

**Steve Cammarata, Chair**  
**Michael Graf, Vice-Chair**  
**Monica Dever, Commissioner**  
**Joaquin Santos, Commissioner**  
**Bob Steinbach, Commissioner**  
**Brenda Stephens, Commissioner**  
**Jim Thompson, Commissioner**



**Lomita City Hall**  
**Council Chambers**  
24300 Narbonne Avenue  
Lomita, CA 90717  
Phone: (310) 325-7110  
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**Next Resolution No. PC 2022-03**

**AGENDA**  
**REGULAR MEETING**  
**LOMITA PLANNING COMMISSION**  
**MONDAY, MAY 9, 2022**  
**6:00 P.M.**

**VARIOUS TELECONFERENCE LOCATIONS**

**PURSUANT TO AB361, THE PUBLIC AND COMMISSION MAY PARTICIPATE IN THIS MEETING VIA TELECONFERENCE AS SOCIAL DISTANCING MEASURES ARE RECOMMENDED BY STATE AND COUNTY OFFICIALS.**

*Access to the meeting will be available via URL: <https://us06web.zoom.us/j/82882594979> or by phone by calling 1 (669) 900 6833. Meeting ID: 828 8259 4979.*

*In order to effectively accommodate public participation, participants are asked to provide their comments via e-mail before 5:00 p.m. on Monday, May 9, 2022, to [l.abbott@lomitacity.com](mailto:l.abbott@lomitacity.com). Please include the agenda item in the subject line. All comments submitted will be read into the record until the time limit of five minutes has been reached.*

*All votes taken during this teleconference meeting will be by roll call vote, and the vote will be publicly reported.*

**1. OPENING CEREMONIES**

- a. Call Meeting to Order
- b. Roll Call

**2. ORAL COMMUNICATIONS**

*Persons wishing to address the Planning Commission on subjects other than those scheduled are requested to do so at this time. Please provide your name and address for the record. In order to conduct a timely meeting, a 5-minute time limit per person has been established. Government Code Section 54954.2 prohibits the Planning Commission from discussing or taking action on a specific item unless it appears on a posted agenda.*

**3. CONSENT AGENDA**

- a) **APPROVAL OF MINUTES:** April 11, 2022, minutes

**RECOMMENDED ACTION:** Approve minutes.

**PUBLIC HEARINGS**

4. **ALLEY VACATION**, a request to vacate approximately 2,850 square feet of the public alley located adjacent (south) to the property at 24516 Narbonne Avenue. The request would formally convert this portion of the alley into a publicly accessible paseo. This summary vacation is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305, Minor Alterations in Land Use Limitations. *(continued from the April 11, 2022, Planning Commission meeting)*

**APPLICANT:** Luigi Schiappa of Luigi Schiappa Development, 2040 Lomita Blvd., Ste. 100, Lomita, CA 90717

**PRESENTED BY:** Assistant Planner Quintero

**RECOMMENDED ACTION:** To continue the public hearing to the Monday, June 13, 2022, Planning Commission meeting.

5. **AMENDMENT TO CONDITIONAL USE PERMIT NO. 311**, a request to allow the sale of distilled spirits, beer and wine for on-site consumption at a 4,391-square-foot restaurant located at 1841 Pacific Coast Highway in the C-R (Commercial Retail) Zone.

**APPLICANT:** Emil Lewis, 1841 Pacific Coast Highway, Lomita, CA 90717

**PRESENTED BY:** Associate Planner MacMorran

**RECOMMENDED ACTION:** Adopt resolution of approval subject to findings and conditions, and confirm that the project is exempt from CEQA requirements.

**SCHEDULED MATTERS**

6. **REVIEW** Proposed Fiscal Year 2022-2023 Capital Improvement Program and 2022-2027 Capital Improvement Program for Consistency with the General Plan.

**APPLICANT:** City of Lomita

**PRESENTED BY:** Associate Planner MacMorran

**RECOMMENDED ACTION:** Adopt resolution recommending to the City Council that the projects being considered for the Fiscal Year 2022-2023 Capital Improvement Program and the 2022-2027 Five-Year Capital Improvement Plan are consistent with the Lomita General Plan and should be accepted by the City Council for inclusion in the Five-Year Capital Improvement Plan

7. **WORKSHOP** to consider an update to Accessory Dwelling Units regulations, establishment of permanent regulations for Urban Lot Splits and Two-Unit Development (SB 9) and revised development standards to increase density for Multiple Single-Family Units in the A-1 and R-1 Zones.

**APPLICANT:** City of Lomita

**PRESENTED BY:** Planner Repp Loadsman and Assistant Planner Quintero

**RECOMMENDED ACTION:** Provide direction on the preparation of an ordinance amendment and direct staff to schedule a public hearing on June 13, 2022.

8. **COMMUNICATIONS REGARDING CITY COUNCIL ACTIONS**

**9. PROJECT STATUS UPDATES****OTHER MATTERS****10. STAFF ITEMS – ANNOUNCEMENTS****11. PLANNING COMMISSIONER ITEMS****12. COMMISSIONERS TO ATTEND CITY COUNCIL MEETINGS**

Tuesday, June 7, 2022, and Tuesday, June 21, 2022

**13. DISCUSSION OF HYBRID MEETINGS** *(continued from the April 11, 2022, Planning Commission meeting)***14. ADJOURNMENT**

The next regular meeting of the Planning Commission is scheduled for Monday, June 13, 2022, at 6:00 p.m.

*Written materials distributed to the Planning Commissioners within 72 hours of the Planning Commission meeting are available for public inspection immediately upon distribution in the City Clerk's office at 24300 Narbonne Avenue, Lomita, CA 90717. In compliance with the Americans with Disabilities Act (ADA), if you need special assistance to participate in this meeting, you should contact the office of the City Clerk, (310) 325-7110 (Voice) or the California Relay Service. Notification 48-hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to this meeting.*

*Only comments directed to the Commission from the podium will be recognized. Comments directed to the audience or generated from the audience will be considered out of order. Any person may appeal all matters approved or denied by the Planning Commission to City Council within 30 days of receipt of notice of action by the applicant. Payment of an appeal fee is required. For further information, contact City Hall at (310) 325-7110.*

*I hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted not less than 72 hours prior to the meeting at the following locations: Lomita City Hall lobby and outside bulletin board, Lomita Parks and Recreation (Lomita Park), and uploaded to the City of Lomita website at <https://lomitacity.com/agendas-minutes/>.*

Dated Posted: May 6, 2022



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Linda E. Abbott, CMC  
Deputy City Clerk

**MINUTES  
REGULAR MEETING  
LOMITA PLANNING COMMISSION  
MONDAY, APRIL 11, 2022**

**1. OPENING CEREMONIES**

a. Chair Cammarata called the meeting to order at 6:00 p.m. via teleconference pursuant to Governor Newsom's Executive Order N-29-20 issued on March 17, 2020.

b. Roll Call

Responding to the roll call by Deputy City Clerk Abbott were Commissioners Dever, Santos, Stephens, Thompson, Vice-Chair Graf, and Chair Cammarata. Also present were Assistant City Attorney Donegan, Planner Repp Loadsman, Assistant Planner Quintero, and Associate Planner MacMorran (all participated via Zoom).

**PRESENT:** Dever, Santos, Stephens, Thompson, Vice-Chair Graf, and Chair Cammarata

**ABSENT:** Steinbach

**2. ORAL COMMUNICATIONS**

None.

**3. CONSENT AGENDA**

a) **APPROVAL OF MINUTES:** March 14, 2022, minutes

**RECOMMENDED ACTION:** Approve minutes.

Commissioner Thompson made a motion, seconded by Commissioner Santos, to approve the minutes of the March 14, 2022, Planning Commission meeting.

**MOTION CARRIED** by the following vote:

**AYES:** Dever, Santos, Stephens, Thompson, Vice-Chair Graf, and Chair Cammarata

**NOES:** None

**ABSENT:** Steinbach

**PUBLIC HEARINGS**

**4. ALLEY VACATION**, a request to vacate approximately 2,850 square feet of the public alley located adjacent (south) to the property at 24516 Narbonne Avenue. The request would formally convert this portion of the alley into a publicly accessible paseo. This summary vacation is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305, Minor Alterations in Land Use



Limitations. Applicant: Luigi Schiappa of Luigi Schiappa Development, 2040 Lomita Blvd., Suite 100, Lomita, CA 90717.

Assistant Planner Quintero presented the staff report as per the agenda material.

Chair Cammarata recused himself as Mr. Schiappa is a client of his business. He was moved to the waiting room for the duration of discussion of the item.

Vice-Chair Graf invited the applicant to speak, but he was not present.

Vice-Chair Graf opened the public hearing at 6:29 p.m. As there were no requests from the public to speak on this item, Vice-Chair Graf closed the public hearing at 6:29 p.m. and brought the item back to the Commission for further discussion or a motion.

After much discussion, it was determined that clarification and additional information was needed in order for the Commission to make an informed decision on the item. The continuation will also allow for the applicant to be present at the next meeting.

Commissioner Thompson made a motion, seconded by Commissioner Santos, to continue this item to the May 9, 2022, meeting.

**MOTION CARRIED** by the following vote:

AYES: Dever, Santos, Stephens, Thompson, and Vice-Chair Graf

NOES: None

ABSENT: Steinbach

RECUSED: Chair Cammarata

Chair Cammarata rejoined the Zoom meeting.

5. **SITE PLAN REVIEW NO. 1216**, a request for a site plan review to convert 1,600-square-foot of an existing 6,800-square-foot warehouse into a retail space and to allow for a reduction in the required parking by approving seven onsite parking spaces at a business located within 500 feet of a municipal parking lot(s) as allowed by Section 11-1.49.06(D) of the Lomita Municipal Code (LMC) for property located at 24403-24411 Narbonne Avenue in the Downtown Commercial (D-C) zone and to confirm the categorical exemption. Applicant: Bill Lockwood, P.O. Box 367, Lomita, CA 90717 (“Co-Applicant/Owner”)

Associate Planner MacMorrان presented the staff report as per the agenda material. She announced a change since the public noticing for the hearing: the applicant is now proposing 1,160-square-foot of retail space and six onsite parking spaces.

Chair Cammarata invited the applicant to speak.

Bill Lockwood, the applicant, stated that after 100 years of operation, it was time to expand.

Chair Cammarata opened the public hearing at 7:22 p.m. As there were no requests from the public to speak on this item, Chair Cammarata closed the public hearing at 7:22 p.m. and brought the item back to the Commission for further discussion or a motion.

Commissioner Thompson made a motion, seconded by Commissioner Santos, to approve the request for a site plan review to convert 1,160-square-foot of an existing 6,800-square-foot

warehouse into a retail space and to allow for a reduction in the required parking by approving six onsite parking spaces at a business located within 500 feet of a municipal parking lot(s) as allowed by Section 11-1.49.06(D) of the Lomita Municipal Code (LMC) for property located at 24403-24411 Narbonne Avenue in the Downtown Commercial (D-C) zone and to confirm the categorical exemption.

**MOTION CARRIED** by the following vote:

AYES: Dever, Santos, Stephens, Thompson, Vice-Chair Graf, and Chair Cammarata  
NOES: None  
ABSENT: Steinbach

## **SCHEDULED MATTERS**

### **6. COMMUNICATIONS REGARDING CITY COUNCIL ACTIONS**

Planner Repp Loadsman reported on the following:

- March 15, 2022, City Council meeting: Approximately on a five-year basis, the City Council reviews and approves a Capital Improvement Program (CIP) Master Plan establishing project priorities. To allow adequate discussion time, staff will present priorities for consideration on April 26, 2022, at 4:00 p.m.
- April 5, 2022 City Council meeting: City Council adopted Urgency Ordinance 834U for an extension of Urgency Ordinance No. 832U, for a period of 10 months and 15 days, to implement State of California Senate Bill 9 to allow urban lot splits and two-unit residential developments in single-family residential zones.
- The May 9, 2022, Planning Commission meeting might include discussion relative to ADU's.

### **7. PROJECT STATUS UPDATES**

Associate Planner MacMorrان shared an update from Public Works Director Dillon regarding the Cypress Water Production Facility upgrade project.

## **OTHER MATTERS**

### **8. STAFF ITEMS – ANNOUNCEMENTS**

Planner Repp Loadsman stated that the California Alliance of State Elected: California State Auditor released a scathing report on the RHNA process, which finds that the housing goals are not supported by evidence. This suggests that perhaps the numbers were overinflated and possibly could come down.

Planner Repp Loadsman stated that the City's Housing Element is currently being reviewed by the State.

## **9. PLANNING COMMISSIONER ITEMS**

Vice-Chair Graf requested that graffiti on the gazebos at Lomita Park be removed.

Commissioner Stephens asked if a resolution was found relative to a storage container in a resident's yard.

Planner Repp Loadsman stated that staff will be in touch with the resident soon, but the options are limited.

Commissioner Stephens also stated that the facades of some businesses along the intersection of Lomita Boulevard and Narbonne Avenue are looking sub-par.

Associate Planner MacMorran stated that the City is accepting applications through April 21, 2022, for forgivable loans relative to façade improvements for retail and food service-related businesses, as well as non-profits.

Chair Cammarata asked if staff could reach out to the business owners. He also asked if a new business would soon be taking over a vacation site in the area.

Associate Planner stated that a woman's clothing store is opening there, called Well-Worn Art.

## **10. COMMISSIONERS TO ATTEND CITY COUNCIL MEETINGS**

Commissioner Santos will attend the City Council meeting on Tuesday, May 3, 2022.

Commissioner Thompson will attend the City Council meeting on Tuesday, May 17, 2022.

## **11. DISCUSSION OF HYBRID MEETINGS**

This item was continued to the May 9, 2022, meeting.

## **12. ADJOURNMENT**

There being no further business to discuss, the meeting was adjourned by Chair Cammarata at 7:47 p.m.

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Linda E. Abbott, CMC  
Deputy City Clerk



**CITY OF LOMITA  
PLANNING COMMISSION REPORT**

**TO:** Planning Commission May 9, 2022

**FROM:** Lemesis Quintero, Assistant Planner

**SUBJECT:** Vacation of a portion of public right-of-way adjacent to 24516 Narbonne Avenue, in the D-C (Downtown Commercial) Zone

**BACKGROUND**

At the regularly scheduled meeting of April 11, 2022, the Planning Commission voted to continue this item to the May 9, 2022, meeting. Of paramount concern to the Planning Commission were issues of safety and discrepancies in the plans submitted by the applicant. Staff has since held multiple meetings with the applicant and adjacent business owner (Burnin Daylight) to discuss the proposed use and design of the alley. Staff is currently continuing to work with the applicant and is arranging to meet with neighboring property owners to discuss the project.

**PROJECT DESCRIPTION**

A request to vacate approximately 2,850 square feet of the public right-of-way adjacent (south) to the property located at 24516 Narbonne Ave. The request would formally convert this portion of the public right-of-way into a publicly accessible paseo, as originally envisioned for the mixed-use development at 24516 Narbonne Ave. City Council added conditions of approval to the original entitlements for the mixed-use development requiring a vacation to formally convert the space to private property and ensure the public paseo was achieved. The applicant returns to the Planning Commission to do so. The proposed public right-of-way vacation requires the finding of conformity to the General Plan by the Planning Commission.

**STAFF RECOMMENDATION**

Staff recommends that the Planning Commission continue the item to the Planning Commission meeting scheduled for Monday June 13, 2022.

Recommended by:

Handwritten signature of Sheri Repp Loadsman in black ink.

Sheri Repp Loadsman  
Planner

Prepared by:

Handwritten signature of Lemesis Quintero in black ink.

Lemesis Quintero  
Assistant Planner



## **CITY OF LOMITA PLANNING COMMISSION REPORT**

**TO:** Planning Commission May 9, 2022

**FROM:** Laura MacMorran, Assistant Planner

**SUBJECT:** Amendment to Conditional Use Permit No. 311  
1841 Pacific Coast Highway, in the C-R (Commercial Retail) Zone

### **APPLICANT'S REQUEST**

A request to amend Conditional Use Permit No. 311 to allow for on-site distilled spirits consumption at a restaurant located at 1841 Pacific Coast Highway in the C-R, (Commercial Retail) Zone. Filed by Emil Lewis, 1841 Pacific Coast Highway, Lomita, CA 90717 ("Applicant").

### **RECOMMENDATION**

Staff recommends that the Planning Commission adopt a resolution approving the amendment to Conditional Use Permit No. 311, subject to the findings and conditions and to find the amendment is exempt from the California Environment Quality Act (CEQA).

### **BACKGROUND**

#### Existing Condition

Located on the northerly side of Pacific Coast Highway, the property consists of three tied parcels totaling 30,800 square feet and is improved with two commercial buildings. An approximately 1,400-square-foot freestanding building is occupied by a restaurant (El Burrito Jr.). A 9,365-square-foot five-unit building, which is occupied by a laundromat, a cupcake shop, a hair salon, a vacant bar and grill, and Good Life Café's 4,391-square-foot restaurant (the subject of the conditional use permit). Two driveways provide access from Pacific Coast Highway to a parking lot with 30 parking spaces. Access to Walnut Street is made possible through a reciprocal easement with the property located to the west of the subject property. Based on the size of the buildings, the site supplies one parking space for every 359 square feet of building area. Behind the multi-tenant building is a six-foot high masonry wall, which the applicant built in compliance with the original conditions of approval for CUP No. 311.

#### Property History

In 1961, the site was developed. In 1969, the City Council granted a special use permit for beer and wine sales at 1849 Pacific Coast Highway; however, California Department of Alcohol Beverage Control does not have a record of a license at that address.

On January 14, 2019, the Planning Commission approved Conditional Use Permit No. 311 for beer and wine consumption for a restaurant located at 1841 Pacific Coast Highway. The

Planning Commission modified the 300-foot distance requirement to allow the on-site consumption of alcoholic beverages in close proximity to single family homes and Veteran’s Park based upon findings contained in Resolution No. 2019-04. The restaurant operates under the name Good Life Café with a Type 41 license issued by the Department of Alcoholic Beverage Control. The restaurant received its business license on July 19, 2018, and due to COVID-19, has only recently normalized operations. Presently, Conditional Use Permit No. 311 allows the sales, service and consumption of beer and wine between the hours of 10:00 a.m. to 11:00 p.m., Sunday through Thursday and 10:00 a.m. to 12:00 p.m., Friday and Saturday.

On May 11, 2020, the Planning Commission approved Conditional Use Permit No. 315 for a proposed grill to serve beer and wine onsite at 1853 Pacific Coast Highway. The property owner/applicant has indicated that they will apply for a one-year extension per Lomita Municipal Code Section 11-1.70.18(B)(2).

Project Description

The applicant requests an amendment to Conditional Use Permit No. 311 to sell distilled spirits, in addition to the existing sales of beer and wine for on-site consumption at a restaurant. The Department of Alcoholic Beverage Control classifies the on-premises sale of distilled spirits, beer, and wine at a bona fide eating place as a Type 47 license. The restaurant shall only serve alcoholic beverages from 7:00 a.m. to 9:00 p.m., Sunday through Thursday, and 7:00 a.m. to 9:30 p.m. Friday and Saturday, and the kitchen must remain open during all hours of operation.

Environmental Determination

Pursuant to Section 15301 (Existing Facilities) of the CEQA guidelines, a project that consists of permitting or licensing involving negligible, or no expansion of use may be found to be exempt from the requirements of CEQA. The project is adding a Type 47 license to sell distilled spirits, which is expected to be a negligible expansion of the use. The building will not be altered or expanded.

General Plan Designation

The General Plan land use designation for the subject property is commercial. The allowable floor area ratio for the area is 1.0. The subject site has a floor area ratio of .35 and is compliant with the standard. The commercial designation provides for retail sale activities and limited-service establishments. Offering beer, wine, and distilled spirits at a restaurant for on-site consumption is considered a retail sales activity and is consistent with the Land Use Element.

In addition, this project aligns with Economic Development Element’s mission to support the development and expansion of existing businesses and policies to promote the improvement and revitalization of existing commercial areas and neighborhood shopping centers.

Adjacent Zoning and Land Uses

| Direction | Zone and Land Use  |
|-----------|--|
| North     | RVD 2500 (Residential Variable Density) Zone<br>Land use: Residential (Single-Family & Multi-Family Homes) |
| South     | C-R (Commercial Retail) Zone<br>Land use: Retail and service establishments                                |
| West      | C-R (Commercial Retail) Zone   |

| <b>Direction</b> | <b>Zone and Land Use</b>                             |
|------------------|--|
|                  | Land use: Food service establishment                 |
| East             | C-R (Commercial Retail) Zone<br>Land use: Vacant lot |

## ANALYSIS

### Development Standards Review

The existing commercial center was built prior to the incorporation of the City and is considered legal nonconforming as it pertains to parking, lighting, and landscaping. As a condition of the conditional use permit for the Type 41 license, the applicant built a six-foot high masonry wall behind the shopping center to mitigate the commercial activity's impacts on the adjacent residential uses.

| <b><u>Development Standard</u></b> | <b><u>Project</u></b>                                  | <b><u>Allowed/Required</u></b>  | <b><u>Compliance</u></b> |
|------------------------------------|--|---|--------------------------|
| Lot Area                           | 30,800 sq. ft.   | 10,000 sq. ft.  | Yes                      |
| Off-Street Parking                 | 30 parking spaces                                      | 54 parking spaces<br>(1/200 sq. ft. per Sec.<br>11-1.66.03(B))  | No*                      |
| Walls                              | 6-foot high masonry wall along northerly property line | 6-foot-high masonry wall along northerly property line  | Yes                      |
| Landscaping                        | <100 square feet                                       | 6% of unimproved lot area<br>20,035 sq. ft. (30,800 sq. ft. lot – 10, 765 sq. ft. building area) *<br>6%= 1,202 sq. ft. | No**                     |

\*Legal nonconforming. Sec. 11-1.66.05 is not applicable to this situation.

\*\* Legal nonconforming

The commercial center is over 60 years old, and the exterior has had minimal improvements. Staff recommends a condition of approval requiring two landscaping beds be created in the parking lot to improve the appearance of the center. The landscaping beds must contain drought tolerant plants and have six-inch high curbs to retain the plant matter and soil. The beds do not have to be automatically irrigated but must be maintained and watered as needed by hand.

### Restaurant Operations

The restaurant's proposed operating hours are consistent with surrounding restaurants (see table below) and consistent with traditional mealtimes.

| <b><u>Restaurant</u></b> | <b><u>Address</u></b>   | <b><u>Operating Hours</u></b>   |
|--------------------------|-------------------------|---|
| <i>Good Life Cafe</i>    | <i>1841 PCH, Lomita</i> | <i>Proposed<br/>Sun - Thurs.: 7 a.m. - 9 p.m.<br/>Fri &amp; Sat.: 7 a.m.- 9:30 p.m.</i> |

|                             |                                    |  |
|-----------------------------|------------------------------------|--|
| O’Hearn’s Pub Bar and Grill | 1831 Pacific Coast Highway, Lomita | 12:00 p.m. – 2: 00 a.m.                                  |
| Szechwan Chinese Food       | 2107 PCH, Lomita                   | 10:30 a.m.-8:30 p.m.                                     |
| Miches De La Baja           | 25720 S Western Ave. Los Angeles   | 11 a.m. - 9 p.m.   |
| Stone Fire Grill            | Rolling Hills Plaza, Torrance      | Sun - Thurs.: 11 am - 9 pm<br>Fri & Sat.: 11 am- 9:30 pm |
| Islands                     | Rolling Hills Plaza, Torrance      | 11 a.m. – 10 p.m.  |

As the primary use of the business is a restaurant and the sale of alcoholic beverages is ancillary and complementary to the food service, a condition has been added requiring the kitchen to remain open and food served during the hours that allow alcoholic beverage sales. (COA No. 13).

In addition, Condition of Approval No. 19, which prohibits the display of alcoholic images, or the brand names of alcoholic products in the windows, has been added to convey that the establishment is truly a bona fide eating establishment, and not a drinking establishment with ancillary food service. That said, the business’s wall sign may use words such as “beer,” “wine,” “cocktails,” or similar words that convey the availability of alcoholic beverages at the restaurant.

Public Safety

In 2020, the City experienced 1,179 Part I and Part II crime incidents. Part I Crimes involve the most serious crimes, including arson, aggravated assault, burglary, larceny theft, robbery amongst others. Part II crimes involve forgery, non-aggravated assault, public intoxication (drunk and/or high), disorderly conduct, vagrancy, driving while intoxicated, amongst others.

The City has five reporting districts and subject property is located in Reporting District (RD) 1714, which encompasses all the properties located on Pacific Coast Highway. In 2020, RD 1714 experienced 314 Part I and Part II incidents. Only some of Part I and Part II crimes could be related to a restaurant use that serves alcoholic beverages, including distilled spirits. Staff has evaluated the specific site, and the existing use, in relation to specific types of crimes.

For the past two years, the shopping center as a whole has had 11 calls for service. Staff has added a condition of approval requiring security cameras that face the easterly vacant parking lot and Pacific Coast Highway. (COA No. 17)

Good Life Café’s Type 41 beer and wine license has been active since March 10, 2021. The Los Angeles County Sheriff Department (LASD) reported that there were no alcohol-related crimes attributed to this establishment. In addition, the LASD representatives stated that the proposed hours were suitable for a restaurant use and indicated problems may occur when alcohol service is offered beyond normal mealtimes.

Public Health Safety

In February of 2022, Good Life Café was inspected by the Health Department and received an “A” grade. The inspection card noted that the ventilation/hood (item no. 37) requires a permit



from Los Angeles County Building and Safety. Condition of Approval No. 24 has been added requiring the business to have the vent permitted.

#### Conditional Use Permit

Staff has reviewed the project in accordance with Section 11-1.70.09 (Conditional Use Permit) and Article 56 (Sale of Alcoholic Beverages) of the Lomita Municipal Code and advises that the project is consistent with required findings. The findings are summarized below and elaborated in the resolution.

- 1) *A restaurant use is allowed in the Commercial Retail Zone and alcoholic beverages may be served with approval of a conditional use permit.*
- 2) *The restaurant use serving alcoholic beverages is consistent with the General Plan's Land Use Element designation, and the Economic Development Element's mission to support the development and expansion of existing businesses, and promote the improvement and revitalization of existing commercial areas and neighborhood shopping centers.*
- 3) *The site and building's design, location and size are compatible with existing and future land uses. The lot has over 30,000 square feet and the property has 220 linear feet of street frontage. When appropriate operating hours are coupled with the proposed operating conditions, the restaurant with alcoholic beverage service is compatible with existing and future land uses and will not constitute a menace or be materially detrimental to properties in the vicinity.*
- 4) *The site is adequate to accommodate the necessary development features to integrate the restaurant into the neighborhood. The applicant previously built a six-foot-high masonry wall behind the building between the service aisle and the residential neighbors to the north. No other conditions have changed since the original application.*
- 5) *The project is located on Pacific Coast Highway, which adequately carry the kind and quantity of traffic the proposed use will generate and vehicles to swiftly leave the roadway.*

#### Sale of Alcoholic Beverages

Any business selling alcoholic beverages for off-site or on-site consumption shall be located a minimum of 300 feet from schools, parks, public recreation areas and any other use determined to be a sensitive use by the Community Development Director. In this particular instance the adjacent residential uses are deemed sensitive uses because the restaurant will frequently use the rear service aisle abutting the residential properties for its daily operations. The residential uses could experience noise impacts as this service aisle is the only on-site location for disposing the cans and bottles associated with sales for beer and wine. The distance shall be measured from the closest property line from the subject parcel to the closest property line of the parcel containing the sensitive use (LMC Sec. 11-1.56.03(C)).

There are three sensitive uses located within 300 feet from the subject property:

| Sensitive Land Use              | Address  |
|---------------------------------|--|
| Veteran's Park                  | Southwest corner of 257 <sup>th</sup> Street and Walnut Avenue |
| Islamic Center of the South Bay | 25816 Walnut Street  |
| Three Residential Dwellings     | 1848 -1856 257 <sup>th</sup> Street                            |

Section 11-1-56.03 (D) of the Lomita Municipal Code states that the Planning Commission may modify the distance requirements when granting a conditional use permit if the following additional findings can be made. This section enables the City to scrutinize the impacts of a new alcohol use or modification on existing sensitive uses. Staff has reviewed the project advises that the project is consistent with required findings. The findings are summarized below and elaborated in the resolution.

1) *On-site consumption of distilled spirits, beer and wine at a bona fide eating establishment should not adversely impact public safety because the essence of the business is an eating establishment.*

*The Sheriff Department did not object to the proposed addition of distilled spirits so long as the operating hours aligned with traditional mealtimes.*

2) *The restaurant draws people to the commercial center and provides beneficial commercial vitality to the area.*

3) *In today's society, restaurants serving alcoholic beverages for onsite consumption only are common and accepted. This application only pertains to the addition of distilled spirits at an existing restaurant that serves beer and wine. The hours for all alcoholic beverage service will no longer extend late into the night. Late-night hours typically have more negative impacts on the community than meal-time service. Therefore, the use should not be objectionable or detrimental to the surrounding properties.*

**PUBLIC NOTICE**

Notices of this hearing dated April 27, 2022 were mailed to property owners within 300 feet of the subject property and posted on the Lomita City web page and at Lomita City Hall and Lomita Park.

Recommended by:

Sheri Repp Loadsman  
Planner

Prepared by:

Laura MacMorran  
Associate Planner

Exhibits:

a. Resolution

- b. Vicinity Map
- c. Zoning Map
- d. General Plan Map
- e. Aerial Photograph
- f. Notice of Exemption
- g. Crime Data
- h. Site, and Floor Plans
- i. Menu
- j. Planning Commission Resolution No. 2019-04 (Beer and Wine for 1841 PCH)

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOMITA APPROVING AN AMENDMENT TO CONDITIONAL USE PERMIT NO. 311 TO ALLOW THE SALE OF DISTILLED SPIRITS, IN ADDITION TO THE EXISTING SALE OF BEER, AND WINE FOR ON-SITE CONSUMPTION AT A RESTAURANT LOCATED AT 1841 PACIFIC COAST HIGHWAY IN THE COMMERCIAL RETAIL ZONE. FILED BY EMIL LEWIS, 1841 PACIFIC COAST HIGHWAY, LOMITA, CA 90717 AND FINDING THE SAME EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

Section 1. Recitals

- A. The Planning Commission of the City of Lomita has considered an application to amend Conditional Use Permit No. 311 to allow the sale of distilled spirits, in addition to the existing sale of beer, and wine for on-site consumption at a restaurant located at 1841 Pacific Coast Highway in the Commercial Retail Zone. Filed by Emil Lewis, 1841 Pacific Coast Highway, Lomita, CA 90717. (Applicant).
- B. The subject site is zoned C-R (Commercial Retail) and designated “commercial” by the City’s General Plan. Pursuant to Section 11-1.48.04(10) of Article 48 (C-R, Commercial Retail), restaurants serving alcoholic beverages are permitted in the C-R zone with the approval of a conditional use permit, subject to the requirements of Article 56 (Sale of Alcoholic Beverages).
- C. On May 9, 2022, the Planning Commission held a duly noticed public hearing and accepted public testimony for and against the item.
- D. On January 14, 2019, the Planning Commission approved Conditional Use Permit No. 311 for the sale of beer and wine at a bona fide eating establishment (restaurant).
- E. In accordance Pursuant to Section 15301 (Existing Facilities) of the CEQA guidelines, a project that consists of permitting or licensing involving negligible, or no expansion of use may be found to be exempt from the requirements of CEQA. The project is adding a license to sell spirits, which is expected to be a negligible expansion of the use. The building will not be altered or expanded.
- F. The Planning Commission finds that Applicant agrees with the necessity of and accepts all elements, requirements, and conditions of this resolution as being a reasonable manner of preserving, protecting, providing for, and fostering the health, safety, and welfare of citizens in general and the persons who work, or visit this development in particular.

Section 2. Findings.

Pursuant to Section 11-1.70.09 (Conditional Use Permit) and Article 56 (Sale of Alcoholic Beverages) of the Lomita Municipal Code, the Planning Commission finds, after due study and deliberation that the following circumstances exist:

- 1) *The proposed use is allowed within the District with approval of a CUP and complies with all other applicable requirements of this Article.*

Section 11-1.48.02 permits restaurant uses in the C-R Zone, and Section 11-1.48.04(10) allows restaurants to serve alcoholic beverages with the approval of a conditional use permit. In addition, findings have been made to modify Article 56's distance requirement.

The site is legal nonconforming with respect to parking and landscaping area standards. As a restaurant use formerly occupied this space, the project does not trigger any additional parking spaces per Sec. 11-1.66.05.

- 2) *The proposed use is consistent with the General Plan;*

The General Plan land use designation for the subject property is commercial. The commercial designation provides for retail sale activities and limited-service establishments. Offering beer, wine, and distilled spirits at a restaurant for on-site consumption is considered a retail sales activity and is consistent with the Land Use Element. The maximum floor area ratio of 1.0. The subject site has a floor area ratio of .35 and no new square footage is proposed.

In addition, this project aligns with Economic Development Element's mission to support the development and expansion of existing businesses and the Element's policies to promote the improvement and revitalization of existing commercial areas and neighborhood shopping centers. This 4,391-square-foot restaurant space was vacant for approximately five years, and the sale of alcoholic beverages for onsite consumption should help sales grow.

- 3) *The design, location, size and operating characteristics are compatible with existing and future land uses, building and structures in the vicinity and the proposed use will not jeopardize, adversely affect, endanger or otherwise constitute a menace to the public health, safety or general welfare or be materially detrimental to the property of other persons located in the vicinity;*

The site and building's design, location and size are compatible with existing and future land uses. The lot has over 30,000 square feet and the property has 220 linear feet of street frontage. The parking lot is located along Pacific Coast Highway (PCH). Due to the long frontage, the site contains two two-way driveways.

The restaurant has two entrances, one for customers and a long service aisle that connects to the rear door. A six-foot-high masonry wall was built along the rear property line abutting the residential uses to enhance compatibility. This wall both screens the service aisle and reduces noise impacts associated with the proposed use.

The conditional use permit will authorize the service of alcoholic beverages from 7 a.m. to 9 p.m. on Sunday through Thursday, and on Friday and Saturday from 7:00 a.m. to 9:30 p.m. These hours are typical of sit-down restaurants. The LA County Sheriff's Department advised that alcoholic beverage service until 9:30 p.m. on Fridays and Saturdays and 9:00 p.m. Sundays – Thursdays would not jeopardize public safety.

Several conditions have been added to ensure that operations are consistent with a restaurant use and

protects the general welfare of employees and customers. o that the restaurant maintains the look and feel of a restaurant, the advertisement of alcoholic products or brand names of alcoholic products in the window is prohibited. The words “beer”, “wine”, “cocktails” and words that convey similar meaning may be used as part of the allowable wall sign area. (COA No. 19)

When appropriate operating hours are coupled with the proposed operating conditions, the restaurant with alcoholic beverage service is compatible with existing and future land uses and will not constitute a menace or be materially detrimental to properties in the vicinity. A condition has been added restricting the use of service aisle behind the main building to the hours of 7:00 a.m. to 11:00 p.m. and that the rear door shall be closed except for in and out purposes. (COA Nos. 21& 23) The commercial center’s trash area is located away from the residences and is not anticipated to generate noise issues with the inclusion of COA No. 22 requiring bottles and cans to be disposed of 30 minutes after closing.

The restaurant recently received an “A” on its most recent Health Department inspection and is operating in a safe manner. The inspection noted that restaurant is operating with an unpermitted hood. COA No. 24 requires the restaurant to receive a finalized building permit prior to the issuance of the Type 47 ABC license.

For the past two years, the shopping center as a whole has had 11 calls for service. Staff has added condition of approval requiring security cameras that face the easterly vacant parking lot and Pacific Coast Highway. The commercial center is over 60 years old and the exterior has had minimal improvements. Two landscaping beds will be created in the parking lot to improve the appearance of the center. (COA No. 25)

- 4) *The site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this chapter, or as required as a condition in order to integrate the use with the uses in the neighborhood;*

The site is adequate to accommodate the necessary development features to integrate the restaurant into the neighborhood. Restaurant patrons will enter and exit from Pacific Coast Highway. Although the commercial center possesses fewer parking spaces than today’s standard requires, a restaurant is a permitted use in the C-R Zone, and offering alcoholic beverages does not change the maximum occupancy count or the quantity of seats in the restaurant.

The applicant previously built a six-foot-high masonry wall behind the building between the service aisle and the residential neighbors to the north.

- 5) *The site is served by highways and streets adequate to carry the kind and quantity of traffic such use would generate.*

The project is located on Pacific Coast Highway, which is a six-lane, east-west state highway with a center left-turn lane. The site has 220 feet of frontage and two two-way driveways intersecting with PCH. This highway can adequately carry the kind and quantity of traffic the proposed use will generate and vehicles to swiftly leave the roadway.

Section 3. Any business selling alcoholic beverages for off-site or on-site consumption shall be located a

minimum of 300 feet from schools, parks, public recreation areas and any other use determined to be a sensitive use by the Community and Economic Development Director. Section 11-1-56.03 (D) of the Lomita Municipal Code states that the Planning Commission may modify the distance requirements when granting a conditional use permit if the following additional findings can be made:

There are three sensitive uses located within 300 feet from the subject property:

| Sensitive Land Use              | Address  |
|---------------------------------|--|
| Veteran’s Park                  | Southwest corner of 257 <sup>th</sup> Street and Walnut Avenue |
| Three Residential Dwellings     | 1848 -1856 257 <sup>th</sup> Street                            |
| Islamic Center of the South Bay | 25816 Walnut Street  |

Section 11-1-56.03 (D) of the Lomita Municipal Code states that the Planning Commission may modify the distance requirements when granting a conditional use permit if the following additional findings can be made. This section enables the City to scrutinize the impacts of a new alcohol use or modification on existing sensitive uses.

