

ORDINANCE NO. 1891

AN ORDINANCE OF THE CITY OF GARDENA, CALIFORNIA, AMENDING PORTIONS OF CHAPTER 8.70 (STORMWATER AND RUNOFF POLLUTION CONTROL) OF THE GARDENA MUNICIPAL CODE AND FINDING THE ACTION IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO THE COMMONSENSE EXEMPTION OF CEQA GUIDELINES SECTION 15061 (b)(3)

WHEREAS, there have been changes in the requirements for Stormwater and Pollution Control as mandated by the State of California; and

WHEREAS, the City found the existing Municipal Code to need better references to stormwater and runoff pollution control design standards; and

WHEREAS, the County of Los Angeles has recently adopted a new Low Impact Development standards manual;

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

SECTION 1. Amendment to Chapter 8.70. Section 8.70.010 (S) of the Gardena Municipal Code is hereby amended to read as follows:

"New development project or Priority Development Project" means a Project involving land disturbing activities, structural development including construction or installation of a building or structure creation of impervious surfaces; and land subdivision resulting in one or more of the following new developments:

1. An industrial/commercial development that creates or replaces 5,000 square feet or more of impervious surface;
2. An automotive service facility;
3. A retail gasoline outlet;
4. A restaurant, as defined in this chapter;
5. A residential subdivision creating or replacing 10,000 square feet (or 5,000 square feet in some sensitive areas) of impervious surface is a Priority Development Project
6. Parking lots with 5,000 square feet or more of surface area;
7. Any development where an urban runoff mitigation plan as described in this chapter, is otherwise required by the director of public works or the community development director, as needed to comply with any applicable municipal NPDES permit or to otherwise comply with the Clean Water Act, or state or local law.

SECTION 2. Amendment to Chapter 8.70. Section 8.70.010 (AA) of the Gardena

Municipal Code is hereby amended to read as follows:

"Redevelopment" means the expansion of a building footprint, addition, or replacement of impervious surface area that is not part of a routine maintenance activity; and land disturbing activities related to structural or impervious surfaces. It does not include routine maintenance to maintain original line and grade, hydraulic capacity, or original purpose of facility, nor does it include emergency construction activities required to immediately protect public health and safety.

SECTION 3. Amendment to Chapter 8.70. Section 8.70.060 (D)(8) of the Gardena Municipal Code is hereby amended to read as follows:

Potable water supply and distribution system releases, provided the discharges are managed in accordance with State Water Board Order 2014-0194-DWQ (or subsequent updates) and in accordance with any other requirements that may be established by the city;

SECTION 4. Amendment to Chapter 8.70. Section 8.70.060 (D)(13) of the Gardena Municipal Code is hereby amended to read as follows:

Dechlorinated/dibrominated swimming pool/spa discharges, not otherwise regulated by a separate NPDES permit, must be dechlorinated to <0.1 mg/L, pH must be between 6.5 and 8.5, and BMPs must be used to prevent erosion.

SECTION 5. Amendment to Chapter 8.70. Section 8.70.060 (D)(15) of the Gardena Municipal Code is hereby amended to read as follows:

Street/sidewalk wash water with prior sweeping and then the use of "minimum amounts of water" without chemicals;

SECTION 6. Amendment to Chapter 8.70. Section 8.70.110 (B) of the Gardena Municipal Code is hereby amended to read as follows:

1. Development Construction. Construction projects that disturb one or more acres of soil by grading, clearing, and/or excavating or other activities are required to obtain coverage under the Construction General Permit ("CGP") from the State Water Resources Control Board ("State Board"). No grading permit shall be issued to such construction projects without obtaining a Waste Discharge Identification (WDID) number for coverage under the CGP. Projects that disturb less than one acre of soil are required to comply with minimum best management practices ("BMPs") to reduce the discharge of construction-related pollutants to the municipal separate storm sewer system ("MS4"). The type of BMPs required shall be based on such factors as the amount of soil disturbed, the types of pollutants used or

stored at the project site, and proximity to water bodies. Erosion control plans may be required at the discretion of the city. If required, the project applicant must submit an erosion control plan to the city for approval as a condition for grading permit issuance.

