLUMBING FIXTURES TO BE REMOVED,

CAP EXISTING PIPES AS REQUIRED

ARCHITECTURE

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CONSULTANTS:

Architect/Engineer Of Record



CONDITIONAL USE PERMIT RESUBMITTAL SET

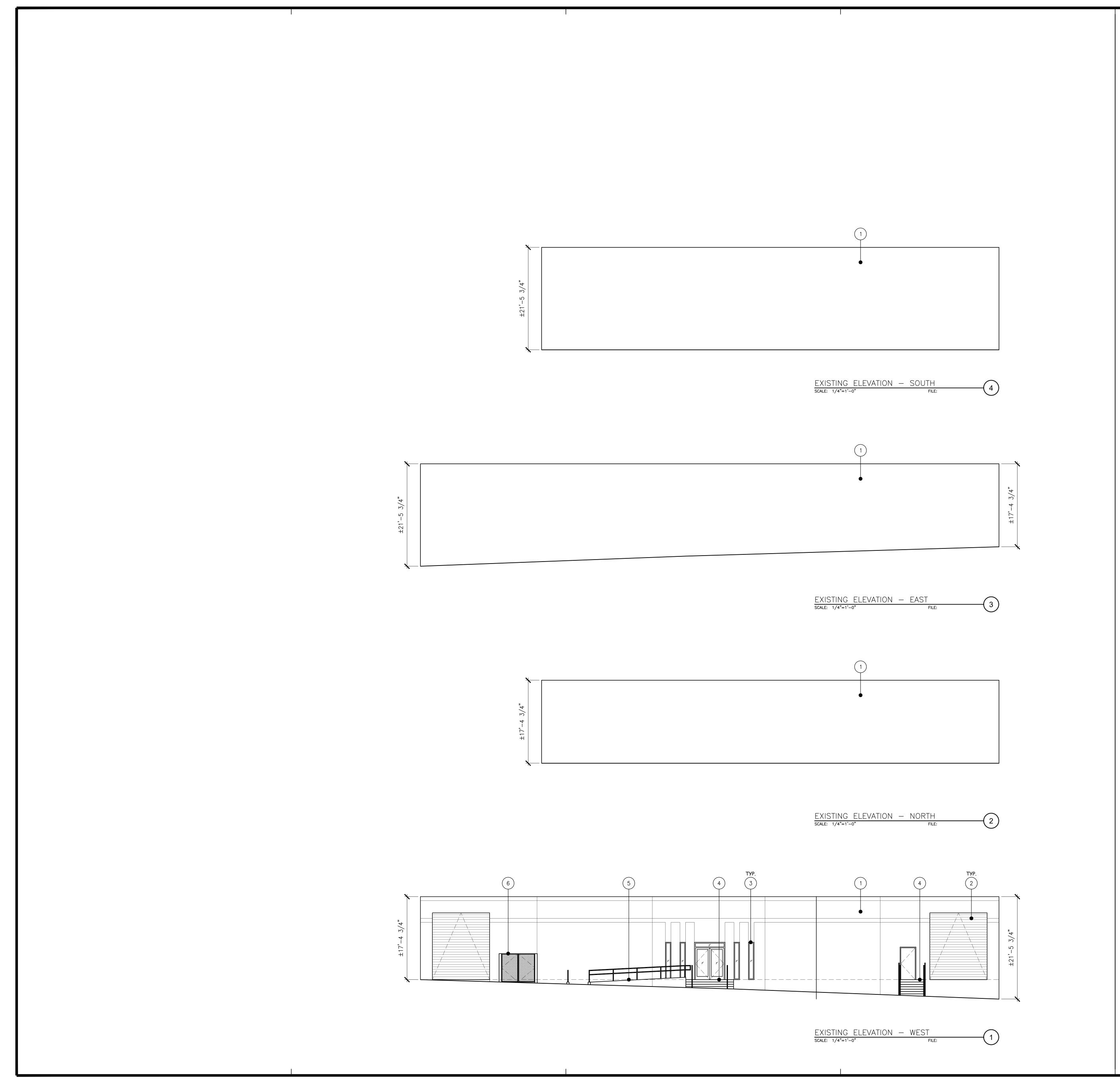
MAXIMIZE ATHLETIC PERFORMANCE

EXISTING/DEMO FLOOR PLAN

Job # 241025-01 Scale: 1/8" = 1'-0" Drwn By: CW

Date Printed: 04/01/2025

A2 Chkd By:



ELEVATION KEYNOTES:

- EXISTING CONCRETE WALL TO REMAIN
- EXISTING DOOR TO REMAIN
- EXISTING WINDOW TO REMAIN
- EXISTING CONCRETE STEPS TO REMAIN
- EXISTING ACCESSIBLE RAMP TO REMAIN
- EXISTING TRASH ENCLOSURE TO REMAIN



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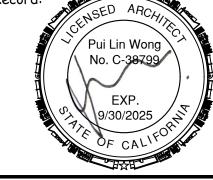
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CONSULTANTS:

Architect/Engineer Of Record



CONDITIONAL USE PERMIT RESUBMITTAL SET

MAXIMIZE ATHLETIC PERFORMANCE

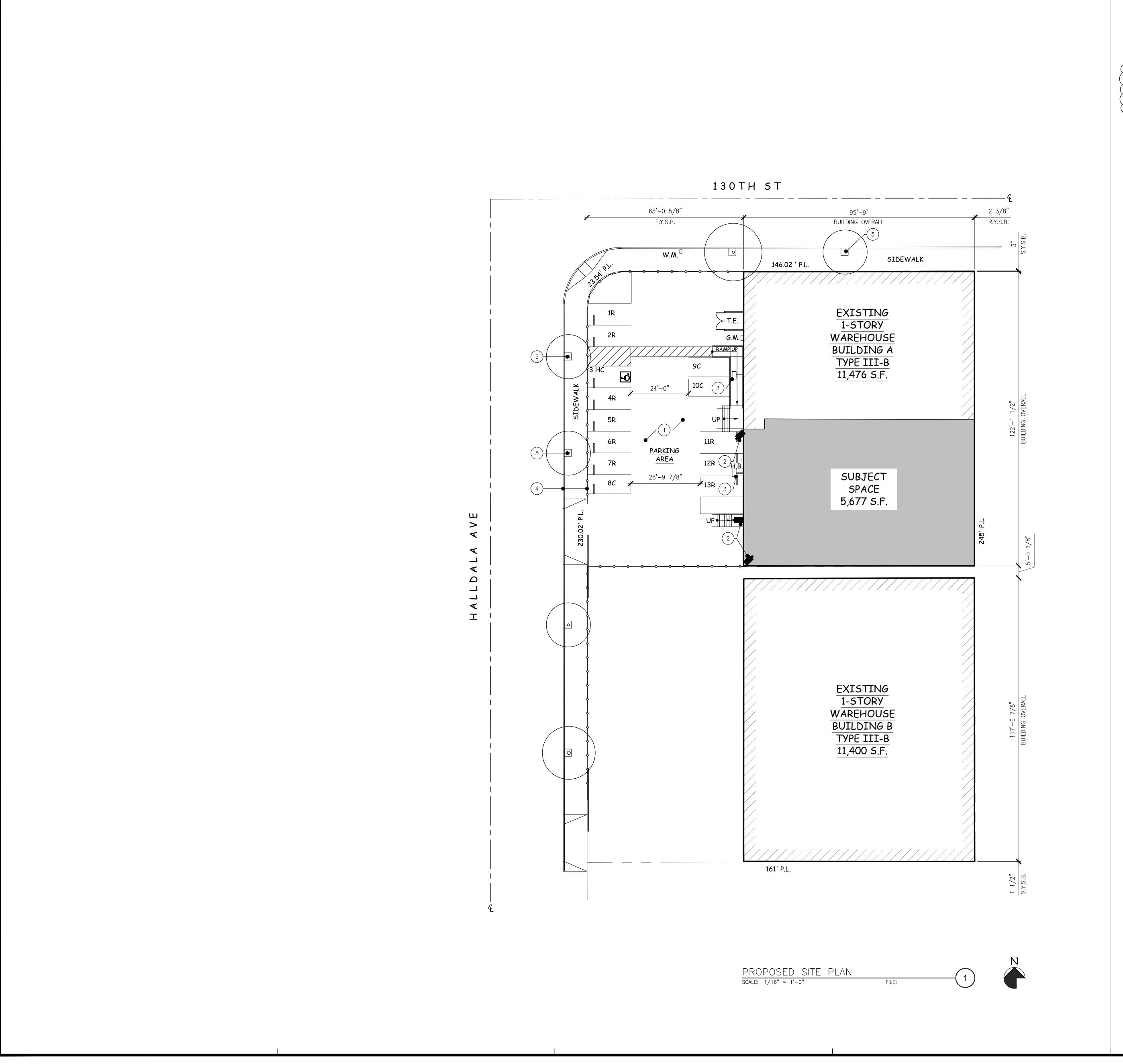
Sheet Title

EXISTING ELEVATIONS

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Date Printed: 04/01/2025



SITE PLAN KEYNOTES:

1 PROPOSED RESTRIPED PARKING LOT

PROPOSED SECURITY CAMERA, 3 TOTAL

3 EXISTING WALL MOUNTED LED FLOOD LIGHT

BUILDING ADDRESS TO BE PLACED ON CHAINLINK FENCE & ON

CURB OF SIDEWALK

PROPOSED TREE

R.E. A.J. CW

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PERFORMANCE

13008 HALLDALE AVENUE GARDENA, CA 90249

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CONSULTANTS:

Architect/Engineer Of Record:



CONDITIONAL USE PERMIT RESUBMITTAL SET

OJECT

MAXIMIZE ATHLETIC
PERFORMANCE

Sheet Title

PROPOSED SITE PLAN, SECURITY PLAN & EXISTING SITE LIGHTING PLAN

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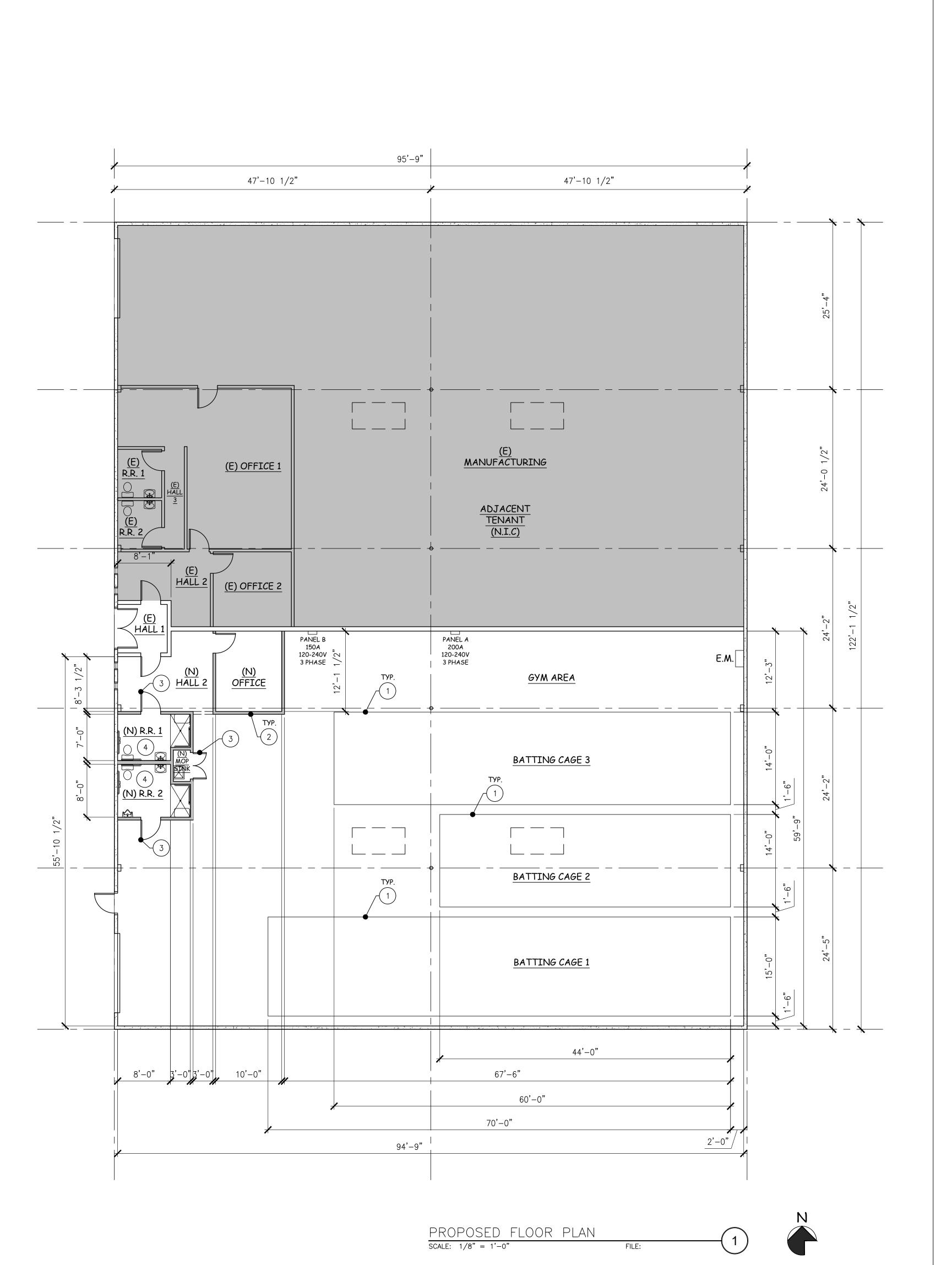
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Chkd By:

Date Printed: 04/01/2025

A4



PLAN LEGEND:

EXISTING WALL

EXISTING CONCRETE WALL

PROPOSED NON-LOAD BEARING WALL

PLAN KEYNOTES:

- 1 PROPOSED BATTING CAGE NETTING
- PROPOSED WALL PER LEGEND
- PROPOSED DOOR
- PROPOSED PLUMBING FIXTURES

R.E. A.J. CW

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MAXIMIZE ATHLETIC PERFORMANCE

13008 HALLDALE AVENUE GARDENA, CA 90249

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MAXIMIZEAP@GMAIL.COM

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REVISIONS				
	ISSUE	ву	DATE	
\triangle	CUP CORRECTIONS	CW	04/01/25	
	I.	!		

CONSULTANTS:

Architect/Engineer Of Record:

Pui Lin Wong
No. C-38799

EXP.
9/30/2025

CONDITIONAL USE PERMIT RESUBMITTAL SET

OJECT

MAXIMIZE ATHLETIC
PERFORMANCE

Sheet Title

PROPOSED FLOOR PLAN

Scale: 1/8" = 1'-0" Job # 241025-01

Drwn By: CW

Chkd By:

Date Printed:

04/01/2025

Memorandum

13008 Halldale Parking Study 37-010090-00



Date: April 2, 2025
To: Peter Girgis

Company: Maximize Athletic Performance

Address: 13008 Halldale Avenue

Copy To: Steffen Turoff

From: Daniel Garcia, Hudson Handel

Project Name: 13008 Halldale Batting Cage Parking Study - Gardena

Project Number: 37-010090-00

The following memorandum summarizes the parking study conducted for the proposed batting cage and private gym located at 13008 Halldale Avenue in the City of Gardena.

Addendum: In response to the Planning Division's request on March 5, 2024, we can confirm that there are stop signs at the intersection of Halldale Avenue and 130^{th} Street.

INTRODUCTION AND DEVELOPMENT PROGRAM

Maximize Athletic Performance ("MAP") is looking to open a batting cage and personal training facility at 13008 Halldale Avenue. The facility is slated to have three (3) batting cages and a personal training area (or gym space) of approximately 877 square feet, as well as a 140 square foot office, and will be operated by two on-site employees. The building has an additional tenant with whom a 14-space onsite parking lot is shared. The other tenant operates weekdays between 9:30 AM and 2:30 PM. The peak for the proposed MAP facility is projected to occur weekday evenings after 5:00 PM, after the conventional "9-5" work shift, and on weekends as MAP's primary client base is student-athletes. As a result, there is high potential for an efficient sharing of parking spaces. Per MAP, parking on the current site is not built to code, and after a potential restripe, MAP expects that seven (7) spaces may be allocated to them per the lease agreement with the building's owner.

MAP has engaged Walker Consultants to perform a parking study to determine whether there is sufficient parking inventory (both onsite and on the street) to support the new batting cage and personal training use. Walker will make reasonable efforts to ensure an accurate study based on our knowledge, expertise, and the assumptions provided and stated in the Findings section of the letter but does not guarantee results that are favorable to the project, nor can we guarantee project approvals.

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13008 Halldale Parking Study 37-010090-00

SUMMARY OF FINDINGS

Key findings from the parking study:

- Between the onsite shared business parking lot and on-street parking in the immediate vicinity, there is adequate parking potential for Maximize Athletic Performance's batting cage and personal training facility patrons.
- Peak parking occupancy on all streets within the study area reached 83% of 114 car parking capacity at 12:00 PM on a weekday, indicating that there should always be at least 19 spaces available across all weekday hours. Of those 19 available spaces, 11 were located along Halldale Avenue, directly in front of MAP. Walker projects that MAP needs 13 parking spaces to serve users of the proposed program of three batting cages and personal training space under peak conditions. MAP may only be assigned seven (7) onsite parking spaces, and so would need to rely on an additional six (6) street parking spaces if the onsite spaces with the other tenant are not shared. The analysis shows that on-street parking in the area is available, particularly in the evening when MAP is projected to peak.
- Parking utilization for the block on which MAP will be located trends with a rise from 9:00 AM to 11:00 AM, a peak at noon, and a 10% 20% decrease in hourly utilization from 2:00 PM to 5:00 PM. From 5:00 PM on, utilization maxes at under 40%. In other words, after 5:00 PM during weekdays, there are approximately 70 spaces available on the streets surrounding the MAP facility, with about 35± along Halldale Ave directly in front of MAP.
- In Walker's professional opinion, available on-street parking spaces are an asset that should be utilized for public goods such as economic development, facilitation of the transportation system, and general public use. Providing parking for a business and public use during off hours for other area businesses is efficient and desirable and the use for which on-street parking in a generally commercial area is intended.
- Ultimately, Walker projects that there will be no material parking impact to the surrounding community as there is sufficient onsite and on-street parking available to appropriately accommodate parking demand generated by MAP during peak periods and because a remaining 35± space on-street parking space surplus is projected along Halldale Ave directly fronting the MAP facility.