- 1) *The proposed use will not have an adverse impact on public safety. Factors that could be considered to determine impact include but are not limited to Los Angeles County Sheriff Department’s crime statistics for the underlying and surrounding reporting districts, Los Angeles County Sheriff Department’s crime statistics for the underlying and surrounding properties and the types of crime within those same areas.*

On-site consumption of distilled spirits, beer and wine at a bona fide eating establishment should not adversely impact public safety because the essence of the business is an eating establishment. The onsite consumption of distilled spirits, beer and wine is ancillary and complementary to a restaurant. The Sheriff Department did not object to the proposed addition of distilled spirits so long as the operating hours aligned with traditional mealtimes.

- 2) *The business will provide beneficial commercial vitality to the area.*

Prior to the opening of the existing restaurant, the restaurant space at 1841 Pacific Coast Highway was vacant for approximately five years. The restaurant draws people to the commercial center and provides beneficial commercial vitality to the area.

- 3) *The use will not be objectionable or detrimental to surrounding properties and the neighborhood.*

Thru the years, several restaurants have operated at this location. In today’s society, restaurants serving alcoholic beverages are common and accepted. This application only pertains to the addition of distilled spirits at an existing restaurant that serves beer and wine. The hours for all alcoholic beverage service will no longer extend late into the night. Late-night hours typically have more negative impacts on the community than meal-time service. Therefore, the proposed use should not be any more objectionable or detrimental to the surrounding properties than the existing use.

None of the alcoholic beverages will not be sold for off-site consumption; therefore, the restaurant’s

alcoholic sales should not impact the use and enjoyment of nearby Veteran's Park. The location/orientation of the restaurant is such that it is focused away from or only has limited interaction with the sensitive uses.

Section 4. The Planning Commission of the City of Lomita hereby approves Conditional Use Permit No. 311 subject to the following conditions.

#### **GENERAL PROJECT CONDITIONS**

1. This permit is granted for the property described in the application on file with the Planning Division, and may not be transferred from one property to another
2. This permit is granted for the plans dated March 9, 2022, ("the plans") on file with the Planning Division. The project shall conform to the plans, except as otherwise specified in these conditions, or unless a minor modification to the plans is approved by the Community Development Director or a modification to the plans is approved by the Planning Commission. A minor modification may be granted for minimal changes or increases in the extent of use or size of structure. For numerical standards, the Community and Economic Development Director may approve deviations up to 10% provided that city code requirements are met.
3. Approval of this permit shall expire 24 months from the date of approval by the Planning Commission, unless significant construction or improvements or the use authorized hereby have commenced. One or more extensions of time for use inauguration may be requested.
4. The Planning Commission shall conduct a public hearing, pursuant to the public hearing and notice requirements, to modify or revoke any Land Use Entitlement granted under this Chapter. The Planning Commission and/or City Council retain the right to review and modify any permit granted or approved hereunder for any violations of the conditions imposed on such permit.
5. By commencing any activity related to the project or using any structure authorized by this permit, Applicant accepts all of the conditions and obligations imposed by this permit and waives any challenge to the validity of the conditions and obligations stated therein.
6. Applicant agrees, as a condition of adoption of this resolution, at Applicant's own expense, to indemnify, defend and hold harmless the City and its agents, officers and employees from and against any claim, action or proceeding to attack, review, set aside, void or annul the approval of the resolution or any condition attached thereto or any proceedings, acts or determinations taken, done or made prior to the approval of such resolution that were part of the approval process. Applicant's commencement of construction or operations pursuant to the resolution shall be deemed to be an acceptance of all conditions thereof.
7. Before placing or constructing any signs on the project property, Applicant shall obtain a sign permit from the City. Except as provided in the sign permit, Applicant may not change any signs on the project property.
8. If Applicant, owner or tenant fails to comply with any of the conditions of this permit, the Applicant, owner or tenant shall be subject to a civil fine pursuant to the City Code.



9. This permit shall not be effective for any purpose until a duly authorized representative of the owner of the property has filed with the Department of Community Development, a notarized affidavit accepting all the conditions of this permit. This affidavit, or a copy of this resolution, shall be recorded with the County Recorder and is binding on successors. If the Applicant is a corporation, then an officer of the corporation shall sign the acceptance affidavit.

#### **PLANNING STANDARD CONDITIONS**

10. Any application for a minor modification to the project shall be accompanied by three copies of plans reflecting the requested modification, together with applicable processing fees.
11. It is hereby declared to be the intent that if any provision of this permit is held or declared invalid, the permit shall be void and the privileges granted hereunder shall lapse.
12. That, in the event of a disagreement in the interpretation and/or application of these conditions, the issue shall be referred back to the Planning Commission.

#### **PLANNING SPECIAL CONDITIONS**

13. The hours of operation (*i.e.*, the sale of both food and alcoholic beverages) shall be limited from 7:00 a.m. to 9:00 p.m., Sunday through Thursday, and 7:00 a.m. to 9:30 p.m. Friday and Saturday. The kitchen shall remain open during all hours of operation.
14. The establishment shall be operated as a “bona fide public eating place” as defined by Business and Professions Code section 23038. In the event that food service ceases on the property, this permit for the on-site consumption sale of distilled spirits, beer and wine must either be modified or will be subject to revocation pursuant to the Lomita Municipal Code.
15. No sale, service, or consumption of alcoholic beverages may occur outside the establishment unless a special event permit is approved.
16. All crimes occurring inside or outside the project property shall be reported to the Lomita Station of the Los Angeles County Sheriff’s Department at the time of the occurrence.
17. Security cameras and system shall record activity on the exterior and interior of 1841 Pacific Coast Highway. Plans and specifications for the equipment shall be approved by Director of Community and Economic Development and shall be installed prior to utilization of the California Department of Alcohol Beverage Control’s Type 47 license.
18. The Permittee shall be responsible for ensuring that all employees receive “Responsible Alcoholic Beverage Service” training as offered through programs established by ABC, as well as any other training required by the State of California in conjunction with alcohol sales and service. Evidence of such training and the training records of all employees shall be maintained on-site during business hours, and made available for inspection upon request.
19. . The windows shall not advertise alcoholic products or the brand names of alcoholic products. The

words “beer,” “wine,” and “cocktails” and words that convey similar meaning may be used as part of the allowable wall sign area.

20. On a daily basis, applicant shall remove cigarette butts at a distance of at least 25 feet in both directions from the main customer door and rear service door.
21. The rear door(s) shall be kept closed at all times during the operation of the business except in cases of emergency and to permit deliveries. Said door(s) shall not consist solely of a screen or ventilated security door.
22. Bottles and beverage cans must be disposed of no more than 30 minutes after closing.
23. The service aisle behind the building shall not be used after 10:00 p.m. and shall not be used before 7:00 a.m.
24. The restaurant shall apply for a building permit for its exhaust hood vent prior to the issuance of the Type 47 license to resolve Los Angeles County’s Department of Health Inspection Record noted on 2/16/2022.
25. The parking lot shall have two landscaping beds along the easterly end of the parking stalls. Plans and specifications for landscaping shall be approved by Director of Community and Economic Development and shall be installed prior to utilization of a California Department of Alcohol Beverage Control’s Type 47 license
26. The construction, use, and all related activity authorized under this Permit shall comply with all applicable local, state, and federal laws, rules, regulations, guidelines, requirements, and policies. Permittee shall procure and maintain any and all licenses, permits, and/or other authorizations, including licensure through the State of California Department of Alcoholic Beverage Control (“ABC”), that may be required by law to operate the use contemplated herein.
27. This Resolution shall supersede prior resolutions, these conditions shall control.

PASSED and ADOPTED by the Planning Commission of the City of Lomita on this 9<sup>th</sup> day of May, 2022 by the following vote:

AYES: Commissioners:  
NOES: Commissioners:  
ABSENT: Commissioners:


\_\_\_\_\_  
Steven Cammarata, Chair

ATTEST: \_\_\_\_\_  
Sheri Repp Loadsman  
Planner

Within 30 days of the date of this decision for an exception, permit, change of zone, or other approval, or by the person the revocation of whose permit, exception, change of zone, or other approval is under consideration, of notice of the action of, or failure to act by, the Commission, any person dissatisfied with the action of, or the failure to act by, the Commission may file with the City Clerk an appeal from such action upon depositing with said Clerk an amount specified by resolution of the City Council.

Any action to challenge the final decision of the City made as a result of the public hearing on this application must be filed within the time limits set forth in Code of Civil Procedure Section 1094.6.



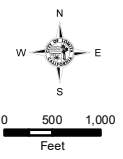
 City of Lomita

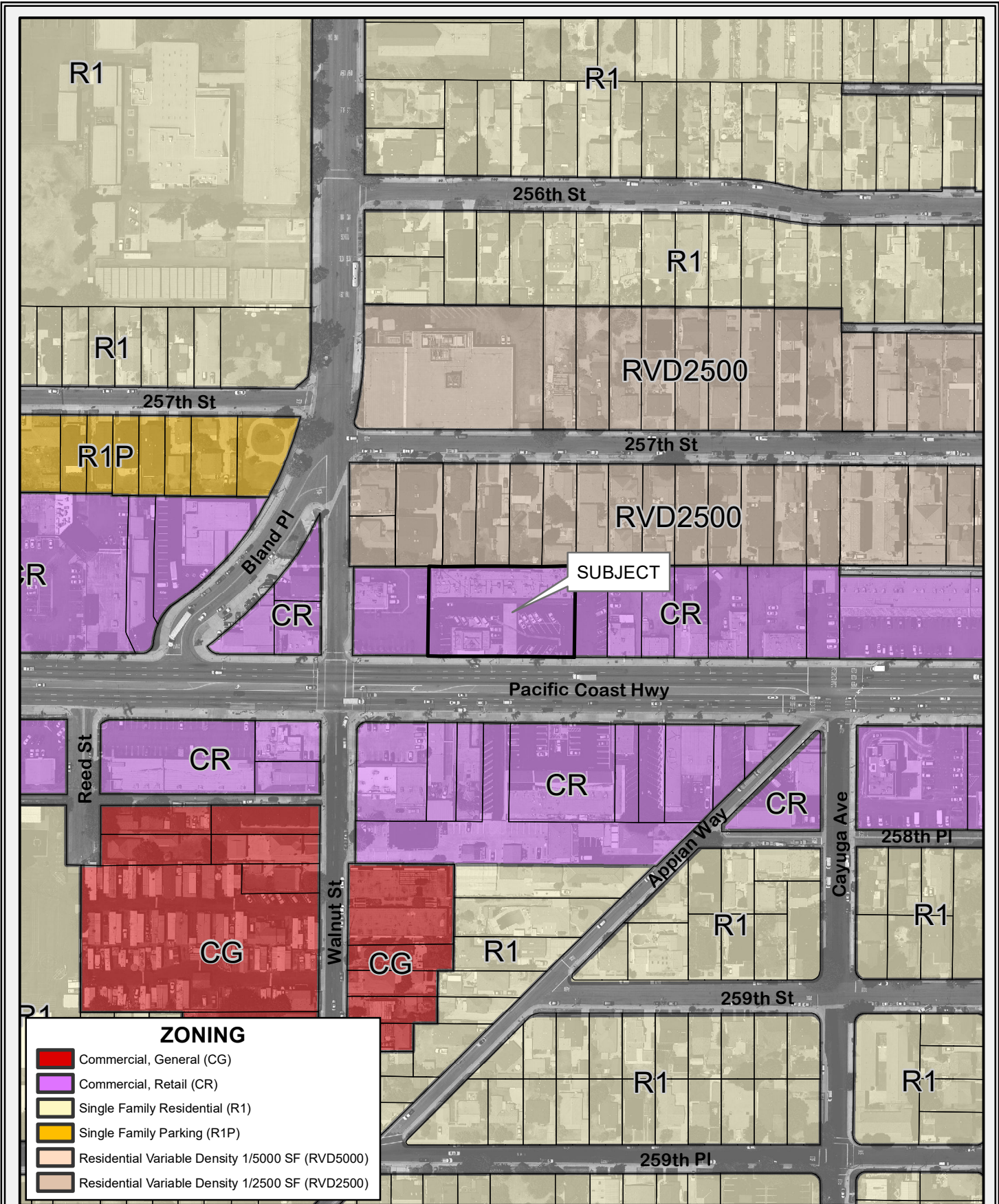


**Amendment to  
Conditional Use Permit No. 311  
1841 Pacific Coast Highway  
Exhibit B**







Community Development  
April 2022

Source: Lomita GIS Data Layers, TIGER Files  
GIS/Apps/1841PCH\_2vty.mxd





**ZONING**

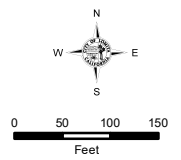
|   |  |
|---|--|
|  | Commercial, General (CG)                         |
|  | Commercial, Retail (CR)                          |
|  | Single Family Residential (R1)                   |
|  | Single Family Parking (R1P)                      |
|  | Residential Variable Density 1/5000 SF (RVD5000) |
|  | Residential Variable Density 1/2500 SF (RVD2500) |

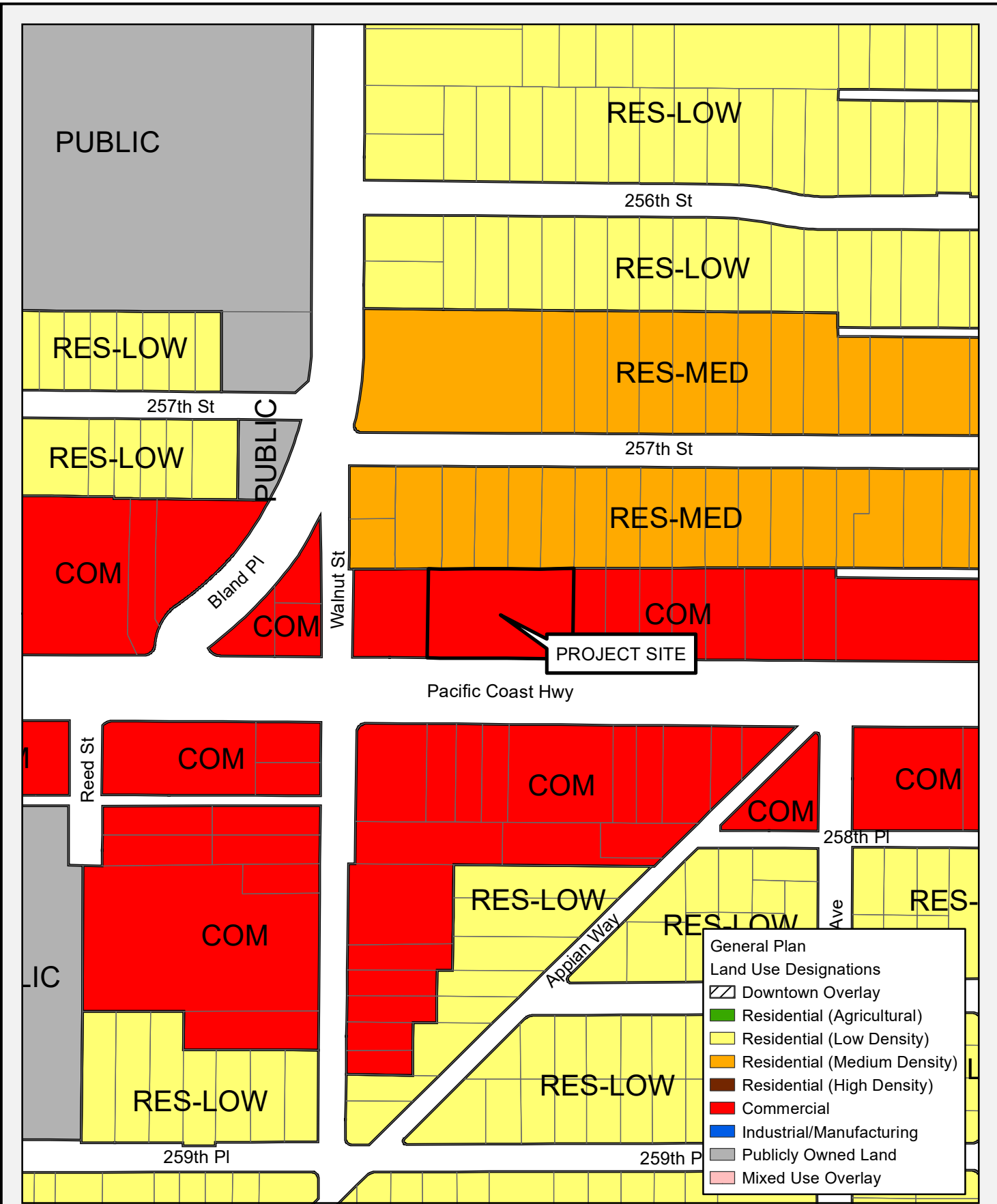


**Amendment to  
Conditional Use Permit No. 311  
1841 Pacific Coast Highway  
Exhibit C**

Community Development  
April 2022

Source: Lomita GIS Data Layers  
GIS/Apps/1841PCH\_Zzon.mxd





**General Plan**  
**Land Use Designations**

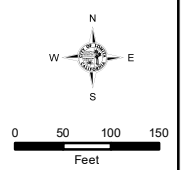
- Downtown Overlay
- Residential (Agricultural)
- Residential (Low Density)
- Residential (Medium Density)
- Residential (High Density)
- Commercial
- Industrial/Manufacturing
- Publicly Owned Land
- Mixed Use Overlay



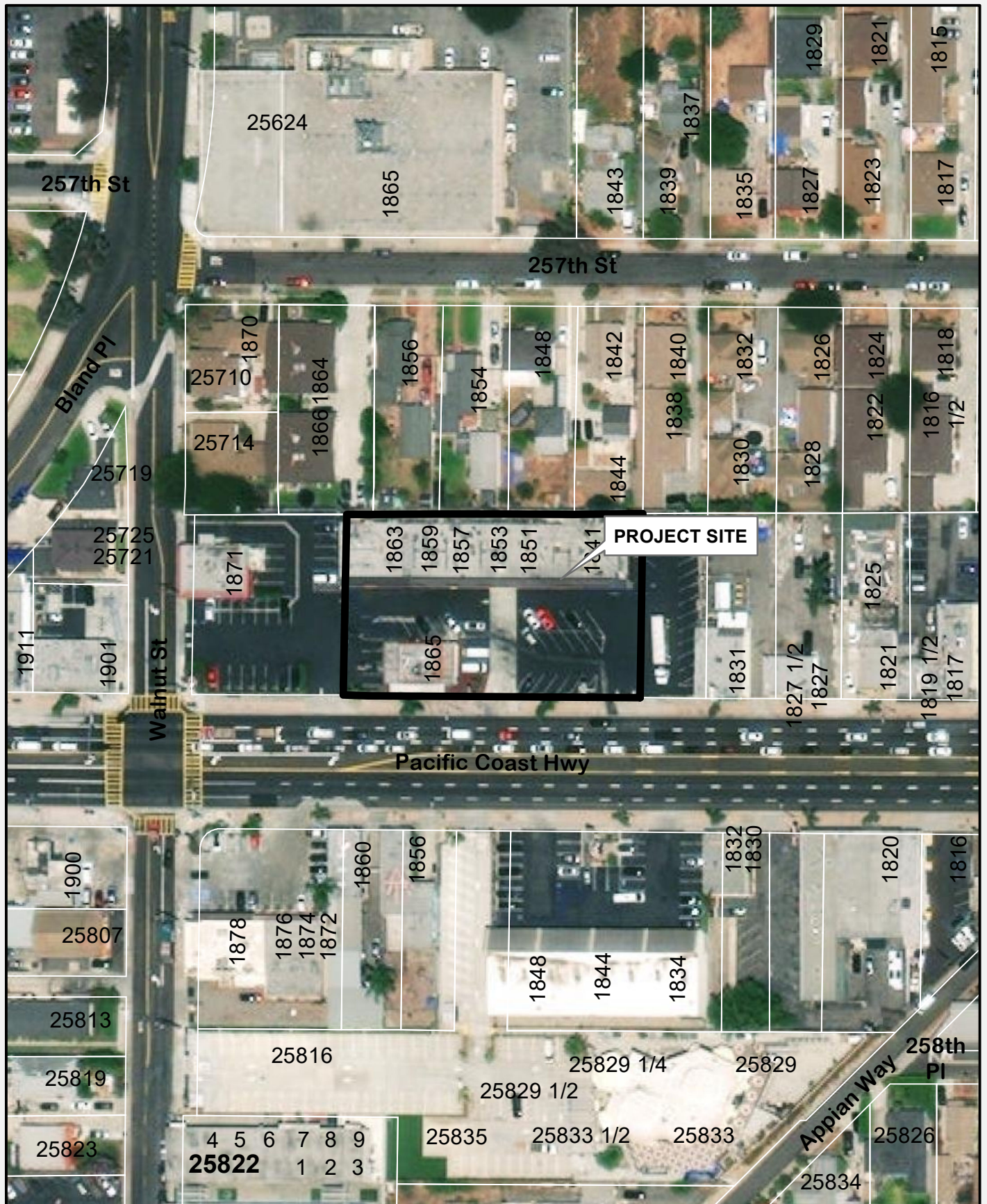
**Amendment to  
 Conditional Use Permit No. 311  
 1841 Pacific Coast Highway  
 Exhibit D**

Community Development  
 April 2022

Source: Lomita GIS Data Layers  
 GIS/Apps/1841PCH\_2gp.mxd



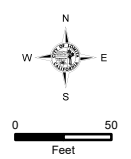




**Amendment to  
 Conditional Use Permit No. 311  
 1841 Pacific Coast Highway  
 Exhibit E**

Community Development  
 April 2022

Source: Lomita GIS Data Layers  
 /Apps/1841PCH\_2aer.mxd





Community Development Department  
Planning Division  
24300 Narbonne Avenue  
Lomita, CA 90717  
310/325-7110  
FAX 310/325-4024

## NOTICE OF EXEMPTION

***Project Title:*** Amendment to Conditional Use Permit No. 311

***Project Description:*** A request for an amendment to Conditional Use Permit No. 311 to allow the sale of distilled spirits, beer and wine for on-site consumption at a 4,391-square-foot restaurant located at 1841 Pacific Coast Highway in the C-R, (Commercial Retail) Zone. Filed by Emil Lewis, 1841 Pacific Coast Highway, Lomita, CA 90717 (“Applicant”).

***Finding:***

The Planning Division of the Community Development Department of the City of Lomita has reviewed the above proposed project and found it to be exempt from the provisions of the California Environmental Quality Act (CEQA).

- Ministerial Project
- Categorical Exemption (CEQA Guidelines, Section 15301(a) (Existing Facilities))
- Statutory Exemption
- Emergency Project
- Quick Disapproval [CEQA Guidelines, Section 15270]
- No Possibility of Significant Effect [CEQA Guidelines, Section 15061(b)(3)]

***Supporting Reasons:*** In accordance Pursuant to Section 15301 (Existing Facilities) of the CEQA guidelines, a project that consists of permitting or licensing involving negligible, or no expansion of use may be found to be exempt from the requirements of CEQA. The project is adding a license to sell distilled spirits, which is expected to be a negligible expansion of the use. The building will not be altered or expanded. Therefore, the Planning Commission has determined that there is no substantial evidence that the project may have a significant effect on the environment.

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
Laura MacMorran  
Associate Planner



## 2020 LOMITA PART I CRIME STATS JAN - DEC

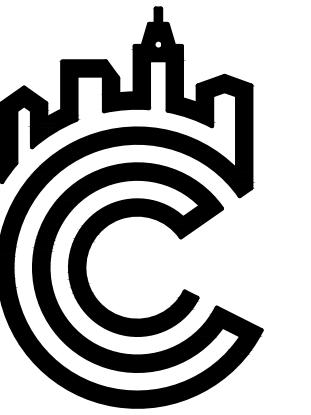
|                     | 1710      | 1711      | 1712      | 1713      | 1714      | 1751      | LMT TOTAL  |
|---------------------|-----------|-----------|-----------|-----------|-----------|-----------|------------|
| HOMICIDE            | 1         | 2         | 0         | 2         | 0         | 0         | 5          |
| RAPE                | 0         | 1         | 0         | 1         | 0         | 0         | 2          |
| ROBBERY             | 4         | 3         | 0         | 1         | 4         | 1         | 13         |
| AGGRAVATED ASSAULT  | 5         | 17        | 7         | 9         | 10        | 9         | 57         |
| BURG, RESIDENTIAL   | 4         | 9         | 9         | 9         | 0         | 2         | 33         |
| BURG, OTHER         | 12        | 2         | 4         | 4         | 6         | 0         | 28         |
| VEHICLE BURGLARY    | 4         | 7         | 13        | 13        | 0         | 1         | 38         |
| THEFT FROM VEHICLE  | 5         | 3         | 7         | 10        | 2         | 3         | 30         |
| OTHER LARCENY/THEFT | 23        | 25        | 18        | 33        | 13        | 5         | 117        |
| GTA                 | 3         | 12        | 17        | 16        | 3         | 3         | 54         |
| ARSON               | 0         | 1         | 0         | 0         | 2         | 0         | 3          |
| <b>TOTAL</b>        | <b>61</b> | <b>82</b> | <b>75</b> | <b>98</b> | <b>40</b> | <b>24</b> | <b>356</b> |

Per the FBI Guidelines Homicide, Rape, and Aggravated Assault are counted by victim.

All other crimes are counted by incident.

Source: LARCIS 5C UCR Data





DESIGN:  
 C-OLIVEIRA DESIGN  
 3680 WILSHIRE BLVD, STE P04-1341  
 LOS ANGELES, CA 90010  
 415-793-9492  
 CAMILLA.ODESIGN@GMAIL.COM  
 www.coliveiradesign.com

GOODLIFE CAFE  
 1841 PACIFIC COAST HWY,  
 LOS ANGELES, CA 90027

COVER SHEET

DATE: 03/09/2022

SCALE: NTS

|           |  |
|-----------|--|
| REVISION: |  |
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| △         |  |
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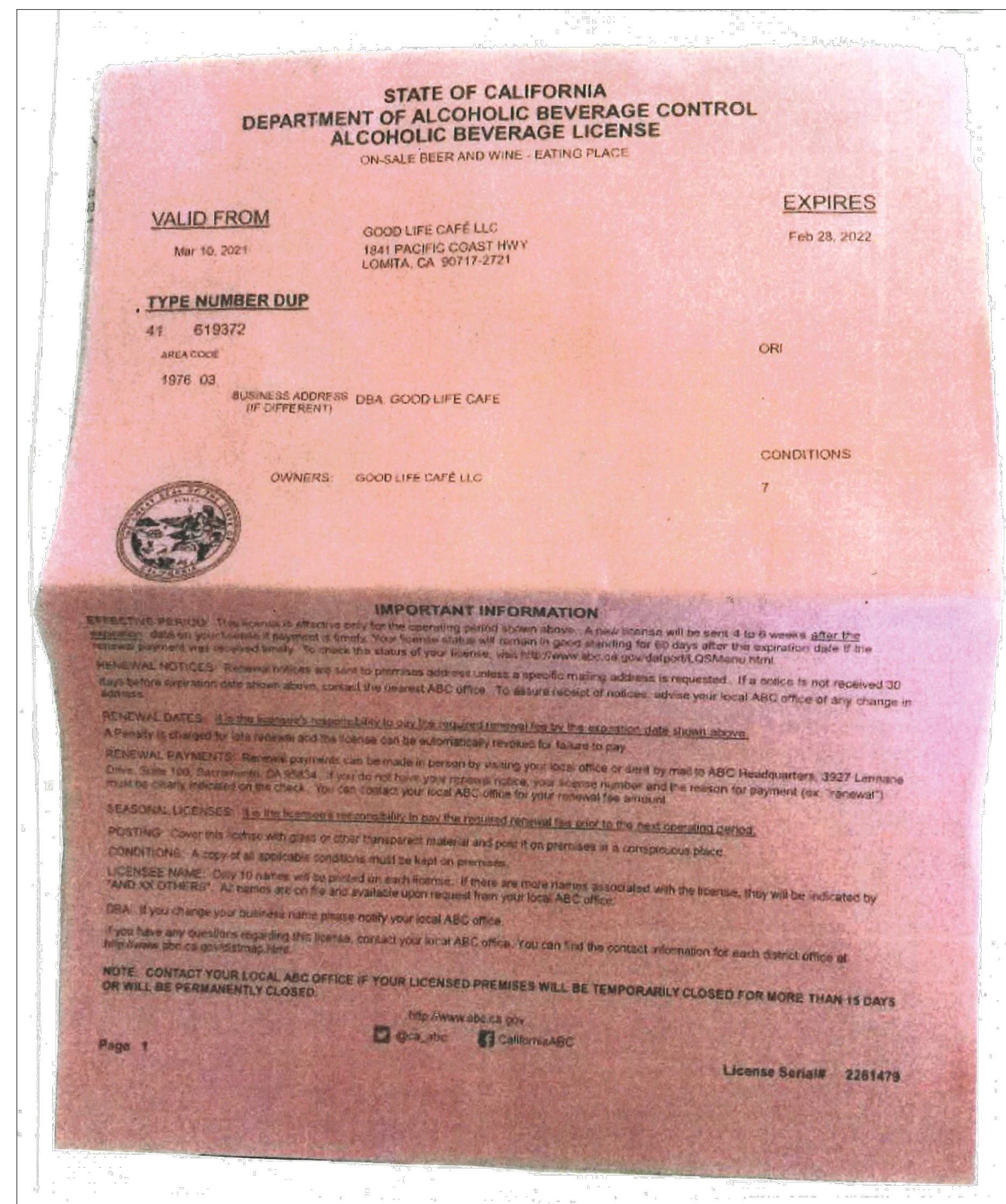
PROJECT #: 20-XXX

DRAWN BY: MS

SHEET  
**A-0**

# GOOD LIFE CAFE, 1841 PACIFIC COAST HIGHWAY, LOMITA, CA 90717

## ABC LICENSE



## SHEET INDEX

| SHEET # | TITLE                                     |
|---------|---|
| A-0.0   | LICENSE, HOURS, MENU, DESCRIPTION         |
| A-1.0   | SITE PLAN                                 |
| A-2.0   | FLOOR PLAN: SEATING AND TRASH INFORMATION |
| A-2.1   | FLOOR PLAN: KITCHEN LAYOUT AND EQUIPMENT  |

## HOURS

|           |          |
|-----------|----------|
| Monday    | 7AM-12AM |
| Tuesday   | 7AM-12AM |
| Wednesday | 7AM-12AM |
| Thursday  | 7AM-12AM |
| Friday    | 7AM-12AM |
| Saturday  | 7AM-12AM |
| Sunday    | 7AM-12AM |

## DESCRIPTION

A restaurant that is laid-back, fun with great ambiance and entertainment. Open for people to enjoy the unique food menu offering Caribbean, American and Seafood and all types of drinks served as well.

## MENU

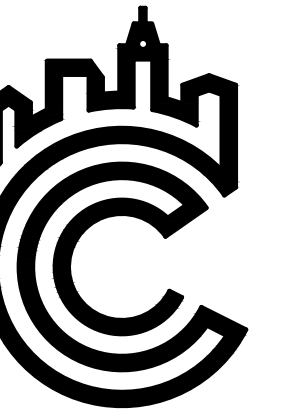
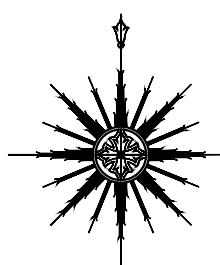
- Appetizers
  - . Patties (chicken, beef, veggie)
  - . Plantains
  - . BBQ pulled chicken sliders with jerk slaw
  - . Fried lobster sticks with special sauces
  - . Wings 4 different choices (jerk, Buffalo, lemon pepper, BBQ)
  - . Jerk nachos (pulled jerk chicken) taco Tuesday item
  - . Crab cakes
  - . Jamaican shrimp platter
  - . hush puppies
  - . Macaroni cheese balls
  
- Breakfast / lunch
  - . Jerk chicken and waffles
  - . Jerk chicken sandwich (Jerk chicken, veggies, pepper jack cheese, pepperonis ,and jerk aolie
  - . Ackee and salt fish
  - . The good life omelets
  - . Eggs any style
  - . Jerk chicken salad
  - . Breakfast sides (smothered potatoes, grits, bacon, fruit
  - . Cobb salad
  - . Caribbean salmon salad
  - . Fried jerk chicken sandwich with garlic fries or regular fries
  
- Dinner / entrees
  - . Jamaican short ribs with our special jerk au jus sauce
  - . Fish of the day (red snapper, salmon , rock cod fish , etc.
  - . Jamaican ox tails
  - . Spicy shrimp
  - . Stew chicken
  - . Jerk chicken plate
  
- Sides
  - . Peas and rice
  - . Macaroni and cheese
  - . Caribbean Cole slaw
  - . Macaroni salad
  - . White rice
  - . Cabbage/ greens
  - . Fries
  - . Fried cabbage
  - . Collard Lou
  - . Mashed yams
  - . Vegetable medley





**SITE PLAN**

3/32" = 1'-0"



DESIGN:  
 C-OLIVEIRA DESIGN  
 3680 WILSHIRE BLVD., STE P04-1341  
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 www.coliveiradesign.com

**GOODLIFE CAFE**  
 1841 PACIFIC COAST HIWY,  
 LOS ANGELES, CA 90027

**SITE PLAN**

DATE: 03/09/2022

SCALE: 3/32" = 1'-0"

| REVISION: |  |
|-----------|--|
| △         |  |
| △         |  |
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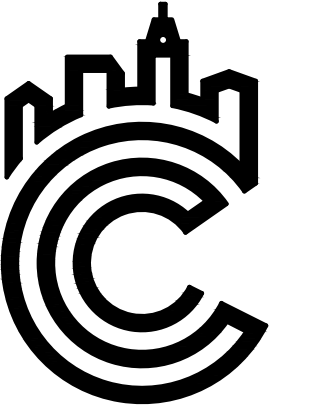
PROJECT #: 20-XXX

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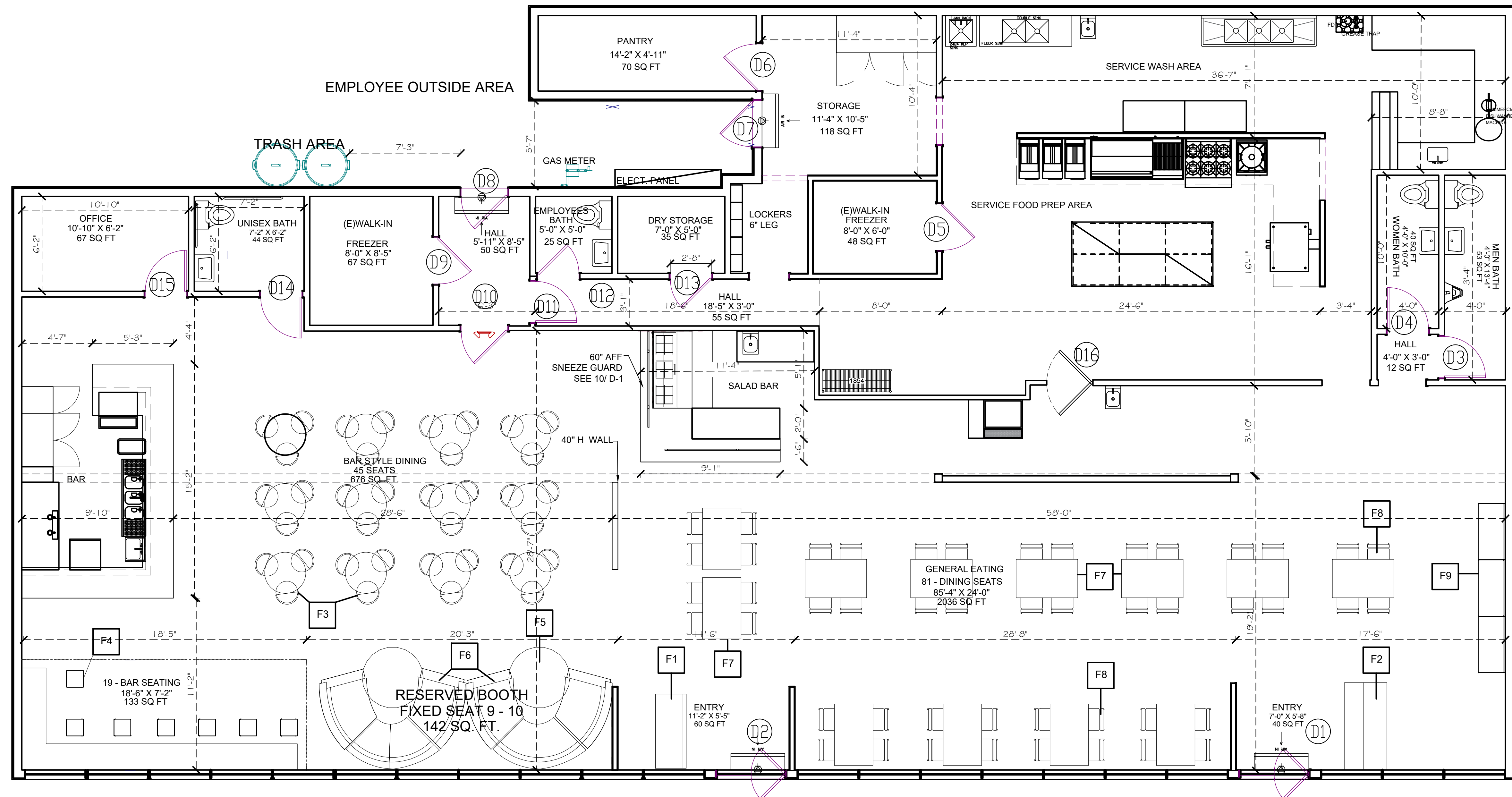




DESIGN:  
 C-OLIVEIRA DESIGN  
 3680 WILSHIRE BLVD, STE P04-1341  
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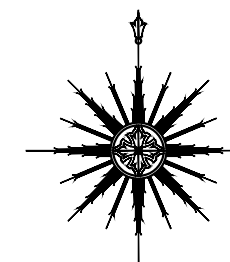
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 1841 PACIFIC COAST HWY,  
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FLOOR PLAN



# FLOOR PLAN

1/4" = 1'-0"



## WINDOW SCHEDULE

EXISTING WINDOWS TO REMAIN. ALL WINDOWS TO BE FIXED.

