

RESOLUTION NO. 2023-09-PCR-15

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF REDONDO BEACH, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL ADOPT ORDINANCES AMENDING TITLE 10, CHAPTER 2 ZONING AND LAND USE AND TITLE 10, CHAPTER 5 COASTAL LAND USE PLAN IMPLEMENTING ORDINANCE PERTAINING TO ACCESSORY DWELLING UNITS IN RESIDENTIAL ZONES CONSISTENT WITH STATE LAW, AND RECOMMENDING THAT THE CITY COUNCIL DETERMINE SUCH AMENDMENTS AS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

WHEREAS, the Housing Element of the General Plan of the City of Redondo Beach provides that the City should enhance the availability of suitable sites for housing development which can accommodate a range of housing by type, size, location, price, and tenure;

WHEREAS, the Housing Element provides that the City should allow flexibility within the City's standards and regulations to encourage a variety of housing types;

WHEREAS, the Housing Element provides that the City should mitigate any potential governmental constraints to housing production and affordability;

WHEREAS, the Housing Element provides that the City should review and adjust as appropriate residential development standards, regulations, ordinances, departmental processing procedures, and residential fees related to rehabilitation and construction that are determined to be a constraint on the development of housing, particularly housing for lower and moderate income households and for persons with special needs;

WHEREAS, accessory dwelling units (ADUs) provide a community benefit by expanding the number and type of residential facilities available and assist ADU owners by providing additional affordable space for housing family or friend and/or revenue that may be used for maintenance, upgrades and other costs, in conformance with the Goals, Policies, and Programs of the Housing Element of the City's General Plan;

WHEREAS, if not regulated, ADUs can create nuisances such as overcrowding, illegal vehicle parking, and traffic-flow disruptions. The restrictions of the ADU Ordinance Amendment are necessary to prevent a burden on City services and potential adverse impacts on residential neighborhoods posed by ADUs;

WHEREAS, on October 9, 2019, the California Governor signed bills amending State law (in signature order: Senate Bill 13, Assembly Bill 68, and Assembly Bill 881, Statutes of 2019), effective January 1, 2020, that require the City of Redondo Beach to

amend the Zoning Ordinance to conform to State Government Code Sections 65852.2 and 65852.22, seeking to ease the development standards for ADUs and allow the creation of Junior Accessory Dwelling Units (JADUs);

WHEREAS, on September 28, 2022, the California Governor signed bills further amending Government Code Section 65852.2 (in signature order: Senate Bill 897, Assembly Bill 2221, and Senate Bill 916, Statutes of 2022), effective January 1, 2023, that require the City of Redondo Beach to update its Zoning Ordinance to conform to the amendments to Government Code Section 65852.2;

WHEREAS, if a local agency's existing accessory dwelling unit ordinance fails to meet the requirements of Sections 65852.2 and 65852.22, the ordinance shall be null and void and the agency shall thereafter apply the standards established under Sections 65852.2 and 65852.22 for the approval of accessory dwelling units, unless and until the agency adopts an ordinance that complies with Sections 65852.2 and 65852.22;

WHEREAS, the City of Redondo Beach's existing ADU ordinance adopted on January 12, 2021 does not meet the newly adopted amendments to Section 65852.2;

WHEREAS, the purpose of this Ordinance is to implement Section 65852.2, as amended, and provide for the health, safety, and welfare of City of Redondo Beach citizens by ensuring that development standards are established for ADUs and JADUs that account for local conditions;

WHEREAS, this Ordinance applies to the issuance of building permits and other ministerial permits that pertain to ADUs and JADUs;

WHEREAS, this Ordinance is consistent with Government Code sections 65852.2 and 65852.22 insofar as it attempts to comply with the standards of section 65852.2 and 65852.22 to the greatest extent feasible;

WHEREAS, this Ordinance is consistent with the Zoning Ordinance, the Housing Element of the General Plan, and other regulations of the City of Redondo Beach;

WHEREAS, on September 21, 2023, the Redondo Beach Planning Commission held a duly noticed public hearing, took public testimony, and considered the draft ordinance amendments pertaining to Accessory Dwelling Units, and approved Resolution 2023-09-PCR-15 recommending that City Council adopt the amendments with minor clarifications concerning the circumstances where an additional two (2) feet in height is permitted by State law, including determination that the amendments qualify for exemption from the California Environmental Quality Act (CEQA).

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF REDONDO BEACH, CALIFORNIA, DOES HEREBY FIND AS FOLLOWS:

SECTION 1. FINDINGS

1. The amendments to the City's ADU and JADU ordinance are statutorily exempt from the California Environmental Quality Act (CEQA) as provided by Public Resources Code Section 21080.17 because it implements the provisions of Government Code sections 65852.2 and 65852.22 and CEQA Guidelines sections 15305 (minor alterations to land use limitations) and 15061(b)(3) (common sense exemption).
2. The amendments to the Zoning Ordinance are consistent with the General Plan, including the Housing Element of the General Plan adopted on July 5, 2022, because there is no change that would be inconsistent with the Housing Element of the General Plan.
3. The amendments to the Coastal Land Use Plan Implementing Ordinance are consistent with the City's Local Coastal Plan (LCP), because there is no change that would be inconsistent with the Local Coastal Plan.
4. These amendments do not require a vote of the people under Article XXVII of the City Charter.

SECTION 2. The above recitals are true and correct, and the recitals are incorporated herein by reference as if set forth in full.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF REDONDO BEACH, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. AMENDMENT TO CODE. The Planning Commission recommends that Title 10 Planning and Zoning, Chapter 2 Zoning and Land Use be amended as per **Exhibit A**.

SECTION 2. AMENDMENT TO CODE. The Planning Commission recommends that Title 10 Planning and Zoning, Chapter 5 Coastal Land Use Plan Implementing Ordinance be amended as per **Exhibit B**.

SECTION 3. Any provisions of the Redondo Beach Municipal Code, or appendices thereto, or any other ordinances of the City inconsistent herewith, to the extent of such inconsistencies and no further, are hereby repealed.

SECTION 4. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the ordinance. The City Council shall declare that it would have passed this ordinance and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid or unconstitutional.

FINALLY RESOLVED, that the Planning Commission forward a copy of this resolution to the City Council so the Council will be informed of the action of the Planning Commission.

PASSED, APPROVED, AND ADOPTED this 21st day of September, 2023.

Rob Gaddis, Chair
Planning Commission
City of Redondo Beach

ATTEST:

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF REDONDO BEACH)

I, Sean Scully, Acting Community Development Director of the City of Redondo Beach, California, do hereby certify that the foregoing Resolution No. 2023-09-PCR-15 was duly passed, approved and adopted by the Planning Commission of the City of Redondo Beach, California, at an adjourned regular meeting of said Planning Commission held on the 21st day of September, 2023 by the following roll call vote:

AYES: Light, Boswell, Lamb, Hinsley, Hazeltine, Vice Chair Godek, and Chair Gaddis

NOES: None

ABSENT: None

Sean Scully
Acting Community Development Director

APPROVED AS TO FORM:

City Attorney's Office