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PROPOSED FLOOR PLAN/PARKING REQUIREMENTS

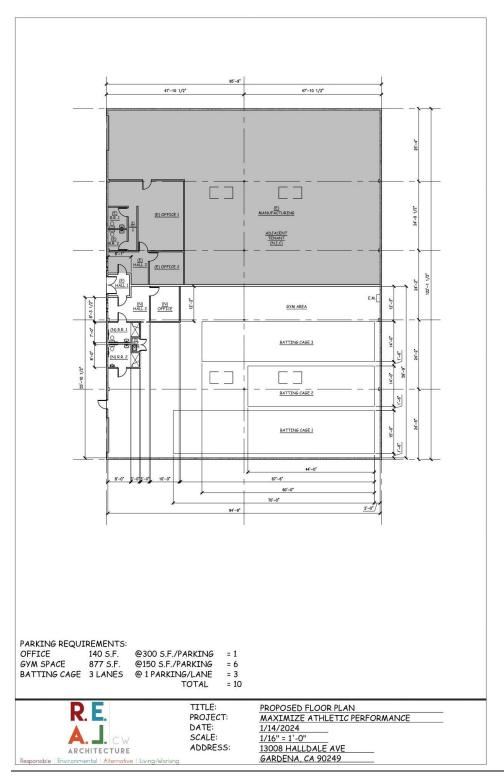


Figure 1. | Source: Image. Google Earth Pro, 2025; Graphics. Walker Consultants, 2025.



Per the site plan shown in Figure 1., MAP is required to provide 10 parking spaces for the project:

- 1 space for the Office component,
- 6 spaces for the Gym component,
- And 3 spaces for the Batting Cages for a total of 10 parking spaces.

CURRENT CONDITIONS

Parking Study Area

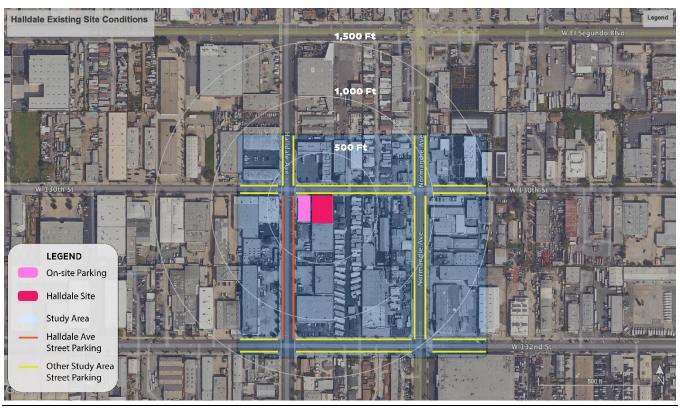


Figure 2. | Source: Image. Google Earth Pro, 2025; Graphics. Walker Consultants, 2025.

The site for the MAP batting cages and private gym business currently shares a 14-space parking lot with another tenant and is planning for a total of seven (7) parking spaces assigned to MAP onsite. A restripe of the parking lot could result in a loss of one parking space, leaving a total of 13 spaces to be shared among MAP and the other tenant. As noted in the introduction, because the two tenants are projected to peak during different times of the day (MAP in the evenings and weekends, the other tenant on weekdays during the day), there is a possibility that onsite parking spaces could be shared efficiently. In addition to the onsite parking spaces, there are existing onstreet parking spaces available to the public and used by residents and businesses. For this analysis, the study area includes the streets bordering the site as the immediate parking option for prospective MAP patrons, and the nearby surrounding blocks that could carry overflow demand. Figure 2. shows a map of the study area for this



analysis, with the project site ("Halldale Site") highlighted in red. The on-street parking along the 13000 block of Halldale Ave is also highlighted in orange as these are likely the first spaces outside of the onsite parking that prospective patrons may utilize to visit MAP.

Bounding Streets:

- Halldale Ave [North South]
- W 130th Street [East West]
- Normandie Ave [North South]
- W 132nd Street [East East]

The site and surrounding area are primarily industrial zoned, reflected in the presence of large manufacturing and distribution facilities, and lack of residential lots (although 130th and 132nd streets have housing on their northern and southern edges, respectively). This results in wide streets to accommodate industrial vehicles with high parking usage during working hours.

Current Study Area Parking Supply/Inventory

STREET	N	S	E	W	STREET TOTAL
HALLDALE	-	_	18 (Striped)	21 (Curb)	39
132 STREET	13 (Curb)	14 (Curb)	-	_	27
S NORMANDIE	_	_	9 (Curb)	11 (Curb)	20
130 STREET	14 (Curb)	14 (Curb)	-	_	28
TOTAL					114

Table 1. | Source: Data. Walker Consultants, 2025.

Most of the streets surrounding the project site have parallel unstriped parking spaces. Halldale Avenue has 18 east-facing, angled spaces in the presented study area. The other side of Halldale, along with the other three streets, have curb parking. The totals have been determined by analyzing peak parking hours and seeing if and how many spaces where additional regular-sized civilian vehicles could fit. It should be noted that these totals could fluctuate by one or two depending on the size of parked vehicles and the space left between. Combined, the total number of on-street parking spaces in the study area (streets surrounding 13008 Halldale Ave) is 114. Along Halldale specifically, which is the street that fronts the proposed MAP location, there are 39 on-street spaces.



Site Photos



Figure 3. | Eastbound on 132nd Street. 2:00 PM Gardena. 1/14/25. Source: Walker Consultants, 2025.



Figure 4. | Eastbound on 130th Street. 12:00 PM Gardena. 1/14/25. Source: Walker Consultants, 2025.





Figure 5. | Eastbound on 130th Street. 7:00 PM Gardena. 1/9/25. Source: Walker Consultants, 2025.



Figure 6. | Southbound on Halldale Ave. 2:00 PM Gardena. 1/14/25. Source: Walker Consultants, 2025.



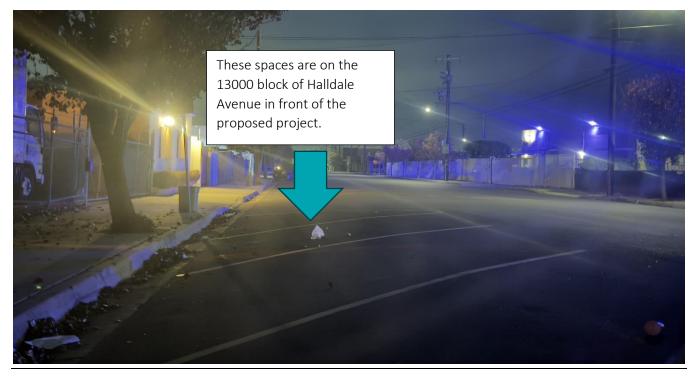


Figure 7. | Southbound on Halldale Ave. 6:00 PM Gardena. 1/9/25. Source: Walker Consultants, 2025.

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Hours of Operation for Existing Land Uses

The prospective MAP facility is slated to operate between 8:00 AM and 9:00 PM, with peak activity occurring after 5:00 PM. As shown in the following figure, many of the businesses in the area are closed by 5:00 PM, with all but one closed by 6:00 PM. The results indicate that almost all of the businesses around the project site are closed before peak activity at the MAP site is projected to occur. While the prospective project is slated to open as early as 8:00 AM, per MAP, prior to 4:00 PM, activity is expected to be low, as MAP primarily caters to student-athletes, who during the day are in classes. Additionally, the personal training focus differs from a traditional gym as access is limited to only patrons that sign up for one-on-one training sessions. At most, there will be two trainers on site conducting the one-on-one sessions.

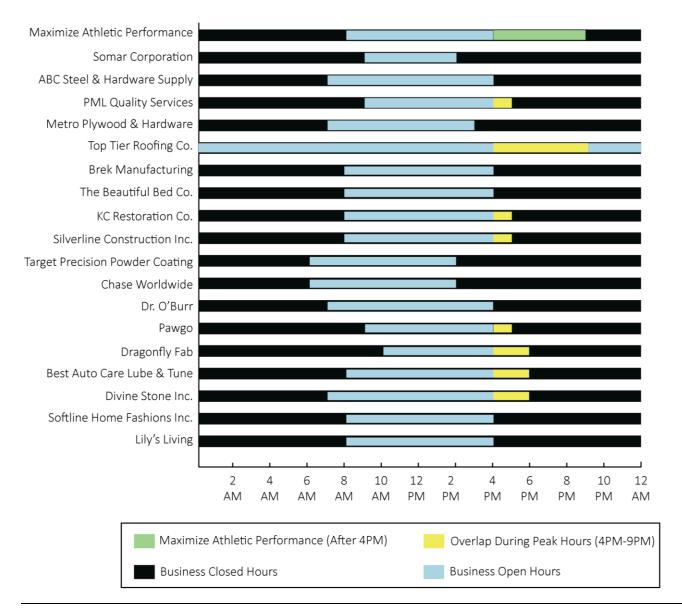


Figure 8. | Weekday Hours of Operation. Source: Data. Walker Consultants, 2025.



Parking Needs Analysis

METHODOLOGY

Walker conducted parking occupancy counts at nearby Rex's Baseball Batting Cage located in the West Athens neighborhood of unincorporated Los Angeles County, just one mile north of the study site. Counts at Rex's were conducted on a Thursday between 5:00 PM and 8:00 PM to determine a design day parking demand for the prospective MAP facility. In projecting parking needs, it is important to consider the appropriate "design day" which represents the level of parking demand that the parking system is designed to accommodate. The design day is typically equal to the 85th to 95th percentile of absolute peak activity. Although we will occasionally design to a higher-than-typical design standard, such as one exceeded less than one day per month or even the absolute peak level of demand, we do not typically design to these extreme conditions because the result is an overabundance of parking spaces that remain unused most of the time.

In addition to counts at a nearby comparable batting cage facility, Walker also conducted on-street parking occupancy counts across two days, recording hourly on-street parking counts for each street bordering the site's block to capture consistent occupancy data: Tuesday morning through early evening, and Thursday evening into early nighttime. The counts covered the 9:00 AM to 8:00 PM time period, offering a holistic view of parking trends through a standard business operating day within the site's radius. The on-street counts are intended to highlight parking usage within the study area and whether there is availability to accommodate parking demand generated by the MAP site.

After collection, this data was sorted and visualized to conduct a parking trends analysis that brought Walker to its findings and site-specific recommendations.

Batting Cage and Personal Training Parking Demand

Batting Cage Demand

Rex's Baseball Batting Cage is a stand-alone use that contains eight (8) batting cages and 18 parking spaces (1 ADA, 17 regularly striped stalls) to serve patrons. Rex's operates Monday through Thursday 1:00 PM - 9:00 PM, Friday & Saturday 11:00 AM - 9:00 PM, and Sunday 11:00 AM - 7:00 PM.

Walker conducted a cage activity and parking count at the Rex's during weekday hours of 5:00 PM through 8:00 PM on a Thursday, thus capturing a reference for a comparable business in a nearby area, supplementing the bulk of Walker's parking study at the proposed project site. The results of the data collection are as follows:

- Peak parking demand occurred at 5:00 PM when there were 5 vehicles parked in Rex's parking lot while 5 batting cages were in use.
- At 6:00 PM, there were 4 vehicles parked and 4 batting cages in use.
- At 7:00 PM and 8:00 PM, there were 3 vehicles parked and 3 batting cages in use.

Memorandum





 The resulting ratio of parked vehicles per batting cages in use was 1.0. In other words, the observed parking demand ratio was 1 vehicle per batting cage in use.

To apply the findings from the vehicle counts at Rex's to the proposed MAP project, we employ a vehicles per batting cage in-use ratio. In this case, the ratio was 1 vehicle per batting cage. Since MAP will have three batting cages, we project that at peak, there will be at least three vehicles, since there are three batting cages. To account for at least one employee onsite, we add a .33 space per cage ratio, for a total batting cage ratio of 1.33 per cage.

Personal Training (Gym) Demand

As discussed previously, the MAP facility will also feature 877 square feet of personal training space. Since this area will function as a personal training area, it differs from that of traditional gym or health club space. For example, per the Gardena municipal code, the minimum parking requirement for a physical fitness center or health club is 1 parking space per every 150 square feet of gross floor area. That means that the requirement is 6 parking spaces for an 877 square foot space. Similarly, the ULI/Shared Parking Model lists a base ratio of 7 spaces per 1,000 square feet of gross leasable area. However, since the area is intended to be used for personal training only, and since there will only be two trainers onsite working under a one-on-one training scheme, we project that the training area will generate four parking spaces under typical conditions.

Total MAP Parking Demand

If we add the three (3) spaces projected to be needed for the batting cages at 1.33 per cage, plus the four (4) spaces projected to be needed for the personal training area (2 for trainers, 2 for trainees), and add potential overlap of clients waiting for a training session to begin or for a cage to open up, we project a need for thirteen (13) parking spaces under peak conditions. However, peak conditions are not expected to occur at all times. Under typically busy conditions, there may be 11 spaces in demand, or 85 percent of peak.

As noted previously, given that MAP will share 13 (after the lot is restriped) parking spaces with another tenant, and because the other tenant closes (at 2:30 PM) well before the peak at MAP is projected to occur (after 5:00 PM), most if not all of MAP's parking demand should be accommodated onsite assuming sharing of all onsite spaces occurs. However, if MAP is only allocated a portion of spaces to use onsite, it may need to rely on street parking.

The following section shows the results of the on-street parking counts conducted on the streets surrounding MAP.

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On-Street Parking Demand

STREET	SUPPLY	9AM	10AM	11AM	12PM	1PM	2PM	3PM	4PM	5PM	6PM	7 PM	8PM
HALLDALE	39	17	24	30	28	31	29	29	20	3	2	4	3
132 ST	27	20	21	23	23	26	27	24	19	14	14	16	16
NORMANDIE	20	8	12	18	16	10	9	5	3	3	2	2	1
130 ST	28	24	27	16	28	26	26	26	27	22	23	23	25
TOTAL	114	69	84	87	95	93	91	84	69	42	41	45	45
ОСС		61%	74%	76 %	83%	82%	80%	74%	61%	37 %	36%	39%	39%
AVAILABLE (STUDY AREA)		45	30	27	19	21	23	30	45	72	73	69	69
AVAILABLE (HALLDALE)		22	15	9	11	8	10	10	19	36	37	35	36

Table 2. | Source: Data. Walker Consultants, 2025.

Table 2 shows the parked vehicle counts for each street during weekday hours from 9:00 AM to 8:00 PM. Weekday evening counts reflect low utilization rates for on-street parking in the study area, with an average of 37% from 5:00 PM to 8:00 PM. This means that out of a total inventory of about 114 spaces, 70± of them were free during the evening hours, when MAP activity is projected to be at its highest. The availability of parking at these times is reflective of the non-residential, industrial zoning of the site area. Observing the peak hours, occupancy does not surpass 83%, meaning at any moment, there will be at least 19 parking spaces available across all four streets.

A more granular view of the data shows that during the 12:00 PM count when there were 19 spaces available on street in the study area, 11 of those were along Halldale Ave, specifically spaces located along the same block as MAP. Between 4:00 PM and 8:00 PM when MAP activity is projected to peak, there were 19-37 spaces available along Halldale Ave. Since Halldale Ave is likely the first street that MAP patrons will search for parking if they do not find a space onsite, the results of the occupancy counts indicate that there is sufficient available capacity on the street, specifically Halldale Ave, to accommodate MAP patrons without negatively impacting surrounding businesses.

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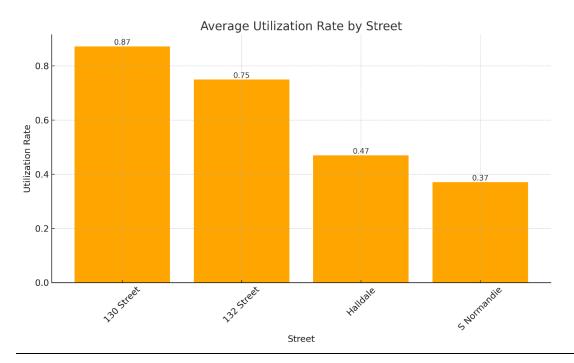


Table 3. | Source: Data. Walker Consultants, 2025.

Table 3 highlights average parking space utilization by Street. 130th Street has the highest average occupancy rate at 87%, along with 132nd Street, which has an occupancy rate of 75%. Both are edged by residential lots, suggesting that the high occupancy rate is due to shared parking by residents and employees. Normandie Avenue has the lowest occupancy rate at 37%. This may be because Normandie is a high-traffic arterial, and users are choosing to park on less busy streets.