## DOOR SCHEDULE

| SYM | QUANT | SIZE        | THK    | CONST. | FACE    | FRAME | GLASS | RATING | REMARKS                           |
|-----|-------|-------------|--------|--------|---------|-------|-------|--------|-----------------------------------|
| D01 | -     | 3'0" X 6'8" | 1 3/4" | H.C.   | PAINTED | AL    | -     | -      | EXISTING TO REMAIN (SELF-CLOSING) |
| D02 | -     | 3'0" X 6'8" | 1 3/4" | H.C.   | PAINTED | AL    | -     | -      | EXISTING TO REMAIN (SELF-CLOSING) |
| D03 | -     | 2'8" X 6'8" | 1 3/4" | H.C.   | PAINTED | AL    | -     | -      | EXISTING TO REMAIN (SELF-CLOSING) |
| D04 | -     | 2'8" X 6'8" | 1 3/4" | H.C.   | PAINTED | AL    | -     | -      | EXISTING TO REMAIN (SELF-CLOSING) |
| D05 | -     | 3'0" X 6'8" | 1 3/4" | H.C.   | PAINTED | AL    | -     | -      | EXISTING TO REMAIN (SELF-CLOSING) |
| D06 | -     | 3'0" X 6'8" | 1 3/4" | H.C.   | PAINTED | AL    | -     | -      | EXISTING TO REMAIN (SELF-CLOSING) |
| D07 | -     | 3'0" X 6'8" | 1 3/4" | H.C.   | PAINTED | AL    | -     | -      | EXISTING TO REMAIN (SELF-CLOSING) |
| D08 | -     | 3'0" X 6'8" | 1 3/4" | H.C.   | PAINTED | AL    | -     | -      | EXISTING TO REMAIN (SELF-CLOSING) |
| D09 | -     | 3'0" X 6'8" | 1 3/4" | H.C.   | PAINTED | AL    | -     | -      | EXISTING TO REMAIN (SELF-CLOSING) |
| D10 | -     | 3'0" X 6'8" | 1 3/4" | H.C.   | PAINTED | AL    | -     | -      | EXISTING TO REMAIN (SELF-CLOSING) |
| D11 | -     | 3'0" X 6'8" | 1 3/4" | H.C.   | PAINTED | AL    | -     | -      | EXISTING TO REMAIN (SELF-CLOSING) |
| D12 | -     | 3'0" X 6'8" | 1 3/4" | H.C.   | PAINTED | AL    | -     | -      | EXISTING TO REMAIN (SELF-CLOSING) |
| D13 | -     | 2'8" X 6'8" | 1 3/4" | H.C.   | PAINTED | AL    | -     | -      | EXISTING TO REMAIN (SELF-CLOSING) |
| D14 | -     | 2'8" X 6'8" | 1 3/4" | H.C.   | PAINTED | AL    | -     | -      | EXISTING TO REMAIN (SELF-CLOSING) |
| D15 | -     | 3'0" X 6'8" | 1 3/4" | H.C.   | PAINTED | AL    | -     | -      | EXISTING TO REMAIN (SELF-CLOSING) |
| D16 | -     | 3'0" X 6'8" | 1 3/4" | H.C.   | PAINTED | AL    | -     | -      | EXISTING TO REMAIN (SELF-CLOSING) |
| D17 | -     | 2'8" X 6'8" | 1 3/4" | H.C.   | PAINTED | AL    | -     | -      | EXISTING TO REMAIN (SELF-CLOSING) |
| D18 | -     | 2'8" X 6'8" | 1 3/4" | H.C.   | PAINTED | AL    | -     | -      | EXISTING TO REMAIN (SELF-CLOSING) |
| D19 | -     | 3'0" X 6'8" | 1 3/4" | H.C.   | PAINTED | AL    | -     | -      | EXISTING TO REMAIN (SELF-CLOSING) |
| D20 | -     | 3'0" X 6'8" | 1 3/4" | H.C.   | PAINTED | AL    | -     | -      | EXISTING TO REMAIN (SELF-CLOSING) |
| D21 | -     | 3'0" X 6'8" | 1 3/4" | H.C.   | PAINTED | AL    | -     | -      | EXISTING TO REMAIN (SELF-CLOSING) |
| D22 | -     | 3'0" X 6'8" | 1 3/4" | H.C.   | METAL   | AL    | -     | -      | NEW                               |

## DOOR NOTES

- ALL (E) ENTRANCES / EXITS TO REMAIN  
 \* SIGN ABOVE ALL EXIT DOORS: "DOORS TO REMAIN UNLOCKED DURING OPERATIONAL HOURS"
- ALL (N) DOORS 6'-8" IN HEIGHT
- DOORS WITH GLASS ARE TEMPERED
- EXTERIOR DOORS TO HAVE LANDING MIN 36" WITH 2% GRADE AWAY FROM DOOR
- ALL DOORS SELF CLOSING
- ALL DOORS TO BE EQUIPPED WITH ADA COMPLIANT HARDWARE
- ALL DOORS ARE 36" WIDE
- EXIT DOORS ARE OPENABLE FROM THE INSIDE WITHOUT USE OF A KEY, SPECIAL KNOWLEDGE OR EFFORT. BACK AND FRONT DOOR ARE SELF CLOSING & TIGHT FITTING

## FURNITURE SCHEDULE

| NUMBER | LABEL               | QTY | FLOOR | WIDTH    | DEPTH     | HEIGHT    | DESCRIPTION         |
|--------|---------------------|-----|-------|----------|-----------|-----------|---------------------|
| F01    | TABLE W/ COUNTER    | 1   | 1     | 68 1/16" | 32 3/4"   | 43 3/4"   | TABLE W/ COUNTER    |
| F02    | WALK-UP COUNTER     | 1   | 1     | 58"      | 23"       | 43 3/4"   | WALK-UP COUNTER     |
| F03    | BAR STOOL WITH BACK | 36  | 1     | 19"      | 19 15/16" | 44"       | BAR STOOL WITH BACK |
| F04    | BOX STOOL           | 15  | 1     | 13 3/8"  | 13 5/16"  | 29 3/16"  | BOX STOOL           |
| F05    | JAMESTOWN TABLE     | 2   | 1     | 47 5/8"  | 47 1/8"   | 31 1/4"   | JAMESTOWN TABLE     |
| F06    | BOOTH (CIRCULAR)    | 2   | 1     | 52 1/8"  | 52 1/16"  | 28 13/16" | CENTER (CIRCULAR)   |
| F07    | DINING TABLE [32]   | 12  | 1     | 32"      | 42"       | 42"       | DINING TABLE [32]   |
| F08    | DINING SETTING      | 48  | 1     | 20"      | 18"       | 6"        | PLACE SETTING       |
| F08    | HAMPSHIRE BENCH     | 3   | 1     | 44"      | 20"       | 16"       | HAMPSHIRE BENCH     |

DATE: 03/09/2022

SCALE: 1/4" = 1'-0"

REVISION:

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**FIXTURE SCHEDULE**

| TAG | QUANTITY | DESCRIPTION                               | (EXIST./NEW) | MANUFACTURER/MODEL                 | DIM                        | FINISH          | POWER              | WATER                             | DRAIN            | G.C.         |
|-----|----------|---|--------------|------------------------------------|----------------------------|-----------------|--------------------|-----------------------------------|------------------|--------------|
| 1   | 1        | AIR CURTAIN                               | N            |                                    | W36"X24"X12"               | STAINLESS       | 115V               |                                   |                  | MICRO SWITCH |
| 2   | 2        | WALK IN COOLER                            | E            |                                    | SEE FLOOR PLAN             | GALV STEEL      |                    |                                   |                  |              |
| 3   | 1        | WATER HEATER                              | N            | Bradford White D100L-199-E3N White | HIGHT 36.6" Diameter 30.2" | STAINLESS STEEL |                    |                                   |                  | FLOOR MOUNT  |
| 4   | 1        | COMMERCIAL DISHWASHER                     | E            |                                    | W36"X24"X12"               | STAINLESS STEEL |                    |                                   | 2"D DIRECT DRAIN |              |
| 5   | 4        | RESTROOM SINK                             | E            |                                    |                            | CERAMIC         |                    | ∅ OD CU. IND POTABLE WATER SUPPLY |                  |              |
| 6   | 1        | 2 COMP SINK W/ SPRAYER                    | E            |                                    | W36"X24"X12"               | STAINLESS STEEL |                    | ∅ OD CU. IND POTABLE WATER SUPPLY | 2"D DIRECT DRAIN |              |
| 7   | 1        | MOP SINK W/ BACKFLOW PROTEC.              | E            |                                    | 24"X24"                    | STAINLESS STEEL |                    | ∅ OD CU. IND POTABLE WATER SUPPLY | 2"D DIRECT DRAIN |              |
| 8   | 2        | 3 COMP SINK W/ SPRAYER                    | E            |                                    | W36"X24"X12"               | STAINLESS STEEL |                    | ∅ OD CU. IND POTABLE WATER SUPPLY | 2"D DIRECT DRAIN |              |
| 9   | 3        | HAND SINK w/ TOWELS/ SOAP                 | N            |                                    |                            | STAINLESS STEEL |                    | ∅ OD CU. IND POTABLE WATER SUPPLY | 2"D DIRECT DRAIN |              |
| 10  | 1        | DISH TABLE                                | E            |                                    |                            | STAINLESS STEEL |                    |                                   |                  |              |
| 11  | 1        | DISH HACK                                 | E            |                                    |                            | STAINLESS STEEL |                    |                                   |                  |              |
| 12  | 1        | DISH TABLE W/ SINK                        | E            |                                    |                            | STAINLESS STEEL |                    | ∅ OD CU. IND POTABLE WATER SUPPLY | 2"D DIRECT DRAIN |              |
| 13  | 1        | GREASE TRAP INTERCEPTOR 6 GAL             | E            |                                    |                            | STAINLESS STEEL |                    |                                   |                  |              |
| 14  | 1        | ELECTRICAL PANEL                          | E            |                                    |                            |                 |                    |                                   |                  |              |
| 15  | 1        | GAS METER                                 | E            |                                    |                            |                 |                    |                                   |                  |              |
| 16  | 4        | ELONGATED WATER CLOSET                    | E            |                                    |                            | CERAMIC         |                    |                                   |                  | RESTROOM     |
| 17  | 1        | URINAL FLOOR                              | E            |                                    |                            |                 |                    |                                   |                  | RESTROOM     |
| 18  | 1        | DRAFT BEER DISPENSER                      | N            | MOTAK - MBCD-2-X                   | W36"X22"X35"               | STAINLESS STEEL | 115/60/1V 2.88 Amp |                                   |                  |              |
| 19  | 1        | SELF CONTAINED 3 COMPARTMENT REFRIGERATOR | N            | TRUE                               |                            | STAINLESS STEEL |                    |                                   |                  |              |
| 20  | 1        | UNDERCOUNTER ICE MACHINE                  | N            | MANITOWOC                          |                            | STAINLESS STEEL |                    |                                   |                  |              |
| 21  | 1        | BOTTLE COOLER                             | N            | KROWNE                             | 24"X24"                    | STAINLESS STEEL |                    |                                   |                  |              |
| 22  | 1        | ICE BIN                                   | N            | TARRISON IBM-50                    | W11.27"X24"X18.5"          | STAINLESS STEEL |                    |                                   |                  |              |
| 23  | 1        | FOOD PREP TABLE                           | N            | TRUE TSSU-60-16-HC                 | W69"X30"X36"               | STAINLESS STEEL | 115/60/1V 6.5 Amp  |                                   |                  |              |
| 24  | 1        | WORK TABLE                                | N            | BY VENDOR                          |                            | STAINLESS STEEL |                    |                                   |                  |              |
| 25  | 1        | ICE BEVERAGE DISPENSER                    | N            | LANCER - IBD 4500-30               | W36"X22"X35"               | STAINLESS STEEL | 115/60/1V          |                                   |                  |              |
| 26  | 1        | EMPLOYEE LOCKERS                          | N            | ULINE H-5548GR                     |                            | STAINLESS STEEL |                    |                                   |                  |              |
| 27  | 10       | SHELVING                                  | N            | METRO                              | VARIES                     | STAINLESS STEEL |                    |                                   |                  |              |
| 28  | 2        | BAKERS TABLE                              | N            |                                    | W36"X22"X35"               | STAINLESS STEEL |                    |                                   |                  |              |
| 29  | 1        | SOLID SWING DOOR REFRIGERATOR             | N            | TRUE T-72-HC                       | W36"X22"X35"               | STAINLESS STEEL | 115/60/1V 6.5 Amp  |                                   |                  |              |
| 30  | 3        | GAS FRYER                                 | N            | FRYER MASTER - GF14                | W15"X30"X24"               | STAINLESS STEEL |                    |                                   |                  |              |
| 31  | 1        | GAS COUNTERTOP GRIDDLE                    | N            | CPG 351GACPG49NL                   | W36"X22"X35"               | STAINLESS STEEL |                    |                                   |                  |              |
| 32  | 1        | GAS CHARBROILER                           | N            | CPG 24C8R8BNL                      | W24"X22"X35"               | STAINLESS STEEL |                    |                                   |                  |              |
| 33  | 1        | 6 BURNERS GAS RANGE                       | N            | CPG 351538N                        | W36"X22"X35"               | STAINLESS STEEL |                    |                                   |                  |              |
| 34  | 1        | STOCK POT RANGE                           | N            | CPG 351CPGSPR18L                   | W18"X22"X35"               | STAINLESS STEEL |                    |                                   |                  |              |
| 35  | 1        | DOUBLE DECK OVEN                          | N            | CPG 351FEC200                      | W36"X24"X36"               | STAINLESS STEEL | 220/240/1V         |                                   |                  |              |
| 36  | 1        | (E) HOOD                                  | E            |                                    |                            | STAINLESS STEEL |                    |                                   |                  |              |
| 37  | LOT      | COUNTER                                   | N            | CUSTOM                             | VARIES                     |                 |                    |                                   |                  |              |

**FINISH SCHEDULE**

| ROOM NAME                | FLOOR                      | COVE BASE 3/8" RADIUS | WALLS   | CEILING  |
|--------------------------|----------------------------|-----------------------|---|--|
| CUSTOMER AREA OFFICES    | SAND TILES, THINSET MORTAR | DAL TILE SLIMFOOT     | GYPSUM BOARD SMOOTH, SEMIGLOSS SWISS COFFEE PAINT               | DROP CEILING VINYL FACED TILE SMOOTH WHITE           |
| SERVICE & FOOD PREP AREA | SAND TILES, THINSET MORTAR | DAL TILE SLIMFOOT     | FRP @ 8" AFF SMOOTH BEHIND HOOD; STAINLESS STEEL                | DROP CEILING VINYL FACED TILE SMOOTH WHITE, WASHABLE |
| SERVICE WASHING AREA     | SAND TILES, THINSET MORTAR | DAL TILE SLIMFOOT     | FRP @ 8" AFF SMOOTH   | DROP CEILING VINYL FACED TILE SMOOTH WHITE, WASHABLE |
| RESTROOM                 | SAND TILES, THINSET MORTAR | DAL TILE SLIMFOOT     | SMOOTH CERAMIC TILE, LIGHT COLORED (70% LIGHT REFLECTIVE VALUE) | DROP CEILING VINYL FACED TILE SMOOTH WHITE           |
| STORAGE/ PANTRY LOCKERS  | SAND TILES, THINSET MORTAR | DAL TILE SLIMFOOT     | GYPSUM BOARD SMOOTH, SEMIGLOSS SWISS WHITE PAINT                | DROP CEILING VINYL FACED TILE SMOOTH WHITE           |
| WALK IN FREEZER          | SAND TILES, THINSET MORTAR | DAL TILE SLIMFOOT     | SMOOTH NONPATTERNED GALV STEEL                                  | SMOOTH NONPATTERNED GALV STEEL                       |
| BAR / SALAD BAR          | SAND TILES, THINSET MORTAR | DAL TILE SLIMFOOT     | FRP @ 8" AFF SMOOTH   | DROP CEILING VINYL FACED TILE SMOOTH WHITE, WASHABLE |

AS SCHEDULED WALL CONSTRUCTION

45 DEGREES

CERAMIC 6" TILE

3/8" R COVE BASE

FINISHED FLOOR

2/A2.0: COVE BASE DETAIL, NTS

**NOTES:**

**FLOOR DRAIN LEGEND**

FS = FLOOR SINK

FD FLOOR DRAIN

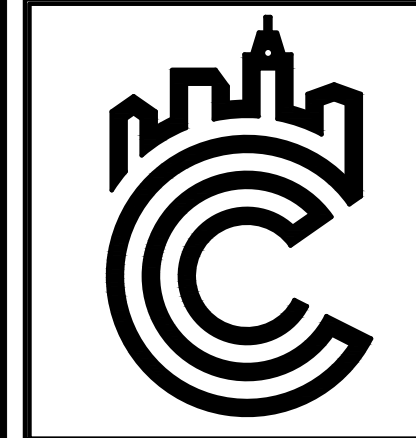
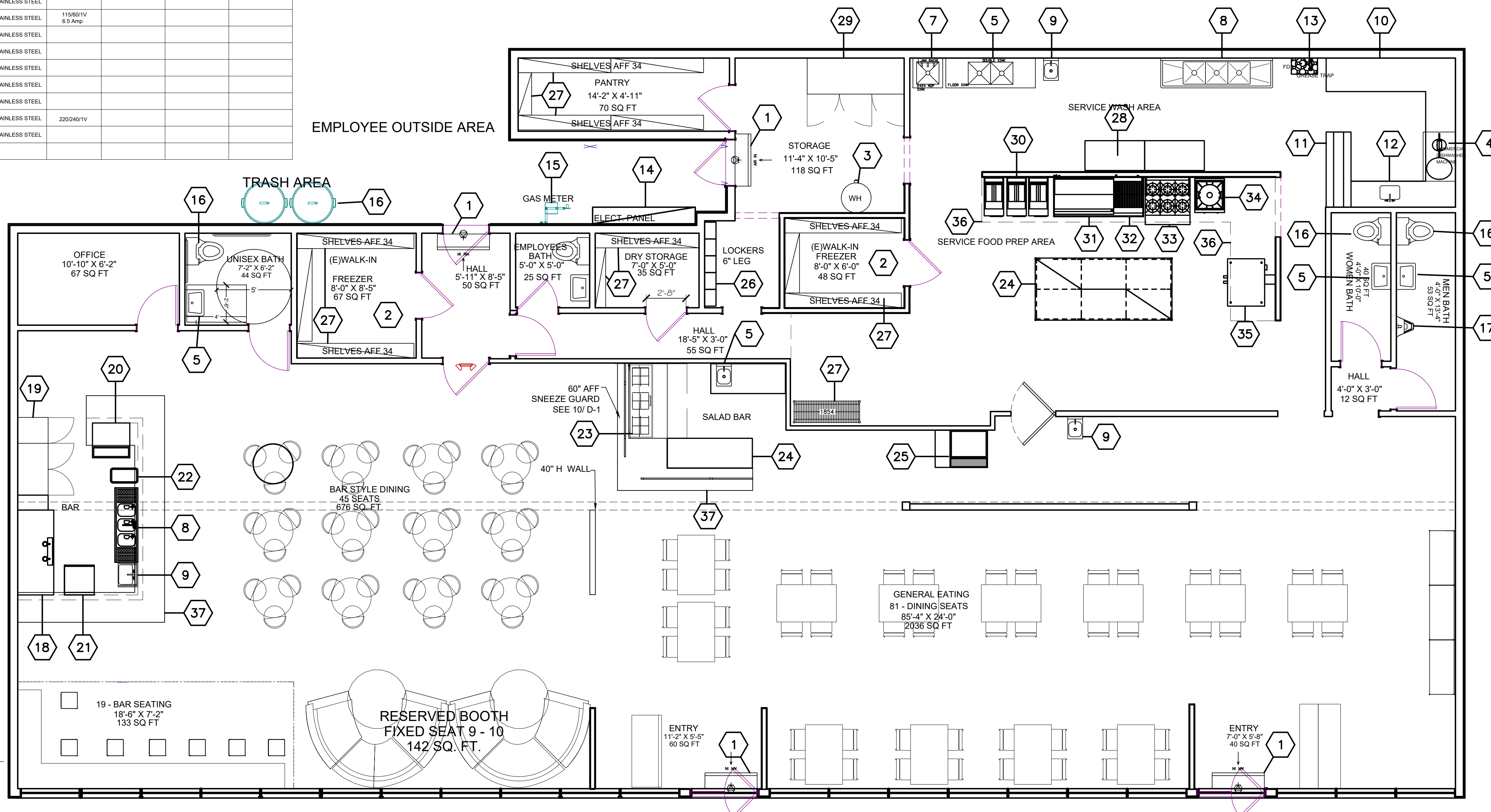
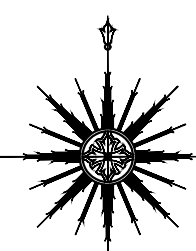
1. ALL FLOORS TO BE LIGHT IN COLOR, SMOOTH UNDER EQUIPMENT, AND APPROVED NON SKID IN ALL WALK AREAS
2. ALL COVE BASES TO BE 6" HIGH Q.T. OR CERAMIC TILE TOP SET BY B&W TILE, WITH 3/8" COVED BASE.
3. ALL APPROVED CONCRETE SEALERS TO BE RESEALED EACH 6 MONTHS OR AS REQUIRED
4. ALL PAINT SURFACES TO BE SMOOTH, WASHABLE AND WHITE IN COLOR
5. ALL PAINT SURFACES TO BE SMOOTH, WASHABLE AND WHITE IN COLOR

**GENERAL HEALTH DEPT NOTES FOR FIXTURES:**

1. ALL EQUIPMENT TO BE NSF APPROVED
2. ALL EQUIPMENT INSTALLED ON 6" ROUND METAL LEGS OR APPROVED CASTORS, CANTILEVERED FROM WALL, OR SEALED ON A 4" COVED ISLAND BASE
3. COVE BASE, CB1 OR CB2 TO BE APPLIED TO ALL CASEWORK BASES W/ FRP AT FLOOR WALL JUNCTURE, 6"H.
4. HOT & COLD WATER TO BE PROVIDED FOR ALL SINKS
5. MINIMUM 12" STAINLESS STEEL SPLASH GUARDS REQUIRED FOR THE 3 COMPARTMENT SINK
6. MINIMUM 6" SPLASH GUARDS REQUIRED FOR THE HAND SINKS
7. ALL SINKS TO HAVE APPROVED BACKFLOW PREVENTION DEVICES
8. PROVIDE SOAP DISPENSER & PAPER TOWEL DISPENSER AT ALL HAND SINK SITES
9. REFRIGERATION:
  - a. MUST BE NSF APPROVED
  - b. MAINTAIN FOOD TEMPS BELOW 41D F.
  - c. PROVIDE VISIBLE & ACCESSIBLE THERMOMETER
  - d. DURABLE, WASHABLE & IMPERVIOUS SHELVING
  - e. OPEN INTO APPROVED PREP AREA
  - f. HAVE SMOOTH, NONABSORBENT CLEANABLE SURFACES
  - g. CONDENSATE INTO APPROVED FLOOR SINK (EXCEPT SELF CONTAINED UNITS)
  - h. COOLING COILS, RELATED ELECTRICAL, DRAINAGE & RFG LINES TO BE INSTALLED IN CLEAN & SAFE MANNER
  - i. WALK IN UNITS TO HAVE AN INTEGRALLY COVED BASE W/ MIN RADIUS OF 3" AT FLOOR WALL JUNCTURE. THE FLOOR MATERIAL MUST EXTEND UP TO A HEIGHT OF AT LEAST 4". METAL COVING IS ACCEPTABLE W/ FRP
11. SEAL ALL CRACKS AND CREVICES IN COUNTERS, CABINETS, AROUND METAL FLASHING, SINK BACKSPASHES AND AROUND PIPES AND CONDUITS WITH A NON-HARDENING SILICONE SEALANT.
12. ALL EXTERIOR WINDOWS ARE FIXED,
13. EXTERIOR DOORS ARE TIGHT FITTING
- 13A. ALL INTERIOR DOORS ARE SELF CLOSING
14. ANY ELECTRICAL CONDUITS AND OVERHEAD PLUMBING IS ENCLOSED IN A DROP CEILING IN ALL EMPLOYEES AREA
15. THE APPROVED COVE BASE IN THE SERVICE AND BACK ROOM HAS A 3/8" RADIUS AND IS 6" HIGH

**FIXTURE PLAN**

1/4" = 1'-0"



**DESIGN:**  
 C-OLIVEIRA DESIGN  
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**GOODLIFE CAFE**  
 1841 PACIFIC COAST HWY,  
 LOS ANGELES, CA 90027

**FIXTURE FLOOR PLAN**

DATE: 03/09/2022

SCALE: 1/4" = 1'-0"

REVISION:

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PROJECT #: 20-XXX

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# The Good Life Cafe \_(/)

Caribbean, American, & Seafood

[MENU \(/MENU\)](#)

[SHOP \(/SHOP\)](#)

[CONTACT US \(/CONTACT-US\)](#)

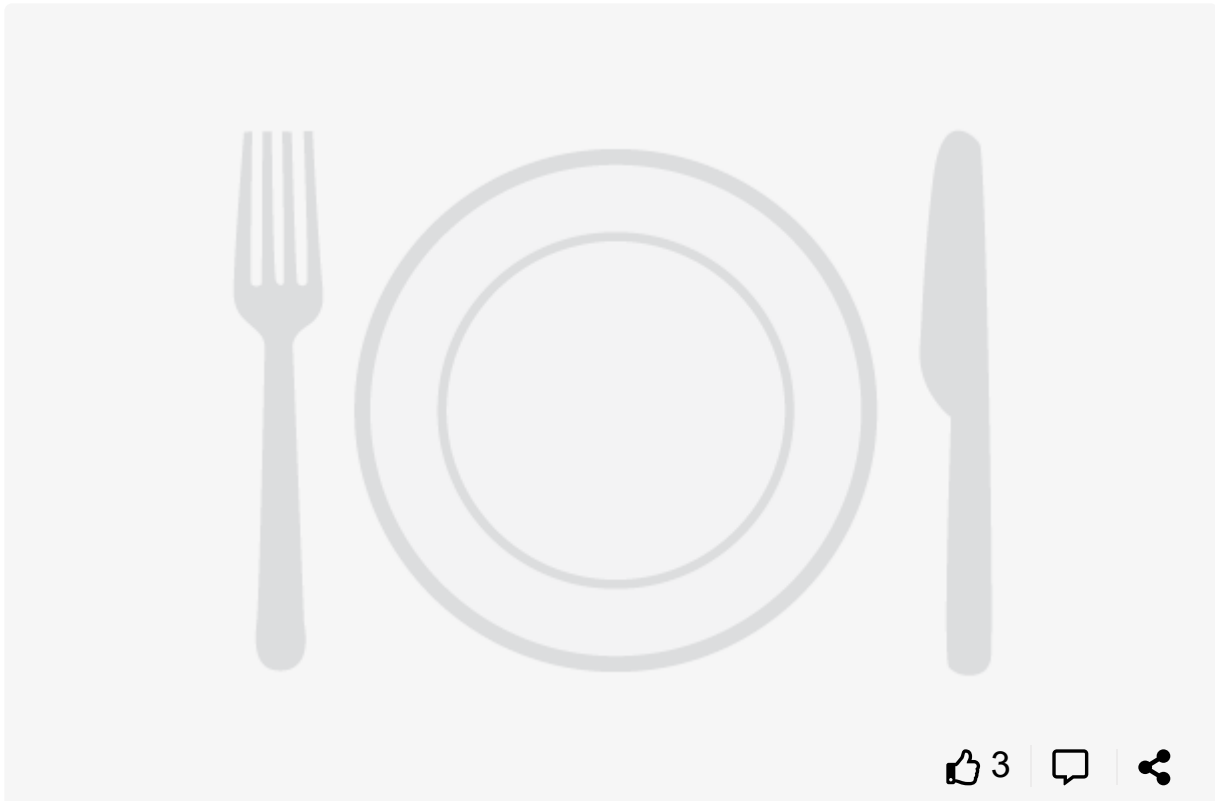
[DIRECTIONS \(/DIRECTIONS\)](#)

## Menu

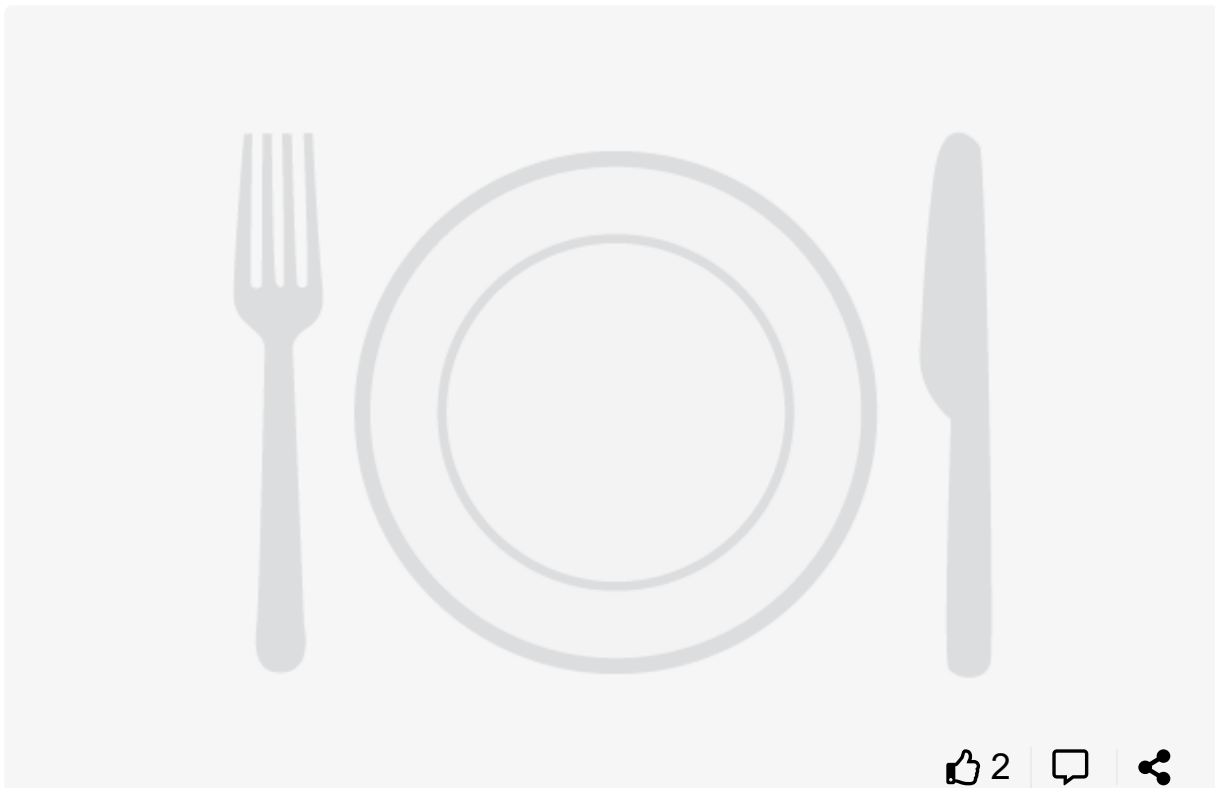
[Our Menu](#)

### Our Menu

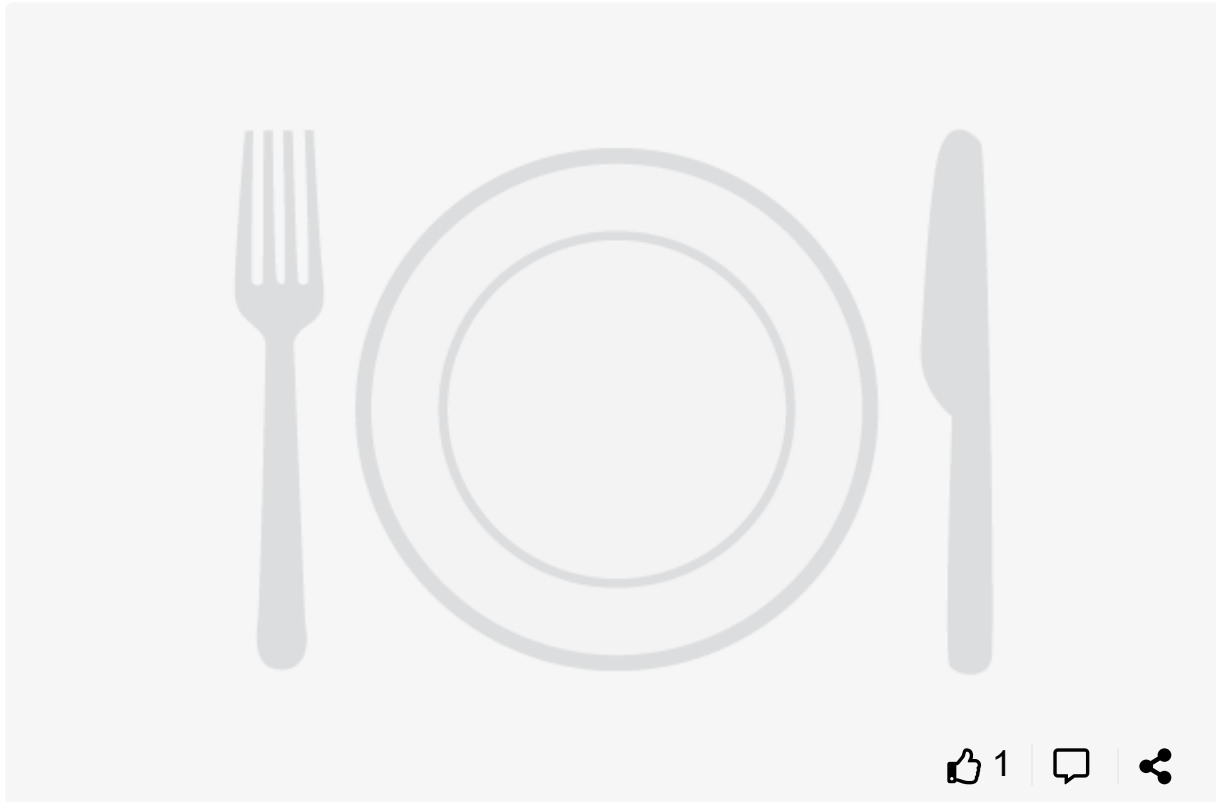
### Most Liked Items



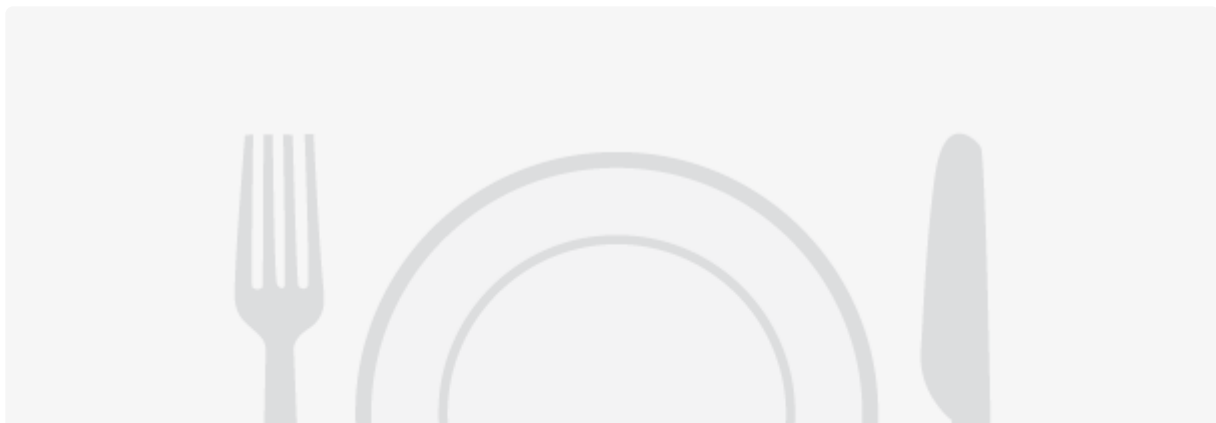
Sautéed Garlic Spinach Rice and Peas



# Ackee and Salt Fish Taco



# Oxtails







## Vegan Curry Steamed Pumpkin

All

Appetizers

Main Course

Sides

Desserts

## APPETIZERS

**Pineapple Jerk Shrimp Skewer** 14

5 jumbo shrimp. A mixture of herbs, spices and seasonings

(/menu/item/pineapple-jerk-shrimp-skewer-873920)

Like Review

Share

**Jerk Chicken Taco** 5

Folded tortilla with a jerk chicken (a mixture of herbs, spices and seasonings)

**Fish Fillet Taco** 5

Folded tortilla with a fish fillet

(/menu/item/fish-fillet-taco-873921)

Like 1 Review

Share

**Vegan Grilled Portable Mushroom Taco** 6

Folded tortilla with grilled portable mushroom

(/menu/item/vegan-grilled-portable-mushroom-taco-

**Jerk Shrimp Taco** 5

Folded tortilla with a jerk shrimp (a mixture of herbs, spices and seasonings)

(/menu/item/jerk-shrimp-taco-873922)

Like Review

Share

**Ackee And Salt Fish Taco** 5

Folded tortilla with ackee and salt fish

(/menu/item/jerk-chicken-taco-873923)

Like Review   
Share

Chicken Vibes Jamican Hand Patty 6

(/menu/item/chicken-vibes-jamican-hand-patty-873926)

Like Review   
Share

### Wings

4 flavors: hot, garlic honey, BBQ and jerk

6 Pieces 10.00 | 10 Pieces 16.00

(/menu/item/wings-873929)

Like 1 Review   
Share

873924)

Like Review   
Share

Beef Vibes Jamican Hand Patty 6

(/menu/item/beef-vibes-jamican-hand-patty-873927)

Like 1 Review   
Share

(/menu/item/ackee-and-salt-fish-taco-873925)

Like 2 Review   
Share

Vegan Vibes Jamican Hand Patty 6

(/menu/item/vegan-vibes-jamican-hand-patty-873928)

Like Review   
Share

## MAIN COURSE

Jerk Chicken 16

Curry Chicken 16

Oxtails 26

Curry seasoned dish

A mixture of herbs, spices and seasonings

(/menu/item/jerk-chicken-873892)

Like  Review 

Share 

Garlic Honey Mustard

22

Salmon

(/menu/item/garlic-honey-mustard-salmon-873895)

Like  Review 

Share 

Curry Shrimp

18

Curry seasoned dish

(/menu/item/curry-shrimp-873898)

Like  Review 

Share 

Sauteed Garlic Spinach

14

Rice And Peas

(/menu/item/sauteed-garlic-spinach-rice-and-peas-873902)

Like  3 Review 

Share 

Curry seasoned dish

(/menu/item/curry-chicken-873893)

Like  Review 

Share 

Whole Red Snapper 35

Fry or steamed

(/menu/item/whole-red-snapper-873896)

Like  Review 

Share 

Jerk Shrimp 18

A mixture of herbs, spices and seasonings

(/menu/item/jerk-shrimp-873899)

Like  Review 

Share 

Corn And Avocado

12

Mixed Green Salad

Add shrimp, fish or chicken

Chicken + 7.00 | Shrimp + 10.00 | Fish + 10.00

(/menu/item/corn-and-avocado-mixed-green-salad-873904)

Like  Review 

Share 

(/menu/item/oxtails-873894)

Like  1 Review 

Share 

Ackee And Salt Fish 18

(/menu/item/ackee-and-salt-fish-873897)

Like  Review 

Share 

Vegan Curry Steamed

14

Pumpkin

Served with garbanzo beans and rice and rice

(/menu/item/vegan-curry-steamed-pumpkin-873901)

Like  1 Review 

Share 

# SIDES

---

Sorrel Drink 6

(/menu/item/sorrel-drink-873905)

Like  Review 

Share 

Sea Moss 7

(/menu/item/sea-moss-873906)


Like  Review 

Share 

Mauby Drink 6


(/menu/item/mauby-drink-873907)

Like  Review 

Share 

Water 2

(/menu/item/water-873908)

Like  Review 

Share 

Ting 4

(/menu/item/ting-873909)

Like  Review 

Share 

Ginger Beer 4

(/menu/item/ginger-beer-873910)

Like  Review 

Share 

Champagne Cola 4



(/menu/item/champagne-cola-873911)

Like  Review 

Share 

Pineapple Ginger 4

(/menu/item/pineapple-ginger-873912)

Like  Review 

Share 

Pineapple 4

(/menu/item/pineapple-873913)

Like  Review 

Share 




Cream Soda 4




(/menu/item/cream-soda-873914)




Like  Review 




Share 

# DESSERTS

**Carat Cake** 6  
 Cake that contains carrots mixed into the batter  
 (/menu/item/carat-cake-873915)  
 Like  Review   
 Share 

**Cheesecake** 6  
 Rich creamy cake  
 (/menu/item/cheesecake-873916)  
 Like  Review   
 Share 

**Red Velvet Cake** 6  
 (/menu/item/red-velvet-cake-873917)  
 Like  Review   
 Share 

**Sweet Potato Pie** 5  
 (/menu/item/sweet-potato-pie-873918)  
 Like  Review   
 Share 

[Home \(/\)](#) / [Menu \(/menu\)](#) / [Shop \(/Shop\)](#) / [Contact Us \(/contact-us\)](#) / [Directions \(/Directions\)](#)

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lomita, CA 90717

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RESOLUTION NO. PC 2019-04

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOMITA APPROVING CONDITIONAL USE PERMIT NO. 311 TO ALLOW THE SALE OF BEER AND WINE FOR ON-SITE CONSUMPTION AT A RESTAURANT LOCATED AT 1841 PACIFIC COAST HIGHWAY IN THE COMMERCIAL RETAIL ZONE. FILED BY EMIL LEWIS, 1841 PACIFIC COAST HIGHWAY, LOMITA, CA 90717.