2. Low Impact Development. New development and redevelopment projects that are subject to the MS4 permit are required to comply with post-construction runoff pollution reduction BMPs implemented through a low impact development plan ("LID Plan"). LID conditions assigned by the city shall consist of: (a) low impact development ("LID") best management practices ("BMPs"); (b) source control BMPs; and (c) structural and nonstructural BMPs for specific types of uses. LID controls effectively reduce the amount of impervious area of a completed project site and promote the use of infiltration and other controls that reduce runoff. Source control BMPs shall prevent runoff contact with pollutant materials that would otherwise be discharged to the MS4. Specific structural controls are also required to address pollutant discharges from certain uses including but not limited to: housing developments; retail gasoline outlets; automotive-related facilities; restaurants; industrial and commercial facilities, parking lots, and new streets. Subject projects are more particularly described in the city's stormwater management and watershed management program plan.

3. Low Impact Development Plan Review and Approval. An applicant subject to new development or redevelopment requirements shall submit an LID Plan for city review and approval, which shall be incorporated into the applicant's project plans.

4. California Environmental Quality Act ("CEQA"). Any project subject to CEQA review that is not specified in a redevelopment or development project category may be required to comply with any of the LID Plan requirements at the city's discretion.

5. Stormwater Management/Watershed Management Program. The city's stormwater management program ("SWMP") plan or watershed management program ("WMP") plan, whichever is in effect at the time of review, shall contain specific conditions and procedures for meeting low impact development and development construction requirements. The program plans shall contain guidance documents to facilitate compliance including but not limited to an updated LID guidance manual, the latest copy of the County of Los Angeles' LID Standards manual, USEPA's Green Street guidance manual, and best management practices applicable to certain categories of soil disturbing construction projects over and under one acre.

6. Certificate of Occupancy. As a condition for issuing a certificate of occupancy for new development or redevelopment project identified in subsection (B)(1) of this section, the authorized enforcement officer shall require facility operators and/or owners to build all the stormwater pollution control best management practices and structural or treatment control BMPs that are shown on the approved project plans and to submit a signed certification statement stating that the site and all structural or treatment control BMPs will be maintained in compliance with the LID Plan and other applicable regulatory requirements.

7. Transfer of Properties.

a. The transfer or lease of a property subject to a requirement for maintenance of structural and treatment control BMPs shall include conditions requiring the transferee and its successors and assigns to either (i) assume responsibility for maintenance of any existing structural or treatment control BMP, or (ii) to replace existing structural or treatment control BMPs with new control measures or BMPs meeting the then current standards of the city and the LID Plan. Such requirement shall be included in any sale or lease agreement or deed for such property. The condition of transfer shall include a provision that the successor property owner or lessee conduct maintenance inspections of all structural or treatment control BMPs at least once a year and retain proof of inspection.

b. For residential properties where the structural or treatment control BMPs are located within a common area which will be maintained by a homeowner's association, language regarding the responsibility for maintenance shall be included in the project's conditions, covenants and restrictions (CC&Rs). Printed educational material will be required to accompany the first deed transfer to highlight the existence of the requirement and to provide information on what stormwater management facilities are present, signs that maintenance is needed, and how the necessary maintenance can be performed. The transfer of this information shall also be required with any subsequent sale of the property.

c. If structural or treatment control BMPs are located within an area proposed for dedication to a public agency, they will be the responsibility of the developer until the dedication is accepted.

SECTION 7. CEQA. The City Council finds that the adoption of the local amendments thereof is exempt from the California Environmental Quality Act ("CEQA") under CEQA Guideline section 15061(b)(3) (the commonsense exemption). The action is largely administrative in nature and designed to improve and not degrade environmental quality such that there is no possibility that adopting this Ordinance would adversely affect the environment in any manner that could be significant. As such, staff is directed to file a Notice of Exemption pursuant to CEQA Guidelines sections 15061(b)(3).

SECTION 8. 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 9. 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 10. Effective Date. This ordinance shall not become effective or be in force until thirty (30) days from and after the date of its adoption.

Passed, approved, and adopted this 11 day of August, 2026.

Tasha Cerda, Mayor

TASHA CERDA, Mayor

ATTEST:

Becky Romero

BECKY ROMERO, City Clerk

APPROVED AS TO FORM:

Carmen Vasquez

CARMEN VASQUEZ, City Attorney

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

I, **BECKY ROMERO**, City Clerk of the City of Gardena, do hereby certify that the whole number of members of the City Council of said City is five; that the foregoing Ordinance, being **Ordinance No. 1891** duly passed and adopted by the City Council of said City of Gardena, approved and signed by the Mayor of said City, and attested by the City Clerk, all at a regular meeting of said City Council held on the **28th day of July 2026**, and that the same was so passed and adopted by the following roll call vote:

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

NOES: NONE

ABSENT: NONE


for _____
City Clerk of the City of Gardena, California

(SEAL)