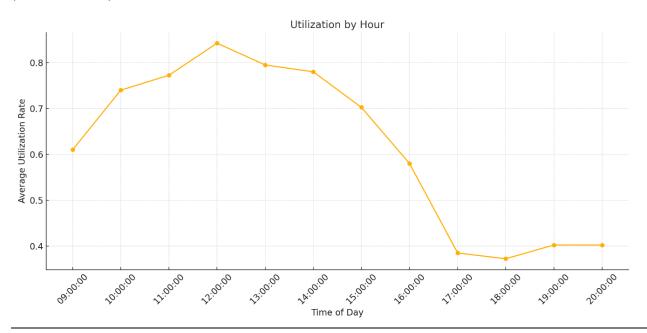


Table 4. | Source: Data. Walker Consultants, 2025.



The line graph in Table 4 reveals average parking occupancy rates across all four streets over a typical weekday. The gradual rise and fall of the line suggests consistent usage patterns tied to daily routines, including working hours and commercial activity. It highlights distinct peak and low periods, reflecting higher demand from late morning to the mid-afternoon and lower demand from the early evening into early night hours. These trends are typically expected of demand driven by employee hours and business activities, showing an inverse of parking demand in residential areas. Lower demand periods offer opportunities when inventory increases for alternative business hours, activities, and users.

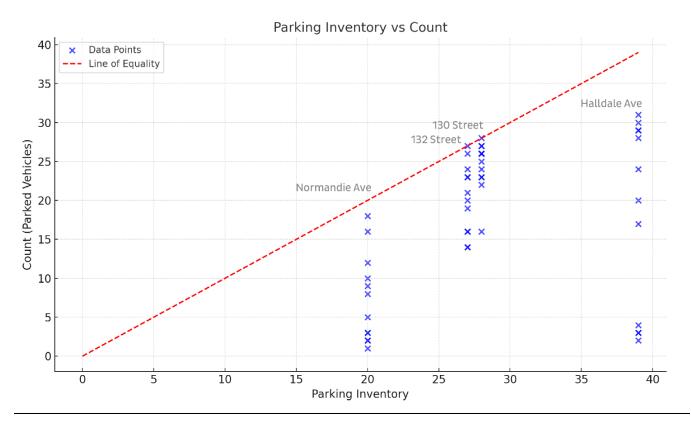


Table 5. | Source: Data. Walker Consultants, 2025.

Table 5 Illustrates the relationship between parking inventory for each street and the number of vehicles observed parked across all the streets, illustrating the distribution of counts in relation to the inventory' i.e. the fluctuation in occupancy. The diagonal line of equality is the boundary between under and overcapacity. Points near the line reflect efficient utilization, when the number of observed vehicles closely match inventory. The more equally distributed the data points are, the less strain that street experiences through the day. If points are consolidated near the line, that suggests that the street is consistently near capacity. On the other hand, points with space between the line of equality or consolidated at the bottom suggest underutilization of a street.



Streets Inventories:

- Normandie Ave 20
- W 132nd Street 27
- W 130th Street 28
- Halldale Ave 39

Halldale Ave has a steady distribution of points, which means it consistently has parking spaces open, even during peak demand hours. The same is true for Normandie Ave, although it neared its capacity more than Halldale did. Both 130th and 132nd streets were consistently near or at capacity, reflecting efficient utilization. However, that efficiency also means there is limited room for additional vehicles throughout the day as spaces are consistently occupied.

PARKING NEEDS FINDINGS

- Walker's study indicates that there is consistent availability of parking throughout the day for patrons to utilize on-street parking should it be needed within a 1500-foot radius of MAP's facility.
- Walker projects that under peak conditions, MAP will need 13 parking spaces. Given that MAP will share a 13-space parking lot with another tenant, and that the tenant's business closes weekdays at 2:30 PM, well before MAP is projected to peak (5:00 PM), there are possible efficiencies to be gained in sharing parking if allowed. However, if MAP is only allowed to utilize seven (7) onsite spaces, the additional six (6) spaces needed during the peak could be found on the street without materially impacting the surrounding neighborhood or its businesses and residents. Along Halldale Avenue, there were only 2-4 vehicles parked between 5:00 PM and 8:00 PM when Walker conducted counts, which means that there were more than 35 on-street parking spaces available on Halldale Avenue in front of the MAP site.
- Parking utilization for the block on which MAP will be located trends with a rise from 9:00 AM to 11:00 AM, a peak at noon, and a 10% 20% decrease in hourly utilization from 2:00 PM to 5:00 PM. From 5:00 PM on, utilization maxes at under 40%. In other words, after 5:00 PM during weekdays, there are approximately 70 spaces available on the streets surrounding the MAP facility, with about 35± along Halldale Ave alone.
- In Walker's professional opinion, available on-street parking spaces are an asset that should be utilized for public goods such as economic development, facilitation of the transportation system, and general public use. Providing parking for a business and public use during off hours for other area businesses is efficient and desirable and the use for which on-street parking in a generally commercial area is intended.
- Ultimately, Walker projects that there will be no material parking impact to the surrounding community as there is sufficient onsite and on-street parking available to appropriately accommodate parking demand generated by MAP during peak periods and because a remaining 35± space on-street parking space surplus is projected along Halldale Ave directly fronting the MAP facility.

Memorandum



13008 Halldale Parking Study 37-010090-00

END OF MEMO

CITY OF GARDENA PLANNING AND ENVIRONMENTAL QUALITY COMMISSION

STAFF REPORT ZONE TEXT AMENDMENT #1-25 RESOLUTION NO. PC 7-25 AGENDA ITEM # 7.B

DATE: May 6, 2025

TO: Chair Henderson and Members of the Planning and

Environmental Quality Commission

FROM: Greg Tsujiuchi, Community Development Director

PREPARED BY: Kevin La, Planning Assistant

APPLICANT: City of Gardena

LOCATION: Citywide

REQUEST: The Planning and Environmental Quality Commission will consider

approving a resolution recommending that the City Council adopt Ordinance No. 1883 amending Chapter 18.13 of the Gardena Municipal Code relating to accessory dwelling units and junior accessory dwelling units and making a assessment that the resolution is exempt from CEQA pursuant to Public Resources

Code Section 21080.17.

BACKGROUND

California State laws regarding Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs) have continued to be amended by the State legislature for the past several years. There were two recent bills passed that have impacted accessory dwelling units. AB 2533 and SB 1211 made modifications to the statewide regulations for ADU and JADU development standards and controls that included expansions to permit unpermitted constructed ADUs and JADUs, no replacement of uncovered parking spaces, added definitions including "livable space," increasing the number of detached ADUs in multifamily zoned lots, and reference consistency between general government code or city ordinances.

Recommending that the City Council adopt the proposed ordinance (Attachment A to Exhibit 1) would ensure that the City has in place minimum ADU and JADU development standards and controls that are consistent with State law. The proposed changes to the Gardena Municipal Code may be viewed through Attachment B. The Planning Commission is being asked to consider amendments to the City's municipal code

regarding Title 18 Zoning and make the environmental assessment in accordance with the California Environmental Quality Act.

ANALYSIS

Between the two bills, the following provisions would apply:

- Changes the references to the California Government Code Sections for ADUs/JADUs from §65852.2 and 65852.22 to §66310 through 66342.
- Applicant usage of preapproved ADU plans approved by the City, or identical plans used for detached ADUs by the California Building Standards Code cycle, shall be approved for denied within 30 days from the date of a complete application.
- State prohibition for a city to deny unpermitted ADUs constructed before January 1, 2018, now includes JADUs and changed the alreadyconstructed unpermitted ADU cutoff date to January 1, 2020.
 - Definition of an unpermitted ADU or JADU shall be based on either of the following:
 - The ADU is in violation of building standards of the Health and Safety Code § 17960; or
 - The ADU does not comply with state law or the provisions of Gardena Zoning Code regulating ADUs.
 - Denial of a permit for an unpermitted ADU can now only occur if correcting the violation is necessary to remedy conditions that would otherwise deem a building substandard under Health and Safety Code § 17920.3.
 - Prior to submission of an unpermitted ADU, the homeowner may obtain a confidential third-party code inspector to determine the unit's condition or potential scope of building improvements.
 - Upon submission of an unpermitted ADU or JADU, a Building inspector may inspect the unit for compliance with health and safety standards and provide recommendations to comply with such standards. The city shall not penalize applicants for having unpermitted ADU(s) or a JADU.
 - No impact fees or connection or capacity charges shall be imposed on the homeowner applying for a permit for an unpermitted ADU or JADU, except when required to comply with Health and Safety Code § 17920.3 and authorized by Government Code § 66324(e).
 - Until January 1, 2030, the city shall issue a statement along with a notice to correct a violation of any building standards for ADUs.

- Clarifies that ADUs may be constructed in an existing accessory structure.
- Changes Government Code reference from § 65852.26 to § 66341 for prohibitions of ADUs to be sold separately from the primary dwelling with exceptions for qualified nonprofit corporations.
- Clarifies definition for "impact fee" to be the same as Government Code § 66324.
- Expanded the criteria for connection fees/capacity charges.
 - ADUs shall not be considered as a new residential use for calculating connection fees or capacity charges for utilities, unless the ADU is being constructed in conjunction with a new single-family dwelling.
 - The city shall not impose a connection fee or capacity charge for an ADU that is contained within the proposed existing single-family dwelling. For all other ADUs, the city shall charge a connection fee or capacity charge proportionate to the size of the unit or number of plumbing fixtures.
- Clarifies when an ADU is proposed with a new primary dwelling unit, the City shall not issue a Certificate of Occupancy for an ADU until one is issued for the primary dwelling unit.
- Changes Government Code reference from § 65852.2(i) to § 66313 for a passageway to be required for the construction of an ADU.
- Clarifies the minimum size of an ADU shall not be less than what is allowed for an efficiency unit.
- Clarifies that the required parking for an ADU is one space per ADU that
 contains at least one bedroom. No parking space requirement for a
 studio unit or for an ADU created within an existing living space.
- Unless an ADU is being constructed with a new single-family dwelling, the city shall not require the installation of a new or separate utility connection.
- Clarifies that up to twenty-five percent of the existing total multifamily dwelling units can be converted from non-livable space on multifamily lots.
 - On a lot with proposed multifamily dwelling units, up to two detached ADUs may be proposed in conjunction.
- On a lot with an existing multifamily dwelling structure, up to eight (8) detached ADUs, but no more than the existing units on the lot, may be proposed, provided they do not exceed height requirements and the four-foot side and rear yard setbacks in accordance with Gardena

Municipal Code Section 18.13.050.(G)(1) through (3).

- The installation of fire sprinklers in ADUs is not required if the primary residence does not require them under the provisions of mandatory ADU approvals.
- Specifies that no ADU may be rented for a period of 30 days or less.
- Changes Gardena Municipal Code reference from § 18.13.060(F)(1) through (3) to § 18.13.060A.1 or 2 for the allowance to construct a JADU on the same lot as an ADU.

ENVIRONMENTAL REVIEW

Adoption of this ordinance is statutorily exempt from CEQA pursuant to Public Resources Code section 21080.17, which provides that CEQA does not apply to the adoption of an ordinance to implement ADU law.

NOTICING

The public hearing notice was published in the Gardena Valley News on April 10, 2025 (Attachment C). A copy of Proof of Publication and Affidavit of Mailing are on file in the office of the Community Development Department Room 101, City Hall, and are considered part of the record.

RECOMMENDATION

Staff recommends the Planning and Environmental Quality Commission to:

- 1) Open the public hearing;
- 2) Receive testimony from the public;
- 3) Close the public hearing; and
- 4) Adopt Resolution PC 7-25 recommending that the City Council adopt Ordinance No. 1883.

ATTACHMENTS

- A Planning Commission Resolution No. PC #7-25 Exhibit 1 – Ordinance No. 1883
- B Proposed Changes to Gardena Municipal Code Redlines to Ordinance No. 1883
- C Public Hearing Notice

RESOLUTION NO. PC 7-25

A RESOLUTION OF THE PLANNING AND ENVIRONMENTAL QUALITY COMMISSION OF THE CITY OF GARDENA, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL APPROVE ORDINANCE NO. 1883 AMENDING CHAPTER 18.13 OF THE GARDENA MUNICIPAL CODE RELATING TO ACCESSORY DWELLING UNITS AND FIND THAT THE ORDINANCE IS STATUTORILY EXEMPT UNDER CALIFORNIA ENVIRONMENTAL QUALITY ACT PURUSANT TO PUBLIC RESOURCES CODE SECTION 21080.17.

RECITALS

- A. State laws regarding Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs) have been amended by the State legislature.
- B. The City of Gardena wishes to amend its Municipal Code provisions regarding ADUs and JADUs to be compliant with State law.
- C. A notice of public hearing was duly published for the Planning and Environmental Quality Commission on April 10, 2025.
- D. On May 6, 2025, the Planning Commission of the City of Gardena held a duly noticed public hearing and adopted Resolution No. PC 7-25, recommending that the City Council adopt Ordinance No. 1883.

NOW, THEREFORE, THE PLANNING AND ENVIRONMENTAL QUALITY COMMISSION OF THE CITY OF GARDENA DOES HEREBY RESOLVE AS FOLLOWS:

The Planning and Environmental Quality Commission hereby recommends that the City Council adopt Ordinance No. 1883, attached hereto as Exhibit 1, amending Chapter 18.13 of the Gardena Municipal Code relating to accessory dwelling units and junior accessory dwelling units.

After considering all evidence, both written and oral, and based upon the reasons provided by staff, the Planning and Environmental Quality Commission believes that these changes are necessary and in the best interests of the City of Gardena.

PASSED, APPROVED, AND ADOPTED this 6th day of May 2025.

DERYL HENDERSON, CHAIR PLANNING AND ENVIRONMENTAL QUALITY COMMISSION

ZTA #1	1-25
May 6,	2025
Page 2	of 2

ATTEST:

GREG TSUJIUCHI, SECRETARY
PLANNING AND ENVIRONMENTAL QUALITY COMMISSION
STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
CITY OF GARDENA

I, Greg Tsujiuchi, Planning and Environmental Quality Commission Secretary of the City of Gardena, do hereby certify that the foregoing Resolution was duly adopted by the Planning and Environmental Quality Commission of the City of Gardena at a regular meeting thereof, held the 6th day of May 2025, by the following vote:

AYES: NOES: ABSENT:

Attachments:

Exhibit 1 – Ordinance No. 1883

ORDINANCE NO. 1883

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA AMENDING CHAPTER 18.13 OF THE GARDENA MUNICIPAL CODE RELATING TO ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS AND MAKING A DETERMINATION THAT THE ORDINANCE IS EXEMPT FROM CEQA PURSUANT TO PUBLIC RESOURCES CODE SECTION 21080.17

WHEREAS, State law regarding Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs) has been continually amended by the State legislature; and

WHEREAS, the City of Gardena wishes to amend its provisions on ADUs and JADUs to be compliant with State law; and

WHEREAS, on May 6, 2025 the Planning Commission held a duly noticed public hearing 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 that the City Council adopt this Ordinance, including the finding that adoption is exempt from CEQA; and

WHEREAS, on XXX, 2025, the City Council held a duly noticed public hearing 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. Chapter 18.13 of the Gardena Municipal Code is hereby amended to read as follows:

Chapter 18.13 ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS 18.13.010 Purpose.

A. In enacting this section, it is the intent of the city to encourage the provision of accessory dwelling units to meet a variety of economic needs within the city and to implement the goals, objectives, and policies of the housing element of the general plan. Accessory dwelling units provide housing for extended family members, students, the elderly, in-home health care providers, the disabled, and others, at below market prices within existing neighborhoods. Homeowners who create accessory dwelling units can benefit from added income, and an increased sense of security. Allowing accessory dwelling units in zones allowing residential uses provides needed additional rental housing. This chapter provides the requirements for the establishment of accessory

dwelling units consistent with California Government Code Sections 66310 through 66342.

- B. For purposes of this chapter, "primary dwelling" shall mean as follows:
- 1. In the case of a single-family residential zone, the existing single-family dwelling, or the larger of two proposed units.
- 2. In the case of any other residential or mixed-use zone in which a single-family dwelling exists on the property, the existing dwelling.
- 3. In the case of multifamily or mixed-use zone which allows a residential use, the existing or proposed multifamily units.
- C. For purposes of this chapter, words and phrases defined in Government Code Sections 66310 through 66342 shall have the same meaning when used in this chapter.
- D. In cases of conflict between this chapter and any other provision of this title, the provisions of this chapter shall prevail. To the extent that any provision of this chapter is in conflict with state law, the mandatory requirement of state law shall control, but only to the extent legally required.

18.13.020 Applications – Junior and accessory dwelling units.

- A. Applications for junior and accessory dwelling units shall be ministerially approved or denied within sixty days of receipt of a complete application and approved if they meet the requirements of this chapter.
- 1. If the application is submitted in conjunction with an application for a new single-family or multifamily dwelling, the application for the junior or accessory dwelling unit shall not be acted upon until the application for the new single-family or multifamily dwelling is approved.
- 2. If the application is denied, the city shall return a full set of comments in writing to the applicant with a list of items that are defective or deficient with a description of how the application can be remedied by the applicant. These comments shall be provided to the applicant within sixty days of a complete application.
- 3. If a detached garage is to be replaced with an accessory dwelling unit, the demolition permit shall be reviewed with the application for the accessory dwelling unit and issued at the same time.
 - 4. The city shall grant a delay if requested by the applicant.
- 5. Notwithstanding the above, if the applicant uses a plan for an accessory dwelling unit that has been preapproved by the city or a plan that is identical to a plan used in an application for a detached accessory dwelling unit approved by the city within the current triennial California Building Standards Code cycle, the application shall be approved or denied within 30 days from the date of a complete application.

- B. All applications for junior and accessory dwelling units shall be accompanied by an application fee.
- C. Junior and accessory dwelling units shall be subject to applicable inspection and permit fees.
- D. Neither an application for a junior nor an accessory dwelling unit shall be denied due to the need to correct nonconforming zoning conditions, building code violations, or unpermitted structures that do not present a threat to public health and safety and are not affected by the construction of the unit.