Section 1. Recitals

- A. The Planning Commission of the City of Lomita has considered an application to allow the sale of beer and wine for on-site consumption at a restaurant located at 1841 Pacific Coast Highway in the Commercial Retail Zone. Filed by Emil Lewis, 1841 Pacific Coast Highway, Lomita, CA 90717. (Applicant).
- B. The subject site is zoned C-R (Commercial Retail) and designated “commercial” by the City’s General Plan. Pursuant to Section 11-1.48.04(10) of Article 48 (C-R, Commercial Retail), restaurants serving alcoholic beverages are permitted in the C-R zone with the approval of a conditional use permit, subject to the requirements of Article 56 (Sale of Alcoholic Beverages).
- C. On January 14, 2019, the Planning Commission held a duly noticed public hearing and accepted public testimony for and against the item.
- D. The proposed project is categorically exempt pursuant to Section 15301 (Existing Facilities) of the CEQA guidelines. A project that consists of permitting or licensing involving negligible or no expansion of use may be found to be exempt from the requirements of CEQA. The conditional use permit for beer and wine sales for on-site consumption at a Bona Fide Eating Place will allow the Applicant to apply for a Type 41 beer and wine license. There is no new square footage proposed with this project. Therefore, the Planning Commission has determined that there is no substantial evidence that the project may have a significant effect on the environment.
- E. The Planning Commission finds that Applicant agrees with the necessity of and accepts all elements, requirements, and conditions of this resolution as being a reasonable manner of preserving, protecting, providing for, and fostering the health, safety, and welfare of citizens in general and the persons who work, or visit this development in particular.

Section 2. Findings.

Pursuant to Section 11-1.70.09 (Conditional Use Permit) and Article 56 (Sale of Alcoholic Beverages) of the Lomita Municipal Code, the Planning Commission finds, after due study and deliberation that the following circumstances exist:

- 1) *The proposed use is allowed within the District with approval of a CUP and complies with all other applicable requirements of this Article;*

Section 11-1.48.04(10) states that restaurants, serving alcoholic beverages are permitted in Commercial Retail Zone with the approval of a Conditional Use Permit. In addition, findings have been made to modify Article 56's distance requirement.

- 2) *The proposed use is consistent with the General Plan;*

The General Plan land use designation for this area is commercial which provides for retail sales activities and limited service establishments. Offering beer and wine at a restaurant for on-site consumption is a retail sales activity at a service establishment and is consistent with the General Plan.

- 3) *The design, location, size and operating characteristics are compatible with existing and future land uses, building and structures in the vicinity and the proposed use will not jeopardize, adversely affect, endanger or otherwise constitute a menace to the public health, safety or general welfare or be materially detrimental to the property of other persons located in the vicinity;*

Serving beer and wine at a restaurant is compatible with the existing and future land uses. All of the adjacent uses along Pacific Coast Highway are zoned for commercial-retail use.

Also a restaurant serving beer and wine will not constitute a menace or be materially detrimental to properties in the vicinity. The parking lot is located in front of the building and is accessed from PCH. Presently, the shopping center has one trash area alongside El Burrito Jr. The restaurant proposes to locate its refuse containers behind its unit in service aisle. While the proposed operating hours are on Sunday through Thursday from 10 a.m. to 11 p.m., and on Friday and Saturday from 10:00 a.m. to 12:00 a.m., preparation and clean-up will likely extend beyond those hours. As the rear of restaurant and the service aisle abut residential properties, a condition of approval (COA No. 20) has been added that requires bottles and beverage cans to be disposed of no more than 30 minutes past closing.

The site lacks a six-foot-high masonry wall, which the Code requires for commercial properties that adjoin residential properties (LMC Sec. 11-1.48.06 (J)). To properly screen the service aisle behind the building, and to reduce noise impacts associated with the proposed use from the abutting residential properties, a condition of approval (COA No. 21) has been added that requires a six-foot high concrete block wall to replace the existing chain link fence along the northern property line.

- 4) *The site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this chapter, or as required as a condition in order to integrate the use with the uses in the neighborhood;*

The site is adequate to accommodate the necessary development features to integrate the



restaurant into the neighborhood. Traffic from the restaurant will enter and exit from Pacific Coast Highway. After the shopping center was developed, the parking requirements changed. The shopping center possesses fewer parking spaces than today's standard requires; however, a restaurant is a permitted use in the C-R Zone, and the conditional use permit only pertains to the sale of beer and wine for on-site consumption. Offering beer and wine does not affect the maximum occupancy count or the quantity of seats in the restaurant.

- 5) *The site is served by highways and streets adequate to carry the kind and quantity of traffic such use would generate.*

The project is located on Pacific Coast Highway. Pacific Coast Highway is a six-lane, east-west state highway with a center left-turn lane. This highway can adequately carry the kind and quantity of traffic the proposed use will generate.

Section 3. Any business selling alcoholic beverages for off-site or on-site consumption shall be located a minimum of 300 feet from schools, parks, public recreation areas and any other use determined to be a sensitive use by the Community Development Director. Section 11-1-56.03 (D) of the Lomita Municipal Code states that the Planning Commission may modify the distance requirements when granting a conditional use permit if the following additional findings can be made:

There are four sensitive uses located within 300 feet from the subject property:

| <b>Sensitive Land Use</b>   | <b>Address</b>   |
|-----------------------------|--|
| Veteran's Park              | Southwest corner of 257 <sup>th</sup> Street and Walnut Avenue |
| Three Residential Dwellings | 1848 -1856 257 <sup>th</sup> Street                            |

Section 11-1-56.03 (D) of the Lomita Municipal Code states that the Planning Commission may modify the distance requirements when granting a conditional use permit if the following additional findings can be made. This section enables the City to scrutinize the impacts of a new alcohol use or modification on existing sensitive uses.

- 1) *The proposed use will not have an adverse impact on public safety. Factors that could be considered to determine impact include but are not limited to Los Angeles County Sheriff Department's crime statistics for the underlying and surrounding reporting districts, Los Angeles County Sheriff Department's crime statistics for the underlying and surrounding properties and the types of crime within those same areas.*

The Sheriff Department's 2017 Crime Statistics for all of Lomita reported 446 incidents. The subject property is located in Reporting District (RD) 1714. In 2017, RD 1714 experienced 86 total incidents. Excluding Reporting District 1751 (Lomita Pines), which had only 12 incidents, RD 1714 experienced the average number of crimes when compared to the remaining reporting districts. Of those 86 incidents, 50% of RD 1714's part 1 crimes were attributed to theft and burglary. For 2018 (from January 1, 2018 through November), RD 1714 reported 62 incidents,

and more than 50% of those incidents were attributed to theft and burglary. The Los Angeles County Sheriff's Department does not anticipate any increase in crime associated with the permit.

On-site consumption of beer and wine at a bona fide eating establishment will not impact public safety because the essence of the business is an eating establishment. The consumption of beer and wine is ancillary and consistent with this type of use and would not have an adverse impact on public safety. Neither beer nor wine will be sold in containers for off-site consumption; therefore, the restaurant's sale of beer and wine will not impact the use and enjoyment of Veteran's Park.

2) *The business will provide beneficial commercial vitality to the area.*

For several years, the restaurant space at 1841 Pacific Coast Highway has been vacant. The opening of the restaurant will restore significant commercial activity to the shopping center. Also, PCH is an arterial road that connects the South Bay to the 110 Freeway. Sit-down restaurants provide more than food, in some cases they are a meeting point for people coming from different directions. As people often pair a trip with another stop, stores within a close proximity will likely experience some increased business as well.

3) *The use will not be objectionable or detrimental to surrounding properties and the neighborhood.*

A restaurant operated at this location for many years. The option to consume beer and wine enhances the dining experience, and serving beer and wine should not cause any objectionable effects on the surrounding properties. Condition of Approval No. 20, which limits the time that refuse can be removed after closing, and Condition of Approval No. 21, which requires the construction of a six-foot high concrete block wall between the property and residential neighbors, will address any possible objectionable effects of the use.

To mitigate any detrimental impacts to the residential properties located to the rear of the use, a condition of approval (COA No. 21) has been added requiring a six-foot high concrete block wall to replace the existing chain link fence along the northern property line. The block wall will screen the service aisle and reduce noise impacts associated with the proposed use.

Section 4. The Planning Commission of the City of Lomita hereby approves Conditional Use Permit No. 311 subject to the following conditions.

#### **GENERAL PROJECT CONDITIONS**

1. This permit is granted for the property described in the application on file with the Planning Division, and may not be transferred from one property to another
2. This permit is granted for the plans received December 11, 2018, ("the plans") on file with the Planning Division. The project shall conform to the plans, except as otherwise specified in these

conditions, or unless a minor modification to the plans is approved by the Community Development Director or a modification to the plans is approved by the Planning Commission. A minor modification may be granted for minimal changes or increases in the extent of use or size of structure. For numerical standards, the Community Development Director may approve deviations up to 10% provided that city code requirements are met.

3. Approval of this permit shall expire 24 months from the date of approval by the Planning Commission, unless significant construction or improvements or the use authorized hereby have commenced. One or more extensions of time for use inauguration may be requested.
4. The Planning Commission may review this approval upon notice of violation by the Code Enforcement Officer.
5. By commencing any activity related to the project or using any structure authorized by this permit, Applicant accepts all of the conditions and obligations imposed by this permit, and waives any challenge to the validity of the conditions and obligations stated therein.
6. Applicant agrees, as a condition of adoption of this resolution, at Applicant's own expense, to indemnify, defend and hold harmless the City and its agents, officers and employees from and against any claim, action or proceeding to attack, review, set aside, void or annul the approval of the resolution or any condition attached thereto or any proceedings, acts or determinations taken, done or made prior to the approval of such resolution that were part of the approval process. Applicant's commencement of construction or operations pursuant to the resolution shall be deemed to be an acceptance of all conditions thereof.
7. Before placing or constructing any signs on the project property, Applicant shall obtain a sign permit from the City. Except as provided in the sign permit, Applicant may not change any signs on the project property.
8. If Applicant, owner or tenant fails to comply with any of the conditions of this permit, the Applicant, owner or tenant shall be subject to a civil fine pursuant to the City Code.
9. This permit shall not be effective for any purpose until a duly authorized representative of the owner of the property has filed with the Department of Community Development, a notarized affidavit accepting all the conditions of this permit. This affidavit, or a copy of this resolution, shall be recorded with the County Recorder and is binding on successors. If the Applicant is a corporation, then an officer of the corporation shall sign the acceptance affidavit.

#### **PLANNING STANDARD CONDITIONS**

10. Any application for a minor modification to the project shall be accompanied by three copies of plans reflecting the requested modification, together with applicable processing fees.
11. It is hereby declared to be the intent that if any provision of this permit is held or declared invalid, the permit shall be void and the privileges granted hereunder shall lapse.

12. That, in the event of a disagreement in the interpretation and/or application of these conditions, the issue shall be referred back to the Planning Commission.

### **PLANNING SPECIAL CONDITIONS**

13. No sale, service, or consumption of beer and wine may occur outside the establishment unless a special event permit is approved.
14. The establishment shall be operated as a “bona fide public eating place” as defined by Business and Professions Code section 23038. In the event that food service ceases on the property, this permit for the sale of beer and wine may be modified or revoked pursuant to the Lomita Municipal Code.
15. The hours of operation (*i.e.*, the sale of both food and all beer and wine) shall be limited from 10:00 a.m. to 11:00 p.m., Sunday through Thursday, and 10:00 a.m. to 12:00 p.m. Friday and Saturday. The kitchen shall remain open during all hours of operation.
16. All crimes occurring inside or outside the project property shall be reported to the Lomita Station of the Los Angeles County Sheriff’s Department at the time of the occurrence.
17. No sales to obviously intoxicated patrons shall be allowed.
18. On a daily basis, Applicant shall remove cigarette butts at a distance of 25 feet in both directions from the main customer door and rear service door.
19. The rear door(s) shall be kept closed at all times during the operation of the business except in cases of emergency and to permit deliveries. Said door(s) shall not consist solely of a screen or ventilated security door.
20. Bottles and beverage cans must be disposed of no more than 30 minutes after closing.
21. The property owner shall construct a six-foot high concrete block wall along the northerly property line within one-year of the date of business license issuance for the restaurant.


PASSED and ADOPTED by the Planning Commission of the City of Lomita on this 14<sup>th</sup> day of January, 2019, by the following vote:

AYES: Commissioners: Cammarata, Dever, Popelka, Graf  
NOES: Commissioners:  
ABSENT: Commissioners: Hoy, Santos, Thompson



---

Michael Graf, Chair



ATTEST: \_\_\_\_\_  
Alicia Velasco, Community and Economic  
Development Director

Within 30 days of the date of this decision for an exception, permit, change of zone, or other approval, or by the person the revocation of whose permit, exception, change of zone, or other approval is under consideration, of notice of the action of, or failure to act by, the Commission, any person dissatisfied with the action of, or the failure to act by, the Commission may file with the City Clerk an appeal from such action upon depositing with said Clerk an amount specified by resolution of the City Council.

Any action to challenge the final decision of the City made as a result of the public hearing on this application must be filed within the time limits set forth in Code of Civil Procedure Section 1094.6.



## **CITY OF LOMITA PLANNING COMMISSION REPORT**

**TO:** Planning Commission

May 9, 2022

**FROM:** Laura MacMorran, Associate Planner

**SUBJECT:** Review Proposed Fiscal Year 2022-2023 Capital Improvement Program and 2022-2027 Capital Improvement Program for Consistency with the General Plan

### **REQUESTED ACTION**

Staff recommends that the Planning Commission finds the proposed Fiscal Year (FY) 2022-23 Capital Improvement Program (CIP) and the proposed 2022-2027 Five-Year CIP are consistent with the City of Lomita General Plan, recommends to City Council adoption of the programs, and makes a determination that the review is exempt from the California Environmental Quality Act.

The City Council is scheduled to hold a Public Hearing on June 21st for consideration and adoption of the budget, including the Capital Improvement Program. During that Public Meeting, the Planning Commission's findings regarding consistency of proposed projects with the General Plan will be considered by the City Council.

### **RECOMMENDATION**

Staff recommends that the Planning Commission adopts the attached Resolution, recommending to the City Council that the projects being considered for the Fiscal Year 2022-2023 Capital Improvement Program and the 2022-2027 Five-Year Capital Improvement Plan are consistent with the Lomita General Plan and should be accepted by the City Council for inclusion in the Five-Year Capital Improvement Plan.

### **BACKGROUND**

California Government Code Sections 65401 and 65403 require that, among other measures leading to its orderly physical growth and development, each city prepare a capital improvement budget, which is consistent with its mandated and adopted General Plan. State law further requires that CIPs be reviewed annually by the Planning Commission for the local jurisdiction and that the Planning Commission make recommendations to the City Council regarding the consistency of the CIP with the jurisdiction's General Plan and inclusion of proposed projects into the CIP.

It is important to note that, even if a project is not specifically mentioned in the General Plan or anticipated, the project can still be funded if it is consistent with the General Plan's Goals and Policies.

## **ANALYSIS**

A Capital Improvement Program (CIP) is a comprehensive planning instrument used by the City to identify needed capital projects and to coordinate the timing and financing of these projects in a way that ensures their implementation. The CIP is adopted in conjunction with the annual City budget.

In California, the General Plan guides the orderly physical growth and development of municipalities. All city actions, including funding decisions, should be evaluated with regard to their impact on, and ability to facilitate, the implementation of the City of Lomita's General Plan. The primary purpose of capital improvements program and budgeting is to serve the function of achieving the planned, orderly build-out and maintenance of the City as announced in the General Plan. Projects that are not consistent with the City's General Plan should not be funded. In short, the Goals, Policies, Actions and Programs of the City's adopted General Plan should direct capital improvements planning, and, if/when conflicts occur, the primacy of the General Plan should be recognized and upheld. As necessary, the General Plan could be amended to ensure that a finding of consistency can be established for specific CIP projects.

The projects described in the proposed 2022-2027 Five-Year CIP originate from several sources. The City Council has discussed some of the projects over the past several years to improve the quality of life, enhance commercial vitality, address problems, are civic issues, and some were specifically identified during the process of preparing and adopting the General Plan. The 2022-2027 Five-Year CIP incorporated input from other planning tools such as the Water Master Plan, the ADA Transition Plan, Bike and Pedestrian Master Plan, the Safety and Housing Elements, and the Pavement Management Plan.

Various City departments have suggested other proposed capital improvements at the request of the City Manager based on departments' perceived operational needs or by requests from citizen committees. The last Five-Year CIP covered fiscal years 2012 through 2017. Going forward, the intent is to update the CIP Master Plan every two years to continually maintain a prioritized project list. External funding opportunities often require a council-approved planning document, so maintaining a current CIP Master Plan will allow the City to be prepared to apply for funding.

For FY2022-23, 20 new projects are proposed and are included in the 2022-2027 Five-Year CIP (Attachment A).

Proposed FY 2022-27 Projects

The table below evaluates the proposed new CIP projects against the Goals, Policies and Programs contained in the City’s adopted General Plan.

| <b>PROJECT CATAGORY</b> | <b>SPECIFIC PROJECT</b>  | <b>GENERAL PLAN BASIS</b>   |
|-------------------------|--|---|
| <u>City Buildings</u>   | <ol style="list-style-type: none"> <li>1. Stephenson Center Maintenance Project</li> <li>2. Tom Rico Center Roof Replacement</li> <li>3. Tom Rico Center Women’s Restroom Maintenance Project</li> <li>4. Railroad Museum Maintenance Projects</li> <li>5. Appian Way Pump Station Roof</li> <li>6. Workplace Safety &amp; EOC Upgrade Project</li> <li>7. New Public Works Yard Facility</li> </ol> | <p>Resource Management Policy 1: The City will work to expand recreational open space areas and facilities to meet current and projected needs of Lomita residents.</p> <p>Resource Management Policy 16: Lomita will strive to develop a more adequate water distribution system.</p> <p>Land Use Element Policy 18: Will identify and promote conservation of Lomita’s cultural resources.</p> <p>Safety Element: Identifies City Hall, the Tom Rico Center, the Stephenson Center, the Public Works’ Building and the Appian Way Water Pump Station as Critical Facilities. These facilities are essential to the City’s operations and are places people may gather during a hazardous event.</p> |
| <u>Parks</u>            | <ol style="list-style-type: none"> <li>8. Navy Field -Baseball Field</li> <li>9. Hathaway Park Booster Pump</li> <li>10. Hathaway Park and Lomita Park Bench and Table Replacement</li> <li>11. Picnic Shelter Replacement</li> <li>12. Park Playground Equipment Replacement</li> <li>13. Resurface Tennis and Basketball Court</li> <li>14. Landscape Maintenance District Refurbish</li> </ol>    | <p>Resource Management Element Policy 1: The City will work to expand recreational open space areas and facilities to meet current and projected needs of Lomita residents.</p> <p>Circulation Element Policy 8: Establish beautification for major roadways.</p>   |



|                          |   |   |
|--------------------------|---|---|
| <p><u>Sewer</u></p>      | <p>15. Sewer System Master Plan<br/>         16. Sewer System Management Plan Update and Audit</p>  | <p>Land Use Policy 8: The City will coordinate capital improvement projects to maintain a sound economic base and to stimulate investment in the City.</p> <p>Economic Development Element Policy 6: The City will oversee maintenance or expansion of infrastructure to keep pace with the development envisioned under the Land Use Plan.</p>   |
| <p><u>Stormwater</u></p> | <p>17. Downtown Lomita Multi-Benefit Stormwater Project<br/>         18. Feasibility Study for another Stormwater Project</p>   | <p>Safety Element Policy 3.3: Evaluate and improve capacity of stormwater infrastructure for high-intensity rainfall events</p> <p>Resource Management Policy 17: Work towards the protection of stormwater quality in the City</p> <p>Economic Development Element Policy 6 Oversee maintenance or expansion of infrastructure to keep pace with the development envisioned under the Land Use Plan.</p>   |
| <p><u>Streets</u></p>    | <p>19. Traffic Calming<br/>         20. Lomita Blvd Corridor Planning<br/>         21. ADA Improvement Projects<br/>         22. Intersection Improvements at Walnut/253rd/Ebony and Walnut/Bland Pl.<br/>         23. Gutter Repairs - Narbonne Ave.<br/>         24. Street Improvements - Zone G<br/>         25. Street Improvements - Zone D<br/>         26. Street Improvements - Zone E<br/>         27. Street Improvements - Zone A</p> | <p>Land Use Element Policy 8: The City will coordinate capital improvement projects to maintain a sound economic base and stimulate investment in the City.</p> <p>Safety Element Policy 4.3: Prioritize roadway capital improvement projects that function as evacuation routes. Action 4.3b Ensure the street widths, paving and grades meet the requirement of State Fire Code and Los Angeles County Fire Codes.</p> <p>Economic Development Element Policy 6: Oversee maintenance or expansion of infrastructure to keep pace with the development envisioned under the Land Use Plan.</p> |

|                     |  |   |
|---------------------|--|---|
| <p><u>Water</u></p> | <p>28. Emergency Generator for Appian Way<br/>                 29. 246<sup>th</sup> St., 247<sup>th</sup> Pl, 247<sup>th</sup> St Western Water Main Replacement<br/>                 30. Cypress Water Production Facility Upgrades<br/>                 31. Narbonne South Pipe Replacement<br/>                 32. Second Potable Well Evaluation<br/>                 33. Narbonne Ave Pipeline Upsizing<br/>                 34. W. Lomita Blvd Pipeline Upsizing<br/>                 35. PCH Pipeline Upsizing<br/>                 36. Annual Pipe Rehab and Replacement (R&amp;R)<br/>                 37. Annual Pipeline Upsizing Project<br/>                 38. Zones 2 and 3 Booster Feasibility Study<br/>                 39. Pressure Zone Boundary Modification Study<br/>                 40. New Interconnection at Narbonne Ave Oak Street PRS Study<br/>                 41. Water Quality Sample Station Upgrades</p> | <p>Land Use Element Policy 8: The City will coordinate capital improvement projects to maintain a sound economic base and stimulate investment in the City.</p> <p>Resource Management Policy 16: Lomita will strive to develop a more adequate water distribution system.</p> <p>Economic Development Element Policy 6: The City will oversee maintenance or expansion of infrastructure to keep pace with the development envisioned under the Land Use Plan.</p> |
|---------------------|--|---|

Findings

Staff finds that the proposed new projects are consistent with the General Plan because:

- 1) Maintaining and expanding Lomita’s infrastructure directly meets the needs of the community, pursuant to Resource Management Element Policy 1;
- 2) The Railroad Museum provides recreational opportunities and is a cultural resource, pursuant to Resource Management Policy 1 and Land Use Element Policy 18;
- 3) The Landscaping District implements Circulation Element Policy 8 to beautify major roadways;
- 4) A sewer master plan and audit are necessary to understand existing sewer system’s conditions, determine needs, and coordinate investment, pursuant to Land Use Policy 8;
- 5) A sewer master plan and audit, and a stormwater feasibility study will enable the City to keep pace with the development envisioned under the Land Use Plan, pursuant to

Economic Development Policy 6;

- 6) The downtown stormwater project improves the City's stormwater infrastructure capacity, pursuant to Safety Element Policy 3.3;
- 7) A stormwater feasibility study will evaluate future stormwater projects to protect stormwater quality and allow infrastructure to keep pace with development, pursuant to Resource Management Policy 17 and Economic Development Element Policy 6;
- 8) Coordinating street repair maintains a sound economic base and stimulates investment in the City, and maintained streets ensure the City can keep pace with the development envisioned under the Land Use Element, pursuant to Land Use Element Policy 8 and Economic Development Element Policy 6;
- 9) Maintaining the City's streets ensures that paving conditions and grades meet State requirements, and they are serviceable as evacuation routes, pursuant to Safety Element Policy 4.3;
- 10) A water feasibility study and pressure modification study will enable the City to keep pace with the development envisioned under the Land Use Plan, pursuant to Economic Development Policy 6; and
- 11) Replacing and upgrading water facilities and pipelines enables the City to develop more adequate water distribution system, pursuant to Resource Management Policy 16.

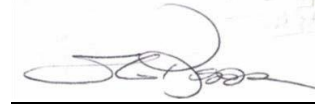
All of the proposed new capital improvement projects are attached to the Resolution as Attachment A. None of the projects were found to be inconsistent with the General Plan.

## **ENVIRONMENTAL DETERMINATION**

The Capital Improvement Program is categorically exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15061(b)(3), in that it can be seen with certainty that there is no possibility that this CIP action will have a significant effect on the environment and does not involve approval of any specific project that may have a significant effect on the environment. Each project of the CIP will be evaluated, and, as applicable, the appropriate level of environmental analysis conducted.

Additionally, review of the Capital Improvement Program is not a project subject to the California Environmental Quality Act (CEQA), as Section 15262 of the CEQA Guidelines adopted by the Secretary of Resources includes "Feasibility and Planning Studies" as statutorily exempt from CEQA.

Recommended by:



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Sheri Repp Loadsman  
Planner

Prepared by:



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Laura MacMorran  
Associate Planner

Exhibits:

1. Resolution
  - a. Attachment A: Proposed Five-Year Capital Improvement Project Plan, Fiscal Years 2022-27
2. General Plan Excerpts from the Land Use Element, Circulation Element, Resource Management Element, Economic Development Element, and Safety Element
3. Notice of Exemption

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOMITA FINDING THAT THE PROPOSED FISCAL YEAR 2022-2023 CAPITAL IMPROVEMENT PROGRAM AND THE PROPOSED 2022-2027 FIVE-YEAR CAPITAL IMPROVEMENTS PROJECTS ARE CONSISTENCY WITH THE CITY OF LOMITA GENERAL PLAN, TRANSMITTING A WRITTEN REPORT, AND FINDING THE PROJECT IS EXEMPT FROM CALIFORNIA ENVIRONMENTAL QUALITY ACT.

Section 1. Recitals

- A. The Planning Commission of the City of Lomita has reviewed the proposed fiscal year 2022-2023 capital improvements projects and reviewed the proposed five-year 2022-2027 Capital Improvement Program (CIP) (Exhibit A) for consistency with the General Plan.
- B. California Government Code Sections [65401](#) and [65403](#) require that, among other measures leading to its orderly physical growth and development, each city prepare a capital improvement budget, which is consistent with its mandated and adopted General Plan. State law further requires that CIPs be reviewed annually by the Planning Commission for the local jurisdiction and that the Planning Commission make recommendations to the City Council regarding the consistency of the CIP with the jurisdiction's General Plan and inclusion of proposed projects into the CIP.
- C. On May 9, 2022, the Planning Commission held a duly noticed public hearing and accepted public testimony for and against the item.
- D. On April 26, 2022, the City Council held a capital improvement program study session.
- E. In accordance Pursuant to Section 15061(b)(3) of the CEQA guidelines, a project that can be seen with certainty that there is no possibility that this CIP action will have a significant effect on the environment and does not involve approval of any specific project that may have a significant effect on the environment. Each project of the CIP will be evaluated, and, as applicable, the appropriate level of environmental analysis conducted.

Additionally, review of the Capital Improvement Program is not a project subject to the California Environmental Quality Act (CEQA), as Section 15262 of the CEQA Guidelines adopted by the Secretary of Resources includes "Feasibility and Planning Studies" as statutorily exempt from CEQA.

Section 2. Findings.

The Planning Commission finds that the proposed Fiscal Year 2022-2023 capital improvement projects and the 2022-2027 Capital Improvement Program (Exhibit A) is consistent with the General Plan for the following reasons:

- A. Maintaining and expanding Lomita's infrastructure directly meets the needs of the community, pursuant to Resource Management Element Policy 1;

- B. The Railroad Museum provides recreational opportunities and is a cultural resource, pursuant to Resource Management Policy 1 and Land Use Element Policy 18;
- C. The Landscaping District implements Circulation Element Policy 8 to beautify major roadways;
- D. A sewer master plan and audit are necessary to understand existing sewer system's conditions, determine needs, and coordinate investment, pursuant to Land Use Policy 8;
- E. A sewer master plan and audit, and a stormwater feasibility study will enable the City to keep pace with the development envisioned under the Land Use Plan, pursuant to Economic Development Policy 6;
- F. The downtown stormwater project improves the City's stormwater infrastructure capacity, pursuant to Safety Element Policy 3.3;
- G. A stormwater feasibility study will evaluate future stormwater projects to protect stormwater quality and allow infrastructure to keep pace with development, pursuant to Resource Management Policy 17 and Economic Development Element Policy 6;
- H. Coordinating street repair maintains a sound economic base and stimulates investment in the City, and maintained streets ensure the City can keep pace with the development envisioned under the Land Use Element, pursuant to Land Use Element Policy 8 and Economic Development Element Policy 6;
- I. Maintaining the City's streets ensures that paving conditions and grades meet State requirements, and they are serviceable as evacuation routes, pursuant to Safety Element Policy 4.3;
- J. A water feasibility study and pressure modification study will enable the City to keep pace with the development envisioned under the Land Use Plan, pursuant to Economic Development Policy 6; and
- K. Replacing and upgrading water facilities and pipelines enables the City to develop more adequate water distribution system, pursuant to Resource Management Policy 16.
- L. None of the proposed projects are inconsistent with the General Plan.

PASSED and ADOPTED by the Planning Commission of the City of Lomita on this 9<sup>th</sup> day of May, 2022 by the following vote:

AYES: Commissioners:  
NOES: Commissioners:  
ABSENT: Commissioners:

\_\_\_\_\_  
Steven Cammarata, Chair

ATTEST: \_\_\_\_\_  
Sheri Repp Loadsman  
Planner

Within 30 days of the date of this decision for an exception, permit, change of zone, or other approval, or by the person the revocation of whose permit, exception, change of zone, or other approval is under consideration, of notice of the action of, or failure to act by, the Commission, any person dissatisfied with the action of, or the failure to act by, the Commission may file with the City Clerk an appeal from such action upon depositing with said Clerk an amount specified by resolution of the City Council.

Any action to challenge the final decision of the City made as a result of the public hearing on this application must be filed within the time limits set forth in Code of Civil Procedure Section 1094.6.

City of Lomita  
CIP Master Plan  
2022 - 2027



April 2022  
Draft

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## **Introduction**

The Capital Improvement Program (CIP) Master Plan is a planning tool for financial planning, staffing resources, capital outlay, and prioritization of projects. The CIP Master Plan allows for short- and long-range planning to ensure assets are maintained for the benefit of residents, businesses, property owners, and visitors.

The CIP Master Plan incorporated input from other planning tools such as the Water Master Plan, the ADA transition plan, Bike and Pedestrian Master Plan, the Safety and Housing Elements, the Pavement Management Plan, City Council, resident inquiries, and staff.

The last CIP Master Plan covered fiscal years 2012 through 2017. Going forward, the intent is to update the CIP Master Plan every two years to continually maintain a prioritized project list. External funding opportunities often require a council-approved planning document, so maintaining a current CIP Master Plan will allow the City to be prepared to apply for funding.

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**Equipment – By Year**

| Type          | Description  | FY22-23   | FY23-24   | FY24-25   | FY25-26   | FY26-27  |
|---------------|--|-----------|-----------|-----------|-----------|----------|
| IT            | Backup and Disaster Recovery   |           |           | \$15,000  |           |          |
| IT            | Server and Storage Replacement   |           |           |           | \$150,000 |          |
| IT            | PC Replacement   |           | \$25,000  | \$105,000 | \$25,000  |          |
| IT            | Replace Firewalls, Switches, Wireless Networks                         |           |           |           | \$65,000  |          |
| Vehicle       | 1995 Backhoe 580L with S510 Bobcat skid steer                          |           |           |           | \$165,000 |          |
| Vehicle       | 2000 Chevy Silverado replace   | \$45,000  |           |           |           |          |
| Vehicle       | 2000 Ford Ranger replace   | \$45,000  |           |           |           |          |
| Vehicle       | 2002 Ford Ranger replace with Ford F150                                | \$45,000  |           |           |           |          |
| Vehicle       | 2004 Ford F550 (Service Truck) replace with F350 truck and utility bed |           | \$90,000  |           |           |          |
| Vehicle       | 2006 F150 replace  |           |           | \$45,000  |           |          |
| Vehicle       | 2006 580M Backhoe replace with 580N Case Backhoe                       |           |           | \$100,000 |           |          |
| Vehicle       | 2006 Dodge Ram replace   |           | \$45,000  |           |           |          |
| Vehicle       | 2006 Ford F350 replace   |           |           | \$45,000  |           |          |
| Vehicle       | 2006 Ford F350 replace   |           |           |           |           | \$45,000 |
| Vehicle       | 2007 John Deere Mower replace  |           |           |           | \$30,000  |          |
| Vehicle       | 2008 Chevy C4500 replace   |           | \$45,000  |           |           |          |
| Vehicle       | 2013 Dump Truck replace with 5-yard dump truck with dump bed           |           |           | \$90,000  |           |          |
| Water         | Water (valve turning)  | \$30,000  |           |           |           |          |
| Water         | Water (boring)   | \$5,000   |           |           |           |          |
| Water         | Water (CLA)  |           |           |           |           | \$20,000 |
| <b>Total:</b> |  | \$170,000 | \$205,000 | \$400,000 | \$435,000 | \$65,000 |

**Capital Project – by Year**

| No. | Type           | Description  | FY22-23   | FY23-24     | FY24-25     | FY25-26     | FY26-27     | FY27-32     |
|-----|----------------|--|-----------|-------------|-------------|-------------|-------------|-------------|
| 1   | City Buildings | Stephenson Center Maintenance Project                          | \$250,000 |             |             |             |             |             |
| 2   | City Buildings | Tom Rico Center Roof Replacement Project                       |           | \$180,000   |             |             |             |             |
| 3   | City Buildings | Tom Rico Center Women’s Restroom Maintenance Project           |           |             | \$50,000    |             |             |             |
| 4   | City Buildings | Railroad Museum Maintenance Project                            |           | \$75,000    |             |             |             |             |
| 5   | City Buildings | Appian Way Pump Station Roof Replacement Project               | \$50,000  |             |             |             |             |             |
| 6   | City Buildings | Workplace Safety & EOC Upgrades Project                        |           | \$1,000,000 |             |             |             |             |
| 7   | City Buildings | New Public Works Yard/facility                                 |           |             |             | \$1,000,000 |             |             |
| 8   | Parks          | Navy Field – Little League                                     |           |             | \$549,200   | \$854,850   | \$1,253,000 |             |
| 9   | Parks          | Booster Pump for Hathaway Park                                 | \$9,000   |             |             |             |             |             |
| 10  | Parks          | Park Bench and Table Replacements at Hathaway and Lomita Parks | \$15,000  |             |             | \$15,000    |             |             |
| 11  | Parks          | Picnic Shelter Replacement                                     |           |             | \$35,000    |             |             |             |
| 12  | Parks          | Park Playground Equipment                                      | \$500,000 |             |             |             |             |             |
| 13  | Parks          | Resurface Basketball and Tennis Courts                         |           | \$25,000    | \$10,000    |             |             |             |
| 14  | Parks          | Landscape Maintenance District Refurbish                       |           |             | \$250,000   |             |             |             |
| 15  | Sewer          | Sewer System Master Plan                                       | \$100,000 |             |             |             |             |             |
| 16  | Sewer          | Sewer System Management Plan update and Audit                  | \$25,000  |             |             |             |             |             |
| 17  | Stormwater     | Downtown Lomita Multi-Benefit Stormwater Project               | \$323,500 | \$323,300   | \$2,695,000 | \$2,695,000 |             |             |
| 18  | Stormwater     | Feasibility Study for another Stormwater Project               | \$10,000  |             |             |             |             |             |
| 19  | Streets        | Traffic Calming  | \$120,000 |             |             |             |             |             |
| 20  | Streets        | Lomita Boulevard Corridor Planning                             | \$90,000  |             |             |             |             |             |
| 21  | Streets        | ADA Improvement projects                                       | \$40,000  | \$250,000   | \$40,000    | \$250,000   | \$40,000    | \$4,277,500 |

| No. | Type    | Description  | FY22-23            | FY23-24            | FY24-25             | FY25-26             | FY26-27            | FY27-32             |
|-----|---------|--|--------------------|--------------------|---------------------|---------------------|--------------------|---------------------|
| 22  | Streets | Intersection Improvements at Walnut/253rd/Ebony and Walnut/Bland                                 |                    |                    |                     |                     | \$150,000          | TBD                 |
| 23  | Streets | Gutter Repairs - Narbonne Avenue   | \$35,000           |                    |                     |                     |                    |                     |
| 24  | Streets | Street Improvements - Zone G   | \$173,500          | \$1,200,000        | \$858,328           |                     |                    |                     |
| 25  | Streets | Street Improvements - Zone D   |                    |                    |                     | \$2,000,000         | \$1,441,982        |                     |
| 26  | Streets | Street Improvements - Zone E   |                    |                    |                     |                     |                    | \$2,781,170         |
| 27  | Streets | Street Improvements - Zone A   |                    |                    |                     |                     |                    | \$2,056,798         |
| 28  | Water   | Emergency Generator for Appian Way   | \$110,000          |                    |                     |                     |                    |                     |
| 29  | Water   | 246 <sup>th</sup> St., 247 <sup>th</sup> Pl, 247 <sup>th</sup> St Western Water Main Replacement | \$1,364,916        |                    |                     |                     |                    |                     |
| 30  | Water   | Cypress Water Production Facility Upgrades   | \$2,500,000        |                    |                     |                     |                    |                     |
| 31  | Water   | Narbonne South Pipe Replacement  | \$1,445,000        | \$1,445,000        |                     |                     |                    |                     |
| 32  | Water   | Second Potable Well Evaluation   | \$50,000           |                    |                     |                     |                    |                     |
| 33  | Water   | Narbonne Ave Pipeline Upsizing   |                    |                    |                     | \$1,147,000         |                    |                     |
| 34  | Water   | W. Lomita Blvd Pipeline Upsizing   |                    |                    |                     | \$275,000           | \$1,600,000        | \$3,568,000         |
| 35  | Water   | PCH Pipeline Upsizing  |                    |                    | \$3,534,000         |                     |                    |                     |
| 36  | Water   | Annual Pipe Rehab and Replacement (R&R)  | \$1,156,100        | \$1,156,100        | \$1,156,100         | \$1,156,100         | \$1,156,100        | \$5,780,400         |
| 37  | Water   | Annual Pipeline Upsizing Project   |                    |                    | \$2,000,000         | \$2,000,000         | \$1,987,000        |                     |
| 38  | Water   | Zones 2 and 3 Booster Feasibility Study  |                    |                    | \$50,000            |                     |                    |                     |
| 39  | Water   | Pressure Zone Boundary Modification Study  |                    |                    | \$50,000            |                     |                    |                     |
| 40  | Water   | New Interconnection at Narbonne Ave Oak Street PRS Study   |                    |                    | \$50,000            |                     |                    |                     |
| 41  | Water   | Water Quality Sample Station Upgrades  |                    |                    |                     |                     | \$15,000           |                     |
|     |         | <b>Total:</b>  | <b>\$8,367,016</b> | <b>\$5,654,400</b> | <b>\$11,327,628</b> | <b>\$11,392,950</b> | <b>\$7,643,082</b> | <b>\$18,463,868</b> |

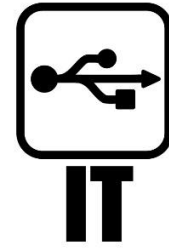
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# Equipment



## Back-up and Disaster Recovery Refresh



Equipment

Project type: Equipment Replacement  
 New or On-going Project: New  
 Total Project Estimate: \$15,000

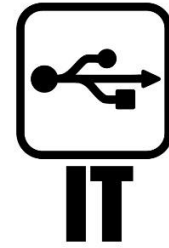
**Description:** Refresh of backup and disaster recover (in the event of a cyber attack, etc.).

**Justification:** Current system will be towards the end of its useful life.

| Source       | FY 22-23 | FY 23-24 | FY 24-25 | FY 25-26 | FY 26-27 | FYs 27-32 |
|--------------|----------|----------|----------|----------|----------|-----------|
| General Fund |          |          | \$7,500  |          |          |           |
| Water        |          |          | \$7,500  |          |          |           |
|              |          |          |          |          |          |           |
|              |          |          |          |          |          |           |
| Total:       |          |          | \$15,000 |          |          |           |



**Replacement of Firewalls, Switches, and Wireless Networks**



Equipment

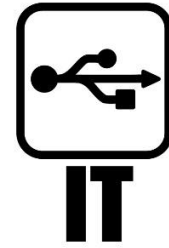
Project type: Equipment Replacement  
 New or On-going Project: New  
 Total Project Estimate: \$65,000

**Description:** Replacement of firewalls, switches and wireless network for City Hall and Lomita Park.

**Justification:** Current system will have exceeded its useful life.

| Source       | FY 22-23 | FY 23-24 | FY 24-25 | FY 25-26 | FY 26-27 | FYs 27-32 |
|--------------|----------|----------|----------|----------|----------|-----------|
| General Fund |          |          |          | \$52,000 |          |           |
| Water        |          |          |          | \$13,000 |          |           |
|              |          |          |          |          |          |           |
|              |          |          |          |          |          |           |
| Total:       |          |          |          | \$65,000 |          |           |

## PC Replacement



Equipment

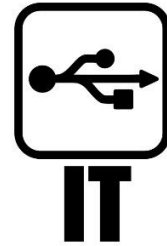
Project type: Equipment Replacement  
 New or On-going Project: New  
 Total Project Estimate: \$155,000

**Description:** Citywide replacement of PCs.

**Justification:** Current system will have exceeded its useful life. Minimum requirements for new operating systems may force the City to replace PCs.

| Source       | FY 22-23 | FY 23-24 | FY 24-25  | FY 25-26 | FY 26-27 | FYs 27-32 |
|--------------|----------|----------|-----------|----------|----------|-----------|
| General Fund |          | \$20,000 | \$84,000  | \$20,000 |          |           |
| Water        |          | \$5,000  | \$21,000  | \$5,000  |          |           |
|              |          |          |           |          |          |           |
|              |          |          |           |          |          |           |
| Total:       |          | \$25,000 | \$105,000 | \$25,000 |          |           |

## Server and Storage Replacement



Equipment

Project type: Equipment Replacement  
 New or On-going Project: New  
 Total Project Estimate: \$150,000

**Description:** Server and storage replacement at City Hall. Future technology may go towards cloud services rather than on-site servers.

**Justification:** Hardware will have exceeded its useful life.

| Source       | FY 22-23 | FY 23-24 | FY 24-25 | FY 25-26  | FY 26-27 | FYs 27-32 |
|--------------|----------|----------|----------|-----------|----------|-----------|
| General Fund |          |          |          | \$75,000  |          |           |
| Water        |          |          |          | \$75,000  |          |           |
|              |          |          |          |           |          |           |
|              |          |          |          |           |          |           |
| Total:       |          |          |          | \$150,000 |          |           |

## Water Equipment



Equipment

Project type: Equipment Purchase/Replacement  
 New or On-going Project: New  
 Total Project Estimate: \$35,000

**Description:** The valve turning machine will be replaced. In addition, a boring tool will be procured. A large valve (CLA valve) at Appian will be replaced.

**Justification:** Valve turning is required as part of the City's water system. The existing equipment needs replacement. A boring tool will aid in the installation of installing water meter service lines reducing the need for trenching. The CLA valve at Appian Way will exceed its useful life and will be replaced.

| Source                | FY 22-23 | FY 23-24 | FY 24-25 | FY 25-26 | FY 26-27 | FYs 27-32 |
|-----------------------|----------|----------|----------|----------|----------|-----------|
| Water (valve turning) | \$30,000 |          |          |          |          |           |
| Water (boring)        | \$5,000  |          |          |          |          |           |
| Water (CLA)           |          |          |          |          | \$20,000 |           |
|                       |          |          |          |          |          |           |
| Total:                | \$35,000 |          |          |          | \$20,000 |           |

## Equipment/Vehicle Replacement



Equipment

Project type: Equipment Purchase/Replacement  
 New or On-going Project: New  
 Total Project Estimate:

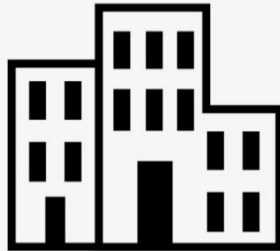
**Description:** Heavy equipment and vehicles will be replaced.

**Justification:** Much of the equipment has exceeded its useful life, some is inoperable, and some will no longer be in compliance with emissions regulations. Much of the equipment is over 15 years old and repairs are no longer cost effective and some parts unavailable. Six pieces of equipment were scheduled for replacement in the last CIP master plan, but not replaced. The equipment/vehicles proposed for replacement include the following:

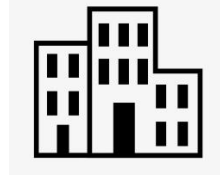
- 1995 Backhoe 580L with S510 Bobcat skid steer
- 1999 Aerial Lift/hoist
- 2000 Chevy Silverado replace
- 2000 Ford Ranger replace
- 2002 Ford Ranger replace with Ford F150
- 2004 Ford F550 (Service Truck) replace with F350 truck and utility bed
- 2006 F150 replace
- 2006 580M Backhoe replace with 580N Case Backhoe
- 2006 Dodge Ram replace
- 2006 Ford F350 replace
- 2006 Ford F350 replace
- 2007 John Deere Mower replace
- 2008 Chevy C4500 replace
- 2013 Dump Truck replace with 5-yard dump truck with dump bed

| Source       | FY 22-23  | FY 23-24  | FY 24-25  | FY 25-26  | FY 26-27  | FYs 27-32 |
|--------------|-----------|-----------|-----------|-----------|-----------|-----------|
| Water        | \$45,000  | \$90,000  | \$140,000 | \$85,000  |           |           |
| General Fund | \$90,000  | \$90,000  | \$140,000 | \$110,000 | \$45,000  |           |
|              |           |           |           |           |           |           |
|              |           |           |           |           |           |           |
| Total:       | \$135,000 | \$180,000 | \$140,000 | \$195,000 | \$130,000 |           |

# City Buildings



## Stephenson Center Maintenance Project



City Buildings

Project type: Maintenance  
 New or On-going Project: New  
 Total Project Estimate: \$250,000

**Description:** Remove and replace all plumbing, fixtures, windows, flooring and paint in the two first floor public restrooms. Bring into ADA compliance. Replace the two levels of roofing, remove and replace two existing skylights. Add permanent storage shelving and cabinets in the community room area.

**Justification:** The City has been awarded a grant through Prop 68, Projects must be complete by June 2024. The areas identified have exceeded useful life. Restrooms have not been updated since at least 1982. Roof currently leaks frequently requiring service. Skylights do not seal and allow hot and cold air in from the outside, resulting in the unnecessary use of the HVAC system.

| Source       | FY 22-23  | FY 23-24 | FY 24-25 | FY 25-26 | FY 26-27 | FYs 27-32 |
|--------------|-----------|----------|----------|----------|----------|-----------|
| Grant        | \$190,642 |          |          |          |          |           |
| General Fund | \$59,358  |          |          |          |          |           |
|              |           |          |          |          |          |           |
|              |           |          |          |          |          |           |
| Total:       | \$250,000 |          |          |          |          |           |

## Tom Rico Center Roof Replacement Project



City Buildings

Project type: Maintenance  
 New or On-going Project: New  
 Total Project Estimate: \$180,000

**Description:** Remove and replace roofs of the Tom Rico Center buildings including the gym and the community building.

**Justification:** The roofs have exceeded their useful life.

| Source       | FY 22-23 | FY 23-24  | FY 24-25 | FY 25-26 | FY 26-27 | FYs 27-32 |
|--------------|----------|-----------|----------|----------|----------|-----------|
| General Fund |          | \$180,000 |          |          |          |           |
|              |          |           |          |          |          |           |
|              |          |           |          |          |          |           |
|              |          |           |          |          |          |           |
| Total:       |          | \$180,000 |          |          |          |           |



## Tom Rico Center Women’s Restroom Maintenance Project



City Buildings

Project type: Maintenance  
 New or On-going Project: New  
 Total Project Estimate: \$50,000

**Description:** Remove and replace all plumbing, fixtures, flooring, and paint in the restroom. Bring into ADA compliance.

**Justification:** The restrooms have not been updated in over 20 years. There are frequent plumbing issues requiring servicing, and ADA modifications are necessary. The men’s restroom was updated ~10 years ago.

| Source       | FY 22-23 | FY 23-24 | FY 24-25 | FY 25-26 | FY 26-27 | FYs 27-32 |
|--------------|----------|----------|----------|----------|----------|-----------|
| General Fund |          |          | \$50,000 |          |          |           |
|              |          |          |          |          |          |           |
|              |          |          |          |          |          |           |
|              |          |          |          |          |          |           |
| Total:       |          |          | \$50,000 |          |          |           |

## Railroad Museum Maintenance Project



City Buildings

Project type: Maintenance  
 New or On-going Project: New  
 Total Project Estimate: \$75,000

**Description:** Remove and replace museum roof. Repair and/or replace eaves and fascia boards. Update façade and signage. Paint exterior of the building and replace brickwork at the Annex.

**Justification:** All items have exceeded their useful life.

| Source       | FY 22-23 | FY 23-24 | FY 24-25 | FY 25-26 | FY 26-27 | FYs 27-32 |
|--------------|----------|----------|----------|----------|----------|-----------|
| General Fund | \$75,000 |          |          |          |          |           |
|              |          |          |          |          |          |           |
|              |          |          |          |          |          |           |
|              |          |          |          |          |          |           |
| Total:       | \$75,000 |          |          |          |          |           |

## Workplace Safety & EOC Upgrades Project



City Buildings

Project type: Maintenance  
 New or On-going Project: New  
 Total Project Estimate: \$1,000,000

**Description:** This project will complete upgrades for workplace safety and Emergency Operations Center. This includes heating ventilation and air conditioning (HVAC) for City Hall

**Justification:** Some building systems are over 30 years old and have exceeded their useful life.

| Source       | FY 22-23 | FY 23-24    | FY 24-25 | FY 25-26 | FY 26-27 | FYs 27-32 |
|--------------|----------|-------------|----------|----------|----------|-----------|
| General Fund |          | \$1,000,000 |          |          |          |           |
|              |          |             |          |          |          |           |
|              |          |             |          |          |          |           |
|              |          |             |          |          |          |           |
| Total:       |          | \$1,000,000 |          |          |          |           |

# Appian Way Pump Station Roof Replacement Project



City Buildings

Project type: Maintenance  
 New or On-going Project: New  
 Total Project Estimate: \$50,000

**Description:** Replacement of the roof and other damaged wood.

**Justification:** The roof at this facility has extensive termite damage and needs replacement.

| Source     | FY 22-23 | FY 23-24 | FY 24-25 | FY 25-26 | FY 26-27 | FYs 27-32 |
|------------|----------|----------|----------|----------|----------|-----------|
| Water Fund | \$50,000 |          |          |          |          |           |
|            |          |          |          |          |          |           |
|            |          |          |          |          |          |           |
|            |          |          |          |          |          |           |
| Total:     | \$50,000 |          |          |          |          |           |

## New Public Works Yard



City Buildings

Project type: Land/Facility Acquisition  
 New or On-going Project: New  
 Total Project Estimate: \$1,000,000

**Description:** Identify land and/or facility for a larger Public Works Yard. This would free up space at Lomita Park for expansion and allow for more efficient operations.

**Justification:** The existing Public Works facility/yard is undersized for current operations. The vehicles and mobile equipment are often blocked in, the storage bays are full, serving the Park, Street, Trees, Recreation, and Water. In addition, the break room is inadequately sized for lunches, meetings, and training.

| Source       | FY 22-23 | FY 23-24 | FY 24-25 | FY 25-26    | FY 26-27 | FYs 27-32 |
|--------------|----------|----------|----------|-------------|----------|-----------|
| General Fund |          |          |          | \$1,000,000 |          |           |
|              |          |          |          |             |          |           |
|              |          |          |          |             |          |           |
|              |          |          |          |             |          |           |
| Total:       |          |          |          | \$1,000,000 |          |           |

# Parks



## Navy Field – Little League



Parks

Project type: Design and Construction  
 New or On-going: New  
 Total Project Estimate: \$2,657,050

**Description:** This project includes demolition of existing facilities and construction including grading, surveying, sewer, water, parking lot, lighting, fencing, security, bleachers, landscaping, curbs, scoreboards, restrooms, drinking fountains, and a snack bar.

**Justification:** To allow a third party to utilize the fields, underground utilities, infrastructure structures need to be brought up to code. This requires demolition and rebuilding.

| Source       | FY 22-23 | FY 23-24 | FY 24-25  | FY 25-26  | FY 26-27    | FYs 27-32 |
|--------------|----------|----------|-----------|-----------|-------------|-----------|
| General Fund |          |          | \$549,200 | \$854,850 | \$1,253,000 |           |
|              |          |          |           |           |             |           |
|              |          |          |           |           |             |           |
|              |          |          |           |           |             |           |
| Total:       |          |          | \$549,200 | \$854,850 | \$1,253,000 |           |

## Booster Pump for Hathaway Park



Parks

Project type: Construction  
 New or On-going: New  
 Total Project Estimate: \$9,000

**Description:** This project will add a booster pump to improve water pressure and irrigation.

**Justification:** The addition of a booster pump will enable water to more effectively be distributed on the turf. Currently there are dry spots during summer months as the water pressure does not permit full distribution.

| Source       | FY 22-23 | FY 23-24 | FY 24-25 | FY 25-26 | FY 26-27 | FYs 27-32 |
|--------------|----------|----------|----------|----------|----------|-----------|
| General Fund | \$9,000  |          |          |          |          |           |
|              |          |          |          |          |          |           |
|              |          |          |          |          |          |           |
|              |          |          |          |          |          |           |
| Total:       | \$9,000  |          |          |          |          |           |



**Park Bench and Table Replacements at Hathaway and Lomita Parks**



Parks

Project type: Capital Purchase (replacement)  
 New or On-going expense: New  
 Total Project Estimate: \$30,000

**Description:** This project will replace park tables and benches.

**Justification:** The existing tables and benches are cracked and damaged as they wear with time and exposure to the elements.

| Source       | FY 22-23 | FY 23-24 | FY 24-25 | FY 25-26 | FY 26-27 | FYs 27-32 |
|--------------|----------|----------|----------|----------|----------|-----------|
| General Fund | \$15,000 |          |          | \$15,000 |          |           |
|              |          |          |          |          |          |           |
|              |          |          |          |          |          |           |
|              |          |          |          |          |          |           |
| Total:       | \$15,000 |          |          | \$15,000 |          |           |

## Picnic Shelter Replacement at Lomita Park



Project type: Maintenance  
 New or On-going Project: New  
 Total Project Estimate: \$20,000

**Description:** This project will replace/repair the picnic shelter.

**Justification:** The existing shelter is damaged/deteriorated.

| Source       | FY 22-23 | FY 23-24 | FY 24-25 | FY 25-26 | FY 26-27 | FYs 27-32 |
|--------------|----------|----------|----------|----------|----------|-----------|
| General Fund |          |          | \$35,000 |          |          |           |
|              |          |          |          |          |          |           |
|              |          |          |          |          |          |           |
|              |          |          |          |          |          |           |
| Total:       |          |          | \$35,000 |          |          |           |

## Park Playground Equipment



Parks

Project type: Maintenance  
 New or On-going Project: New  
 Total Project Estimate: \$500,000

**Description:** This project will replace the playground equipment.

**Justification:** The existing equipment is deteriorated and in need of replacement.

| Source       | FY 22-23  | FY 23-24 | FY 24-25 | FY 25-26 | FY 26-27 | FYs 27-32 |
|--------------|-----------|----------|----------|----------|----------|-----------|
| General Fund | \$500,000 |          |          |          |          |           |
|              |           |          |          |          |          |           |
|              |           |          |          |          |          |           |
|              |           |          |          |          |          |           |
| Total:       | \$500,000 |          |          |          |          |           |

## Resurface Basketball and Tennis Courts



Parks

Project type: Maintenance  
 New or On-going Project: New  
 Total Project Estimate: \$35,000

**Description:** This project will resurface the basketball courts at Hathaway and Lomita Parks and the tennis courts at Lomita Park.

**Justification:** The tennis courts have a grading issue that needs repair, the basketball court at Hathaway was damaged and a temporary patch was put in place. All surfaces have reached the end of their useful life.

| Source       | FY 22-23 | FY 23-24 | FY 24-25 | FY 25-26 | FY 26-27 | FYs 27-32 |
|--------------|----------|----------|----------|----------|----------|-----------|
| General Fund |          | \$25,000 | \$10,000 |          |          |           |
|              |          |          |          |          |          |           |
|              |          |          |          |          |          |           |
|              |          |          |          |          |          |           |
| Total:       |          | \$25,000 | \$10,000 |          |          |           |

## Landscape Maintenance District Refurbish



Parks

Project type: Maintenance  
 New or On-going Project: New  
 Total Project Estimate: \$250,000

**Description:** This project will resurface and relandscape the Landscape Maintenance District on Palos Verdes Drive North between Western Ave and Rolling Vista Drive.

**Justification:** The existing asphalt is deteriorated, and the landscaping/irrigation is water intensive and worn. Updating this landscaping will beautify the area and reduce water demand.

| Source       | FY 22-23 | FY 23-24 | FY 24-25  | FY 25-26 | FY 26-27 | FYs 27-32 |
|--------------|----------|----------|-----------|----------|----------|-----------|
| LMD          |          |          | \$11,737  |          |          |           |
| General Fund |          |          | \$238,263 |          |          |           |
|              |          |          |           |          |          |           |
|              |          |          |           |          |          |           |
| Total:       |          |          | \$250,000 |          |          |           |

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# Sewers



# Sewer System Master Plan



Sewers

Project type: Study  
 New or On-going Project: New  
 Total Project Estimate: \$100,000

**Description:** This project will review sewer capacity and identify needs.

**Justification:** With potential for increased development, it is critical for the city to know its sewer capacity and plan for any pipe upsizing

| Source     | FY 22-23  | FY 23-24 | FY 24-25 | FY 25-26 | FY 26-27 | FYs 27-32 |
|------------|-----------|----------|----------|----------|----------|-----------|
| Sewer fund | \$100,000 |          |          |          |          |           |
|            |           |          |          |          |          |           |
|            |           |          |          |          |          |           |
|            |           |          |          |          |          |           |
| Total:     | \$100,000 |          |          |          |          |           |



## Sewer System Management Plan Update and Audit



Sewers

Project type: Study  
 New or On-going Project: New  
 Total Project Estimate: \$25,000

**Description:** This project will update the City’s Sewer System Management Plan and conduct an audit.

**Justification:** These are regulatory requirements.

| Source     | FY 22-23 | FY 23-24 | FY 24-25 | FY 25-26 | FY 26-27 | FYs 27-32 |
|------------|----------|----------|----------|----------|----------|-----------|
| Sewer fund | \$25,000 |          |          |          |          |           |
|            |          |          |          |          |          |           |
|            |          |          |          |          |          |           |
|            |          |          |          |          |          |           |
| Total:     | \$25,000 |          |          |          |          |           |

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# Stormwater



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## Downtown Lomita Multi-Benefit Project



Stormwater

Project type: Design and Construction  
 New or On-going Project: On-going  
 Total Project Estimate: \$6,288,800

**Description:** The Project will divert 5.6 acre-feet of stormwater from three LACFCD storm drains in the downtown area of Lomita to an infiltration gallery and a series of drywells. Additional features include bioretention areas, pervious pavement, planting of vegetation with drought tolerant, native plants, 45 new shade trees, 10 benches, and a bike lane along Lomita Boulevard. It will reduce flooding, increase infiltration, add greenscaping, bike lane, reduce heat island effect, and reduce contaminant loading to the Wilmington Drain Watershed/Machado Lake Watershed.

**Justification:** This project will reduce stormwater contaminants (zinc and lead), as required by the Municipal Separate Storm Sewer System (MS4) permit.

| Source                | FY 22-23  | FY 23-24  | FY 24-25    | FY 25-26    | FY 26-27 | FYs 27-32 |
|-----------------------|-----------|-----------|-------------|-------------|----------|-----------|
| SCW Regional Funding* | \$300,000 | \$149,300 |             |             |          |           |
| SCW Municipal Funding | \$173,500 | \$174,000 |             |             |          |           |
| TBD                   |           |           | \$2,695,000 | \$2,695,000 |          |           |
|                       |           |           |             |             |          |           |
| Total:                | \$323,500 | \$323,300 | \$2,695,000 | \$2,695,000 |          |           |

\*Contingent upon approval/award

## Feasibility Study for another Stormwater Project



Stormwater

Project type: Study  
 New or On-going Project: New  
 Total Project Estimate: \$10,000

**Description:** This project will identify another potential stormwater project

**Justification:** In order to comply with the MS4 permit, the City needs to consider additional projects for removal of contaminants entering the storm drain system.

| Source                | FY 22-23 | FY 23-24 | FY 24-25 | FY 25-26 | FY 26-27 | FYs 27-32 |
|-----------------------|----------|----------|----------|----------|----------|-----------|
| SCW Regional Funding* |          |          |          |          |          |           |
| SCW Municipal Funding | \$10,000 |          |          |          |          |           |
| TBD                   |          |          |          |          |          |           |
|                       |          |          |          |          |          |           |
| Total:                | \$10,000 |          |          |          |          |           |

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# Streets / Traffic



## Traffic Calming



Streets / Traffic

Project type: Study  
 New or On-going Project: New  
 Total Project Estimate: \$120,000

**Description:** This project would be a study of current traffic speeds and patterns and make recommendations for changes to calm traffic on roads where the City receives complaints, including Eshelman, Walnut, Pennsylvania, Ebony-253<sup>rd</sup> St-253<sup>rd</sup> Pl-Walnut, Bland-Walnut-257<sup>th</sup> St.

**Justification:** The City periodically receives concerns from residents about speeding. Residents often request speed bumps to slow traffic; however, this has not been utilized in the past due to emergency vehicle access. Alternate methods will be considered.

| Source       | FY 22-23  | FY 23-24 | FY 24-25 | FY 25-26 | FY 26-27 | FYs 27-32 |
|--------------|-----------|----------|----------|----------|----------|-----------|
| General Fund | \$120,000 |          |          |          |          |           |
|              |           |          |          |          |          |           |
|              |           |          |          |          |          |           |
|              |           |          |          |          |          |           |
| Total:       | \$120,000 |          |          |          |          |           |



## Lomita Boulevard Corridor Planning



Streets / Traffic

Project type: Study  
 New or On-going Project: New  
 Total Project Estimate: \$50,000

**Description:** This project will evaluate the Lomita Corridor (Crenshaw to Narbonne) and outline modifications for improvements related to the public right of way. Elements evaluated will include striping, width of street, sidewalk, streetscape, above and below ground utilities, bike lanes, and bus stops/pads. This plan will support future housing or zoning changes along Lomita Boulevard.

**Justification:** As properties are being re-developed along this corridor, it is essential to know the utility and traffic constraints and begin addressing early for a cohesive approach on this corridor.

| Source | FY 22-23 | FY 23-24 | FY 24-25 | FY 25-26 | FY 26-27 | FYs 27-32 |
|--------|----------|----------|----------|----------|----------|-----------|
| Prop C | \$50,000 |          |          |          |          |           |
|        |          |          |          |          |          |           |
|        |          |          |          |          |          |           |
|        |          |          |          |          |          |           |
| Total: | \$50,000 |          |          |          |          |           |

## ADA Improvements Project



Streets / Traffic

Project type: Construction  
 New or On-going Project: New  
 Total Project Estimate: \$50,000

**Description:** This project will make progress on the changes in the ADA transition plan.

**Justification:** To make progress on the ADA transition plan.

| Source | FY 22-23 | FY 23-24  | FY 24-25 | FY 25-26  | FY 26-27 | FYs 27-32   |
|--------|----------|-----------|----------|-----------|----------|-------------|
| Prop C | \$40,000 | \$250,000 | \$40,000 | \$250,000 | \$40,000 | \$5,200,000 |
|        |          |           |          |           |          |             |
|        |          |           |          |           |          |             |
|        |          |           |          |           |          |             |
| Total: | \$40,000 | \$250,000 | \$40,000 | \$250,000 | \$40,000 | \$4,277,500 |

**Intersection Improvements at Walnut/253<sup>rd</sup>/Ebony and Walnut/Bland**



Streets / Traffic

Project type: Design and Construction  
 New or On-going Project: New  
 Total Project Estimate: \$150,000

**Description:** This project will design and construct modifications to these intersections. The prior Walnut Street project restriped but did not include these two intersections. There may be opportunities to improve flow of traffic and beautify the area.

**Justification:** These intersections did not get reconstructed and are in need of street repairs and curb, gutters and ramps.

| Source | FY 22-23 | FY 23-24 | FY 24-25 | FY 25-26 | FY 26-27  | FYs 27-32 |
|--------|----------|----------|----------|----------|-----------|-----------|
| ??     |          |          |          |          | \$150,000 | TBD       |
|        |          |          |          |          |           |           |
|        |          |          |          |          |           |           |
|        |          |          |          |          |           |           |
| Total: |          |          |          |          | \$150,000 |           |

## Gutter Repairs – Narbonne Avenue



Streets / Traffic

Project type: Construction  
 New or On-going Project: New  
 Total Project Estimate: \$35,000

**Description:** This project will repair drainage issues in the gutters.

**Justification:** The gutter that runs under the sidewalk along the west side of Lomita Boulevard in downtown Lomita at 243<sup>rd</sup> Street is unable to be cleared causing pooling. The drain needs to be re-graded.

| Source | FY 22-23 | FY 23-24 | FY 24-25 | FY 25-26 | FY 26-27 | FYs 27-32 |
|--------|----------|----------|----------|----------|----------|-----------|
| TBD    | \$35,000 |          |          |          |          |           |
|        |          |          |          |          |          |           |
|        |          |          |          |          |          |           |
|        |          |          |          |          |          |           |
| Total: | \$35,000 |          |          |          |          |           |

## Street Improvements – Zone G



Streets / Traffic

Project type: Design and Construction  
 New or On-going Project: New  
 Total Project Estimate: \$2,231,828

**Description:** This project includes primarily street reconstruction in Zone G.

**Justification:** Zone G is the last section of City to be addressed for street repairs and many of the streets require significant repairs as called out in the 2021 Pavement Management Plan.

| Source       | FY 22-23  | FY 23-24    | FY 24-25  | FY 25-26 | FY 26-27 | FYs 27-32 |
|--------------|-----------|-------------|-----------|----------|----------|-----------|
| Street Funds | \$173,500 | \$1,200,000 | \$858,328 |          |          |           |
|              |           |             |           |          |          |           |
|              |           |             |           |          |          |           |
|              |           |             |           |          |          |           |
| Total:       | \$173,500 | \$1,200,000 | \$858,328 |          |          |           |

## Street Improvements – Zone D



Streets / Traffic

Project type: Design and Construction  
 New or On-going Project: New  
 Total Project Estimate: \$3,441,982

**Description:** This project includes street reconstruction and slurry seal in Zone D.

**Justification:** Repairs and maintenance for this Zone are called out in the 2021 Pavement Management Plan.

| Source       | FY 22-23 | FY 23-24 | FY 24-25 | FY 25-26    | FY 26-27    | FYs 27-32 |
|--------------|----------|----------|----------|-------------|-------------|-----------|
| Street Funds |          |          |          | \$2,000,000 | \$1,441,982 |           |
|              |          |          |          |             |             |           |
|              |          |          |          |             |             |           |
|              |          |          |          |             |             |           |
| Total:       |          |          |          | \$2,000,000 | \$1,441,982 |           |

## Street Improvements – Zone E



Streets / Traffic

Project type: Design and Construction  
 New or On-going Project: New  
 Total Project Estimate: \$2,781,170

**Description:** This project includes street reconstruction and slurry seal in Zone E.

**Justification:** Repairs and maintenance for this Zone are called out in the 2021 Pavement Management Plan.

| Source       | FY 22-23 | FY 23-24 | FY 24-25 | FY 25-26 | FY 26-27 | FYs 27-32   |
|--------------|----------|----------|----------|----------|----------|-------------|
| Street Funds |          |          |          |          |          | \$2,781,170 |
|              |          |          |          |          |          |             |
|              |          |          |          |          |          |             |
|              |          |          |          |          |          |             |
| Total:       |          |          |          |          |          | \$2,781,170 |

## Street Improvements – Zone A



Streets / Traffic

Project type: Design and Construction  
 New or On-going Project: New  
 Total Project Estimate: \$2,056,798

**Description:** This project includes street reconstruction and slurry seal in Zone A.

**Justification:** Repairs and maintenance for this Zone are called out in the 2021 Pavement Management Plan.

| Source       | FY 22-23 | FY 23-24 | FY 24-25 | FY 25-26 | FY 26-27 | FYs 27-32   |
|--------------|----------|----------|----------|----------|----------|-------------|
| Street Funds |          |          |          |          |          | \$2,056,798 |
|              |          |          |          |          |          |             |
|              |          |          |          |          |          |             |
|              |          |          |          |          |          |             |
| Total:       |          |          |          |          |          | \$2,056,798 |



# Water



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## Emergency Generator for Appian Way



Project type: Design and Construction  
 New or On-going Project: New  
 Total Project Estimate: \$110,000

**Description:** This project will design and construct an emergency generator for the Appian Way Pump Station.

**Justification:** An emergency generator would allow for pumping during power outages.

| Source | FY 22-23  | FY 23-24 | FY 24-25 | FY 25-26 | FY 26-27 | FYs 27-32 |
|--------|-----------|----------|----------|----------|----------|-----------|
| Water  | \$110,000 |          |          |          |          |           |
|        |           |          |          |          |          |           |
|        |           |          |          |          |          |           |
|        |           |          |          |          |          |           |
| Total: | \$100,000 |          |          |          |          |           |

**246<sup>th</sup> St., 247<sup>th</sup> Pl, 247<sup>th</sup> St Western Water Main Replacement**



Project type: Design and Construction  
 New or On-going Project: On-Going  
 Total Project Estimate: \$1,499,916

**Description:** This project replaces pipe and ‘loops’ the water system for improved water quality.

**Justification:** This project will reduce risk of water lines breaking and damaging private property.

| Source    | FY 22-23    | FY 23-24 | FY 24-25 | FY 25-26 | FY 26-27 | FYs 27-32 |
|-----------|-------------|----------|----------|----------|----------|-----------|
| OES Grant | \$1,364,916 |          |          |          |          |           |
| Water     |             |          |          |          |          |           |
|           |             |          |          |          |          |           |
|           |             |          |          |          |          |           |
| Total:    | \$1,364,916 |          |          |          |          |           |

## Cypress Water Production Facility Upgrades



Project type: Design and Construction  
 New or On-going Project: On-Going  
 Total Project Estimate: \$5,000,000

**Description:** This project upgrades the Cypress Water Production Facility with granular activated carbon vessels, new chemical tanks, relocation of generator, updated security and SCADA.