18.13.025 Unpermitted structures constructed prior to January 1, 2020.

- A. Unless the local agency makes a finding that correcting the violation is necessary to comply with the standards specified in Section 17920.3 of the Health and Safety Code, no application or permit shall be denied for an ADU or JADU that was constructed prior to January 1, 2020, based solely on either of the following:
- 1. The ADU is in violation of building standards pursuant to Article 1 of Chapter 5 of Part 1.5 of Division 13 of the Health and Safety Code (commencing with Section 17960); or
- 2. The ADU does not comply with state law or the provisions of the Gardena Zoning Code regulating ADUs.
- B. The provisions of subsection A shall not apply to a building that is deemed substandard pursuant to Section 17920.3 of the Health and Safety Code.
- C. Before submitting an application for a permit, the homeowner may obtain a confidential third-party code inspection from a licensed contractor to determine the unit's existing condition or potential scope of building improvements before submitting an application for a permit.
- D. Upon receiving an application to permit a previously unpermitted ADU or JADU constructed before January 1, 2020, an inspector from the city may inspect the unit for compliance with health and safety standards and provide recommendations to comply with such standards in order to obtain a permit. The city shall not penalize an applicant for having the unpermitted ADU or JADU and shall approve necessary permits to correct noncompliance with health and safety standards.
- E. No impact fees or connection or capacity charges shall be imposed on a homeowner applying for a permit for a previously unpermitted junior or accessory dwelling unit built before January 1, 2020, except when the utility infrastructure is required to comply with Health and Safety Code Section 17920.3 and authorized by Government Code Section 66324(e).
- F. Enforcement. Until January 1, 2030, the city shall issue a statement along with a notice to correct a violation of any provision of any building standard relating to an accessory dwelling unit that provides substantially as follows:

You have been issued an order to correct violations or abate nuisances relating to your accessory dwelling unit. If you believe that this correction or abatement is not necessary to protect the public health and safety you may file an application with the Community Development Director. If the city determines that enforcement is not required to protect the health and safety, enforcement shall be delayed for a period of five years from the date of the original notice.

18.13.030 Zones/locations allowed.

- A. Accessory dwelling units shall be allowed on all legally existing residentially zoned lots where a single-family dwelling exists or has been proposed.
- B. Accessory dwelling units shall be allowed on all legally existing residentially zoned lots where an existing multifamily structure exists or has been proposed.
- C. Accessory dwelling units shall be allowed on all legally existing mixed-use zoned lots where an existing single-family or multifamily dwelling exists or has been proposed.
- D. Nothing herein is meant to override the provisions of conditions, covenants, and restrictions for a housing development project relating to accessory dwelling units to the extent such restrictions comply with state law.
- E. An accessory dwelling unit may be constructed in an attached or detached garage or in an existing accessory structure.

18.13.040 General requirements.

- A. Number. Unless otherwise allowed by Section <u>18.13.060(A)</u>, only one accessory dwelling unit may be allowed per residential lot.
- B. Accessory dwelling units shall not be sold separately from the primary dwelling, except to the extent that the sale meets the requirements of Government Code Section 66341 with regard to a qualified nonprofit corporation.
- C. Neither the accessory dwelling unit nor any other residence located on the property, nor any part thereof, shall be rented out for less than thirty-one consecutive calendar days.
- D. Repealed.
- E. Fees.
 - 1. Impact fees.
- a. No impact fee shall be imposed on any accessory dwelling unit less than 750 square feet in size.
- b. For accessory dwelling units 750 square feet or greater, impact fees shall be charged proportionately in relation to the square footage of the primary dwelling.

- c. All applicable public service and applicable recreation impact fees shall be paid prior to occupancy in accordance with Government Code Sections <u>66000</u> et seq. and <u>66012</u> et seq.
- d. For purposes of this section, "impact fee" shall have the same meaning as set forth in Government Code Section 66324 .

2. Connection Fees/Capacity Charges.

- a. An accessory dwelling unit shall not be considered to be a new residential use for purposes of calculating connection fees or capacity charges for utilities, including for water and sewer service, unless the accessory dwelling unit is being constructed with a new single-family dwelling.
- b. For an accessory dwelling unit contained within a proposed or existing single-family dwelling meeting the requirements of Section 18.13.060A.1, the city shall not impose a connection fee or capacity charge, unless the unit is being constructed with a new single-family dwelling. For all other accessory dwelling units, the city shall charge a connection fee or capacity charge that is proportionate to the burden of the proposed accessory dwelling unit based on the size of the unit or number of plumbing fixtures.
- F. Accessory dwelling units shall not count in determining density or lot coverage and are considered a residential use consistent with the existing general plan and zoning designation for the lot.
- G. A deed restriction shall be required to be recorded against the property on which an accessory dwelling unit is constructed, which restriction shall run with the land. The deed restriction shall provide for the following:
- 1. A prohibition on the sale of accessory dwelling unit separate from the sale of the primary dwelling(s), except as provided in Government Code Section 66341;
- 2. A restriction that prohibits the accessory dwelling unit from being enlarged beyond that which is permitted by Chapter 18.13;
- 3. A restriction from renting either the accessory dwelling unit or the primary dwelling(s) or any portions thereof for less than thirty-one consecutive calendar days;
- 4. A statement that the deed restrictions may be enforced against future purchasers.
- 5. A statement that the city shall be entitled to all legal and equitable remedies available under the law upon the default of any covenant in the deed restriction.
- 6. A statement that the prevailing party shall be entitled to reimbursement of its reasonable attorneys' fees and costs.

H. When an accessory dwelling unit is being proposed with a new primary dwelling unit, the city shall not issue a certificate of occupancy for an accessory dwelling unit before it issues a certificate of occupancy for the primary dwelling unit.

18.13.050 Development regulations.

- A. Accessory dwelling units shall be required to comply with the objective development standards of the underlying zoning district and the applicable provisions of Chapter <u>18.42</u> unless superseded by a provision of this chapter or if such regulation prohibits the construction of an accessory dwelling unit of at least eight hundred square feet.
- B. An accessory dwelling unit shall have a separate entrance from the primary dwelling which shall be located on a different plane than the entrance for the primary dwelling in the case of a single-family dwelling.
- C. No passageway as defined in Government Code Section 66313 shall be required for the construction of an accessory dwelling unit.
- D. Accessory dwelling units shall comply with all applicable building code requirements with the exception that fire sprinklers shall not be required in an accessory dwelling unit if they are not required for the primary dwelling and the construction of an accessory dwelling unit shall not trigger a requirement for sprinklers to be installed in the primary dwelling.

E. Size.

- 1. The floor area of an attached or detached accessory dwelling unit shall not exceed eight hundred fifty square feet for a studio or one bedroom or one thousand square feet for a unit that contains more than one bedroom.
- 2. The minimum size of an accessory dwelling unit shall not be less than that allowed for an efficiency unit.
- 3. The development standards of this section shall be waived to the extent required in order to allow an accessory dwelling unit that is eight hundred square feet, that does not exceed the height requirements set forth in subsection F of this section, and has a minimum of four-foot side and rear yard setbacks.
- F. Setbacks. Except as specified below, an accessory dwelling unit shall be required to comply with the setback requirements of the zone in which the unit is to be located.
- 1. No setback shall be required for an existing living area, or a legally existing accessory structure, including a garage, that is converted to an accessory dwelling unit or a new accessory dwelling unit constructed in the same location and built to the same dimensions as the existing structure.

- 2. No setback greater than four feet shall be required for side and rear yard setbacks for all other accessory dwelling units not covered by subsection F.1 of this section.
- 3. An attached or detached accessory dwelling unit shall be at least six feet from all other buildings on the lot or on any adjacent lot.
- 4. An attached or detached accessory dwelling unit shall be located behind the front yard setback, unless the accessory dwelling unit is being constructed in the exact location and to the same dimensions as a previously existing approved accessory structure, including an attached or detached garage. This requirement shall be waived to the extent that it prohibits an accessory dwelling unit of eight hundred square feet from being built with four-foot side and rear yard setbacks in compliance with all other development standards.
- 5. No portion of an accessory dwelling unit may encroach into any public or private easement such as a utility easement unless the easement holder has provided written permission to construct the accessory dwelling unit in the manner proposed. To establish a rebuttable presumption of compliance with this requirement, the applicant may provide a written declaration under penalty of perjury affirming compliance with this requirement. The declaration shall be in a form acceptable to the city attorney.
- G. Height. The height of an accessory dwelling unit shall be as follows:
- 1. A height of sixteen feet for a detached accessory dwelling unit on a lot with an existing or proposed single-family or multifamily dwelling unit.
- 2. A height of eighteen feet for a detached accessory dwelling unit on a lot with an existing or proposed single-family or multifamily dwelling unit that is within one-half mile walking distance of a major transit stop or a high-quality transit corridor. An additional two feet shall be allowed if required to accommodate a roof pitch on the accessory dwelling unit that is aligned with the roof pitch of the primary dwelling unit.
- 3. A height of eighteen feet for a detached accessory dwelling unit on a lot with an existing or proposed multifamily, multistory dwelling.
- 4. A height of twenty-five feet or the height limit of the applicable zone that applies to the primary dwelling, whichever is lower, for an accessory dwelling unit that is attached to a primary dwelling unit or built above an existing garage. In no event shall the accessory dwelling unit exceed two stories.
- 5. An accessory dwelling unit may be built on top of a garage; provided, that the garage is maintained for parking and the total height of the structure does not exceed twenty-five feet. If an accessory dwelling unit is built pursuant to this provision, a declaration shall be recorded that the garage must be maintained for parking.

H. Parking.

- 1. Parking shall be required at the rate of one space for each accessory dwelling unit that contains at least one bedroom. No parking spaces shall be required for a studio unit or for an accessory dwelling unit created within an existing living space.
- 2. Parking spaces may be provided through tandem parking on an existing driveway; provided, that such parking does not encroach into the public sidewalk.
- 3. Parking spaces for accessory dwelling units may be provided in paved portions of setback areas; provided, that the amount of paving does not exceed the total amount of paving and hardscaped areas that are otherwise allowed by this title.
- 4. When a garage, carport, uncovered parking space, or covered parking structure is demolished or converted in conjunction with the construction of an accessory dwelling unit, such parking spaces need not be replaced.
- 5. Tandem parking and parking in setback areas shall not be allowed if the community development director makes specific findings that such parking is not feasible based upon specific site or regional topographical, or fire and life safety conditions.
- 6. Notwithstanding any other provision of this subsection H, no parking shall be required for the accessory dwelling unit if any of the following conditions apply:
- a. The accessory dwelling unit is located within one-half mile walking distance of public transit;
- b. The accessory dwelling unit is located within an architecturally and historically significant district;
- c. The accessory dwelling unit is part of the proposed or existing primary dwelling or an existing accessory structure;
- d. When on-street parking permits are required, but not offered to the occupant of the accessory dwelling unit;
- e. When there is a car share vehicle located within one block of the accessory dwelling unit; or
- f. When a permit application for an accessory dwelling unit is submitted with a permit application to create a new single-family or multifamily dwelling on the same lot, provided the ADU or parcel satisfies any other criteria listed in this subsection H.

Utilities.

- 1. All utility installations shall be placed underground.
- 2. For an accessory dwelling unit contained within an existing single-family dwelling meeting the requirements of Section 18.13.060(A)(1), the city shall not require the installation of a new or separate utility connection between the accessory dwelling unit and the utility unless the accessory dwelling is being constructed with a new single-family dwelling.

- 3. For all other accessory dwelling units other than those described in subsection (I)(2) of this section, the city shall require a new or separate utility connection between the accessory dwelling unit and the utility.
- J. The number of curb cuts allowed shall be governed by the underlying zoning regulations.
- K. An applicant may turn an existing single-family dwelling into the accessory dwelling unit and develop a new primary residence elsewhere on the lot if both structures meet all requirements of this chapter and the R-1 zone, including size limitations.
- L. Affordability Information (RHNA). Applicants shall provide the city with all information reasonably requested by the city to allow the city to classify the ADU by income category for the city's annual housing report.

18.13.060 Mandatory approvals.

- A. Notwithstanding any other provision of this chapter, the city shall ministerially approve an application for any of the following accessory dwelling units within a residential or mixed-use zone:
- 1. One accessory dwelling unit and one junior accessory dwelling unit within the existing or proposed space of a single-family dwelling or accessory structure.
- a. An expansion of up to one hundred fifty square feet shall be allowed in an accessory structure solely for the purposes of accommodating ingress and egress.
- b. The junior or accessory dwelling unit shall have exterior access separate from the existing or proposed single-family dwelling.
 - c. The side and rear setbacks shall be sufficient for fire and safety.
- d. If the unit is a junior accessory dwelling unit, it shall comply with the requirements of Section <u>18.13.070</u>.
- 2. One new detached accessory dwelling unit with minimum four-foot side and rear yard setbacks on a lot with an existing or proposed single-family dwelling; provided, that the unit shall not be more than eight hundred square feet and shall not exceed the height requirements set forth in Section <u>18.13.050(G)(1)</u> through (3).
- a. A junior accessory dwelling unit may be developed in conjunction with this type of detached accessory dwelling unit, provided it complies with the requirements of subsection (A)(1) of this section.
- 3. On a lot with a multifamily dwelling structure, up to twenty-five percent of the existing total multifamily dwelling units, but no less than one unit, shall be allowed within the portions of the existing structure that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages; provided, that each unit complies with state building standards for dwellings.

- 4. On a lot with a proposed multifamily dwelling structure, up to two detached units; provided that neither unit exceeds the height requirements set forth in Section 18.13.050(G)(1) through (3) and has at least four-foot side and rear yard setbacks.
- 5. On a lot with an existing multifamily dwelling structure, up to eight detached units, but in no event more than the number of existing units on the lot, provided that neither unit exceeds the height requirements set forth in Section <u>18.13.050(G)(1)</u> through (3) and has at least four-foot side and rear yard setbacks.
- B. For those junior/or accessory dwelling units which require mandatory approval, the city shall not require the correction of nonconforming zoning conditions.
- C. The installation of fire sprinklers shall not be required in an accessory dwelling unit approved under this section if fire sprinklers are not required for the primary residence.
- D. No unit approved under this section shall be rented for a period of 30 days or less.

18.13.070 Junior accessory dwelling units.

- A. One junior accessory dwelling unit shall be allowed in an existing or proposed single-family dwelling, including in an attached garage. A junior accessory dwelling unit may also be allowed on the same lot as an accessory dwelling unit permitted under Section 18.13.060A.1 or 2.
- B. The junior accessory dwelling unit shall be required to contain at least an efficiency kitchen which includes a sink, cooking appliances and a food preparation counter and storage cabinets that are of reasonable size in relation to the junior accessory dwelling unit.
- C. The junior accessory dwelling unit shall be required to have a separate entrance from the primary dwelling which shall be located on a different side of the home than the front door of the primary dwelling.
- D. The junior accessory dwelling unit may, but is not required to, include separate sanitation facilities. If separate sanitation facilities are not provided, the junior accessory dwelling unit shall share sanitation facilities with the single-family residence and shall have direct access to the single-family residence from the interior of the dwelling unit.
- E. No additional parking shall be required for a junior accessory dwelling unit.
- F. Junior accessory dwelling units shall be required to comply with applicable building standards, except that fire sprinklers shall not be required if they were not required for the single-family residence.
- G. The city shall not require the correction of a nonconforming zoning condition as a requirement for the junior accessory dwelling unit.

- H. A deed restriction shall be required to be recorded on the property on which a junior accessory dwelling unit is constructed, which deed restriction which shall run with the land. The deed restriction shall provide for the following:
- 1. A prohibition on the sale of the junior accessory dwelling unit separate from the sale of the single-family residence;
- 2. A restriction that prohibits the junior accessory dwelling unit from being enlarged beyond five hundred square feet;
- 3. A restriction from renting either the junior accessory dwelling unit or the single-family dwelling or any part thereof for less than thirty-one consecutive calendar days;
- 4. A restriction that the owner resides in either the single-family dwelling or the junior accessory dwelling unit. Notwithstanding the foregoing, this restriction shall not apply if the owner of the single-family dwelling is a governmental agency, land trust, or housing organization;
- 5. A statement that the deed restrictions may be enforced against future purchasers;
- 6. A statement that the city shall be entitled to all legal and equitable remedies available under the law upon the default of any covenant in the deed restriction; and
- 7. A statement that the prevailing party shall be entitled to reimbursement of its reasonable attorneys' fees and costs.
- I. For the purposes of applying any fire or life protection ordinance or regulation, or providing service water, sewer, or power, including a connection fee, a junior accessory dwelling unit shall not be considered to be a separate or new dwelling unit.
- **SECTION 2**. **CEQA.** This Ordinance is exempt from CEQA pursuant to Public Resources Code Section 21080.17 which exempts ordinances implementing ADU ordinances.
- **SECTION 3.** 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 4.** 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.

SECTION 5. Effective Date. This Ordinance shall not become effective or be in force until thirty (30) days from and after the date of its adoption.

SECTION 6. HCD. The City Clerk shall send a copy of this Ordinance to the Department of Housing and Community Development as required by State law.

Passed, approved, and adopted this	day of	, 2025.
TASHA CERDA, Mayor		
ATTEST:		
MINA SEMENZA, City Clerk		
APPROVED AS TO FORM:		
CARMEN VASQUEZ, City Attorney		

PROPOSED CHANGES TO GARDENA MUNICIPAL CODE

Title 18 ZONING

Chapter 18.13

ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS

18.13.010 Purpose.

- A. In enacting this section, it is the intent of the city to encourage the provision of accessory dwelling units to meet a variety of economic needs within the city and to implement the goals, objectives, and policies of the housing element of the general plan. Accessory dwelling units provide housing for extended family members, students, the elderly, in-home health care providers, the disabled, and others, at below market prices within existing neighborhoods. Homeowners who create accessory dwelling units can benefit from added income, and an increased sense of security. Allowing accessory dwelling units in zones allowing residential uses provides needed additional rental housing. This chapter provides the requirements for the establishment of accessory dwelling units consistent with California Government Code Sections 65852.2 and 65852.22 66310 through 66342.
- B. For purposes of this chapter, "primary dwelling" shall mean as follows:
- 1. In the case of a single-family residential zone, the existing single-family dwelling, or the larger of two proposed units.
- 2. In the case of any other residential or mixed-use zone in which a single-family dwelling exists on the property, the existing dwelling.
- 3. In the case of multifamily or mixed-use zone which allows a residential use, the existing or proposed multifamily units.
- CB. For purposes of this chapter, words and phrases defined in Government Code Sections 66310 through 66342 shall have the same meaning when used in this chapter.
- <u>DC</u>. In cases of conflict between this chapter and any other provision of this title, the provisions of this chapter shall prevail. To the extent that any provision of this chapter is in conflict with state law, the mandatory requirement of state law shall control, but only to the extent legally required.

18.13.020 Applications – Junior and accessory dwelling units.

A. Applications for junior and accessory dwelling units shall be ministerially approved or denied within sixty days of receipt of a complete application and approved if they meet the requirements of this chapter.

- 1. If the application is submitted in conjunction with an application for a new single-family or multifamily dwelling, the application for the junior or accessory dwelling unit shall not be acted upon until the application for the new single-family or multifamily dwelling is approved, but thereafter shall be ministerially approved if it meets all requirements within sixty days or denied within that same time period.
- 2. If the application is denied, the city shall return a full set of comments in writing to the applicant with a list of items that are defective or deficient with a description of how the application can be remedied by the applicant. These comments shall be provided to the applicant within sixty days of a complete application.
- 3. If a detached garage is to be replaced with an accessory dwelling unit, the demolition permit shall be reviewed with the application for the accessory dwelling unit and issued at the same time.
 - 4. The city shall grant a delay if requested by the applicant.
- 5. Notwithstanding the above, if the applicant uses a plan for an accessory dwelling unit that has been preapproved by the city or a plan that is identical to a plan used in an application for a detached accessory dwelling unit approved by the city within the current triennial California Building Standards Code cycle, the application shall be approved or denied within 30 days from the date of a complete application.
- B. All applications for junior and accessory dwelling units shall be accompanied by an application fee.
- C. Junior and accessory dwelling units shall be subject to applicable inspection and permit fees.
- D. Neither an application for a junior nor an accessory dwelling unit shall be denied due to the need to correct nonconforming zoning conditions, building code violations, or unpermitted structures that do not present a threat to public health and safety and are not affected by the construction of the unit.

18.13.025 Unpermitted structures constructed prior to January 1, 2020.

- A. Unless the local agency makes a finding that correcting the violation is necessary to comply with the standards specified in Section 17920.3 of the Health and Safety Code, Ano application or permit shall be denied for an ADU or JADU that was constructed prior to January 1, 2020, based solely on either of the following:
- 1. The ADU is in violation of building standards pursuant to Article 1 of Chapter 5 of Part 1.5 of Division 13 of the Health and Safety Code (commencing with Section 17960); or

- <u>2. The ADU does not comply with state law or the provisions of the Gardena Zoning Code regulating ADUs.</u>
- B. The provisions of subsection A shall not apply if not apply to a building that is deemed substandard pursuant to Section 17920.3 of the Health and Safety Codethe city makes a finding that correcting the violation is necessary to comply with the standards specified in Health and Safety Code Section 17920.3 or if the building is deemed substandard pursuant to Health and Safety Code Section 17920.3.
- C. Before submitting an application for a permit, the homeowner may obtain a confidential third-party code inspection from a licensed contractor to determine the unit's existing condition or potential scope of building improvements before submitting an application for a permit.
- D. Upon receiving an application to permit a previously unpermitted ADU or JADU constructed before January 1, 2020, an inspector from the city may inspect the unit for compliance with health and safety standards and provide recommendations to comply with such standards in order to obtain a permit. The city shall not penalize an applicant for having the unpermitted ADU or JADU and shall approve necessary permits to correct noncompliance with health and safety standards.
- E. No impact fees or connection or capacity charges shall be imposed on a homeowner applying for a permit for a previously unpermitted junior or accessory dwelling unit built before January 1, 2020, except when the utility infrastructure is required to comply with Health and Safety Code Section 17920.3 and authorized by Government Code Section 66324(e).
- F. Enforcement. Until January 1, 2030, the city shall issue a statement along with a notice to correct a violation of any provision of any building standard relating to an accessory dwelling unit that provides substantially as follows:

You have been issued an order to correct violations or abate nuisances relating to your accessory dwelling unit. If you believe that this correction or abatement is not necessary to protect the public health and safety you may file an application with the Community Development Director. If the city determines that enforcement is not required to protect the health and safety, enforcement shall be delayed for a period of five years from the date of the original notice.

18.13.030 Zones/locations allowed.

- A. Accessory dwelling units shall be allowed on all legally existing residentially zoned lots where a single-family dwelling exists or has been proposed.
- B. Accessory dwelling units shall be allowed on all legally existing residentially zoned lots where an existing multifamily structure exists or has been proposed.
- C. Accessory dwelling units shall be allowed on all legally existing mixed-use zoned lots where an existing single-family or multifamily dwelling exists or has been proposed.

- D. Nothing herein is meant to override the provisions of conditions, covenants, and restrictions for a housing development project relating to accessory dwelling units to the extent such restrictions comply with state law.
- E. An accessory dwelling unit may be constructed in an attached or detached garage or in an existing accessory structure.

18.13.040 General requirements.

- A. Number. Unless otherwise allowed by Section <u>18.13.060(A)</u>, only one accessory dwelling unit may be allowed per residential lot.
- B. Accessory dwelling units shall not be sold separately from the primary dwelling, except to the extent that the sale meets the requirements of Government Code Section 66341 65852.26 with regard to a qualified nonprofit corporation.
- C. Neither the accessory dwelling unit nor any other residence located on the property, nor any part thereof, shall be rented out for less than thirty-one consecutive calendar days.
- D. Repealed.
- E. Impact Fees.
 - 1 Impact fees.
- <u>a.</u> No impact fee shall be imposed on any accessory dwelling unit less than <u>750 seven hundred fifty</u> square feet in size.
- <u>b2</u>. For accessory dwelling units seven hundred fifty 750 square feet or greater, impact fees shall be charged proportionately in relation to the square footage of the primary dwelling.
- <u>3c</u>. All applicable public service and applicable recreation impact fees shall be paid prior to occupancy in accordance with Government Code Sections <u>66000</u> et seq. and <u>66012</u> et seq.
- d. For purposes of this section, "impact fee" shall have the same meaning as set forth in Government Code Section 66324 .
 - 2. Connection Fees/Capacity Charges.
- a. An accessory dwelling unit shall not be considered to be a new residential use for purposes of calculating connection fees or capacity charges for utilities, including for water and sewer service, unless the accessory dwelling unit is being constructed with a new single-family dwelling.
- b. For an accessory dwelling unit contained within a proposed or existing single-family dwelling meeting the requirements of Section 18.13.060A.1, the city shall not impose a connection fee or capacity charge, unless the unit is

being constructed with a new single-family dwelling. For all other accessory dwelling units, the city shall charge a connection fee or capacity charge that is proportionate to the burden of the proposed accessory dwelling unit based on the size of the unit or number of plumbing fixtures.

3. No impact fees or connection or capacity charges shall be imposed on a homeowner applying for a permit for a previously unpermitted junior or accessory dwelling unit built before January 1, 2020, except when the utility infrastructure is required to comply with Health and Safety Code Section 17920.3 and authorized by Government Code Section 66324(e).

4.For purposes of this section, "impact fee" shall have the same meaning as set forth in Government Code Section 65852.2 F. Accessory dwelling units shall not count in determining density or lot coverage and are considered a residential use consistent with the existing general plan and zoning designation for the lot.

GG. Enforcement. Until January 1, 2030, the city shall issue a statement along with a notice to correct a violation of any provision of any building standard relating to an accessory dwelling unit that provides substantially as follows:

You have been issued an order to correct violations or abate nuisances relating to your accessory dwelling unit. If you believe that this correction or abatement is not necessary to protect the public health and safety you may file an application with the Community Development Director. If the city determines that enforcement is not required to protect the health and safety, enforcement shall be delayed for a period of five years from the date of the original notice.

This subsection only applies to accessory dwelling units built before January 1, 2020.

. A deed restriction shall be required to be recorded against the property on which an accessory dwelling unit is constructed, which restriction shall run with the land. The deed restriction shall provide for the following:

- 1. A prohibition on the sale of accessory dwelling unit separate from the sale of the primary dwelling(s), except as provided in Government Code Section 65852.26 66341;
- 2. A restriction that prohibits the accessory dwelling unit from being enlarged beyond that which is permitted by Chapter 18.13;
- A restriction from renting either the accessory dwelling unit or the primary dwelling(s) or any portions thereof for less than thirty-one consecutive calendar days;
- 4. A statement that the deed restrictions may be enforced against future purchasers.

- 5. A statement that the city shall be entitled to all legal and equitable remedies available under the law upon the default of any covenant in the deed restriction.
- 6. A statement that the prevailing party shall be entitled to reimbursement of its reasonable attorneys' fees and costs.
- H. When an accessory dwelling unit is being proposed with a new primary dwelling unit, the city shall not issue a certificate of occupancy for an accessory dwelling unit before it issues a certificate of occupancy for the primary dwelling unit.

18.13.050 Development regulations.

- A. Accessory dwelling units shall be required to comply with the objective development standards of the underlying zoning district and the applicable provisions of Chapter 18.42 unless superseded by a provision of this chapter or if such regulation prohibits the construction of an accessory dwelling unit of at least eight hundred square feet.
- B. An accessory dwelling unit shall have a separate entrance from the primary dwelling which shall be located on a different plane than the entrance for the primary dwelling in the case of a single-family dwelling.
- C. No passageway as defined in Government Code Section <u>66313 65852.2(i)</u> shall be required for the construction of an accessory dwelling unit.
- D. Accessory dwelling units shall comply with all applicable building code requirements with the exception that fire sprinklers shall not be required in an accessory dwelling unit if they are not required for the primary dwelling and the construction of an accessory dwelling unit shall not trigger a requirement for sprinklers to be installed in the primary dwelling.

E. Size.

- 1. The floor area of an attached or detached accessory dwelling unit shall not exceed eight hundred fifty square feet for a studio or one bedroom or one thousand square feet for a unit that contains more than one bedroom.
- 2. The minimum size of an accessory dwelling unit <u>shall not be less</u> than that allowed for an efficiency unitis one hundred fifty square feet.
- 3. The development standards of this section shall be waived to the extent required in order to allow an accessory dwelling unit that is eight hundred square feet, that does not exceed the height requirements set forth in subsection F-F of this section, and has a minimum of four-foot side and rear yard setbacks.

- F. Setbacks. Except as specified below, an accessory dwelling unit shall be required to comply with the setback requirements of the zone in which the unit is to be located.
- 1. No setback shall be required for an existing living area, or a legally existing accessory structure, including a garage, that is converted to an accessory dwelling unit or a new accessory dwelling unit constructed in the same location and built to the same dimensions as the existing structure.
- 2. No setback greater than four feet shall be required for side and rear yard setbacks for all other accessory dwelling units not covered by subsection (F₂)(1) of this section.
- 3. An attached or detached accessory dwelling unit shall be at least six feet from all other buildings on the lot or on any adjacent lot.
- 4. An attached or detached accessory dwelling unit shall be located behind the front yard setback, unless the accessory dwelling unit is being constructed in the exact location and to the same dimensions as a previously existing approved accessory structure, including an attached or detached garage. This requirement shall be waived to the extent that it prohibits an accessory dwelling unit of eight hundred square feet from being built with four-foot side and rear yard setbacks in compliance with all other development standards.
- 5. No portion of an accessory dwelling unit may encroach into any public or private easement such as a utility easement unless the easement holder has provided written permission to construct the accessory dwelling unit in the manner proposed. To establish a rebuttable presumption of compliance with this requirement, the applicant may provide a written declaration under penalty of perjury affirming compliance with this requirement. The declaration shall be in a form acceptable to the city attorney.
- G. Height. The height of an accessory dwelling unit shall be as follows:
- 1. A height of sixteen feet for a detached accessory dwelling unit on a lot with an existing or proposed single-family or multifamily dwelling unit.
- 2. A height of eighteen feet for a detached accessory dwelling unit on a lot with an existing or proposed single-family or multifamily dwelling unit that is within one-half mile walking distance of a major transit stop or a high-quality transit corridor. An additional two feet shall be allowed if required to accommodate a roof pitch on the accessory dwelling unit that is aligned with the roof pitch of the primary dwelling unit.
- 3. A height of eighteen feet for a detached accessory dwelling unit on a lot with an existing or proposed multifamily, multistory dwelling.

- 4. A height of twenty-five feet or the height limit of the applicable zone that applies to the primary dwelling, whichever is lower, for an accessory dwelling unit that is attached to a primary dwelling unit or built above an existing garage. In no event shall the accessory dwelling unit exceed two stories.
- 5. An accessory dwelling unit may be built on top of a garage; provided, that the garage is maintained for parking and the total height of the structure does not exceed twenty-five feet. If an accessory dwelling unit is built pursuant to this provision, a declaration shall be recorded that the garage must be maintained for parking.

H. Parking.

- 1. Parking shall be required at the rate of one space for each accessory dwelling unit that contains at least one bedroom. No parking spaces shall be required for a studio unit or for an accessory dwelling unit created within an existing living space.
- 2. Parking spaces may be provided through tandem parking on an existing driveway; provided, that such parking does not encroach into the public sidewalk.
- 3. Parking spaces for accessory dwelling units may be provided in paved portions of setback areas; provided, that the amount of paving does not exceed the total amount of paving and hardscaped areas that are otherwise allowed by this title.
- 4. When a garage, carport, <u>uncovered parking space</u>, or covered parking structure is demolished or converted in conjunction with the construction of an accessory dwelling unit, such parking spaces need not be replaced.
- 5. Tandem parking and parking in setback areas shall not be allowed if the community development director makes specific findings that such parking is not feasible based upon specific site or regional topographical, or fire and life safety conditions.
- 6. Notwithstanding any other provision of this subsection H, no parking shall be required for the accessory dwelling unit if any of the following conditions apply:
- a. The accessory dwelling unit is located within one-half mile walking distance of a-public transit-stop;
- b. The accessory dwelling unit is located within an architecturally and historically significant district;
- c. The accessory dwelling unit is part of the <u>proposed or</u> existing primary dwelling or an existing accessory structure;

- d. When on-street parking permits are required, but not offered to the occupant of the accessory dwelling unit;
- e. When there is a car share vehicle located within one block of the accessory dwelling unit; or
- f. When a permit application for an accessory dwelling unit is submitted with a permit application to create a new single-family or multifamily dwelling on the same lot, provided the ADU or parcel satisfies any other criteria listed in this subsection H.

I. Utilities.

- 1. All utility installations shall be placed underground.
- 2. For an accessory dwelling unit contained within an existing single-family dwelling, or an existing accessory structure meeting the requirements of Section 18.13.060(A)(1), the city shall not require the installation of a new or separate utility connection between the accessory dwelling unit and the utility unless the accessory dwelling is being constructed with a new single-family dwelling. or impose a connection fee or capacity charge. Such requirements and charges may be imposed when the accessory dwelling unit is being proposed within a new single-family dwelling.
- 3. For all other accessory dwelling units other than those described in subsection (I)(2) of this section, the city shall require a new or separate utility connection between the accessory dwelling unit and the utility, and shall charge a connection fee or capacity charge that is proportionate to the burden of the proposed accessory dwelling unit based on the size or number of plumbing fixtures.
- J. The number of curb cuts allowed shall be governed by the underlying zoning regulations.
- K. An applicant may turn an existing single-family dwelling into the accessory dwelling unit and develop a new primary residence elsewhere on the lot if both structures meet all requirements of this chapter and the R-1 zone, including size limitations.
- L. Affordability Information (RHNA). Applicants shall provide the city with all information reasonably requested by the city to allow the city to classify the ADU by income category for the city's annual housing report.

18.13.060 Mandatory approvals.

A. Notwithstanding any other provision of this chapter, the city shall ministerially approve an application for any of the following accessory dwelling units within a residential or mixed-use zone:

- 1. One accessory dwelling unit and one junior accessory dwelling unit within the existing or proposed space of a single-family dwelling or accessory structure.
- a. An expansion of up to one hundred fifty square feet shall be allowed in an accessory structure solely for the purposes of accommodating ingress and egress.
- b. The junior or accessory dwelling unit shall have exterior access separate from the existing or proposed single-family dwelling.
- c. The side and rear setbacks shall be sufficient for fire and safety.
- d. If the unit is a junior accessory dwelling unit, it shall comply with the requirements of Section <u>18.13.070</u>.
- 2. One new detached accessory dwelling unit with minimum four-foot side and rear yard setbacks on a lot with an existing or proposed single-family dwelling; provided, that the unit shall not be more than eight hundred square feet and shall not exceed the height requirements set forth in Section <u>18.13.050(G)(1)</u> through (3).
- a. A junior accessory dwelling unit may be developed in conjunction with this type of detached accessory dwelling unit, provided it complies with the requirements of subsection (A)(1) of this section.
- 3. On a lot with a multifamily dwelling structure, up to twenty-five percent of the <u>existing</u> total multifamily dwelling units, but no less than one unit, shall be allowed within the portions of the existing structure that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages; provided, that each unit complies with state building standards for dwellings.
- 4. On a lot with a <u>proposed</u> multifamily dwelling structure, up to two detached units of not more than eight hundred square feet each; provided, that neither unit exceeds the height requirements set forth in Section 18.13.050(G)(1) through (3) and has at least four-foot side and rear yard setbacks.
- 5. On a lot with an existing multifamily dwelling structure, up to eight detached units, but in no event more than the number of existing units on the lot, provided that neither unit exceeds the height requirements set forth in Section 18.13.050(G)(1) through (3) and has at least four-foot side and rear yard setbacks.
- B. For those junior/or accessory dwelling units which require mandatory approval, the city shall not require the correction of legal, nonconforming zoning conditions.