**Justification:** To treat for benzene and taste and odor.

| Source    | FY 22-23    | FY 23-24 | FY 24-25 | FY 25-26 | FY 26-27 | FYs 27-32 |
|-----------|-------------|----------|----------|----------|----------|-----------|
| WRD Grant | \$2,000,000 |          |          |          |          |           |
| Water     | \$500,000   |          |          |          |          |           |
|           |             |          |          |          |          |           |
|           |             |          |          |          |          |           |
| Total:    | \$2,500,000 |          |          |          |          |           |

## Narbonne South Pipe Replacement



Project type: Design and Construction  
 New or On-going Project: New  
 Total Project Estimate: \$2,890,000

**Description:** This project replaces a portion of pipe on Narbonne south of Pacific Coast Highway.

**Justification:** The pipe is aged and needs replacement.

| Source                    | FY 22-23    | FY 23-24    | FY 24-25 | FY 25-26 | FY 26-27 | FYs 27-32 |
|---------------------------|-------------|-------------|----------|----------|----------|-----------|
| Federal Community Project | \$890,000   |             |          |          |          |           |
| Water                     | \$555,000   | \$1,445,000 |          |          |          |           |
|                           |             |             |          |          |          |           |
|                           |             |             |          |          |          |           |
| Total:                    | \$1,445,000 | \$1,445,000 |          |          |          |           |

## Second Potable Well Evaluation



Project type: Study  
 New or On-going Project: New  
 Total Project Estimate: \$50,000

**Description:** This project evaluates locations and feasibility of locating a second groundwater production well.

**Justification:** Due to the City’s reliance on just one groundwater production well leaves the City’s local water supply is dependent on full functionality of the well. An additional well would provide flexibility and redundancy in the event of contamination or other damage. This does not include design or construction.

| Source                    | FY 22-23 | FY 23-24 | FY 24-25 | FY 25-26 | FY 26-27 | FYs 27-32 |
|---------------------------|----------|----------|----------|----------|----------|-----------|
| Federal Community Project | \$50,000 |          |          |          |          |           |
|                           |          |          |          |          |          |           |
|                           |          |          |          |          |          |           |
|                           |          |          |          |          |          |           |
| Total:                    | \$50,000 |          |          |          |          |           |

**Narbonne Avenue Pipeline Upsizing**



Project type: Design and Construction  
 New or On-going Project: New  
 Total Project Estimate: \$2,890,000

**Description:** Upsize 1,200 LF of Zone 1 6-inch and 8-inch pipe and tie into new 12-inch pipe on Lomita Blvd.

**Justification:** The existing pipe cannot handle 3,500 gpm fire flow in commercial area.

| Source | FY 22-23 | FY 23-24 | FY 24-25 | FY 25-26 | FY 26-27    | FYs 27-32 |
|--------|----------|----------|----------|----------|-------------|-----------|
| Water  |          |          |          |          | \$1,147,000 |           |
|        |          |          |          |          |             |           |
|        |          |          |          |          |             |           |
|        |          |          |          |          |             |           |
| Total: |          |          |          |          | \$1,147,000 |           |

**W. Lomita Blvd Pipeline Upsizing**



Project type: Design and Construction  
 New or On-going Project: New  
 Total Project Estimate: \$5,443,000

**Description:** Upsize 5,700 LF of Zone 1 6-inch and 8-inch pipe to 12-inch pipe on Lomita Blvd.

**Justification:** The existing pipe cannot handle 3,500 gpm fire flow in commercial area.

| Source | FY 22-23 | FY 23-24 | FY 24-25 | FY 25-26  | FY 26-27    | FYs 27-32   |
|--------|----------|----------|----------|-----------|-------------|-------------|
| Water  |          |          |          | \$275,000 | \$1,600,000 | \$3,568,000 |
|        |          |          |          |           |             |             |
|        |          |          |          |           |             |             |
|        |          |          |          |           |             |             |
| Total: |          |          |          |           |             |             |



**PCH Pipeline Upsizing**



Project type: Design and Construction  
 New or On-going Project: New  
 Total Project Estimate: \$3,534,000

**Description:** Upsize 3,700 LF of Zone 2 6-inch to 12-inch pipe.

**Justification:** The existing pipe cannot handle 3,500 gpm fire flow in commercial area, and aged pipe.

| Source | FY 22-23 | FY 23-24 | FY 24-25    | FY 25-26 | FY 26-27 | FYs 27-32 |
|--------|----------|----------|-------------|----------|----------|-----------|
| Water  |          |          | \$3,534,000 |          |          |           |
|        |          |          |             |          |          |           |
|        |          |          |             |          |          |           |
|        |          |          |             |          |          |           |
| Total: |          |          | \$3,534,000 |          |          |           |

**Annual Pipe Rehabilitation and Replacement (R&R)  
Project**



Project type: Design and Construction  
 New or On-going Project: New  
 Total Project Estimate: \$11,560,900

**Description:** Replace aged pipes, 1928 installation.

**Justification:** The City’s water infrastructure has many old pipes that are in need of replacement. A significant portion was installed in 1928. These pipes have frequent breaks causing emergency outages. Following the completion of the Water Master Plan, Dudek consultants provided information regarding recommended R&R for the City’s pipe infrastructure. This was not included in the water master plan.

| Source | FY 22-23    | FY 23-24    | FY 24-25    | FY 25-26    | FY 26-27    | FYs 27-32   |
|--------|-------------|-------------|-------------|-------------|-------------|-------------|
| Water  | \$1,156,100 | \$1,156,100 | \$1,156,100 | \$1,156,100 | \$1,156,100 | \$5,780,400 |
|        |             |             |             |             |             |             |
|        |             |             |             |             |             |             |
|        |             |             |             |             |             |             |
| Total: | \$1,156,100 | \$1,156,100 | \$1,156,100 | \$1,156,100 | \$1,156,100 | \$5,780,400 |

## Annual Pipeline Upsizing Project



Project type: Design and Construction  
 New or On-going Project: New  
 Total Project Estimate: \$5,987,000

**Description:** Upsize 2- and 4- inch to 6 inch if looped or 8-inch to last hydrant. Upsize 4-inch dead end pipes to 8-inch.

**Justification:** These are recommended in the 2022 Water Master Plan, projects P-4, P5, P-6, for residential fire flow.

| Source | FY 22-23 | FY 23-24 | FY 24-25    | FY 25-26    | FY 26-27    | FYs 27-32 |
|--------|----------|----------|-------------|-------------|-------------|-----------|
| Water  |          |          | \$2,000,000 | \$2,000,000 | \$1,987,000 |           |
|        |          |          |             |             |             |           |
|        |          |          |             |             |             |           |
|        |          |          |             |             |             |           |
| Total: |          |          | \$2,000,000 | \$2,000,000 | \$1,987,000 |           |

## Zones 2 and 3 Booster Feasibility Study



Project type: Study  
 New or On-going Project: New  
 Total Project Estimate: \$50,000

**Description:** This project evaluates the feasibility of booster water from Zone 1 to Zones 2 and 3.

**Justification:** If the City could boost water from Zone 1, it could allow locally pumped and treated water to be supplied to Zones 2 and 3. Local water can be supplied at a lower cost and environmental impact than imported water.

| Source | FY 22-23 | FY 23-24 | FY 24-25 | FY 25-26 | FY 26-27 | FYs 27-32 |
|--------|----------|----------|----------|----------|----------|-----------|
| Water  |          |          | \$50,000 |          |          |           |
|        |          |          |          |          |          |           |
|        |          |          |          |          |          |           |
|        |          |          |          |          |          |           |
| Total: |          |          | \$50,000 |          |          |           |

**Pressure Zone Boundary Modification Study**



Project type: Study  
 New or On-going Project: New  
 Total Project Estimate: \$50,000

**Description:** This project will evaluate the pressure zone boundaries and determine if changes are feasible for improving pressures.

**Justification:** Some areas in Zone 1 experience low pressure and this could optimize

| Source | FY 22-23 | FY 23-24 | FY 24-25 | FY 25-26 | FY 26-27 | FYs 27-32 |
|--------|----------|----------|----------|----------|----------|-----------|
| Water  |          |          | \$50,000 |          |          |           |
|        |          |          |          |          |          |           |
|        |          |          |          |          |          |           |
|        |          |          |          |          |          |           |
| Total: |          |          | \$50,000 |          |          |           |

**New Interconnection at Narbonne Ave Oak Street  
PRS Study**



Project type: Study  
 New or On-going Project: New  
 Total Project Estimate: \$50,000

**Description:** This project will evaluate the feasibility of a new interconnection at Narbonne-Ave Oak Street PRS for backup water supply to Zone 2.

**Justification:** Improve redundancy in supply for Zone 2.

| Source | FY 22-23 | FY 23-24 | FY 24-25 | FY 25-26 | FY 26-27 | FYs 27-32 |
|--------|----------|----------|----------|----------|----------|-----------|
| Water  |          |          | \$50,000 |          |          |           |
|        |          |          |          |          |          |           |
|        |          |          |          |          |          |           |
|        |          |          |          |          |          |           |
| Total: |          |          | \$50,000 |          |          |           |

## Water Quality Sample Station Upgrades



Project type: Maintenance  
 New or On-going Project: New  
 Total Project Estimate: \$15,000

**Description:** This project will upgrade/replace sample stations within the distribution system.

**Justification:** Sample stations are required for regulatory compliance. This project will replace parts and equipment.

| Source | FY 22-23 | FY 23-24 | FY 24-25 | FY 25-26 | FY 26-27 | FYs 27-32 |
|--------|----------|----------|----------|----------|----------|-----------|
| Water  |          |          |          |          | \$15,000 |           |
|        |          |          |          |          |          |           |
|        |          |          |          |          |          |           |
|        |          |          |          |          |          |           |
| Total: |          |          |          |          | \$15,000 |           |

**DRAFT**

**Appendices**



**DRAFT**

**Zone Map**



**Water Rehab & Replacement Letter**

DRAFT

April 11, 2022

Ms. Carla Dillon  
City of Lomita  
24300 Narbonne Ave  
Lomita, CA 90717

**Subject: Additional Infrastructure Costs Based on Pipe Age Only**

Dear Ms. Dillon,

The 2022 City of Lomita Water Master Plan developed recommended capital improvement program (CIP) project recommendations based on capacity restrictions, with pipe age used as a secondary factor for prioritization. The master plan did not include recommendations based on pipe age alone, as would be done in a rehabilitation and replacement plan. In order to develop estimated replacement costs based on pipe age alone, we utilized the City's GIS, which includes age, pipeline diameter and length of pipe. The results of this analysis are shown in **Table 1**, on the following page.

Table 1 includes data for pipes known to have an installation date on or before 1961 and also includes approximately 6,400 lineal feet (LF) of pipeline with an unknown installation year. Total estimated project costs for all projects (including pipelines of unknown age) are \$54 million.

Project costs estimates developed in Table 1 are based on the same assumptions utilized in the 2022 Water Master Plan, including a pipeline replacement (construction) cost of \$51/in-diam/LF. Project costs were developed assuming a 30% contingency, 10% engineering, 10% construction management, 2% engineering services during construction, 2% environmental and 2% administration, for a total markup up 56% on the construction cost subtotal.

If you have any questions, please do not hesitate to contact me at [ecaliva@dudek.com](mailto:ecaliva@dudek.com) or 760-479-4114.

Sincerely,



Elizabeth Caliva, P.E.  
Project Manager

**Table 1. Estimated Project Costs for Pipelines Installation Over 60 Years**

| Installation Year              | Length (LF) | Diam (in) | Construction Cost Estimate <sup>1</sup> | Project Cost Estimate <sup>2</sup> |
|--------------------------------|-------------|-----------|---|------------------------------------|
| Unknown                        | 827.80      | 4         | \$169,000                               | \$263,640                          |
| Unknown                        | 1627.73     | 6         | \$499,000                               | \$778,440                          |
| Unknown                        | 1316.30     | 8         | \$538,000                               | \$839,280                          |
| Unknown                        | 5.00        | 10        | \$3,000                                 | \$4,680                            |
| Unknown                        | 2315.61     | 12        | \$1,418,000                             | \$2,212,080                        |
| Unknown                        | 278.44      | 13        | \$182,000                               | \$283,920                          |
| Unknown                        | 1.00        | 16        | \$1,000                                 | \$1,560                            |
| <b>Pipes Over 60 Years Old</b> |             |           |   |                                    |
| 1923                           | 32.16       | 4         | \$7,000                                 | \$10,920                           |
| 1928                           | 375.07      | 2         | \$39,000                                | \$60,840                           |
| 1928                           | 6595.62     | 4         | \$1,346,000                             | \$2,099,760                        |
| 1928                           | 24102.73    | 6         | \$7,376,000                             | \$11,506,560                       |
| 1928                           | 5444.48     | 8         | \$2,222,000                             | \$3,466,320                        |
| 1928                           | 1475.71     | 10        | \$753,000                               | \$1,174,680                        |
| 1939                           | 827.86      | 2         | \$85,000                                | \$132,600                          |
| 1939                           | 1810.49     | 4         | \$370,000                               | \$577,200                          |
| 1939                           | 4485.92     | 6         | \$1,373,000                             | \$2,141,880                        |
| 1939                           | 409.22      | 8         | \$167,000                               | \$260,520                          |
| 1949                           | 316.21      | 12        | \$194,000                               | \$302,640                          |
| 1950                           | 387.87      | 4         | \$80,000                                | \$124,800                          |
| 1953                           | 960.68      | 6         | \$294,000                               | \$458,640                          |
| 1954                           | 523.72      | 4         | \$107,000                               | \$166,920                          |
| 1954                           | 2589.75     | 6         | \$793,000                               | \$1,237,080                        |
| 1955                           | 1637.44     | 6         | \$502,000                               | \$783,120                          |
| 1956                           | 1163.69     | 4         | \$238,000                               | \$371,280                          |
| 1956                           | 1898.43     | 6         | \$581,000                               | \$906,360                          |
| 1957                           | 4938.60     | 6         | \$1,512,000                             | \$2,358,720                        |
| 1958                           | 3806.48     | 6         | \$1,165,000                             | \$1,817,400                        |

**Table 1. Estimated Project Costs for Pipelines Installation Over 60 Years**

| Installation Year                           | Length (LF) | Diam (in) | Construction Cost Estimate <sup>1</sup> | Project Cost Estimate <sup>2</sup> |
|---|-------------|-----------|---|------------------------------------|
| 1959  | 413.10      | 6         | \$127,000                               | \$198,120                          |
| 1959  | 1637.88     | 10        | \$836,000                               | \$1,304,160                        |
| 1960  | 1897.16     | 6         | \$581,000                               | \$906,360                          |
| 1960  | 33.73       | 8         | \$14,000                                | \$21,840                           |
| 1960  | 825.04      | 10        | \$421,000                               | \$656,760                          |
| 1961  | 301.76      | 4         | \$62,000                                | \$96,720                           |
| 1961  | 10005.62    | 6         | \$3,062,000                             | \$4,776,720                        |
| 1961  | 5717.35     | 8         | \$2,333,000                             | \$3,639,480                        |
| 1961  | 10047.59    | 10        | \$5,125,000                             | \$7,995,000                        |
| <b>Total for all Pipes 1928-1961</b>        |             |           | <b>31,765,000</b>                       | <b>49,553,400</b>                  |
| <b>Total including Pipes of Unknown Age</b> |             |           | <b>34,575,000</b>                       | <b>53,937,000</b>                  |

Notes:  
<sup>1</sup> Cost based on replacement cost of \$51/in-diam/LF, consistent with 2022 Water Master Plan.  
<sup>2</sup> Project Cost estimate assumes 30% contingency, 10% engineering, 10% construction management, 2% engineering services during construction, 2% environmental and 2% administration, for a total markup up 56%

# ***Exhibit 2***

## ***LAND USE ELEMENT***

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***City of Lomita  
General Plan***

## **INTRODUCTION TO THE LAND USE ELEMENT**

The Land Use Element serves as a long range guide for development and planning in the City of Lomita indicating the location and extent of development permitted throughout the City. The Element identifies those areas of Lomita where existing land uses and development will be maintained as well as those areas where new infill development or redevelopment will be encouraged. The primary objective of the Land Use Element is to assist in the management of future growth, to improve the City's physical appearance, and to minimize potential land use conflicts.

The Land Use Element serves as a guide for development within the City of Lomita and establishes policies concerning physical development within the community. The Element addresses a wide range of issues regarding existing and future development, land use compatibility, the availability of public services and infrastructure and public safety.

The scope and content of this Land Use Element is governed by State law (Section 65302(a) of the Government Code) which contains the following requirements:

- The Land Use Element must designate the distribution, location, and extent of land uses for housing, business, industry, open space, recreation, and public facilities.
- The Land Use Element must establish standards of population density and building intensity for each land use category covered by the plan; and
- The Land Use Element must identify land uses in those areas subject to development constraints, such as flooding.

Policies included in the Land Use Element reflect the policies contained within the other General Plan Elements. The Housing Element contains

policies for residential development which are considered in the Land Use Element. The Circulation Element provides for the maintenance of a transportation network that will support the ultimate land uses contemplated under the Land Use Plan. The Safety Element identifies hazards that need to be considered in land use planning for the City. The noise contours in the Noise Element are used as a guide to establish the land use patterns in the Land Use Element to ensure that future development minimizes exposure of community residents to excessive noise. The Land Use Element consists of the following sections:

- The *Introduction to the Land Use Element* provides an overview of the Element's scope and content.
- The *Land Use Policies* articulates City policies related to land use.
- The *Land Use Plan* indicates the location and extent of future development permitted in the City, as well as standards for development.

## **LAND USE ELEMENT POLICIES**

The *Background for Planning* describes existing conditions in the City including the character and location of existing land uses and development. The following goals will be realized through the implementation of the policies and programs contained in the Land Use Element:

- To promote an orderly pattern of development in the City;
- To provide for a variety of housing opportunities;
- To promote the development of a wide range of commercial activities;
- To ensure a strong employment and commercial base to finance public improvements and services; and



- To provide of adequate public services and facilities.

To underscore the aforementioned objectives the following policies have been included in the Land Use Element.

***Land Use Policy 1***

The City will promote the use of buffers and other development standards between more intensive land uses to protect established residential neighborhoods from noise, light and glare, and other adverse impacts typically associated with non-residential development.

***Land Use Policy 2***

The City will strive to promote the provision of schools, parks and recreation areas to serve the residential neighborhoods.

***Land Use Policy 3***

The City will promote the development of convenient and complete shopping facilities to serve the residential neighborhoods consistent with the City's economic development policy.

***Land Use Policy 4***

The City will promote a healthy and congenial environment for shopping by striving to provide adequate parking, safe and efficient circulation and shopping district recognition.

***Land Use Policy 5***

The City will promote the maintenance of a circulation system that protects the established residential neighborhoods.

***Land Use Policy 6***

The City will strive to see that adequate public utilities and services are provided to protect the established residential neighborhoods.

***Land Use Policy 7***

Commercial development and employment opportunities will be promoted to maintain a sound economic base and to stimulate investment in the City.

***Land Use Policy 8***

The City will coordinate capital improvement projects to maintain a sound economic base and stimulate investment in the City.

***Land Use Policy 9***

The City will work to protect and promote property values by promoting the more efficient use of underutilized properties and structures consistent with the City's economic development.

***Land Use Policy 10***

The City will promote the improvement of aesthetic and visual qualities of the community by landscaping and beautifying streets and highways and by implementing development standards for private improvements.

***Land Use Policy 11***

The City will promote the maintenance and expansion of cultural activities within the community, the library, the local museum, and special events, and by sponsoring various social events.

***Land Use Policy 12***

To plan for the orderly future growth and development, the City will maintain the planning studies and surveys of the General Plan undertaken as part of its preparation and review and periodically update the General Plan, and other related plans and ordinances critical to the Land Use Element's implementation.

***Land Use Policy 13***

The City will work to manage growth and development in the City consistent with historic development trends in the City.

***Land Use Policy 14***

The City will promote a healthy and congenial environment for business, where properly zoned.

***Land Use Policy 15***

The City may allow the opportunity for new mixed use development within key commercial districts.

**Land Use Policy 16**

The City will endeavor to have periodic reviews of flight related issues with the City of Torrance Airport.

**Land Use Policy 17**

The City will promote the maintenance and preservation of activities that contribute to the City's economic and employment base.

**Land Use Policy 18**

The City will identify and promote conservation of Lomita's natural and cultural resources.

**Land use Policy 19**

The City will strive to develop a pedestrian downtown that is economically viable and promotes a wide range of activities.

## LAND USE PLAN

**Purpose of Land Use Plan**

Through the implementation of the *Land Use Plan*, City of Lomita seeks to accomplish the following:

- The establishment and maintenance of an orderly pattern of development in the City;
- The establishment of a land use classification system so as to implement land use policy in the City;
- The identification of permitted land uses, their general location, and distribution; and
- The establishment of standards for population density and development intensity for existing and future development.

The Land Use Plan indicates the location and extent of permitted development in the City. With the City of Lomita completely urbanized, the Land Use Plan's focus is on the conservation, maintenance, and rehabilitation of existing development in the City. However, the Plan is also sensitive to opportunities for new development.

The State of California planning law calls for conformity between the Land Use Plan and the zoning map. This consistency provision is extremely important since the zoning ordinance will serve as the primary mechanism for the implementation of the Land Use Plan. For example, an area designated for commercial development in the Land Use Plan must have a corresponding commercial *zoning* designation. In instances where there is a conflict and an inconsistency arises, the General Plan designation should prevail.

A major consideration following the completion of the Land Use Plan and the adoption of the General Plan is to make sure the Zoning Ordinance reflects the City's Land Use Plan. The State law indicates that local governments have a "reasonable amount of time" to amend their zoning ordinance to ensure consistency. The Land Use Plan, through this update, considered the existing Zoning Map and standards included in the Zoning Ordinance. This Element includes a program which will involve a review and revision of the Zoning Ordinance, as part of this General Plan's implementation.

**General Plan Land Use Designations**

The Land Use Plan must indicate the location and extent of development and land uses throughout the City. To accomplish this task, the Land Use Plan consists of a map along with various categories of land uses. The land use categories or "designations" indicate the type of development that is permitted under the general plan in specific areas of the City. State law requires that these categories describe standards for *development intensity and population density*. The reason for these standards is to ensure that the types of development permitted under the various land use designations are well understood.

Development intensity refers to the size or degree of development possible within a particular land use category. For example, development intensity standards may use a "floor area ratio" (the ratio of the building's floor area to the total area of the lot on which the building is situated), the number of dwelling units per acre, traffic generation, or a number of other factors. The population density

***RESOURCE MANAGEMENT  
ELEMENT***

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***City of Lomita  
General Plan Update***

## **INTRODUCTION TO THE RESOURCE MANAGEMENT ELEMENT**

The Resource Management Element of the Lomita General Plan includes the State's mandated open space and conservation elements. The Element focuses on those natural resources in Lomita which must be considered in future planning and development in the City. This Element identifies important local resources and the necessary preservation programs to prevent their destruction and exploitation and to ensure that conservation efforts are consistent and equitable.

### ***Relationship to the General Plan***

As indicated previously, this Element meets the State's requirements for a conservation element and an open space element. The Resource Management Element complies with regulations in Sections 65302(d) and 65302(e) of the California Government Code and the State Mining and Reclamation Act (SMARA). The Element identifies significant resources within the City and establishes policy for their conservation, management, or preservation.

The Resource Management Element also fulfills the requirements of Section 65560 to 65570 of the California Government Code regarding the preparation of an open space plan for the City. The Element contains a local open space plan for the comprehensive and long-range preservation and conservation of the City's remaining open space resources.

The Resource Management Element focuses on three key issue areas: cultural resources (historic and archaeological), ecological resources (plant and animal life), and natural resources (air, water, and geology). Open space and recreation issues are also brought together in this Element because areas preserved as open space are valuable resources for both outdoor recreation and scenic enjoyment.

The Resource Management Element is organized into the following sections:

- The *Introduction to the Resource Management Element* provides an overview of the Element's policy focus.
- The *Resource Management Element Policies* section indicates those policies and programs related to conservation, parks and open space issues and historic resources, along with supporting policies are listed in this section.
- The *Resource Management Plan* establishes the conservation plan of the City and identifies the implementing programs, and standards, for park maintenance and development.
- The *Background for Planning* section includes a discussion of existing conditions relative to natural and manmade resources, including soil, water, air and historic resources are summarized in this section. Open space, parks and recreational facilities are also discussed.

## **RESOURCE MANAGEMENT ELEMENT POLICIES**

The Resource Management Element seeks to achieve the following goals through the implementation of the policies and programs contain herein:

- To preserve those resources and amenities that enhance Lomita's living and working environment;
- To promote the conservation of important natural resources to provide a more livable and sustainable community;
- To promote the maintenance and enhancement of recreational opportunities for those living and working in the City; and

- To foster a better understanding of the City's history and heritage.

To accomplish the aforementioned goals, the following policies have been incorporated into this Element:

***Resource Management Policy 1***

Lomita will work to expand recreational open space areas and facilities to meet current and projected needs of Lomita residents.

***Resource Management Policy 2***

Lomita will strive to increase the size, acreage, and accessibility of local parks and school playgrounds.

***Resource Management Policy 3***

Lomita will continue to cooperate with other agencies to expand regional park facilities accessible to Lomita residents. Lomita will work with public transit providers to increase bus services to existing regional facilities.

***Resource Management Policy 4***

Lomita will continue to seek available funding (State, Federal, etc.) for the expansion of school playground areas in Lomita and the City will investigate strategies for the shared use of facilities. The City will also investigate the feasibility of development of these facilities as part of an independent school district.

***Resource Management Policy 5***

Lomita will encourage the use of innovative site planning techniques in the planning of new residential development in order to free inaccessible vacant land for use as passive and active open space.

***Resource Management Policy 6***

Lomita will strive to protect and enhance the lower density character of development in the community and preserve those environmental amenities found in Lomita.

***Resource Management Policy 7***

Lomita will allow moderate and high density land uses only in areas capable of supporting such uses, as indicated in the Lomita Land Use Plan.

***Resource Management Policy 8***

Lomita will promote the use of open space buffer areas to separate incompatible land uses which may also be designed to provide open space for recreational use.

***Resource Management Policy 9***

Lomita will continue to provide for large lots and keeping of animals in the City's agriculturally zoned residential areas, pursuant to the requirements of the City of Lomita General Plan.

***Resource Management Policy 10***

Lomita will maintain current restrictions on building height in order to protect the views from elevated areas in Lomita such as that which has been done in the residential areas. Height studies are to be performed when required, pursuant to the City's environmental review process.

***Resource Management Policy 11***

Lomita will promote the use of open space to conserve and enhance the health and safety of Lomita residents.

***Resource Management Policy 12***

Lomita will undertake an evaluation of non-producing oil wells to determine if they are officially abandoned in conformance with all applicable laws.

***Resource Management Policy 13***

Lomita will cooperate with the SCAQMD to further reduce smog pollution and will strive to mitigate major stationary sources of air pollution in the City.

***Resource Management Policy 14***

Lomita will continue efforts to prevent any situation from developing outside Lomita's boundaries which could have an adverse effect upon the residents of Lomita or the environment (e.g. opposing any additional jet or commuter air traffic at Torrance Airport).

***Resource Management Policy 15***

Lomita will continue to oppose the construction of a freeway through any part of the City of Lomita.

***Resource Management Policy 16***

Lomita will strive to develop a more adequate water distribution system.



**Resource Management Policy 17**

Lomita will work towards the protection of stormwater quality in the City, in accordance with the NPDES.

**RESOURCE  
MANAGEMENT PLAN**

The Resource Management Plan for Lomita promotes the protection of the environment in the City. The plan provides a citywide approach to the utilization, conservation and management of the City's resources. The plan consists of programs for preservation of significant resources and standards for development in areas with identified resources. The plan also address parks, recreation facilities, and open space. Guidelines for overall development of recreation opportunities in the city and standards for park development are outlined in the plan.

### **Open Space Standards and Park Classification**

The City will strive to work towards the following objective for parkland development:

- The City will strive to maintain a parkland standard of one-acre per 2,500 persons.
- The City will explore opportunities for the development of new parkland and open space areas within the City.
- The City will pursue the feasibility of joint use agreements with the Los Angeles Unified School District as a means to increase the recreational facilities available to City residents.

The National Recreation and Parks Association (NRPA) has developed a generic classification system for park facilities and corresponding standards applicable to each park type. This classification system is designed to apply to a broad range of communities and requires some modification to make park standards applicable to Lomita.

The NRPA standards classify parks according to their size, service area, and function. However,

there may be some difficulty in making a direct link between the NRPA standards and activities that are presently available to the residents. For example, the acreage of a particular park may correspond with the recommended NRPA standards for a neighborhood park, but its actual function (as characterized by its usage) may correspond more closely with that of a community park. In these instances, it is more appropriate to place the park in a category that better describes the park's actual function.

Although the size of the Lomita Recreation Center fits within the neighborhood park category, the facility serves a larger service area radius and accommodates a variety of activities, thus functioning in some respects like a community park. Parks within the City are classified as either "mini parks" or "neighborhood parks".

#### **Mini-Park**

The NRPA standards for *mini parks* indicate that this type of park should serve the recreational needs of a specific group of persons such as small children or senior citizens. Mini parks should be located near to where the users live in close proximity to apartments, townhouse developments or senior housing projects. The service area of parks in this category should have a radius of one-quarter mile or less and an area of one acre or less. The mini-parks include Veterans Park, Metro Park, and the Annex at the Lomita Railroad Museum.

#### **Neighborhood Parks**

Neighborhood parks are designed for active recreational and athletic activities. These facilities should be centrally located in the neighborhoods where the users live. Access to these facilities should be designed to promote easy pedestrian access. According to NRPA, the service radius for these facilities is between one-quarter and one-half mile and generally serves up to 5,000 residents. Hathaway Park and Lomita Park are included in this category.

#### **Park Needs Assessment**

Using the standard of one acre per 2,500 residents above, the parkland in the City of Lomita exceeds these open space standards. The City will continue to maintain or exceed this standard.

Although additional recreation sites would augment existing deficiencies in park acreage,

Lomita is largely developed and limited land is available for the development of new and large parks. On the other hand, the distribution of parks in the City shows that the northwestern section of the City and the area south of Pacific Coast Highway are not adequately served by an existing park.

There may be opportunities for the development of recreational open space in the City over the life of this General Plan. Privately-owned land cannot be designated for public use in the General Plan unless the private land will be acquired. For this reason, a park overlay designation has been indicated in Exhibit 5-1 which indicates those areas of the City which may be considered good candidates for park development.

Areas which are considered possible candidates for park development include the following:

- An area in the vicinity of City Hall, which is presently vacant, has been identified as containing a sensitive habitat. This property is privately owned and is undergoing further evaluation at the requests of the Department of Fish and Game. The Fish and Wildlife Service has indicated this area would be a good candidate for preservation and restoration to preserve those habitats that are found within the property.
- The General Plan Advisory Committee, as part of this element's formulation, indicated there may be some opportunities for expanding Lomita Park. Most of the surrounding properties are privately owned and acquisition of these adjacent properties would be necessary to accommodate any expansion.
- The U. S. Navy maintains a large landholding in the southeastern portion of the City. Presently, a portion of this area is used for recreation though opportunities may exist for a portion of this property to be used for recreation and resource preservation. Recent surveys identified a Palos Verdes Blue butterfly colony on the fuel depot site. This species was previously thought to be extinct.

The potential acquisition of the aforementioned areas would enable the City to meet its open space objectives. In addition, the acquisitions would also serve as a means to preserve two of the few remaining sensitive habitats in the South Bay area.

## **Resource Management Programs**

The following programs will be effective in the implementation of the policies contained in this Element.

### **Air Quality Planning**

The City of Lomita will continue to participate in the regional planning efforts being undertaken by the South Coast Air Quality Management District (SCAQMD) and the Southern California Association of Governments (SCAG) to develop and implement strategies to improve regional air quality. The City of Lomita will continue to work with the SCAQMD and SCAG and the surrounding cities in improving air quality.

### **City Water Conservation**

The City will continue to implement its Water Conservation Ordinance. In addition, the City will review the ordinance to ensure it promotes the use of xeriscape landscaping, water conserving materials, and devices that reflect current technology. The City shall review, and as appropriate, develop water conservation programs for public facilities (Civic Center, parks, maintenance yards, etc.). Water conservation measures and activities will continue.

### **Cultural Awareness**

The City shall continue to implement programs for increasing cultural awareness in the community. The City will cooperate with local organizations (such as the local historical society, Chamber of Commerce, etc.) and individuals to acquire resource materials concerning the local history and culture. These materials may include books, photographs, artifacts, furniture, etc which may be displayed in the City Hall Lobby. The City will continue to support cultural resource conservation and preservation efforts in Lomita.

# ***CIRCULATION ELEMENT***

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***City of Lomita***  
***General Plan***



## **INTRODUCTION TO THE CIRCULATION ELEMENT**

The Circulation Element of the Lomita General Plan is one of seven State mandated elements and is intended to guide the development of the City's circulation system in a manner that is compatible with the Land Use Element. Future development in the City and new development in the surrounding communities will result in increased demands on the City's roadways. To help meet these demands, the City has adopted specific policies to serve as this Element's policy framework.

### ***Relationship to the General Plan***

The purpose of the Circulation Element is to provide a safe and efficient circulation system for Lomita and to promote the safe and efficient movement of goods and traffic within the City. According to California Government Code Section 65302(b), this Element must identify "the general location and extent of existing and proposed major thoroughfares, transportation routes, terminals and other public utilities and facilities, all correlated with the Land Use Element of the Plan."

The Circulation Element of the Lomita General Plan portrays the roadway system needed to serve traffic generated by uses permitted under the Land Use Element. Traffic forecasts in the Circulation Element are also used to determine future traffic noise levels within the Noise Element. The Safety Element indicates emergency evacuation routes and minimum road widths to accommodate emergency vehicles. Finally, the Circulation Element is responsive to regional transportation plans, such as the Congestion Management Plan which focuses on the development of a regional transportation system to accommodate the projected traffic demands within the greater metropolitan area. This Circulation Element is organized around the following sections:

- *The Introduction to the Circulation Element* provides an overview of the Element and its statutory requirements.

- *The Circulation Element Policies* contains policies related to transportation issues and circulation related infrastructure.
- *The Circulation Plan* establishes policies and indicated programs designed to improve traffic and circulation within the City. Typical standards for each category of roadway are also indicated.
- *The Background for Planning* section includes information related to current traffic and circulation conditions. Public transportation and alternative forms of transportation are also addressed.

## **CIRCULATION ELEMENT POLICIES**

The City of Lomita seeks to accomplish the following goals through implementation of the policies and programs contained in this Circulation Element:

- To promote the maintenance and improvement of roadway systems in the City which will accommodate future traffic;
- To promote the use of innovative circulation strategies designed to create a transportation system that is sensitive to the City's aims for economic development;
- To support the development of a roadway and circulation network that promotes pedestrian activity in selected districts within the City;
- To promote a more efficient use of alternative forms of transportation that serve the City; and
- To ensure that roadway improvements are sensitive to the community's long-range goals for a livable and sustainable community.

To accomplish the aforementioned goals, the City of Lomita has adopted the following policies to guide future transportation planning and design in the City.

***Circulation Policy 1***

The City will encourage the development of an increasingly safe and efficient regional transportation system in the area and discourage the use of local streets in the City for non-local and regional through traffic except in emergency situations.

***Circulation Policy 2***

The City will strive to provide a system of signalization which will augment and assist in the safe and efficient movement of traffic through the City. The City will investigate the feasibility of participating in a regional signalization program (such as the ATSAC program) with neighboring jurisdictions.

***Circulation Policy 3***

The City will develop and maintain a logical local circulation system based on a hierarchy of streets which serve the existing and future needs of the City. The City will evaluate the need to "reopen" roads now closed to through traffic.

***Circulation Policy 4***

The City will be proactive in assessing the impact of future land uses and development on the local circulation system.

***Circulation Policy 5***

The City will continue to promote the use of public transit and other alternative forms of transit to reduce travel expense, energy use, environmental impact, and congestion.

***Circulation Policy 6***

The City will encourage the development, maintenance, and improvement of pedestrian-oriented facilities, where appropriate, to ensure the safety and use of pedestrian movement throughout the City and as a means to reduce traffic. The City will also encourage the maintenance and improvement of bicycle oriented facilities, where appropriate, to ensure the safety and use of bicycle movement throughout the City.

***Circulation Policy 7***

The City will evaluate parking restrictions/regulations to increase the

availability of parking whenever possible without jeopardizing safety.

***Circulation Policy 8***

The City will strive to establish a beautification program for major roadways in Lomita.

***Circulation Policy 9***

The use of alternative fueled vehicles for local and ways to more efficiently use the existing Dial-A-Ride services will be investigated

**CIRCULATION PLAN**

The Circulation Plan for the City of Lomita supports the land use and development objectives outlined in the Land Use Element. The Circulation Plan is shown in Exhibit 3-1 and is discussed in this section.

***Roadway Classifications & Standards***

The roadway classification system described herein is used to identify the function of each roadway in the City. The classification system provides a logical framework for the design and operation of roadways serving Lomita. The functional classification system allows the residents and elected officials to identify preferred characteristics of each street.

If the observed characteristics of a street changes from the functional classification, then actions may be taken to return the street to its originally intended use or to change the roadway classification in response to new development. In the latter instance, certain additional roadway improvements may be required to accommodate the roadway's new functional classification and the corresponding standards.