- C. The installation of fire sprinklers shall not be required in an accessory dwelling unit approved under this section if fire sprinklers are not required for the primary residence.
- D. No unit approved under this section shall be rented for a period of 30 days or less.
- C. The deed restriction requirements of Section <u>18.13.040</u> shall apply to units approved under this section.

18.13.070 Junior accessory dwelling units.

- A. One junior accessory dwelling unit shall be allowed in an existing or proposed single-family dwelling, including in an attached garage. A junior accessory dwelling unit may also be allowed on the same lot as an accessory dwelling unit permitted under Section 18.13.060A.1 or 2 detached accessory dwelling unit where the detached accessory dwelling unit is no larger than eight hundred square feet and no taller than the height allowed pursuant to Section 18.13.060(F)(1) through (3).
- B. The junior accessory dwelling unit shall be required to contain at least an efficiency kitchen which includes a sink, cooking appliances and a food preparation counter and storage cabinets that are of reasonable size in relation to the junior accessory dwelling unit.
- C. The junior accessory dwelling unit shall be required to have a separate entrance from the primary dwelling which shall be located on a different side of the home than the front door of the primary dwelling.
- D. The junior accessory dwelling unit may, but is not required to, include separate sanitation facilities. If separate sanitation facilities are not provided, the junior accessory dwelling unit shall share sanitation facilities with the single-family residence and shall have direct access to the single-family residence from the interior of the dwelling unit.
- E. No additional parking shall be required for a junior accessory dwelling unit.
- F. Junior accessory dwelling units shall be required to comply with applicable building standards, except that fire sprinklers shall not be required if they were not required for the single-family residence.
- G. The city shall not require the correction of a legal nonconforming zoning condition as a requirement for the junior accessory dwelling unit.
- H. A deed restriction shall be required to be recorded on the property on which a junior accessory dwelling unit is constructed, which deed restriction which shall run with the land. The deed restriction shall provide for the following:

- 1. A prohibition on the sale of the junior accessory dwelling unit separate from the sale of the single-family residence;
- 2. A restriction that prohibits the junior accessory dwelling unit from being enlarged beyond five hundred square feet;
- 3. A restriction from renting either the junior accessory dwelling unit or the single-family dwelling or any part thereof for less than thirty-one consecutive calendar days;
- 4. A restriction that the owner resides in either the single-family dwelling or the junior accessory dwelling unit. Notwithstanding the foregoing: this
- a. The owner may rent both the single-family dwelling and junior accessory dwelling unit to one party with a restriction in the lease that such party may not further sublease any unit or portion thereof; and
- b. This restriction shall not apply if the owner of the single-family dwelling is a governmental agency, land trust, or housing organization; and
- 5. A statement that the deed restrictions may be enforced against future purchasers:
- 6. A statement that the city shall be entitled to all legal and equitable remedies available under the law upon the default of any covenant in the deed restriction; and.
- 7. A statement that the prevailing party shall be entitled to reimbursement of its reasonable attorneys' fees and costs.
- I. For the purposes of applying any fire or life protection ordinance or regulation, or providing service water, sewer, or power, including a connection fee, a junior accessory dwelling unit shall not be considered to be a separate or new dwelling unit.

Affidavit of Publication

STATE OF CALIFORNIA } SS

I am a citizen of the United States; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principle clerk of the printer of Gardena Valley News, a newspaper of general circulation, published ONCE WEEKLY in the city of Gardena, County of LOS ANGELES, which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of LOS ANGELES, State of California under the date of November 13, 1958, Case Number 192381; that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

April 10, 2025

That said newspaper was regularly issued and circulated on those dates.

Mel Ble

SIGNED:

Gardena Valley News

Subscribed to and sworn by me this 10th day of April 2025.

00004357 00151922

LEGAL ACCOUNT GV-CITY OF GARDENA 1700 WEST 162ND STREET GARDENA, CA 90247-3778 CITY OF GARDENA

NOTICE OF PUBLIC HEARING

PUBLIC NOTICE IS HEREBY GIVEN THAT on Tuesday, May 6, 2025, at 7:00 p.m., or soon thereafter, the Planning Commission of the City of Gardena will conduct a public hearing to consider the following:

Ordinance No. 1883:

The Planning Commission will consider a recommendation to the City Council on the adoption of Ordinance No. 1883 to amend Chapter 18.13 of the Gardena Municipal Code relating to Accessory Dwelling Units and Junior Accessory Dwelling Units and making a determination that the Ordinance is exempt from CEQA pursuant to Public Resources Code Section 21080.17; and

Ordinance No. 1884:

The Planning Commission will consider a recommendation to the City Council on the adoption of Ordinance No. 1884 to amend Chapters 18.04, 18.12, 18.57, and 18.76 of Title 18, Zoning Code, of the Gardena Municipal Code, and Chapter 17.08 of Title 17, Subdivision to implement State Laws relating to housing and making a determination that the Ordinance is exempt from CEQA Pursuant to CEQA Guidelines Section 15061(B)(3).

The public hearing will be held in the Council Chambers of City Hall at 1700 West 162nd Street, Gardena, CA 90247.

The related materials will be on file and open for public inspection by May 2, 2025, on the City's website at https://www.cityofgardena.org/community-

development/planning-projects/. You will have the opportunity to comment during the hearing. Comments may also be submitted via email to

publiccomment@cityofgardena.org or by mail to 1700 W 162nd Street, Gardena, CA 90247.

If you challenge the nature of the proposed action in court, you will be limited to raising only those issues you or someone else raises at the public hearing described in this notice, or in written correspondence delivered to the Gardena Planning Commission at, or prior to, the public hearing. For further information, please contact the Planning Division, at (310) 217-9524.

Amanda Acuna

Community Development Manager Gardena Valley News 4/10/2025-151922

CITY OF GARDENA PLANNING AND ENVIRONMENTAL QUALITY COMMISSION

STAFF REPORT ZONE TEXT AMENDMENT #2-25 RESOLUTION NO. PC 8-25 AGENDA ITEM # 7.C

DATE: May 06, 2025

TO: Chair Henderson and Members of the Planning and

Environmental Quality Commission

FROM: Greg Tsujiuchi, Community Development Director

PREPARED BY: Dayana Nava, Planning Assistant

APPLICANT: City of Gardena

LOCATION: Citywide

REQUEST: The Planning and Environmental Quality Commission will consider

approving a resolution recommending that the City Council adopt Ordinance No.1884 amending Chapters 18.04 (E Definitions), 18.12 (Single-Family Residential Zone (R-1)), 18.57 (Low Barrier Navigation Centers), and 18.76 (Supportive Housing for Homeless as a Use by Right) of Title 18 (Zoning Code), and Chapter 17.08 (Procedures and Standards) of Title 17 (Subdivisions) to implement State Laws relating to housing and making a determination that the resolution is exempt from CEQA pursuant to CEQA Guidelines

Section 15061(b)(3).

BACKGROUND

SB 9 took effect on January 1, 2022, and on January 11, 2022, the City Council adopted Ordinance No. 1838 to implement SB 9. Since the adoption of SB 9 there have been clarifications by the State on the requirements involving two-unit housing development. Multiple senate and assembly bills have impacted SB 9 housing development including SB450, SB1395, and AB1801. The draft Ordinance has been prepared to amend multiple chapters of the City of Gardena Municipal Code ("GMC") Titles 17 and 18 to clarify and comply with the provisions set forth in the state statutes. Additionally, the Ordinance includes amendments to objective design standards and allows supportive housing development utilizing the by-right process to align with state law requirements. The adoption of the proposed Ordinance, attached as Exhibit "A" to Attachment 1 hereto, would ensure that the City is in compliance and alignment with recently enacted state legislation. The Planning Commission is being asked to adopt a Resolution

recommending that City Council adopt Ordinance No. 1884 to the City Council on these proposed amendments.

The proposed Ordinance No. 1884 amends the GMC as follows:

Title 18 (Zoning):

- Amend definition of "emergency shelter" contained in Chapter 18.04 (E Definitions) to comply with Government Code Section 65583(a)(4(C).
- Amend Section 18.12.060 (Two-unit housing development) of Chapter 18.12 (Single-Family Residential Zone (R-1)) of Title 18 (Zoning) to comply with Government Code Sections 65852.21, as amended by SB 450, which amended SB 9.
- Amend definition of "low barrier navigation center" in Section 18.57.020 (Definitions) of Chapter 18.57 (Low Barrier Navigation Centers) of Title 18 (Zoning) to comply with Section 65660 of the Government Code, as amended by SB 1395.
- Add Section 18.76.015 (Definitions) and amend 18.76.030 (Application/Processing) of Chapter 18.76 (Supportive Housing for Homeless as a Use by Right) of Title 18 (Zoning) to comply with Government Code Section 65651, as amended by AB 1801.

Title 17 (Subdivisions):

 Amend Section 17.08.270 (Parcel maps for urban lot splits) of Chapter 17.08 (Procedures and Standards) of Title 17 (Subdivisions) to comply with Government Code Section 66411.7, as amended by SB 450, which amended SB 9.

Also, citations to state law section numbers that have changed were updated to refer to the new state numbering.

<u>ANALYSIS</u>

The Planning and Environmental Quality Commission is being asked to consider amendments to the GMC regarding Zoning and Subdivisions, and make the environmental assessment in accordance with the California Environmental Quality Act (CEQA). This staff report summarizes legislative history of the relevant state laws, as well as the proposed amendments to the GMC.

Senate Bill 450 ("SB 450") was signed into law on September 19, 2024. SB 450 amends Senate Bill 9 (2021), a law that allows duplexes and lot splits on single-family residential lots. SB 450 amends sections 65852.21 and 66411.7 of the Government Code, and

contain a number of changes. SB 450 requires local governments to approve or deny SB 9 project applications within 60 days of submission for a two-unit development or urban lot split. SB 450 also prohibits more restrictive zoning standards, and design standards that apply to the parcel. In order to comply with the requirement of SB 450, the City must amend Chapter 18.12.060 of Chapter 18.12 of Title 18 and Section 17.08 of Title 17 of the GMC.

SB 1395 (2024) amends the Shelter Crisis Act (SCA) amended low barrier navigation center (LBNC) requirements, remove the sunset date, and broadened the exemptions to CEQA. SB 1395 amends the definition of these uses in Section 65560 to provide that they may be non-congregate, they can provide private space, and they can be relocated.

In 2018, AB 1801 amended Government Code Section 65650 providing supportive housing is a use by right in zones where multifamily and mixed uses are permitted when the requirements set forth in Section 65651 are met. AB 1801 amends the definition of supportive housing to specifically include transitional housing for youth and young adults. AB 1801 would authorize a supportive housing development to include administrative office space in its non-residential floor area, provided that the total floor area dedicated to administrative office space does not exceed 25% of the total floor area. AB 1801 defines "administrative office space" as organizational headquarters or auxiliary office space utilized by a nonprofit organization for the purpose of providing onsite supportive services at a supportive housing development and other nonprofit operations.

The definition of "emergency shelter" contained in Chapter 18.04 (E Definitions) is amended to align with the definition found in Government Code Section 65583(a)(4)(C).

The Government Code section numbers were recently updated, and the Ordinance reflects these changes.

The proposed changes to the Gardena Municipal Code may be viewed through Attachment B.

The adoption of Ordinance No.1884 will bring the City's code into compliance with the state laws.

NOTICING

The public hearing notice was published in the Gardena Valley News on April 10, 2025 (Attachment C). A copy of Proof of Publication and Affidavit of Mailing are on file in the office of the Community Development Department, Room 101 at City Hall, and are considered part of the record.

RECOMMENDATION

Staff recommends the Planning and Environmental Quality Commission to:

- 1) Open the public hearing;
- 2) Receive testimony from the public;
- 3) Close the public hearing; and
- 4) Adopt Resolution PC #8-25 recommending that the City Council adopt Ordinance No. 1884.

ATTACHMENTS

- A. Planning Commission Resolution No. PC #8-25 Exhibit 1 – Ordinance No. 1884
- B. Proposed Changes to Gardena Municipal Code Redlines to Ordinance No. 1884
- C. Public Hearing Notice

RESOLUTION NO. PC 8-25

A RESOLUTION OF THE PLANNING AND ENVIRONMENTAL QUALITY COMMISSION OF THE CITY OF GARDENA, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL APPROVE ORDINANCE NO. 1884 AMENDING CHAPTERS 18.04 (DEFINITIONS), 18.12 (SINGLE-FAMILY RESIDENTIAL ZONE (R-1)), 18.57 (LOW BARRIER NAVIGATION CENTERS), AND 18.76 (SUPPORTIVE HOUSING FOR HOMELESS AS A USE BY RIGHT) OF TITLE 18 (ZONING), AND CHAPTER 17.08 (PARCEL MAPS FOR URBAN LOT SPLITS) OF TITLE 17 (SUBDIVISIONS) OF THE GARDENA MUNICIPAL CODE AND MAKING A DETERMINATION THAT THE RESOLUTION IS EXEMPT FROM CEQA PURSUANT TO CEQA GUIDELINES SECTION 15061(B)(3).

RECITALS

- A. State laws regarding subdivisions and two-unit housing development have been amended by the State legislature.
- B. The City of Gardena wishes to amend its Municipal Code provisions regarding subdivisions and two-unit housing development to be compliant with State law.
- C. A notice of public hearing was duly published for the Planning and Environmental Quality Commission on April 10, 2025.
- D. On May 6, 2025, the Planning and Environmental Quality Commission of the City of Gardena held a duly noticed public hearing and adopted Resolution No. PC 8-25, recommending that the City Council adopt Ordinance No. 1884.

NOW, THEREFORE, THE PLANNING AND ENVIRONMENTAL QUALITY COMMISSION OF THE CITY OF GARDENA DOES HEREBY RESOLVE AS FOLLOWS:

The Planning and Environmental Quality Commission hereby recommends that the City Council adopt Ordinance No. 1884, attached hereto as Exhibit 1, amending Chapters 18.04 (Definitions), 18.12 (Single-Family Residential Zone (R-1)), 18.57 (Low Barrier Navigation Centers), and 18.76 (Supportive Housing for Homeless as a Use by Right) of Title 18 (Zoning), and Chapter 17.08 (Parcel Maps for Urban Lot Splits) of Title 17 (Subdivisions) of the Gardena Municipal Code.

ZTA #2-25 May 6, 2025 Page 2 of 2

After considering all evidence presented, both written and oral, and based upon the reasons provided by staff, the Planning and Environmental Quality Commission believes that these changes are necessary and in the best interest of the City of Gardena.

PASSED,	${\sf APPROVED},$	AND ADO	PTED this 6	th day of M	lay 2025.	

DERYL HENDERSON, CHAIR PLANNING AND ENVIRONMENTAL QUALITY COMMISSION

ATTEST:

GREG TSUJIUCHI, SECRETARY
PLANNING AND ENVIRONMENTAL QUALITY COMMISSION
STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
CITY OF GARDENA

I, Greg Tsujiuchi, Planning and Environmental Quality Commission Secretary of the City of Gardena, do hereby certify that the foregoing Resolution was duly adopted by the Planning and Environmental Quality Commission of the City of Gardena at a regular meeting thereof, held the 6th day of May 2025, by the following vote:

AYES: NOES:

ABSENT:

Attachments:

Exhibit 1 – Ordinance No. 1884

ORDINANCE NO. 1884

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, AMENDING CHAPTERS 18.04 (DEFINITIONS), 18.12 (SINGLE-FAMILY RESIDENTIAL ZONE (R-1)), 18.57 (LOW BARRIER NAVIGATION CENTERS), AND 18.76 (SUPPORTIVE HOUSING FOR HOMELESS AS A USE BY RIGHT) OF TITLE 18 (ZONING), AND CHAPTER 17.08 (PARCEL MAPS FOR URBAN LOT SPLITS) OF TITLE 17 (SUBDIVISIONS) OF THE GARDENA MUNICIPAL CODE TO IMPLEMENT STATE LAWS RELATING TO HOUSING AND MAKING A DETERMINATION THAT THE ORDINANCE IS EXEMPT FROM CEQA PURSUANT TO CEQA GUIDELINES SECTION 15061(B)(3).

WHEREAS State law continues to be amended relating to housing within California, including special types of housing; and

WHEREAS the City of Gardena wishes to amend the provisions of its Zoning Code to be compliant with State law; and

WHEREAS on May 6, 2025, the Planning Commission held a duly noticed public hearing 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 that the City Council adopt this Ordinance; and

WHEREAS on _______, 2025, the City Council held a duly noticed public hearing 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. In compliance with the definition in Government Code Section 65583, the definition of "emergency shelter" contained in Chapter 18.04 "E Definitions" is hereby amended to read as follows:

"Emergency shelter" means housing with minimal supportive services for homeless persons that is limited to occupancy of no more than six months by a homeless person. An emergency shelter may also include other interim interventions, including but not limited to a navigation center, bridge housing, and respite or recuperative care.

SECTION 2. In compliance with SB 450, which amended SB 9 (Government Code Sections 65852.21 and 66411.7), Section 18.12.060 of Chapter 18.12 (Single-Family

Residential Zone (R-1)) of Title 18 (Zoning) and Section 17.08.270 of Chapter 17.08 (Procedures and Standards) of Title 17 (Subdivisions), respectively, are hereby amended to read as follows:

18.12.060 Two-unit housing development.

- A. For purposes of this section, the following definitions shall apply:
- 1. "Housing development" shall mean a development with no more than two primary units on a single lot within a single-family zone that meets the requirements of this section. The two units may consist of two new units or one new unit and one existing unit.
- 2. "Primary unit" shall mean a residential unit that is not otherwise classified as an accessory dwelling unit or junior accessory dwelling unit pursuant to Government Code Section 66313.
- 3. "Unit" shall mean a primary dwelling unit, but shall not include an accessory dwelling unit or a junior accessory dwelling unit.
- 4. "Urban lot split" shall have the same meaning as set forth in Section <u>17.08.270</u>.
- B. The city shall ministerially approve a housing development containing no more than two primary units if it meets the following requirements:

1. Number of units:

- a. On a lot which has not been divided pursuant to Section 17.08.270 of this Code, a maximum of four units, no more than two of which may be a primary unit.
- b. On a lot which has been divided pursuant to Section 17.08.270, no more than two units, at least one of which shall be a primary unit.
- 2. The parcel is not located in any of the following areas and does not fall within any of the following categories:
- a. A historic district or property included on the State Historic Resources Inventory, as defined in Section <u>5020.1</u> of the Public Resources Code, or within a site that is designated or listed as a city landmark or historic property or district pursuant to a city ordinance.
- b. A hazardous waste site that is listed pursuant to California Government Code Section <u>65962.5</u> or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Health and Safety Code Section <u>25356</u>, unless the State Department of Public Health, State Water Resources Control Board, or Department of Toxic Substances Control has cleared the site for residential use or residential mixed uses.

- c. A delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law and by the city's building department.
- d. A special flood hazard area subject to inundation by the one percent annual chance flood (one-hundred-year flood) as determined by the Federal Emergency Management Agency (FEMA) in any official maps published by FEMA. If an applicant is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subsection and is otherwise eligible for streamlined approval under this section, the city shall not deny the application on the basis that the applicant did not comply with any additional permit requirement, standard, or action adopted by the city that is applicable to that site. A development may be located on a site described in this subsection if either of the following are met:
- i. The site has been subject to a letter of map revision prepared by FEMA and issued to the city; or
- ii. The site meets FEMA requirements necessary to meet minimum flood plain management criteria of the National Flood Insurance Program as further spelled out in Government Code Section 65913.4(a)(6)(G)(ii);
- e. A regulatory floodway as determined by FEMA in any of its official maps, published by FEMA unless the development has received a no-rise certification in accordance with Section 60.3(d)(3) of Title 44 of the Code of Federal Regulations. If an applicant is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subsection and is otherwise eligible for streamlined approval under this section, the city shall not deny the application on the basis that the applicant did not comply with any additional permit requirement, standard, or action adopted by the city that is applicable to that site.
- f. Habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Section 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code).
- 3. The housing development does not require demolition or alteration of any of the following types of housing:

- a. Housing that is subject to a recorded covenant, ordinance or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income;
- b. Housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power; or
- c. Housing that has been occupied by a tenant in the last three years.
- 4. Unless demolition or alteration is prohibited pursuant to subsection (B)(3) of this section, a housing unit may be demolished.
- 5. The housing in not on a parcel or parcels on which an owner of residential real property exercised rights under Government Code Section <u>7060</u> et seq. to withdraw accommodations from rent or lease within fifteen years before the date of the application;
- C. The city shall act upon an application within 60 days from the date the city receives a completed application. If the application is denied, the city shall return a full set of comments to the applicant with a list of items that are defective or deficient and a description of how the application can be remedied within the 60 day time period. Any application not acted upon within this time period shall be deemed approved.
- D. Standards and Requirements. Notwithstanding any other provisions of the municipal code to the contrary, the following requirements shall apply in addition to all other objective standards applicable to this zone:

Setbacks.

- a. No setback shall be required for an existing structure, or a structure constructed in the same location and within the same dimensions as an existing structure.
- b. Except for those circumstances described in subsection D.1.a of this section, the setback for side and rear lot lines shall be four feet.
- c. The front setback shall be twenty feet on a lot that fronts on a street.
- d. For landlocked parcels side yard setbacks shall apply to all property lines.
- 2. The applicant shall provide easements for the provision of public services and facilities as required.
- 3. One parking space per unit shall be required on the lot unless the parcel is located within one-half mile walking distance of either a high-quality transit

corridor as defined by Public Resources Code Section <u>21155</u>(b) or a major transit stop as defined in Public Resources Code Section <u>21064.3</u>, or there is a car share vehicle located within one block of the parcel. The parking space need not be covered, but tandem parking shared by separate units shall not be allowed.

- 4. Lot coverage shall not exceed fifty percent for interior lots and seventy-five percent for corner lots.
- E. Limitations on City Actions.
- 1. The city shall not impose any zoning or design standards that would have the effect of physically precluding the construction of two units on a lot or that would result in a unit size of less than eight hundred square feet.
- 2. The city shall not deny an application solely because it proposes adjacent or connected structures; provided, that all building code safety standards are met, and they are sufficient to allow a separate conveyance.
- F. An applicant for a second house on a lot shall be required to sign an affidavit in a form approved by the city attorney to be recorded against the property stating the following:
 - 1. That the uses shall be limited to residential uses.
- 2. That the rental of any unit created pursuant to this section shall be for a minimum of thirty-one days.
- 3. That the maximum number of units to be allowed on the parcels shall be as specified in subsection B.1, above.
- G. The city may deny the housing development if the building official makes a written finding, based upon a preponderance of the evidence, that the proposed housing development project would have a specific, adverse impact, as defined and determined in Government Code Section 65589.5(d)(2), upon the public health and safety for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.

17.08.270 Parcel maps for urban lot splits.

- A. Definitions. For purposes of this section, the following definition shall apply:
- 1. "Urban lot split" means a lot split of a single-family residential lot into two parcels that meets the requirements of this section.
- B. The city shall ministerially approve a parcel map for a lot split that meets the following requirements:
 - 1. The parcel is located within a single-family residential zone.

- 2. The parcel map divides an existing parcel to create no more than two new parcels of approximately equal lot area; provided, that one parcel shall not be smaller than forty percent of the lot area of the original parcel.
- 3. Both newly created parcels are no smaller than one thousand two hundred square feet.
- 4. The parcel is not located in any of the following areas and does not fall within any of the following categories:
- a. A historic district or property included on the State Historic Resources Inventory, as defined in Section <u>5020.1</u> of the Public Resources Code, or within a site that is designated or listed as a city landmark or historic property or district pursuant to a city ordinance.
- b. A hazardous waste site that is listed pursuant to Government Code Section <u>65962.5</u> or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Health and Safety Code Section <u>25356</u>, unless the State Department of Public Health, State Water Resources Control Board, or Department of Toxic Substances Control has cleared the site for residential use or residential mixed uses.
- c. A delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law and by the city's building department.
- d. A special flood hazard area subject to inundation by the one percent annual chance flood (one-hundred-year flood) as determined by the Federal Emergency Management Agency (FEMA) in any official maps published by FEMA. If an applicant is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subsection and is otherwise eligible for streamlined approval under this section, the city shall not deny the application on the basis that the applicant did not comply with any additional permit requirement, standard, or action adopted by the city that is applicable to that site. A development may be located on a site described in this subsection if either of the following is met:
- i. The site has been subject to a letter of map revision prepared by FEMA and issued to the city; or
- ii. The site meets FEMA requirements necessary to meet minimum floodplain management criteria of the National Flood Insurance Program as further spelled out in Government Code Section 65913.4(a)(6)(G)(ii);

- e. A regulatory floodway as determined by FEMA in any of its official maps, published by FEMA unless the development has received a no-rise certification in accordance with Section 60.3(d)(3) of Title 44 of the Code of Federal Regulations. If an applicant is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subsection and is otherwise eligible for streamlined approval under this section, the city shall not deny the application on the basis that the applicant did not comply with any additional permit requirement, standard, or action adopted by the city that is applicable to that site.
- f. Habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Section 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code).
- 5. The proposed lot split would not require demolition or alteration of any of the following types of housing:
- a. Housing that is subject to a recorded covenant, ordinance or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income;
- b. Housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power; ; or
- c. Housing that has been occupied by a tenant in the last three years.
- 6. The housing is not on a parcel or parcels on which an owner of residential real property exercised rights under Government Code Section <u>7060</u> et seq. to withdraw accommodations from rent or lease within fifteen years before the date of the application
- 8. The lot split does not result in more than two units on a parcel, including any accessory dwelling units or junior accessory dwelling units.
 - 9. The split does not create a flag lot.
- C. Time limit for action. The city shall act upon an application within 60 days from the date the city receives a completed application. If the application is denied, the city shall return a full set of comments to the applicant with a list of items that are defective or deficient and a description of how the application can be remedied

within the 60 day time period. Any application not acted upon within this time period shall be deemed approved.

- D. Standards and Requirements. Notwithstanding any other provisions of this municipal code to the contrary, the following requirements shall apply:
- 1. The lot split conforms to all applicable objective requirements of the Subdivision Map Act and this title, except as the same are modified by this section.
- 2. No setback shall be required for an existing structure, or a structure constructed in the same location and to the same dimensions as an existing structure.
- 3. Except for circumstances described in subsection D.1 of this subsection, the setback for side and rear lot lines shall be four feet.
- 4. The applicant shall provide easements for the provision of public services and facilities as required.
- 5. Landlocked parcels created by an urban lot split shall have an access easement over the other parcel on the same map. The easement shall be not less than ten feet in width and must connect to the same curb cut and apron as the other parcel on the same map.
- 6. Residential units developed on a lot created pursuant to this section shall be subject to the provisions of Section <u>18.12.060</u>.
- E. The city shall not require or deny an application based on any of the following:
- 1. The city shall not require dedications of rights-of-way or the construction of off-site improvements for the parcels being created as a condition of issuing a parcel map.
- 2. The city shall not impose any subdivision standards that would have the effect of physically precluding the construction of two units on either of the resulting parcels or that would result in a unit size of less than eight hundred square feet.
- 3. The city shall not require the correction of nonconforming zoning provisions as a condition for the lot split.
- 4. The city shall not deny an application solely because it proposes adjacent or connected structures; provided, that all building code safety standards are met, and they are sufficient to allow a separate conveyance.
- F. An applicant for an urban lot split shall be required to sign an affidavit in a form approved by the city attorney to be recorded against the property stating the following:

- 1. That applicant intends to occupy one of the housing units as their principal residence for a minimum of three years from the date of approval. This requirement does not apply when the applicant is a "community land trust" or a "qualified nonprofit corporation" as the same are defined in the Revenue and Taxation Code.
 - 2. That the uses shall be limited to residential uses.
- 3. That any rental of any unit created by the lot split shall be for a minimum of thirty-one days.
- 4. That the maximum number of units to be allowed on each parcel is two, including units otherwise allowed as an accessory dwelling units, junior accessory dwelling units, or units allowed pursuant to Section <u>18.12.060</u>.
- G. The city may deny the lot split if the building official makes a written finding, based upon a preponderance of the evidence, that the proposed housing development project would have a specific, adverse impact, as defined and determined in Government Code Section 65589.5(d)(2), upon the public health and safety and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.
- H. This section shall not apply to:
- 1. Any parcel which has been established pursuant to a lot split in accordance with this section; or
- 2. Any parcel where the owner of the parcel being subdivided or any person acting in concert with the owner has previously subdivided an adjacent parcel in accordance with this section. For purposes of this section, "acting in concert" shall include, but not be limited to, where the owner of a property proposed for an urban lot split is the same, related to, or connected by partnership to the owner, buyer or seller (if transferred within the previous three years) of an adjacent lot.

SECTION 3. In compliance with SB 1395, the definition of "low barrier navigation center" in Section 18.57.020 (Definitions) of Chapter 18.57 (Low Barrier Navigation Centers) is hereby amended to read as follows:

18.57.020 Definitions

* * *

C. "Low barrier navigation center" means a Housing First, low barrier, serviceenriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing. A low barrier navigation center may be non-congregate and relocatable.

SECTION 4. In compliance with AB 1801, Chapter 18.76 (Supportive Housing for Homeless as a Use by Right) is hereby amended to add Section 18.76.015 (Definitions) and amend Section 18.76.030 (Application/Processing) to read as follows with respect to supportive housing for homeless:

18.76.015 Definitions.

For purposes of this Chapter, the following definition shall apply:

"Administrative office space" means an organizational headquarters or auxiliary office space utilized by a nonprofit organization for the purpose of providing onsite supportive services at a supportive housing development authorized pursuant to this Article and includes other nonprofit operations beyond the scope of the corresponding supportive housing development. "Administrative office space" includes parking necessary to serve the office space.

"Supportive housing" as defined in Chapter 18.04 includes nonresidential uses and administrative office space. "Supportive housing" also includes transitional housing for youth and young adults.

18.76.030 Application/processing.

- A. The standard application for the housing development project shall be supplemented with the following information:
- 1. The plan for providing supportive services with appropriate documentation showing that the supportive services will be provided on site to the residents in the project;
- 2. The name of the proposed entity or entities that will provide supportive services;
- 3. The proposed funding source(s) for the provided on-site supportive services;
 - 4. Proposed staffing levels by shift;
- 5. The number of units that are restricted to residents who meet criteria of the target population;
- 6. The amount of nonresidential floor area that shall be used for on-site supportive services and administrative office space.

- a. For a development with no more than 20 units, at least 90 square feet shall be provided for onsite supportive services.
- b. For a development of more than 20 units, at least 3 percent of the total floor area shall be provided for onsite support services that are limited to tenant use, including but not limited to, community rooms, case management offices, computer rooms, and community kitchens.
- c. The total floor area dedicated to administrative office space shall not exceed 25 percent of the total floor area;
- 7. An identification of the number of manager units that will be provided; and
- 8. An identification of the number of rental dwelling units on site, or units that have been vacated in the five-year period preceding the application, which are subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons of lower or very low income; subject to any other form of rent or price control through a public entity's valid exercise of its police power, or occupied by lower or very low income households.
- B. An application shall be reviewed for completeness within thirty days of receipt. The application shall be acted on within sixty days after the application is complete for a project with fifty or fewer units, or within one hundred twenty days for a supportive housing project with more than fifty units.
- C. The application for a supportive housing project that complies with all applicable requirements, including the requirement for replacement housing, shall be approved.

SECTION 5. CEQA. This Ordinance is exempt from CEQA pursuant to CEQA Guidelines section 15061(b)(3) as it can be seen with certainty that the ordinance will not have any significant effect on the environment as it is simply implementing what is already required by state law.

SECTION 6. 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 7. 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.

SECTION 8. Effective Date. This Ordi until thirty (30) days from and after the d		ne effective	or be in fo	orce
Passed, approved, and adopted this	day of	 , 2025.		
TASHA CERDA, Mayor				
ATTEST:				
MINA SEMENZA, City Clerk				
APPROVED AS TO FORM:				
CARMEN VASQUEZ. City Attorney				

PROPOSED CHANGES TO GARDENA MUNICIPAL CODE

Title 18 ZONING

Chapter 18.04 DEFINITIONS Amend E Definitions.

"Emergency shelter" means housing with minimal supportive services for homeless persons that is limited to occupancy of no more than six months by a homeless person. An emergency shelter may also include other interim interventions, including but not limited to a navigation center, bridge housing, and respite or recuperative care.

Chapter 18.12 SINGLE FAMILY RESIDENTIAL ZONE (R-1) Amend Section 18.12.060 Two-unit housing development

18.12.060 Two-unit housing development.

- A. For purposes of this section, the following definitions shall apply:
- 1. "Housing development" shall mean a development with no more than two primary units on a single lot within a single-family zone that meets the requirements of this section. The two units may consist of two new units or one new unit and one existing unit.
- 2. "Primary unit" shall mean a residential unit that is not otherwise classified as an accessory dwelling unit or junior accessory dwelling unit pursuant to Government Code Sections 65852.2(i)66313 and 65852.22.
- 3. "Unit" shall mean a primary dwelling unit, but shall not include an accessory dwelling unit or a junior accessory dwelling unit.
- 4. "Urban lot split" shall have the same meaning as set forth in Section 17.08.270.
- B. The city shall ministerially approve a housing development containing no more than two primary units if it meets the following requirements:
 - 1. Number of units:
- a. On a lot which has not been divided pursuant to Section 17.08.270 of this Code, a maximum of four units, no more than two of which may be a primary unit.
- b. On a lot which has been divided pursuant to Section 17.08.270, no more than two units, at least one of which shall be a primary unit.