***ECONOMIC DEVELOPMENT  
ELEMENT***

---



***City of Lomita  
General Plan***

## **INTRODUCTION TO THE ECONOMIC DEVELOPMENT ELEMENT**

The City of Lomita functions much like a private business - managing resources and funding activities to meet the needs of its customers. To guide and manage services, successful businesses prepare and adhere to a business plan. Similarly, the City of Lomita will manage its economic development effort with a business plan, consisting of a mission statement, general implementation actions, and specific goals for targeted areas.

The Economic Development Element serves as a long range guide for City's economic development. The Element identifies those areas of the City that have been targeted for economic redevelopment, revitalization, and rehabilitation. This Element provided the framework for strategic planning in the City

### ***Relationship to the General Plan***

The Economic Development Element serves as a strategic plan for the City's economic revitalization and establishes relevant policies. The Element, is not mandated by the State for inclusion into the General Plan. However, once adopted, the Element has the same force of law as the other mandatory General Plan Elements.

Policies included in the Economic Development Element reflect the policies contained within the other General Plan Elements. The Land Use and Housing Elements indicate the location and extent of development in the City. The Circulation Element provides for the development of a transportation network that will support the ultimate land uses under the Land Use Plan. The Safety Element identifies hazards that need to be considered in land use planning for the City. The noise contours in the Noise Element is used as a guide to establish the land use patterns in the Land Use Element to ensure that future

development minimizes exposure of community residents to excessive noise. The Economic Development Element consists of the following sections:

- The *Introduction to the Economic Development Element* provides an overview of the Element's scope and content.
- The *Economic Development Policies* articulates City policies related to economic development.
- *Economic Development Plan* identifies those areas of the City targeted for economic development strategies.
- *Background for Planning* describes existing conditions in the City relative to economic development.

## **ECONOMIC DEVELOPMENT ELEMENT POLICIES**

The mission statement for the City's economic development effort is as follows:

*The mission of the economic development effort is to actively support the development and expansion of existing businesses, and to proactively recruit quality revenue-generating uses that diversify and expand the City's economic base, offer a variety of products and services, increase employment opportunities, enhance fiscal resources, preserve and enhance Lomita's unique historic appeal, and contribute to the quality of life for Lomita residents.*

The City's "Mission" will be realized through the implementation of the policies and programs contained in the Economic Development Element. The following policies related to economic development were developed to support the aforementioned objectives.

***Economic Development Policy 1***

The City will promote and support revitalization within the City's commercial districts.

***Economic Development Policy 2***

The City will continue to encourage the development of prosperous tourist, commercial, and entertainment uses along Pacific Coast Highway.

***Economic Development Policy 3***

The City will promote the improvement and revitalization of existing commercial areas and neighborhood shopping centers.

***Economic Development Policy 4***

The City will encourage a balance of land uses within Lomita to meet the needs of residents and visitors.

***Economic Development Policy 5***

The City will encourage a diversity of land uses and businesses within the City's commercial districts.

***Economic Development Policy 6***

The City will oversee maintenance or expansion of the infrastructure to keep pace with the development envisioned under the Land Use Plan.

***Economic Development Policy 7***

The City will work to develop strategies to reduce infrastructure costs for future development within the City's commercial districts as a means to stimulate economic development.

***Economic Development Policy 8***

The City will strive to attract destination-oriented businesses that will stimulate commercial activity and investments in the community.

**ECONOMIC  
DEVELOPMENT PLAN**

***Implementation Programs***

Listed below is a list of actions to guide the overall

implementation efforts. These programs address resource and staffing commitments, use of City assets, and refinement of City processes. These actions will guide City implementation efforts.

***Financial Resources Commitment***

The City will annually dedicate funds to support economic development and infrastructure improvement activities.

***Economic Development Team***

The City will form a team which will be responsible for: (1) working with local businesses to assist, where feasible, with their expansion needs, (2) actively recruiting developers/users to locate in Lomita, (3) coordinating City economic development efforts, and (4) working with City staff to continually upgrade the City's community development, engineering and building inspection services.

***Business Retention/Expansion***

The strike team will work with the Lomita Chamber of Commerce to identify and facilitate business development and expansion opportunities involving existing Lomita businesses.

***Economic Base Diversification***

Emphasis will be placed on pursuing opportunities that will dynamically diversify Lomita's economic base beyond local-serving retail uses.

***Environmental Compatibility***

In order to protect and enhance Lomita's unique architectural character, all new development projects will be reviewed with added emphasis on their compatibility with their environmental setting to insure preservation of Lomita's historic image.

***Street scape Improvements***

Future improvements to Street scape and medians for all major arterials, particularly Lomita Boulevard and Pacific Coast Highway, will be designed to impart a sense of place, a feeling unique only to Lomita so that residents and visitors will experience a sense of arriving at a special destination when traveling to or through Lomita.

***Prepare New and Update Existing Information Documents***

On an ongoing basis, City staff will prepare new,

and update existing, promotional and community information documents for circulation to potential users and developers.

### **Target Area Goals and Programs**

The City will target its economic development efforts in the following three primary commercial areas

- Downtown Lomita, near intersection of Lomita Boulevard and Narbonne Avenue;
- Pacific Coast Highway Corridor; and
- East Lomita Boulevard, between Eshelman Avenue and Walnut Street.

Efforts in these target areas are designed to focus City resources on:

- Working with property owners, business owners, and developers to assist them in realizing their development objectives consistent with this Economic Development Element,
- Constructing and/or improving street and drainage infrastructure to facilitate rehabilitation and redevelopment, and
- Capturing the projected demand for retail and office commercial uses during the next five years.

The challenge when pursuing implementation activities will be to balance limited City resources with the significant investment needs, and, the design needs of developers/users with the architectural and environmental compatibility desires of the community.

### **Downtown Lomita**

#### Demonstration Rehabilitation Program:

- Interview property owners, tenants, and City leaders to ascertain desired results of rehabilitation activities in the Downtown.
- Conduct survey of the Downtown to inventory existing building areas, parking constraints,

infrastructure needs, and surface potential rehabilitation and redevelopment activities.

- Identify specific public improvement needs, infrastructure deficiencies, and potential parking lots in the Downtown area.
- Select a specific block to focus initial rehabilitation efforts.
- Identify funding resources available to fund rehabilitation activities.
- Prepare and adopt Rehabilitation Program Guidelines for the Downtown area.

#### Planning Activities:

- Prepare Design Guidelines that will establish parameters within which development and rehabilitation activities will be promoted.
- Prepare a Downtown Specific Plan to establish special development standards, including provisions for off-street parking, landscaping and signage requirements, outdoor seating and display requirements to the extent desired for Downtown.
- Amend zoning ordinance to prohibit Institutional uses within the "downtown" area.

#### Promotional Activities:

- Develop list of desired users for Downtown properties.
- Formulate and implement a marketing program specific to the Downtown to solicit property owner and developer interest in development and rehabilitation activities.

### **Pacific Coast Highway**

#### Planning Activities:

- Conduct vision workshop for Pacific Coast Highway corridor with City Council, community leaders, businesses, property owners, and residents to ascertain desired uses and design qualities.



- Select a specific block to focus initial rehabilitation/redevelopment effort.
- Conduct survey of the demonstration block to inventory existing building areas, parking constraints, infrastructure needs, and surface potential rehabilitation and redevelopment activities.
- Determine available City resources to facilitate rehabilitation or redevelopment.
- Evaluate rehabilitation potential of demonstration block.
- Prepare and implement a strategy for the rehabilitation/redevelopment of the demonstration block.

Promotional Activities:

- Identify desired users and solicit user interest for the rehabilitation potential of the demonstration block.

**East Lomita Boulevard**

Planning Activities:

- Focus automotive service and parts uses in this area while providing adequate buffered and screened areas for vehicle and equipment storage.

Promotional Activities:

- Work with property owners of vacant lot on north side of Lomita Boulevard and east of Eshelman Avenue to facilitate development of these infill lots.

**BACKGROUND FOR  
PLANNING**

The City of Lomita is located in the South Bay area of Los Angeles County. The City is surrounded by the City of Torrance to the west and north, the City of Los Angeles to the east, and the Cities of

Rancho Palos Verdes and Rolling Hills Estates to the south. The City's commercial districts are located along the City's five primary arterials: Crenshaw Boulevard, Lomita Boulevard, Narbonne Avenue, Pacific Coast Highway, and Western Avenue; these commercial areas are built out and feature a varied mix of retail, light industrial, office, public, and residential uses.

The Lomita market area includes the City and the surrounding areas. For neighborhood retail and service commercial uses, the market area encompasses the areas within 3 miles of the City. For regional retail uses, the market area is larger - 5 miles for mid size shopping centers, and 10 miles for auto dealerships and large shopping centers. Both the 3 and 5 mile areas generally incorporate the South Bay. The 10 mile area extends to portions of El Segundo, Hawthorne, south central Los Angeles, and Long Beach.

**Demographics**

Table 8-1 presents a statistical profile of these different population groups. Like much of the greater South Bay area, the City's population has remained relatively stable for the past 15 years because the area is generally built out. According to the State Department of Finance's population estimates for January 1996, Lomita has approximately 20,100 residents. The City's population constitutes approximately 4.9% of the 406,074 residents within a 5 mile area surrounding the City. According to the Southern California Association of Governments (SCAG) projections, population in the City and the South Bay will not increase dramatically over the next ten years. The City's population is expected to increase by 0.97% annually to 22,041 by the year 2006, while the greater South Bay area is anticipated to grow at a slightly lower rate of 0.35% annually to 420,600. The chart below depicts historic and projected population growth rates for Lomita, the South Bay, Los Angeles County and the State of California.

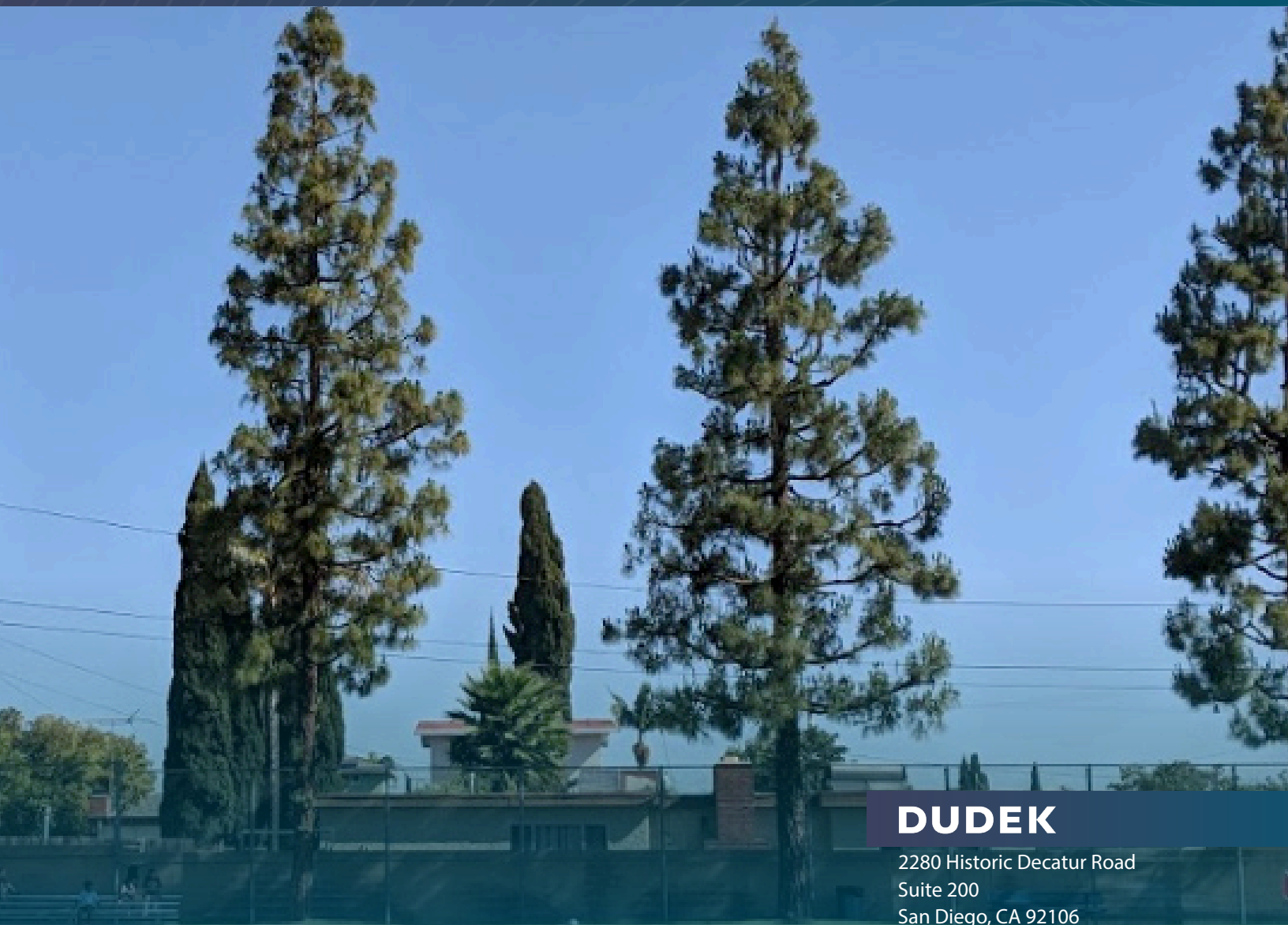
According to an Urban Decision Systems demographic profile based on the 1990 Census, Lomita households are markedly smaller than those of the greater South Bay area. The average household size in Lomita is 2.44 persons, while household sizes of the surrounding 3, 5 and 10 mile areas are between 2.76 and 2.80 persons.



CITY OF LOMITA

# SAFETY ELEMENT

OCTOBER 2021



**DUDEK**

2280 Historic Decatur Road  
Suite 200  
San Diego, CA 92106  
619.591.1370 | [dudek.com](http://dudek.com)



## Goals, Policies, and Actions

Goal 1: A built environment that protects against extreme heat and air pollution.

Policy 1.1: Improve indoor air quality and urban cooling in homes near major roads.

**Action 1.1a:** Create a clean air checklist for new development of sensitive land uses. This checklist should include landscaping, ventilation systems, double-paned windows, setbacks, and barriers.

**Action 1.1b:** Consider applying for grant funding to install air conditioning with HEPA filters in homes within 1000 feet of a major road for low-income households.

**Action 1.1c:** Continue current city efforts to repair and rehabilitate substandard housing for lower-income households, including programs and grants to weatherize houses for extreme heat and air pollution.

Policy 1.2: Reduce air pollution from mobile sources.

**Action 1.2a:** Amend the zoning code to provide incentives to increase the number of required electric vehicle charging stations associated with a development. Identify potential locations for public EV charging in larger parking lots.

**Action 1.2b:** Work with local non-profits and public agencies to advertise programs that provide sustainable cars and slow-speed vehicles (e-bikes, e-scooter and neighborhood electric vehicles) with an emphasis for low-income households.

**Action 1.2c:** Promote and enforce the use of City-designated truck routes to limit the impact of truck ingress and egress in Lomita through the use of signage and additional monitoring in targeted issue areas. Ensure that pedestrian walkways are unobscured and well maintained through planning and code enforcement efforts.

Policy 1.3: Promote a healthy urban forest to mitigate air pollution and extreme heat.

**Action 1.3a:** Adopt a tree species guide that prioritizes trees based on having low water needs, high canopy coverage, and adaptability to climate change and future environmental conditions.

**Action 1.3b:** Maintain no more than 5% of one species, 10% of one genus, and 20% of one family in the City tree inventory.

**Action 1.3c:** Develop tree-protection and heritage tree guidelines to encourage developers, residents, and businesses to preserve and maintain healthy trees on private property.

**Action 1.3d:** Encourage a public/private partnership with local businesses, religious organizations, community groups, and neighborhood associations to establish a free private property tree program that annually distributes trees to City residents and small businesses and prioritizes the distribution of trees to low-income households.

**Action 1.3e:** Update the landscape ordinance to increase the number of shade trees in surface parking lots for all new developments.

**Action 1.3f:** Plant and maintain shade trees along all City streets. Prioritize tree planting based on the existing tree canopy and the population's vulnerability to extreme heat. Where possible, integrate shade trees with bike and pedestrian infrastructure.

Policy 1.4: Adopt policies and standards for the built environment that reduce the urban heat island effect.

**Action 1.4a:** Adopt cool pavement standards that incentivize the use of materials with increased solar reflectance in streets and parking lots.

**Action 1.4b:** Encourage compliance with the Green Building Standards Code for use of cool roof materials and green roofs.

Goal 2: A city designed to minimize risks from hazards.

Policy 2.1: Seismic retrofit essential facilities to minimize damage in the event of seismic or geologic hazards.

**Action 2.1a:** Prioritize the seismic retrofits of critical facilities that are utilized in hazard response and recovery.

**Action 2.1b:** Coordinate with relevant utility service providers to develop a plan for temporary bypasses for all major utility systems (water, sewer, gas) in accordance with anticipated seismic event damage, as identified in the Lomita Hazard Mitigation Plan.

Policy 2.2: Encourage voluntary and mandatory participation in seismic retrofits to improve the seismic safety of all housing, while ensuring that structural improvements do not lead to displacement.

**Action 2.2a:** Require seismic retrofits for major renovations in accordance with Historic and Building Code provisions.

**Action 2.2b:** Require the retrofitting of unreinforced masonry structures to minimize damage in the event of seismic or geologic hazards.

Policy 2.3: Continue to require appropriate seismic and soil studies to reduce risk for new buildings and infrastructure.

**Action 2.3a:** Continue to require a preliminary soil report and a report of satisfactory placement of fill prepared by a licensed civil engineer for all buildings and structures supported on fill.

**Action 2.3b:** Continue to require a preliminary report for all buildings and structures supported on natural ground unless the foundations have been designed in accordance with the Building Code.

**Action 2.3c:** Continue to require soil reports and implement recommendations for projects in identified areas where liquefaction or other soil issues exist.

Policy 2.4: Maximize fire resistance of existing and planned development and infrastructure.

**Action 2.4a:** Identify areas vulnerable to fire due to inadequate water supply for firefighting and implement improvements (e.g., expansion of water supply, storage hydrants).

**Action 2.4b:** Monitor changes in State and county fire, building, and residential codes and adopt changes and modifications as needed.

**Action 2.4c:** Expand code enforcement activities to reduce risk of fire related to unsafe structures or hazardous conditions related to vegetation or outdoor storage.

**Policy 2.5: Minimize the risk of safety hazards related to the operation of the Torrance Municipal Airport.**

**Action 2.5a:** Ensure that land use decisions for development within the airport influence area and runway protection zone are consistent with the FAA standards contained within the Los Angeles County Airport Land Use Plan.

**Goal 3: A city prepared for disasters.**

**Policy 3.1: Conduct inclusive hazard preparation and education.**

**Action 3.1a:** Work with local schools to create age-appropriate preparedness classes.

**Action 3.1b:** Work with local places of worship and local non-profits to create disaster kits for lower-income households and vulnerable populations. This should include both disaster supplies and guidance on how to collect and store important documents.

**Action 3.1c:** Regularly meet with community leaders that represent vulnerable populations, including seniors, to maintain continuous two-way communication. This should include surveys and other needs assessments to refine notification and response policies.

**Action 3.1d:** Use the emergency alert systems and other standard City communication to alert the public when local air quality reaches “Very Unhealthy” levels or when local air temperature exceeds 100°F.

**Action 3.1e:** Review and update the City’s Hazard Mitigation Plan every five years.

**Policy 3.2: Engage the broader community to identify and train emergency response volunteers.**

**Action 3.2a:** Coordinate with the fire department to assist in the recruitment and training of neighborhood-based emergency response team volunteers such as Community Emergency Response Teams (CERTs).

**Action 3.2b:** Partner with local organizations to recruit a culturally and linguistically diverse range of CERT volunteers. Ensure CERT recruiting includes a broad range of community members and leaders.

**Action 3.2c:** Convene and regularly train neighborhood-based emergency response teams (e.g., CERTs), incorporating climate change response and recovery.

**Policy 3.3: Evaluate and improve capacity of stormwater infrastructure for high-intensity rainfall events.**

**Action 3.3a:** Identify streets and intersections that flood regularly and are ideal candidates for bioswales.

**Action 3.3b:** Develop a green streets program to support a sustainable approach to stormwater, drainage, groundwater recharge, and landscaping and incorporate green streets standards and guidelines in all streetscape improvements.

**Policy 3.4: Regulate the use, transport, and disposal of hazardous materials.**

**Action 3.4a:** Restrict transport of hazardous materials within Lomita to routes designated for such transport.

**Action 3.4b:** When appropriate, require new development to prepare a hazardous materials inventory and/or prepare Phase I or Phase II hazardous materials studies, including any required cleanup measures.

**Action 3.4c:** Require new development that handles toxic, flammable, or explosive materials in such quantities that would, if released or ignited, constitute a significant risk to adjacent human populations or development to conform to the applicable State or Federal materials handling and emergency response plans.

**Action 3.4d:** Educate the public on household hazardous wastes and the proper methods and locations of disposal.

**Policy 3.5: Site and design public facilities to increase resilience.**

**Action 3.5a:** Continue to design new critical facilities to minimize potential flood and fire damage. Such facilities include those that provide emergency response like hospitals, fire stations, police stations, civil defense headquarters, utility lifelines, and ambulance services. Such facilities also include those that do not provide emergency response but attract large numbers of people, such as schools, theaters, and other public assembly facilities with capacities greater than 100 people.

**Action 3.5b:** Install generators on selected facilities to ensure continuous power for use at shelters, Lomita Park, and/or alternate seats of government.

**Action 3.5c:** Install refrigerators at resilience centers, such as existing cooling centers and emergency shelter locations, to provide storage for medication in black out or other hazard events.

**Action 3.5d:** Perform an audit on community resilience centers to identify deficiencies in Americans with Disabilities Act compliance, availability of contactless water fountains, and appropriate earthquake retrofits.

**Action 3.5e:** Work with local organizations to distribute food and pop-up food pantries at resilience centers during hazard events.

**Action 3.5f:** Include information on regional assistance programs at resilience hubs in all appropriate languages prior to a hazard event.

Goal 4: Emergency response designed to serve a range of community needs.

Policy 4.1: Maintain participation in local, regional, State, and national mutual aid systems and regional trainings to ensure that appropriate resources are available for response and recovery during and following a disaster.

**Action 4.1a:** Conduct annual training sessions using adopted emergency management systems. Coordinate with other jurisdictions to execute a variety of exercises to test operational and emergency plans.

**Action 4.1b:** Train and conduct mock exercises with first responders in hazardous materials response field operations and decontamination.

**Action 4.1c:** Work with CAL FIRE and other regional agencies to regularly update the existing wildfire hazard zones and evacuation routes mapping using geographic information system.

**Action 4.1d:** Work with CAL FIRE and other regional agencies to develop appropriate improvements needed for fire suppression operations.

Policy 4.2: Include in emergency response procedures provisions for vulnerable populations and neighborhoods with low rates of car ownership.

**Action 4.2a:** Develop a voluntary vulnerable population registry and subsequent priority list to help responders better provide services and meet the needs of those most in need.

**Action 4.2b:** Coordinate a Know Your Neighbor Program where community leaders and neighbors provide resources and check in on vulnerable populations during hazard events where people shelter at home.

Policy 4.3: Prioritize roadway Capital Improvement Projects that function as evacuation routes.

**Action 4.3a:** Maintain emergency evacuation routes. Ensure that street widths, paving, and grades meet the requirements of the State Fire Code and the Los Angeles County Consolidated Fire Codes. Work with the City's geographic information system (GIS) mapping services to identify any residential areas that do not have at least two emergency evacuation routes.

**Action 4.3b:** In coordination with Southern California Edison, create and implement a plan that identifies important traffic signals along evacuation routes to connect to backup power sources in the event of power failure.

Policy 4.4: Ensure the Emergency Operations Center (EOC) has adequate capacity to respond to hazard events.

**Action 4.4a:** Periodically review technology used to support the EOC to ensure systems are updated and effective, including City geographic information system.

**Action 4.4b:** Update EOC equipment and supplies as necessary to ensure effectiveness.

**Action 4.4c:** Continue EOC training and exercise plan for City staff with EOC responsibilities, and cross train City staff at various EOC positions.

**Action 4.4d:** Expand staff training by conducting regularly scheduled online EOC training for EOC staff. Include extended training formats as applicable.

Goal 5: A city that builds back stronger.

Policy 5.1: Develop post-disaster recovery plan for critical assets and roads.

**Action 5.1a:** Develop measurable targets for post-disaster restoration of critical infrastructure including water, sewer, electricity, gas, communications, and transportation systems.

**Action 5.1b:** Identify resilience hubs throughout Lomita to serve as aid and food distribution centers after a disaster.

Policy 5.2: Support the efficient and flexible rebuilding of private property after a hazard event.

**Action 5.2a:** Adopt emergency land use procedures that address displacement and redevelopment of properties that are severely damaged as a result of a major earthquake or catastrophic event.

**Action 5.2b:** Create streamlined post-disaster recovery standards to facilitate efficient permit processing for homeowners and businesses that need to rebuild after a disaster.

Policy 5.3: Support post-disaster strategies that prioritize the needs of vulnerable populations.

**Action 5.3a:** Adopt redevelopment incentives for lower-income housing development to prevent the displacement of vulnerable households.

**Action 5.3b:** Create processes for the provision of temporary, safe housing while communities plan for permanent, sustainable housing.

**Action 5.3c:** Provide regulatory relief for the post-disaster redevelopment of local businesses and housing for lower-income households.



Community Development Department  
Planning Division  
24300 Narbonne Avenue  
Lomita, CA 90717  
310/325-7110  
FAX 310/325-4024

### NOTICE OF EXEMPTION

**Project Title:** Finding the proposed Fiscal Year (FY) 2022-23 Capital Improvement Program (CIP) and the proposed 2022-2027 Five-Year CIP consistent with the General Plan

**Project Description:**

Finding the proposed Fiscal Year (FY) 2022-23 Capital Improvement Program (CIP) and the proposed 2022-2027 Five-Year CIP are consistent with the City of Lomita General Plan, recommending to City Council adoption of the programs. Filed by City of Lomita, 24300 Narbonne Avenue Lomita, CA 90717

**Finding:**

The Planning Division of the Community Development Department of the City of Lomita has reviewed the above proposed project and found it to be exempt from the provisions of the California Environmental Quality Act (CEQA).

- |                                     |   |
|-------------------------------------|---|
| <input type="checkbox"/>            | Ministerial Project   |
| <input type="checkbox"/>            | Categorical Exemption (CEQA Guidelines,                                     |
| <input type="checkbox"/>            | Emergency Project   |
| <input type="checkbox"/>            | Quick Disapproval [CEQA Guidelines, Section 15270]                          |
| <input checked="" type="checkbox"/> | No Possibility of Significant Effect [CEQA Guidelines, Section 15061(b)(3)] |

**Supporting Reasons:** The finding of consistency and recommendation of adoption of the Fiscal Year 2022-2023 and 2022-2027 Capital Improvement Programs could not possibly impact the environment because the CIP only allocates funding for projects and environmental review will be conducted at the time a specific project is proposed for implementation, if it is subject to the California Environmental Quality Act.

Therefore, the Planning Commission has determined that there is no substantial evidence that the project may have a significant effect on the environment.

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
Laura MacMorran  
Associate Planner



## **CITY OF LOMITA PLANNING COMMISSION REPORT**

**TO:** Planning Commission May 9, 2022

**FROM:** Sheri Repp Loadsman, Planner  
Lemesis Quintero, Assistant Planner

**SUBJECT:** Workshop to consider an update to Accessory Dwelling Units regulations, establishment of permanent regulations for Urban Lot Splits and Two-Unit Development (SB 9) and revised development standards to increase density for Multiple Single-Family Units in the A-1 and R-1 Zones.

### **BACKGROUND**

The Lomita Municipal Code must be updated to be in compliance with various laws passed by the State legislature related to housing. Tonight's workshop will focus on updated Accessory Dwelling Unit regulations, permanent regulations for Urban Lot Splits and Two-Unit Development (SB 9) and revised development standards to support enhanced development options in the A-1 and R-1 Zones. Throughout the discussion of the Housing Element Update process, the Planning Commission and City Council considered the need to establish appropriate requirements and development standards that would satisfy state laws, promote housing development, and protect the unique residential character of existing Lomita neighborhoods.

In general, State legislation pertaining to ADUs, Urban Lot Splits and Two-Unit Developments supersedes a city's existing land use and other regulations. However, there are certain regulations that can be adopted to address local building, design and development standards. As such, staff has been working on a tiered approach that will allow for new housing in the single-family neighborhoods, including units authorized by ADU and SB 9 legislation. The goal is to implement regulations that promote a range of housing opportunities. Staff recommends the Planning Commission provide direction on a comprehensive update to the permitted uses, development standards and operating standards within the A-1 (Agriculture, Noncommercial) and R-1 (Single-Family Residential) zones.

### **HOUSING ELEMENT GOALS, POLICIES AND PROGRAMS:**

Lomita's draft 2021-2029 Housing Element includes goals, programs, and timeframes for meeting the existing and projected comprehensive housing needs of Lomita. Some programs will require immediate action while others will lead to additional study and preparation of ordinance



amendments and procedures. The following programs pertain to the proposed update of regulations for the A-1 and R-1 Zones. Comments are provided to assist in understanding the programs and potential policy discussions as follows:

| <b>Schedule</b>       | <b>Housing Element Program and Title</b> | <b>Description</b>   | <b>Comments</b>   |
|-----------------------|--|--|---|
| Immediate and Ongoing | Rezone Opportunities (Program 28)        | Evaluate opportunities for increased residential densities; conduct annual workshop with Planning Commission to evaluate potential updates.  | The A-1 and R-1 zones contain oversized properties that are underdeveloped. There are options for amended regulations to gain additional units compatible with current standards for single-family homes.   |
|                       | Ongoing Code Updates (Program 29)        | Monitor and update regulations in response to changes to State laws and encourage the development community to share ideas for process improvements.   | The current Lomita Municipal Code is out of date with respect to ADUs. An urgency ordinance provides interim standards to comply with SB 9.   |
|                       | Supporting Low Density (Program 15)      | Implement provisions of SB 9 and consider amending ordinance to create a ministerial process and objective design standards by which a single-family or agriculture zoned lot can be subdivided to accommodate additional single-family units. | Consider additional ordinance amendment to establish ministerial review procedures and objective development and design standards for proposed housing development, or proposed lot splits of existing SFR lots, in the R-1 and A-1 zones not subject to SB 9 by Spring 2023. |

## **AMENDED REGULATION DESCRIPTIONS**

### ACCESSORY DWELLING UNITS

In 2009, the City passed Ordinance No. 724 which established provisions and regulations for second dwelling units on residentially zoned properties which contain a single dwelling unit. Since that time, and particularly since 2016 in response to the statewide housing crisis, the State Legislature has continued to enact legislation to further reduce barriers to accessory dwelling unit (ADU) development. In 2018, the City passed Ordinance No. 796, which updated the City's

regulations to conform with new state regulations at that time. Major changes adopted as part of Ordinance No. 796 include provisions for junior accessory dwelling units (JADUs) and the elimination of parking requirements for ADUs and JADUs.

In 2019, the State Legislature adopted another group of housing bills aimed at addressing the housing crisis, including AB 881, which amended Government Code sections 65852.2 and 65852.22 pertaining to ADUs and JADUs. The intent of AB 881 is to impose new limits on local governments to regulate ADUs which will further reduce regulatory barriers and costs, streamline approval, and expand the potential capacity for ADUs in response to the State’s housing shortage. Included in AB 881 is a provision that invalidates local ordinances which were not fully compliant with the new requirements. Those cities would default to Government Code section 65852.2 and 65852.22 in the regulation of ADUs submitted after January 1, 2020. As the City’s current regulations were drafted to comply with prior versions of the State law, they are not fully compliant; therefore, the City is currently utilizing the revised government code to review and process ADU applications.

Summary Of Proposed ADU Revisions

AB 881 imposed significant changes to the City’s ADU regulations; therefore, the entirety of Section 11-1.30.06 (Accessory and junior accessory dwelling units) is proposed to be replaced. Additionally, new definitions for “accessory dwelling unit” and “junior accessory dwelling unit” will be included to comply with the state law. Below is a summary of major proposed changes.

| <b>Standard</b>                               | <b>Lomita Municipal Code</b>   |
|---|--|
| Location                                      | <p>Existing: Residentially zoned property improved with a single-family residence.</p> <p>Proposed: Residentially zoned property improved with a single-family or multi-family residence.</p>  |
| Number of Units Permitted                     | <p>Existing: On a property developed with a single-family residence, one ADU or one JADU; Not permitted on multi-family properties.</p> <p>Proposed: On a property developed with a single-family residence, one ADU and one JADU, subject to limitations. On multi-family properties, up to 25% of the number of existing units but at least one ADU located within the portion of multifamily structure not used as livable space OR two detached ADUs , subject to limitations.</p> |
| Conversion of garages or accessory structures | <p>Existing: Replacement parking is required to be provided when the principal unit’s required parking is converted.</p> <p>Proposed: One parking space, exemptions apply per Gov. Code § 65852.2(d)(1-5)</p>  |
| Owner-Occupancy Requirement                   | <p>Existing: Owner must reside in either the primary residence or in the ADU/JADU.</p>   |

|                                  |   |
|----------------------------------|---|
|                                  | Proposed: For ADUs created between 1/1/2020 and 1/1/2025, the owner occupancy requirement has been suspended. For JADUs, the owner must reside on the property.   |
| Design and Development Standards | Existing: Varies<br><br>Proposed: Same as Lot Split and Two-Unit Development (SB 9) Interim Ordinance   |
| Height                           | Existing: 16 feet unless approved by “site plan review”.<br><br>Proposed:<br>16 feet for attached or detached utilizing the minimum setback standards established by State law (4 ft. side and rear) .<br>27 feet for attached or detached compliant with underlying zone setbacks and height variation permit if required.   |
| Minimum and Maximum Size         | Existing:<br>Minimum: 150 square feet<br>Maximum: 1,200 square feet<br><br>Proposed:<br>ADU/ JADU Minimum: 150 square feet<br>JADU Maximum: 500 square feet<br>ADU Maximum: 850 square feet and 1,000 square feet for one or more bedrooms<br><br>The conversion of an existing accessory structure or a portion of the existing primary residence to an ADU/ JADU is not subject to size requirements. |

**SB 9: URBAN LOT SPLITS AND TWO-UNIT RESIDENTIAL DEVELOPMENTS IN SINGLE-FAMILY ZONES**

On September 16, 2021, the Governor signed into law Senate Bill No. 9 (SB 9). This bill requires the ministerial approval of two dwelling units per parcel in single-family residential zones, where previously only one primary dwelling unit would have been permitted. This is in addition to permitting accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs), in some cases. Additionally, SB 9 requires ministerial approval of lot splits in single-family residential zones and allows two units to be built on each resulting parcel. If a local jurisdiction did not adopt their own regulations, the provisions of SB 9 as adopted by the State became effective January 1, 2022.

On February 28, 2022, City Council adopted an Urgency Ordinance to implement SB 9 with local objective standards. This Ordinance is effective for 45 days. The extension of the Urgency Ordinance is coming to the City Council prior to the expiration day for consideration of an extension. Consistent with State law, the proposed extension has been noticed and published.

On April 5, 2022, City Council extended Ordinance No. 832U be extended for an additional 10 months and 15 days, as permitted by Government Code Sections 36934, 36937, and 65858, to allow for the development of regulations for incorporation into the Lomita Municipal Code. The adopted interim standards contain the following provisions:

- A prohibition on ADUs and JADUs in conjunction with projects seeking to incorporate both an urban lot split and development of a two-unit residential development or duplex;
- A requirement to limit the size of new units to 800 square feet for projects that cannot comply with existing single-family development standards;
- A one-story height limitation of 16 feet for each unit;
- A requirement of one parking space per new unit created, with exemptions as required under SB 9;
- Requirement of an owner-occupancy affidavit for lot split applications, consistent with SB 9;
- The maximum lot coverage shall not exceed 50%. The lot coverage shall include all buildings and structures (primary and accessory), covered porches and patios and covered parking areas. This lot coverage standard shall apply to the maximum extent feasible so that two primary dwelling units on the lot at 800 square feet are permitted.
- Landscaping and open space requirements to ensure sufficient open space including the retention of existing trees on-site or planting of new trees; and
- A prohibition on short-term rental of units developed under the provisions of SB 9.
- A requirement that second units, and both units of a two-unit development, if rented, shall only be rented at an affordable rent for lower-income households, as defined in Health and Safety Code Section 50053, and shall only be rented to lower-income households, as defined in Health and Safety Code Section 50079.5, for a minimum of 30 years.

The Planning Commission is requested to review the interim standards contained in Ordinance No. 832U to determine if any changes should be recommended for inclusion in a permanent ordinance. Staff recommends that certain development standards could be utilized for ADUs to establish greater consistency in the development of the infill housing units.

### **PROPOSED MULTIPLE UNITS IN A-1 AND R-1 ZONES:**

Housing Element Program 15 requires consideration of an ordinance amendment to establish ministerial review procedures and objective development and design standards for proposed housing development or subdivision of A-1 and R-1 zone properties not subject to SB 9. The focus is to consider amending the current density of 8.7 units per acre (1 dwelling unit per 5,000 square feet) to allow a higher density of up to 10.89 units per acre (1 dwelling unit per 4,000 square feet). The City has previously utilized the RVD-5000 zone to allow for a planned unit development at a density of 8.7 units per acre. An example is the 7-unit development located at 2039-2043 248<sup>th</sup> Street. The resultant project benefits from smaller parcels, a shared common lot for access and use of common open space. The proposed definition of a planned unit development is as follows:

*PLANNED UNIT DEVELOPMENT* - A development established to provide an alternative to standard residential development wherein the existing General Plan densities are preserved but flexibility is provided by allowing the clustering of units and combining of open space, recreation areas and roadways under common ownership.