- 2. The parcel is not located in any of the following areas and does not fall within any of the following categories:
- a. A historic district or property included on the State Historic Resources Inventory, as defined in Section <u>5020.1</u> of the Public Resources Code, or within a site that is designated or listed as a city landmark or historic property or district pursuant to a city ordinance.
- b. A hazardous waste site that is listed pursuant to California Government Code Section <u>65962.5</u> or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Health and Safety Code Section <u>25356</u>, unless the State Department of Public Health, State Water Resources Control Board, or Department of Toxic Substances Control has cleared the site for residential use or residential mixed uses.
- c. A delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law and by the city's building department.
- d. A special flood hazard area subject to inundation by the one percent annual chance flood (one-hundred-year flood) as determined by the Federal Emergency Management Agency (FEMA) in any official maps published by FEMA. If an applicant is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subsection and is otherwise eligible for streamlined approval under this section, the city shall not deny the application on the basis that the applicant did not comply with any additional permit requirement, standard, or action adopted by the city that is applicable to that site. A development may be located on a site described in this subsection if either of the following are met:
- i. The site has been subject to a letter of map revision prepared by FEMA and issued to the city; or
- ii. The site meets FEMA requirements necessary to meet minimum flood plain management criteria of the National Flood Insurance Program as further spelled out in Government Code Section <u>65913.4(a)(6)(G)(ii)</u>;
- e. A regulatory floodway as determined by FEMA in any of its official maps, published by FEMA unless the development has received a no-rise certification in accordance with Section 60.3(d)(3) of Title 44 of the Code of Federal Regulations. If an applicant is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subsection and is otherwise eligible for streamlined approval under this section, the city shall not deny the application on the basis that the applicant did not comply with any

additional permit requirement, standard, or action adopted by the city that is applicable to that site.

- f. Habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Section 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code).
- <u>32</u>. The housing development does not require demolition or alteration of any of the following types of housing:
- a. Housing that is subject to a recorded covenant, ordinance or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income;
- b. Housing on a parcel or parcels on which an owner of residential real property exercised rights under Government Code Section 7060 et seq. to withdraw accommodations from rent or lease within fifteen years before the date of the application; Housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power; or
- c. Housing that has been occupied by a tenant in the last three years.
- $\underline{43}$. Unless demolition or alteration is prohibited pursuant to subsection (B)($\underline{32}$) of this section, a housing unit may be demolished if it has not been occupied by a tenant in the last three years.
- 5. The hHousing in not on a parcel or parcels on which an owner of residential real property exercised rights under Government Code Section 7060 et seq. to withdraw accommodations from rent or lease within fifteen years before the date of the application;
- C. The city shall act upon an application within 60 days from the date the city receives a completed application. If the application is denied, the city shall return a full set of comments to the applicant with a list of items that are defective or deficient and a description of how the application can be remedied within the 60 day time period. Any application not acted upon within this time period shall be deemed approved.
- <u>DC</u>. Standards and Requirements. Notwithstanding any other provisions of the municipal code to the contrary, the following requirements shall apply in addition to all other objective standards applicable to this zone:
 - Setbacks.

- a. No setback shall be required for an existing structure, or a structure constructed in the same location and within the same dimensions as an existing structure.
- b. Except for those circumstances described in subsection (C)(1)(a)D.1.a of this section, the setback for side and rear lot lines shall be four feet.
- c. The front setback shall be twenty feet on a lot that fronts on a street, except on lots where the street-facing side (width) is longer than the depth; in such case the setback from the street-facing lot line shall be ten feet.
- d. For landlocked parcels side yard setbacks shall apply to all property lines.
- 2. The applicant shall provide easements for the provision of public services and facilities as required.
- 3. One parking space per unit shall be required on the lot unless the parcel is located within one-half mile walking distance of either a high-quality transit corridor as defined by Public Resources Code Section 21155(b) or a major transit stop as defined in Public Resources Code Section 21064.3, or there is a car share vehicle located within one block of the parcel. The parking space need not be covered, but tandem parking shared by separate units shall not be allowed.
- 4. On landlocked lots, a residential structure shall maintain a separation of eight feet to all other habitable structures from its front-facing facade. "Front-facing facade" shall be defined for this purpose as the building side most closely parallel to the plane of the main entrance doorway.
- <u>45</u>. Lot coverage shall not exceed <u>fifty percent for interior lots and</u> seventy-five percent <u>for corner lots</u>.
- Design Criteria for New Structures. Notwithstanding the provisions of Section 18.42.095, all two-unit housing developments shall be required to demonstrate compliance with the following design criteria:
- 1. Scale and Massing. On lots of at least fifty feet in width, all two-story residential structures must have upper floor exterior walls on the front and at least one side stepped back at least five feet from the ground story exterior walls.
- 2. Architectural Detailing. At least two distinct exterior surface treatments and at least two exterior colors are required.
- 3. Rooflines. Flat roofs are permitted only on two-story residential buildings and must include parapets.
- 4. Garages, Driveways and Parking.

- a. A garage attached to a single-family house or duplex that faces the front of the property must be set back at least five feet from the front-facing wall of the house.
- b. All garages facing streets, but not those facing alleys, must be set back at least twenty feet from the sidewalk, and if there is no sidewalk, twenty-four feet from the curb.
- 5. Walls and Fences. Walls and fences in residential zones may be constructed of a variety of materials, but chain link fencing, barbed wire, razor wire, and electrified fences are explicitly prohibited.
- E. Limitations on City Actions.
- 1. The city shall not impose any zoning or design standards that would have the effect of physically precluding the construction of two units on a lot or that would result in a unit size of less than eight hundred square feet.
- 2. The city shall not deny an application solely because it proposes adjacent or connected structures; provided, that all building code safety standards are met, and they are sufficient to allow a separate conveyance.
- F. An applicant for a second house on a lot shall be required to sign an affidavit in a form approved by the city attorney to be recorded against the property stating the following:
 - 1. That the uses shall be limited to residential uses.
- 2. That the rental of any unit created pursuant to this section shall be for a minimum of thirty-one days.
- 3. That the maximum number of units to be allowed on the parcels <u>shall</u> <u>be as specified in subsection B.1, above</u> <u>is two, not including units otherwise</u> <u>allowed pursuant to density bonus provisions, accessory dwelling units, junior accessory dwelling units, or units allowed pursuant to Section <u>17.08.270</u>.</u>
- G. The city may deny the housing development if the building official makes a written finding, based upon a preponderance of the evidence, that the proposed housing development project would have a specific, adverse impact, as defined and determined in Government Code Section 65589.5(d)(2), upon the public health and safety or the physical environment and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.

Chapter 18.57 LOW BARRIER NAVIGATION CENTERS Amend Section 18.57.020 Definitions

C. "Low barrier navigation center" means a Housing First, low barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing. A low barrier navigation center may be non-congregate and relocatable.

Chapter 18.76 SUPPORTIVE HOUSING FOR HOMELESS AS A USE BY RIGHT Add Section 18.76.015 Definitions

18.76.015 **Definitions.**

For purposes of this Chapter, the following definition shall apply:

"Administrative office space" means an organizational headquarters or auxiliary office space utilized by a nonprofit organization for the purpose of providing onsite supportive services at a supportive housing development authorized pursuant to this Article and includes other nonprofit operations beyond the scope of the corresponding supportive housing development. "Administrative office space" includes parking necessary to serve the office space.

"Supportive housing" as defined in Chapter 18.04 includes nonresidential uses and administrative office space. "Supportive housing" also includes transitional housing for youth and young adults.

Chapter 18.76 SUPPORTIVE HOUSING FOR HOMELESS AS A USE BY RIGHT Amend Section 18.76.030 Application/Processing

18.76.030 Application/processing.

- A. The standard application for the housing development project shall be supplemented with the following information:
- 1. The plan for providing supportive services with appropriate documentation showing that the supportive services will be provided on site to the residents in the project;
- 2. The name of the proposed entity or entities that will provide supportive services;
- 3. The proposed funding source(s) for the provided on-site supportive services:
 - 4. Proposed staffing levels by shift;

- 5. The number of units that are restricted to residents who meet criteria of the target population;
- 6. The amount of nonresidential floor area that shall be used for on-site supportive services and administrative office space.
- a. For a development with no more than 20 units, at least 90 square feet shall be provided for onsite supportive services.
- b. For a development of more than 20 units, at least 3 percent of the total floor area shall be provided for onsite support services that are limited to tenant use, including but not limited to, community rooms, case management offices, computer rooms, and community kitchens.;
- c. The total floor area dedicated to administrative office space shall not exceed 25 percent of the total floor area;
- 7. An identification of the number of manager units that will be provided; and
- 8. An identification of the number of rental dwelling units on site, or units that have been vacated in the five-year period preceding the application, which are subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons of lower or very low income; subject to any other form of rent or price control through a public entity's valid exercise of its police power, or occupied by lower or very low income households.
- B. An application shall be reviewed for completeness within thirty days of receipt. The application shall be acted on within sixty days after the application is complete for a project with fifty or fewer units, or within one hundred twenty days for a supportive housing project with more than fifty units.
- C. The application for a supportive housing project that complies with all applicable requirements, including the requirement for replacement housing, shall be approved.

Title 17 SUBDIVISIONS

Chapter 17.08 PROCEDURES AND STANDARDS Amend Section 17.08.270 Parcel maps for urban lot splits

17.08.270 Parcel maps for urban lot splits.

- A. Definitions. For purposes of this section, the following definition shall apply:
- 1. "Urban lot split" means a lot split of a single-family residential lot into two parcels that meets the requirements of this section.

- B. The city shall ministerially approve a parcel map for a lot split that meets the following requirements:
 - 1. The parcel is located within a single-family residential zone.
- 2. The parcel map divides an existing parcel to create no more than two new parcels of approximately equal lot area; provided, that one parcel shall not be smaller than forty percent of the lot area of the original parcel.
- 3. Both newly created parcels are no smaller than one thousand two hundred square feet.
- 4. The parcel is not located in any of the following areas and does not fall within any of the following categories:
- a. A historic district or property included on the State Historic Resources Inventory, as defined in Section <u>5020.1</u> of the Public Resources Code, or within a site that is designated or listed as a city landmark or historic property or district pursuant to a city ordinance.
- b. A hazardous waste site that is listed pursuant to Government Code Section <u>65962.5</u> or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Health and Safety Code Section <u>25356</u>, unless the State Department of Public Health, State Water Resources Control Board, or Department of Toxic Substances Control has cleared the site for residential use or residential mixed uses.
- c. A delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law and by the city's building department.
- d. A special flood hazard area subject to inundation by the one percent annual chance flood (one-hundred-year flood) as determined by the Federal Emergency Management Agency (FEMA) in any official maps published by FEMA. If an applicant is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subsection and is otherwise eligible for streamlined approval under this section, the city shall not deny the application on the basis that the applicant did not comply with any additional permit requirement, standard, or action adopted by the city that is applicable to that site. A development may be located on a site described in this subsection if either of the following is met:
- i. The site has been subject to a letter of map revision prepared by FEMA and issued to the city; or

- ii. The site meets FEMA requirements necessary to meet minimum floodplain management criteria of the National Flood Insurance Program as further spelled out in Government Code Section 65913.4(a)(6)(G)(ii);
- e. A regulatory floodway as determined by FEMA in any of its official maps, published by FEMA unless the development has received a no-rise certification in accordance with Section 60.3(d)(3) of Title 44 of the Code of Federal Regulations. If an applicant is able to satisfy all applicable federal qualifying criteria in order to provide that the site satisfies this subsection and is otherwise eligible for streamlined approval under this section, the city shall not deny the application on the basis that the applicant did not comply with any additional permit requirement, standard, or action adopted by the city that is applicable to that site.
- f. Habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Section 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code).
- 5. The proposed lot split would not require demolition or alteration of any of the following types of housing:
- a. Housing that is subject to a recorded covenant, ordinance or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income;
- b. Housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power; Housing on a parcel or parcels on which an owner of residential real property exercised rights under Government Code Section 7060 et seq. to withdraw accommodations from rent or lease within fifteen years before the date of the application; or
- c. Housing that has been occupied by a tenant in the last three years.
- 6. The hHousing is not on a parcel or parcels on which an owner of residential real property exercised rights under Government Code Section 7060 et seq. to withdraw accommodations from rent or lease within fifteen years before the date of the application
- 8. The lot split does not result in more than two units on a parcel, including any accessory dwelling units or junior accessory dwelling units.

- <u>97.</u> The split does not create a f F lag lots are not permitted.
- C. Time limit for action. The city shall act upon an application within 60 days from the date the city receives a completed application. If the application is denied, the city shall return a full set of comments to the applicant with a list of items that are defective or deficient and a description of how the application can be remedied within the 60 day time period. Any application not acted upon within this time period shall be deemed approved.
- <u>D</u>C. Standards and Requirements. Notwithstanding any other provisions of this municipal code to the contrary, the following requirements shall apply:
- 1. The lot split conforms to all applicable objective requirements of the Subdivision Map Act and this title, except as the same are modified by this section.
- No setback shall be required for an existing structure, or a structure constructed in the same location and to the same dimensions as an existing structure.
- 3. Except for circumstances described in subsection (C)(2)D.1 of this subsection, the setback for side and rear lot lines shall be four feet.
- 4. The applicant shall provide easements for the provision of public services and facilities as required.
- 5. Landlocked parcels created by an urban lot split shall have an access easement over the other parcel on the same map. The easement shall be not less than ten feet in width and must connect to the same curb cut and apron as the other parcel on the same map.
- 6. Residential units developed on a lot created pursuant to this section shall be subject to the provisions of Section <u>18.12.060</u>.
- <u>ED</u>. The city shall not require or deny an application based on any of the following:
- 1. The city shall not require dedications of rights-of-way or the construction of off-site improvements for the parcels being created as a condition of issuing a parcel map.
- 2. The city shall not impose any subdivision standards that would have the effect of physically precluding the construction of two units on either of the resulting parcels or that would result in a unit size of less than eight hundred square feet.
- 3. The city shall not require the correction of nonconforming zoning provisions as a condition for the lot split.

- 4. The city shall not deny an application solely because it proposes adjacent or connected structures; provided, that all building code safety standards are met, and they are sufficient to allow a separate conveyance.
- <u>F</u><u>E</u>. An applicant for an urban lot split shall be required to sign an affidavit in a form approved by the city attorney to be recorded against the property stating the following:
- 1. That applicant intends to occupy one of the housing units as their principal residence for a minimum of three years from the date of approval. This requirement does not apply when the applicant is a "community land trust" or a "qualified nonprofit corporation" as the same are defined in the Revenue and Taxation Code.
 - 2. That the uses shall be limited to residential uses.
- 3. That any rental of any unit created by the lot split shall be for a minimum of thirty-one days.
- 4. That the maximum number of units to be allowed on each parcel is two, including units otherwise allowed <u>as an pursuant to density bonus provisions</u>, accessory dwelling units, junior accessory dwelling units, or units allowed pursuant to Section <u>18.12.060</u>.
- GF. The city may deny the lot split if the building official makes a written finding, based upon a preponderance of the evidence, that the proposed housing development project would have a specific, adverse impact, as defined and determined in Government Code Section 65589.5(d)(2), upon the public health and safety or the physical environment and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.
- HG. This section shall not apply to:
- 1. Any parcel which has been established pursuant to a lot split in accordance with this section; or
- 2. Any parcel where the owner of the parcel being subdivided or any person acting in concert with the owner has previously subdivided an adjacent parcel in accordance with this section. For purposes of this section, "acting in concert" shall include, but not be limited to, where the owner of a property proposed for an urban lot split is the same, related to, or connected by partnership to the owner, buyer or seller (if transferred within the previous three years) of an adjacent lot.

Affidavit of Publication

STATE OF CALIFORNIA } SS

I am a citizen of the United States; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principle clerk of the printer of Gardena Valley News, a newspaper of general circulation, published ONCE WEEKLY in the city of Gardena, County of LOS ANGELES, which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of LOS ANGELES, State of California under the date of November 13, 1958, Case Number 192381; that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

April 10, 2025

That said newspaper was regularly issued and circulated on those dates.

Mel Ble

SIGNED:

Gardena Valley News

Subscribed to and sworn by me this 10th day of April 2025.

00004357 00151922

LEGAL ACCOUNT GV-CITY OF GARDENA 1700 WEST 162ND STREET GARDENA, CA 90247-3778 CITY OF GARDENA

NOTICE OF PUBLIC HEARING

PUBLIC NOTICE IS HEREBY GIVEN THAT on Tuesday, May 6, 2025, at 7:00 p.m., or soon thereafter, the Planning Commission of the City of Gardena will conduct a public hearing to consider the following:

Ordinance No. 1883:

The Planning Commission will consider a recommendation to the City Council on the adoption of Ordinance No. 1883 to amend Chapter 18.13 of the Gardena Municipal Code relating to Accessory Dwelling Units and Junior Accessory Dwelling Units and making a determination that the Ordinance is exempt from CEQA pursuant to Public Resources Code Section 21080.17; and

Ordinance No. 1884:

The Planning Commission will consider a recommendation to the City Council on the adoption of Ordinance No. 1884 to amend Chapters 18.04, 18.12, 18.57, and 18.76 of Title 18, Zoning Code, of the Gardena Municipal Code, and Chapter 17.08 of Title 17, Subdivision to implement State Laws relating to housing and making a determination that the Ordinance is exempt from CEQA Pursuant to CEQA Guidelines Section 15061(B)(3).

The public hearing will be held in the Council Chambers of City Hall at 1700 West 162nd Street, Gardena, CA 90247.

The related materials will be on file and open for public inspection by May 2, 2025, on the City's website at https://www.cityofgardena.org/community-

development/planning-projects/. You will have the opportunity to comment during the hearing. Comments may also be submitted via email to

publiccomment@cityofgardena.org or by mail to 1700 W 162nd Street, Gardena, CA 90247

If you challenge the nature of the proposed action in court, you will be limited to raising only those issues you or someone else raises at the public hearing described in this notice, or in written correspondence delivered to the Gardena Planning Commission at, or prior to, the public hearing. For further information, please contact the Planning Division, at (310) 217-9524.

Amanda Acuna

Community Development Manager Gardena Valley News 4/10/2025-151922