Planned development standards optimize creative site planning to provide flexibility in the grouping, placement, size and use of property. The RVD-5000 zone could be used for existing oversized single-family properties. The City could increase density by establishing an RVD 4000 or RVD-4500 zone. Alternatively, amended regulations could provide specific development standards applicable to the A-1 and R-1 zones negating the need for individual zone changes. If the density were to increase from 8.7 to upwards of 10.89 units per acre, a corresponding amendment would be needed for the Land Use Element of the General Plan as follows:

Table 2-2

Development Standards

| GP Land Use Designation    | Zone District  | Development Standards   |
|----------------------------|--|---|
| Agricultural - Residential | a-1  | <del>8.71</del> <b>10.89</b> du/acre (10,000 s.f. lots)   |
| Low Density Residential    | R-1<br>R-1-P<br>RVD-5000<br>R-1-6000<br>R-1-7000<br>R-1-7500 | 5.8 to <del>8.71</del> — <b>10.89</b> du/acre<br><br>2,200 – 5,000 s.f. lots<br>6,000 s.f. lots<br>7,000 s.f. lots<br>7,500 s.f. lots |
| Medium Density             | RVD-2500   | <del>8.72</del> <b>10.90</b> – 19.8 du/acre   |

Historical development patterns in Lomita suggest that developing multiple units on larger single-family properties used to be commonplace. Over time, zoning standards changed in Lomita to limit the number of units in the A-1 and R-1 zones. State laws required “second units” to be permitted. Now, the terms and requirements have changed to specify ADUs, JADUs, Urban Lot Splits and Two-Unit Development pursuant to SB 9. The City has not promoted the use of the RVD-5000 zone although this zone provides a significant opportunity to promote infill development. As a result, there is not a lot of recent development within the A-1 and R-1 zones, with the exception of recent ADUs.

**POLICY CONSIDERATION**

Policies and programs that encourage the production of missing middle housing seek to address housing needs for middle-income households. In Lomita and other high-cost housing markets, middle-income households are often unable to afford market-rate housing but do not qualify for publicly subsidized housing, most of which is reserved for households with incomes equal to 80 percent of area median income (AMI) or less due to restrictions on the funding sources needed to

finance these developments. A strategy that addresses missing middle housing would seek to produce units for households with incomes above 120 percent of AMI that struggle to afford market-rate housing prices in Lomita. Continued efforts to provide lower income housing should be paired with this strategy.

Regulatory modifications to encourage construction of smaller units could potentially lead developers to create units that are “affordable by design,” or units that are affordable due to the small size of the units rather than due to regulatory requirements. This approach could help provide the missing middle housing product, a housing type with densities often between condominiums and traditional single-family homes.

## **POLICY QUESTIONS**

### ADUs/JADUs

- Should JADUs be permitted at 150 square feet or 220 square feet as the minimum size? An efficiency kitchen is required and the JADU is able to share certain areas of the primary unit (e.g. bathroom).
- Should ADUs be restricted to one-story if the minimum 4-foot side yard and rear yard is provided? Development proposals providing the greater setbacks required in the underlying A-1 and R-1 zones could be eligible for a second story. If the properties are of sufficient size, the development could provide a unit qualifying under the Multiple Single-Family provisions (i.e. either the RVD-5000 zone or new standards allowing for multiple single-family units).
- Should landscaping and open space requirements be required (i.e. same as Ordinance No. 832U) to ensure sufficient open space including the retention of existing trees on-site or planting of new trees?

### Ordinance No. 832U – SB 9 Regulations

- Should the Two-Unit developments authorized by SB 9 be restricted to a maximum of 800 square feet in size? These units may be exempt from parking so the smaller size could create less demand for on street parking.
- The proposed amendments include a provision for affordable housing for Two-Unit developments. Covenants for rental units are usually 55 years. Ordinance No. 832U currently provides a 30-year term. Should there be an affordability requirement? If so, should the term be 30 years?

### Multiple Single-Family Units

- Should the density be increased to 10.89 du/acre as a means of promoting housing production and providing an alternative to ADUs, Urban Lot Splits and Two-Unit Residential Developments?
- Should guest parking be required? If so, should guest parking apply to developments with 4 or more units?
- Should larger units exceeding 2,500 square feet for the Multiple Single-Family Units be required to provide an attached ADU? Such a requirement would allow for multi-

generational housing, increased housing opportunities and provide income for homeowners through the rental of either the ADU and/or the primary unit.

- Should objective design guidelines allow for a ministerial approval process? Developments proposing a planned unit development would still be required to process a subdivision map with the Planning Commission and City Council.

### **HCD REVIEW**

State law requires that each local jurisdiction submit its ADU ordinance to HCD within 60 days after adoption so that HCD can verify compliance of the adopted ordinance with the State law. Failure to provide an ordinance that complies with State law would require HCD to notify the Attorney General that the local jurisdiction is in violation of State law. However, staff believes HCD would first work with the City to bring the ordinance into compliance if HCD determined changes were needed. Staff is recommending a more comprehensive update that includes additional standards to regulate Lot Split and Two-Unit Development (SB 9) and the ability to develop multiple rental and for-sale single-family units in the A-1 and R-1 zones. This process will provide more transparency and documentation of how the City is promoting development within the single-family areas.

### **STAFF RECOMMENDATION**

Staff recommends that the Planning Commission conduct a workshop to discuss amendments to the Lomita Municipal Code to address Accessory Dwelling Units, Urban Lot Splits and Two-Unit developments pursuant to SB 9 and revisions to the single-family residential zones to increase density for Multiple Single-Family Units. Direct staff to schedule a public hearing for June 13, 2022 to consider the proposed amendments.

Recommended by:



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Attachments:

1. ADU Handbook
2. City Council Staff Report dated April 5, 2022 for Ordinance No. 832U
3. Illustrative Site Plans for Multiple Single-Family Development and House Plan with Attached ADU
4. Residential Development Standard Comparison Chart



California Department of Housing and  
Community Development

# Accessory Dwelling Unit Handbook



Where foundations begin

*Updated December 2020*



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# Understanding Accessory Dwelling Units (ADUs) and Their Importance



California's housing production is not keeping pace with demand. In the last decade, less than half of the homes needed to keep up with the population growth were built. Additionally, new homes are often constructed away from job-rich areas. This lack of housing that meets people's needs is impacting affordability and causing average housing costs, particularly for renters in California, to rise significantly. As affordable housing becomes less accessible, people drive longer distances between housing they can afford and their workplace or pack themselves into smaller shared spaces, both of which reduce quality of life and produce negative environmental impacts.

\*\*\*\*\*

Beyond traditional construction, widening the range of housing types can increase the housing supply and help more low-income Californians thrive. Examples of some of these housing types are Accessory Dwelling Units (ADUs - also referred to as second units, in-law units, casitas, or granny flats) and Junior Accessory Dwelling Units (JADUs).

## **What is an ADU?**

An ADU is an accessory dwelling unit with complete independent living facilities for one or more persons and has a few variations:

- Detached: The unit is separated from the primary structure.
- Attached: The unit is attached to the primary structure.
- Converted Existing Space: Space (e.g., master bedroom, attached garage, storage area, or similar use, or an accessory structure) on the lot of the primary residence that is converted into an independent living unit.
- Junior Accessory Dwelling Unit (JADU): A specific type of conversion of existing space that is contained entirely within an existing or proposed single-family residence.

ADUs tend to be significantly less expensive to build and offer benefits that address common development barriers such as affordability and environmental quality. Because ADUs must be built on lots with existing or proposed housing, they do not require paying for new land, dedicated parking or other costly infrastructure required to build a new single-family home. Because they are contained inside existing single-family homes, JADUs require relatively

modest renovations and are much more affordable to complete. ADUs are often built with cost-effective one or two-story wood frames, which are also cheaper than other new homes. Additionally, prefabricated ADUs can be directly purchased and save much of the time and money that comes with new construction. ADUs can provide as much living space as apartments and condominiums and work well for couples, small families, friends, young people, and seniors.

Much of California's housing crisis comes from job-rich, high-opportunity areas where the total housing stock is insufficient to meet demand and exclusionary practices have limited housing choice and inclusion. Professionals and students often prefer living closer to jobs and amenities rather than spending hours commuting. Parents often want better access to schools and do not necessarily require single-family homes to meet their needs. There is a shortage of affordable units, and the units that are available can be out of reach for many people. To address our state's needs, homeowners can construct an ADU on their lot or convert an underutilized part of their home into a JADU. This flexibility benefits both renters and homeowners who can receive extra monthly rent income.

ADUs also give homeowners the flexibility to share independent living areas with family members and others, allowing seniors to age in place as they require more care, thus helping extended families stay together while maintaining privacy. The space can be used for a variety of reasons, including adult children who can pay off debt and save up for living on their own.

New policies are making ADUs even more affordable to build, in part by limiting the development impact fees and relaxing zoning requirements. A 2019 study from the Turner Center on Housing Innovation noted that one unit of affordable housing in the Bay Area costs about \$450,000. ADUs and JADUs can often be built at a fraction of that price and homeowners may use their existing lot to create additional housing, without being required to provide additional infrastructure. Often the rent generated from the ADU can pay for the entire project in a matter of years.

ADUs and JADUs are a flexible form of housing that can help Californians more easily access job-rich, high-opportunity areas. By design, ADUs are more affordable and can provide additional income to homeowners. Local governments can encourage the development of ADUs and improve access to jobs, education, and services for many Californians.

# Summary of Recent Changes to Accessory Dwelling Unit Laws



In Government Code Section 65852.150, the California Legislature found and declared that, among other things, allowing accessory dwelling units (ADUs) in zones that allow single-family and multifamily uses provides additional rental housing, and is an essential component in addressing California's housing needs. Over the years, ADU law has been revised to improve its effectiveness at creating more housing units. Changes to ADU laws effective January 1, 2021, further reduce barriers, better streamline approval processes, and expand capacity to accommodate the development of ADUs and junior accessory dwelling units (JADUs).

ADUs are a unique opportunity to address a variety of housing needs and provide affordable housing

options for family members, friends, students, the elderly, in-home health care providers, people with disabilities, and others. Further, ADUs offer an opportunity to maximize and integrate housing choices within existing neighborhoods.

Within this context, the California Department of Housing and Community Development (HCD) has prepared this guidance to assist local governments, homeowners, architects, and the general public in encouraging the development of ADUs. The following is a summary of recent legislation that amended ADU law: AB 3182 (2020) and SB 13, AB 68, AB 881, AB 587, AB 670, and AB 671 (2019). Please see Attachment 1 for the complete statutory changes for AB 3182 (2020) and SB 13, AB 68, AB 881, AB 587, AB 670, and AB 671 (2019).

## AB 3182 (Ting)

Chapter 198, Statutes of 2020 (Assembly Bill 3182) builds upon recent changes to ADU law (Gov. Code, § 65852.2 and Civil Code Sections 4740 and 4741) to further address barriers to the development and use of ADUs and JADUs.

This recent legislation, among other changes, addresses the following:

- States that an application for the creation of an ADU or JADU shall be *deemed approved* (not just subject to ministerial approval) if the local agency has not acted on the completed application within 60 days.
- Requires ministerial approval of an application for a building permit within a residential or mixed-use zone to create one ADU *and* one JADU per lot (not one or the other), within the proposed or existing single-family dwelling, if certain conditions are met.
- Provides for the rental or leasing of a separate interest ADU or JADU in a common interest development, notwithstanding governing documents that otherwise appear to prohibit renting or leasing of a unit, *and* without regard to the date of the governing documents.

- Provides for not less than 25 percent of the separate interest units within a common interest development be allowed as rental or leasable units.

## **AB 68 (Ting), AB 881 (Bloom), and SB 13 (Wieckowski)**

Chapter 653, Statutes of 2019 (Senate Bill 13, Section 3), Chapter 655, Statutes of 2019 (Assembly Bill 68, Section 2) and Chapter 659 (Assembly Bill 881, Section 1.5 and 2.5) build upon recent changes to ADU and JADU law (Gov. Code § 65852.2, 65852.22) and further address barriers to the development of ADUs and JADUs.

This legislation, among other changes, addresses the following:

- Prohibits local agencies from including in development standards for ADUs requirements on minimum lot size (Gov. Code, § 65852.2, subd. (a)(1)(B)(i)).
- Clarifies areas designated by local agencies for ADUs may be based on the adequacy of water and sewer services as well as impacts on traffic flow and public safety (Gov. Code, § 65852.2, subd. (a)(1)(A)).
- Eliminates all owner-occupancy requirements by local agencies for ADUs approved between January 1, 2020, and January 1, 2025 (Gov. Code, § 65852.2, subd. (a)(6)).
- Prohibits a local agency from establishing a maximum size of an ADU of less than 850 square feet, or 1,000 square feet if the ADU contains more than one bedroom and requires approval of a permit to build an ADU of up to 800 square feet (Gov. Code, § 65852.2, subds. (c)(2)(B) & (C)).
- Clarifies that when ADUs are created through the conversion of a garage, carport or covered parking structure, replacement of offstreet parking spaces cannot be required by the local agency (Gov. Code, § 65852.2, subd. (a)(1)(D)(xi)).
- Reduces the maximum ADU and JADU application review time from 120 days to 60 days (Gov. Code, § 65852.2, subd. (a)(3) and (b)).
- Clarifies that “public transit” includes various means of transportation that charge set fees, run on fixed routes and are available to the public (Gov. Code, § 65852.2, subd. (j)(10)).
- Establishes impact fee exemptions and limitations based on the size of the ADU. ADUs up to 750 square feet are exempt from impact fees (Gov. Code § 65852.2, subd. (f)(3)); ADUs that are 750 square feet or larger may be charged impact fees but only such fees that are proportional in size (by square foot) to those for the primary dwelling unit (Gov. Code, § 65852.2, subd. (f)(3)).
- Defines an “accessory structure” to mean a structure that is accessory or incidental to a dwelling on the same lot as the ADU (Gov. Code, § 65852.2, subd. (j)(2)).
- Authorizes HCD to notify the local agency if HCD finds that their ADU ordinance is not in compliance with state law (Gov. Code, § 65852.2, subd. (h)(2)).
- Clarifies that a local agency may identify an ADU or JADU as an adequate site to satisfy Regional Housing Needs Allocation (RHNA) housing needs (Gov. Code, §§ 65583.1, subd. (a), and 65852.2, subd. (m)).
- Permits JADUs even where a local agency has not adopted an ordinance expressly authorizing them (Gov. Code, § 65852.2, subds. (a)(3), (b), and (e)).

- Allows a permitted JADU to be constructed within the walls of the proposed or existing single-family residence and eliminates the required inclusion of an existing bedroom or an interior entry into the single-family residence (Gov. Code § 65852.22, subd. (a)(4); former Gov. Code § 65852.22, subd. (a)(5)).
- Requires, upon application and approval, a local agency to delay enforcement against a qualifying substandard ADU for five (5) years to allow the owner to correct the violation, so long as the violation is not a health and safety issue, as determined by the enforcement agency (Gov. Code, § 65852.2, subd. (n); Health & Safety Code, § 17980.12).

### **AB 587 (Friedman), AB 670 (Friedman), and AB 671 (Friedman)**

In addition to the legislation listed above, AB 587 (Chapter 657, Statutes of 2019), AB 670 (Chapter 178, Statutes of 2019), and AB 671 (Chapter 658, Statutes of 2019) also have an impact on state ADU law, particularly through Health and Safety Code Section 17980.12. These pieces of legislation, among other changes, address the following:

- AB 587 creates a narrow exemption to the prohibition for ADUs to be sold or otherwise conveyed separately from the primary dwelling by allowing deed-restricted sales to occur if the local agency adopts an ordinance. To qualify, the primary dwelling and the ADU are to be built by a qualified nonprofit corporation whose mission is to provide units to low-income households (Gov. Code, § 65852.26).
- AB 670 provides that covenants, conditions and restrictions (CC&Rs) that either effectively prohibit or unreasonably restrict the construction or use of an ADU or JADU on a lot zoned for single-family residential use are void and unenforceable (Civ. Code, § 4751).
- AB 671 requires local agencies' housing elements to include a plan that incentivizes and promotes the creation of ADUs that can offer affordable rents for very low, low-, or moderate-income households and requires HCD to develop a list of state grants and financial incentives in connection with the planning, construction and operation of affordable ADUs (Gov. Code, § 65583; Health & Safety Code, § 50504.5).



# Frequently Asked Questions: Accessory Dwelling Units<sup>1</sup>

## 1. Legislative Intent

### a. Should a local ordinance encourage the development of accessory dwelling units?

Yes. Pursuant to Government Code Section 65852.150, the California Legislature found and declared that, among other things, California is facing a severe housing crisis and ADUs are a valuable form of housing that meets the needs of family members, students, the elderly, in-home health care providers, people with disabilities and others. Therefore, ADUs are an essential component of California's housing supply.

ADU law and recent changes intend to address barriers, streamline approval,

### Government Code 65852.150:

(a) *The Legislature finds and declares all of the following:*

(1) *Accessory dwelling units are a valuable form of housing in California.*

(2) *Accessory dwelling units provide housing for family members, students, the elderly, in-home health care providers, the disabled, and others, at below market prices within existing neighborhoods.*

(3) *Homeowners who create accessory dwelling units benefit from added income, and an increased sense of security.*

(4) *Allowing accessory dwelling units in single-family or multifamily residential zones provides additional rental housing stock in California.*

(5) *California faces a severe housing crisis.*

(6) *The state is falling far short of meeting current and future housing demand with serious consequences for the state's economy, our ability to build green infill consistent with state greenhouse gas reduction goals, and the well-being of our citizens, particularly lower and middle-income earners.*

(7) *Accessory dwelling units offer lower cost housing to meet the needs of existing and future residents within existing neighborhoods, while respecting architectural character.*

(8) *Accessory dwelling units are, therefore, an essential component of California's housing supply.*

(b) *It is the intent of the Legislature that an accessory dwelling unit ordinance adopted by a local agency has the effect of providing for the creation of accessory dwelling units and that provisions in this ordinance relating to matters including unit size, parking, fees, and other requirements, are not so arbitrary, excessive, or burdensome so as to unreasonably restrict the ability of homeowners to create accessory dwelling units in zones in which they are authorized by local ordinance.*

<sup>1</sup> Note: Unless otherwise noted, the Government Code section referenced is 65852.2.

and expand potential capacity for ADUs, recognizing their unique importance in addressing California's housing needs. The preparation, adoption, amendment, and implementation of local ADU ordinances must be carried out consistent with Government Code, Section 65852.150 and must not unduly constrain the creation of ADUs. Local governments adopting ADU ordinances should carefully weigh the adoption of zoning, development standards, and other provisions for impacts on the development of ADUs.

In addition, ADU law is the statutory minimum requirement. Local governments may elect to go beyond this statutory minimum and further the creation of ADUs. Many local governments have embraced the importance of ADUs as an important part of their overall housing policies and have pursued innovative strategies. (Gov. Code, § 65852.2, subd. (g)).

## 2. Zoning, Development and Other Standards

### A) Zoning and Development Standards

- **Are ADUs allowed jurisdiction wide?**

No. ADUs proposed pursuant to subdivision (e) must be considered in any residential or mixed-use zone. For other ADUs, local governments may, by ordinance, designate areas in zones where residential uses are permitted that will also permit ADUs. However, any limits on where ADUs are permitted may only be based on the adequacy of water and sewer service, and the impacts on traffic flow and public safety. Further, local governments may not preclude the creation of ADUs altogether, and any limitation should be accompanied by detailed findings of fact explaining why ADU limitations are required and consistent with these factors.

Examples of public safety include severe fire hazard areas and inadequate water and sewer service and includes cease and desist orders. Impacts on traffic flow should consider factors like lesser car ownership rates for ADUs and the potential for ADUs to be proposed pursuant to Government Code section 65852.2, subdivision (e). Finally, local governments may develop alternative procedures, standards, or special conditions with mitigations for allowing ADUs in areas with potential health and safety concerns. (Gov. Code, § 65852.2, subd. (e))

Residential or mixed-use zone should be construed broadly to mean any zone where residential uses are permitted by-right or by conditional use.

- **Can a local government apply design and development standards?**

Yes. A local government may apply development and design standards that include, but are not limited to, parking, height, setback, landscape, architectural review, maximum size of a unit, and standards that prevent adverse impacts on any real property that is listed in the California Register of Historic Resources. However, these standards shall be sufficiently objective to allow ministerial review of an ADU. (Gov. Code, § 65852.2, subd. (a)(1)(B)(i))

ADUs created under subdivision (e) of Government Code 65852.2 shall not be subject to design and development standards except for those that are noted in the subdivision.



What does objective mean?

“objective zoning standards” and “objective design review standards” mean standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal. Gov Code § 65913.4, subd. (a)(5)

ADUs that do not meet objective and ministerial development and design standards may still be permitted through an ancillary discretionary process if the applicant chooses to do so. Some jurisdictions with compliant ADU ordinances apply additional processes to further the creation of ADUs that do not otherwise comply with the minimum standards necessary for ministerial review. Importantly, these processes are intended to provide additional opportunities to create ADUs that would not otherwise be permitted, and a discretionary process may not be used to review ADUs that are fully compliant with ADU law. Examples of these processes include areas where additional health and safety concerns must be considered, such as fire risk.

- **Can ADUs exceed general plan and zoning densities?**

Yes. An ADU is an accessory use for the purposes of calculating allowable density under the general plan and zoning that does not count toward the allowable density. For example, if a zoning district allows one unit per 7,500 square feet, then an ADU would not be counted as an additional unit. Further, local governments could elect to allow more than one ADU on a lot, and ADUs are automatically a residential use deemed consistent with the general plan and zoning. (Gov. Code, § 65852.2, subd. (a)(1)(C).)

- **Are ADUs permitted ministerially?**

Yes. ADUs must be considered, approved, and permitted ministerially, without discretionary action. Development and other decision-making standards must be sufficiently objective to allow for ministerial review. Examples include numeric and fixed standards such as heights or setbacks, or design standards such as colors or materials. Subjective standards require judgement and can be interpreted in multiple ways such as privacy, compatibility with neighboring properties or promoting harmony and balance in the community; subjective standards shall not be imposed for ADU development. Further, ADUs must not be subject to a hearing or any ordinance regulating the issuance of variances or special use permits and must be considered ministerially. (Gov. Code, § 65852.2, subd. (a)(3).)

- **Can I create an ADU if I have multiple detached dwellings on a lot?**

Yes. A lot where there are currently multiple detached single-family dwellings is eligible for creation of one ADU per lot by converting space within the proposed or existing space of a single-family dwelling or existing structure or a new construction detached ADU subject to certain development standards.

- **Can I build an ADU in a historic district, or if the primary residence is subject to historic preservation?**

Yes. ADUs are allowed within a historic district, and on lots where the primary residence is subject to historic preservation. State ADU law allows for a local agency to impose standards that prevent adverse impacts on any real property that is listed in the California Register of Historic Resources. However, these standards do not apply to ADUs proposed pursuant to Government Code section 65852.2, subdivision (e).

As with non-historic resources, a jurisdiction may impose objective and ministerial standards that are sufficiently objective to be reviewed ministerially and do not unduly burden the creation of ADUs. Jurisdictions are encouraged to incorporate these standards into their ordinance and submit these standards along with their ordinance to HCD. (Gov. Code, § 65852.2, subs. (a)(1)(B)(i) & (a)(5).)

## **B) Size Requirements**

- **Is there a minimum lot size requirement?**

No. While local governments may impose standards on ADUs, these standards shall not include minimum lot size requirements. Further, lot coverage requirements cannot preclude the creation of a statewide exemption ADU (800 square feet ADU with a height limitation of 16 feet and 4 feet side and rear yard setbacks). If lot coverage requirements do not allow such an ADU, an automatic exception or waiver should be given to appropriate development standards such as lot coverage, floor area or open space requirements. Local governments may continue to enforce building and health and safety standards and may consider design, landscape, and other standards to facilitate compatibility.

What is a statewide exemption ADU?

A statewide exemption ADU is an ADU of up to 800 square feet, 16 feet in height, as potentially limited by a local agency, and with 4 feet side and rear yard setbacks. ADU law requires that no lot coverage, floor area ratio, open space, or minimum lot size will preclude the construction of a statewide exemption ADU. Further, ADU law allows the construction of a detached new construction statewide exemption ADU to be combined on the same lot with a JADU in a single-family residential zone. In addition, ADUs are allowed in any residential or mixed uses regardless of zoning and development standards imposed in an ordinance. See more discussion below.

- **Can minimum and maximum unit sizes be established for ADUs?**

Yes. A local government may, by ordinance, establish minimum and maximum unit size requirements for both attached and detached ADUs. However, maximum unit size requirements must be at least 850 square feet and 1,000 square feet for ADUs with more than one bedroom. For local agencies without an ordinance, maximum unit sizes are 1,200 square feet for a new detached ADU and up to 50 percent of the floor area of the existing primary dwelling for an attached ADU (at least 800 square feet). Finally, the local agency must not establish by ordinance a minimum square footage requirement that prohibits an efficiency unit, as defined in Health and Safety Code section 17958.1.

The conversion of an existing accessory structure or a portion of the existing primary residence to an ADU is not subject to size requirements. For example, an existing 3,000 square foot barn converted to an ADU would not be subject to the size requirements, regardless if a local government has an adopted ordinance. Should an applicant want to expand an accessory structure to create an ADU beyond 150 square feet, this ADU would be subject to the size maximums outlined in state ADU law, or the local agency's adopted ordinance.

- **Can a percentage of the primary dwelling be used for a maximum unit size?**

Yes. Local agencies may utilize a percentage (e.g., 50 percent) of the primary dwelling as a maximum unit size for attached or detached ADUs but only if it does not restrict an ADU's size to less than the standard of at least 850 square feet (or at least 1000 square feet for ADUs with more than one bedroom). Local agencies must not, by ordinance, establish any other minimum or maximum unit sizes, including based on

a percentage of the primary dwelling, that precludes a statewide exemption ADU. Local agencies utilizing percentages of the primary dwelling as maximum unit sizes could consider multi-pronged standards to help navigate these requirements (e.g., shall not exceed 50 percent of the dwelling or 1,000 square feet, whichever is greater).

- **Can maximum unit sizes exceed 1,200 square feet for ADUs?**

Yes. Maximum unit sizes, by ordinance, can exceed 1,200 square feet for ADUs. ADU law does not limit the authority of local agencies to adopt less restrictive requirements for the creation of ADUs (Gov. Code, § 65852.2, subd. (g)).

Larger unit sizes can be appropriate in a rural context or jurisdictions with larger lot sizes and is an important approach to creating a full spectrum of ADU housing choices.

### C) Parking Requirements

- **Can parking requirements exceed one space per unit or bedroom?**

No. Parking requirements for ADUs shall not exceed one parking space per unit or bedroom, whichever is less. These spaces may be provided as tandem parking on a driveway. Guest parking spaces shall not be required for ADUs under any circumstances.

What is Tandem Parking?

Tandem parking means two or more automobiles that are parked on a driveway or in any other location on a lot, lined up behind one another. (Gov. Code, § 65852.2, subs. (a)(1)(D)(x)(l) and (j)(11).)

Local agencies may choose to eliminate or reduce parking requirements for ADUs such as requiring zero or half a parking space per each ADU.

- **Is flexibility for siting parking required?**

Yes. Local agencies should consider flexibility when siting parking for ADUs. Offstreet parking spaces for the ADU shall be permitted in setback areas in locations determined by the local agency or through tandem parking, unless specific findings are made. Specific findings must be based on specific site or regional topographical or fire and life safety conditions.

When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an ADU, or converted to an ADU, the local agency shall not require that those offstreet parking spaces for the primary unit be replaced. (Gov. Code, § 65852.2, subd. (a)(D)(xi).)

- **Can ADUs be exempt from parking?**

Yes. A local agency shall not impose ADU parking standards for any of the following, pursuant to Government Code section 65852.2, subdivisions (d)(1-5) and (j)(10).

(1) Accessory dwelling unit is located within one-half mile walking distance of public transit.

- (2) Accessory dwelling unit is located within an architecturally and historically significant historic district.
- (3) Accessory dwelling unit is part of the proposed or existing primary residence or an accessory structure.
- (4) When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit.
- (5) When there is a car share vehicle located within one block of the accessory dwelling unit.

*Note: For the purposes of state ADU law, a jurisdiction may use the designated areas where a car share vehicle may be accessed. Public transit is any location where an individual may access buses, trains, subways and other forms of transportation that charge set fares, run on fixed routes and are available to the general public. Walking distance is defined as the pedestrian shed to reach public transit. Additional parking requirements to avoid impacts to public access may be required in the coastal zone.*

## D) Setbacks

- **Can setbacks be required for ADUs?**

Yes. A local agency may impose development standards, such as setbacks, for the creation of ADUs. Setbacks may include front, corner, street, and alley setbacks. Additional setback requirements may be required in the coastal zone if required by a local coastal program. Setbacks may also account for utility easements or recorded setbacks. However, setbacks must not unduly constrain the creation of ADUs and cannot be required for ADUs proposed pursuant to subdivision (e). Further, a setback of no more than four feet from the side and rear lot lines shall be required for an attached or detached ADU. (Gov. Code, § 65852.2, subd. (a)(1)(D)(vii).)

A local agency may also allow the expansion of a detached structure being converted into an ADU when the existing structure does not have four-foot rear and side setbacks. A local agency may also allow the expansion area of a detached structure being converted into an ADU to have no setbacks, or setbacks of less than four feet, if the existing structure has no setbacks, or has setbacks of less than four feet. A local agency shall not require setbacks of more than four feet for the expanded area of a detached structure being converted into an ADU.

A local agency may still apply front yard setbacks for ADUs, but front yard setbacks cannot preclude a statewide exemption ADU and must not unduly constrain the creation of all types of ADUs. (Gov. Code, § 65852.2, subd. (c).)

## E) Height Requirements

- **Is there a limit on the height of an ADU or number of stories?**

Not in state ADU law, but local agencies may impose height limits provided that the limit is no less than 16 feet. (Gov. Code, § 65852.2, subd. (a)(1)(B)(i).)

## F) Bedrooms

- **Is there a limit on the number of bedrooms?**

State ADU law does not allow for the limitation on the number of bedrooms of an ADU. A limit on the number of bedrooms could be construed as a discriminatory practice towards protected classes, such as familial status, and would be considered a constraint on the development of ADUs.

## G) Impact Fees

- **Can impact fees be charged for an ADU less than 750 square feet?**

No. An ADU is exempt from incurring impact fees from local agencies, special districts, and water corporations if less than 750 square feet. Should an ADU be 750 square feet or larger, impact fees shall be charged proportionately in relation to the square footage of the ADU to the square footage of the primary dwelling unit.

What is "Proportionately"?

"Proportionately" is some amount that corresponds to a total amount, in this case, an impact fee for a single-family dwelling. For example, a 2,000 square foot primary dwelling with a proposed 1,000 square foot ADU could result in 50 percent of the impact fee that would be charged for a new primary dwelling on the same site. In all cases, the impact fee for the ADU must be less than the primary dwelling. Otherwise, the fee is not calculated proportionately. When utilizing proportions, careful consideration should be given to the impacts on costs, feasibility, and ultimately, the creation of ADUs. In the case of the example above, anything greater than 50 percent of the primary dwelling could be considered a constraint on the development of ADUs.

For purposes of calculating the fees for an ADU on a lot with a multifamily dwelling, the proportionality shall be based on the average square footage of the units within that multifamily dwelling structure. For ADUs converting existing space with a 150 square foot expansion, a total ADU square footage over 750 square feet could trigger the proportionate fee requirement. (Gov. Code, § 65852.2, subd. (f)(3)(A).)

- **Can local agencies, special districts or water corporations waive impact fees?**

Yes. Agencies can waive impact and any other fees for ADUs. Also, local agencies may also use fee deferrals for applicants.

- **Can school districts charge impact fees?**

Yes. School districts are authorized but do not have to levy impact fees for ADUs greater than 500 square feet pursuant to Section 17620 of the Education Code. ADUs less than 500 square feet are not subject to school impact fees. Local agencies are encouraged to coordinate with school districts to carefully weigh the importance of promoting ADUs, ensuring appropriate nexus studies and appropriate fees to facilitate construction or reconstruction of adequate school facilities.

- **What types of fees are considered impact fees?**

Impact fees charged for the construction of ADUs must be determined in accordance with the Mitigation Fee Act and generally include any monetary exaction that is charged by a local agency in connection with the approval of an ADU, including impact fees, for the purpose of defraying all or a portion of the cost of public facilities relating to the ADU. A local agency, special district or water corporation shall not consider ADUs as a new residential use for the purposes of calculating connection fees or capacity charges for

utilities, including water and sewer services. However, these provisions do not apply to ADUs that are constructed concurrently with a new single-family home. (Gov. Code, §§ 65852.2, subd. (f), and 66000)

- **Can I still be charged water and sewer connection fees?**

ADUs converted from existing space and JADUs shall not be considered by a local agency, special district or water corporation to be a new residential use for purposes of calculating connection fees or capacity charges for utilities, unless constructed with a new single-family dwelling. The connection fee or capacity charge shall be proportionate to the burden of the proposed ADU, based on its square footage or plumbing fixtures as compared to the primary dwelling. State ADU law does not cover monthly charge fees. (Gov. Code, § 65852.2, subd. (f)(2)(A).)

## **H) Conversion of Existing Space in Single Family, Accessory and Multifamily Structures and Other Statewide Permissible ADUs (Subdivision (e))**

- **Are local agencies required to comply with subdivision (e)?**

Yes. All local agencies must comply with subdivision (e). This subdivision requires the ministerial approval of ADUs within a residential or mixed-use zone. The subdivision creates four categories of ADUs that should not be subject to other specified areas of ADU law, most notably zoning and development standards. For example, ADUs under this subdivision should not have to comply with lot coverage, setbacks, heights, and unit sizes. However, ADUs under this subdivision must meet the building code and health and safety requirements. The four categories of ADUs under subdivision (e) are:

- b. One ADU and one JADU are permitted per lot within the existing or proposed space of a single-family dwelling, or a JADU within the walls of the single family residence, or an ADU within an existing accessory structure, that meets specified requirements such as exterior access and setbacks for fire and safety.**
- c. One detached new construction ADU that does not exceed four-foot side and rear yard setbacks. This ADU may be combined on the same lot with a JADU and may be required to meet a maximum unit size requirement of 800 square feet and a height limitation of 16 feet.**
- d. Multiple ADUs within the portions of multifamily structures that are not used as livable space. Local agencies must allow at least one of these types of ADUs and up to 25 percent of the existing multifamily structures.**
- e. Up to two detached ADUs on a lot that has existing multifamily dwellings that are subject to height limits of 16 feet and 4-foot rear and side yard setbacks.**

The above four categories are not required to be combined. For example, local governments are not required to allow (a) and (b) together or (c) and (d) together. However, local agencies may elect to allow these ADU types together.

Local agencies shall allow at least one ADU to be created within the non-livable space within multifamily dwelling structures, or up to 25 percent of the existing multifamily dwelling units within a structure and may also allow not more than two ADUs on the lot detached from the multifamily dwelling structure. New detached units are subject to height limits of 16 feet and shall not be required to have side and rear setbacks of more than four feet.

The most common ADU that can be created under subdivision (e) is a conversion of proposed or existing space of a single-family dwelling or accessory structure into an ADU, without any prescribed size limitations, height, setback, lot coverage, architectural review, landscape, or other development standards. This would enable the conversion of an accessory structure, such as a 2,000 square foot garage, to an ADU without any additional requirements other than compliance with building standards for dwellings. These types of ADUs are also eligible for a 150 square foot expansion (see discussion below).

ADUs created under subdivision (e) shall not be required to provide replacement or additional parking. Moreover, these units shall not, as a condition for ministerial approval, be required to correct any existing or created nonconformity. Subdivision (e) ADUs shall be required to be rented for terms longer than 30 days, and only require fire sprinklers if fire sprinklers are required for the primary residence. These ADUs shall not be counted as units when calculating density for the general plan and are not subject to owner-occupancy.

- **Can I convert my accessory structure into an ADU?**

Yes. The conversion of garages, sheds, barns, and other existing accessory structures, either attached or detached from the primary dwelling, into ADUs is permitted and promoted through the state ADU law. These conversions of accessory structures are not subject to any additional development standard, such as unit size, height, and lot coverage requirements, and shall be from existing space that can be made safe under building and safety codes. A local agency should not set limits on when the structure was created, and the structure must meet standards for health and safety. Finally, local governments may also consider the conversion of illegal existing space and could consider alternative building standards to facilitate the conversion of existing illegal space to minimum life and safety standards.

- **Can an ADU converting existing space be expanded?**

Yes. An ADU created within the existing or proposed space of a single-family dwelling or accessory structure can be expanded beyond the physical dimensions of the structure. In addition, an ADU created within an existing accessory structure may be expanded up to 150 square feet without application of local development standards, but this expansion shall be limited to accommodating ingress and egress. An example of where this expansion could be applicable is for the creation of a staircase to reach a second story ADU. These types of ADUs shall conform to setbacks sufficient for fire and safety.

A local agency may allow for an expansion beyond 150 square feet, though the ADU would have to comply with the size maximums as per state ADU law, or a local agency's adopted ordinance.

As a JADU is limited to being created within the walls of a primary residence, this expansion of up to 150 square feet does not pertain to JADUs.

## I) Nonconforming Zoning Standards

- **Does the creation of an ADU require the applicant to carry out public improvements?**

No physical improvements shall be required for the creation or conversion of an ADU. Any requirement to carry out public improvements is beyond what is required for the creation of an ADU, as per state law. For example, an applicant shall not be required to improve sidewalks, carry out street improvements, or access improvements to create an ADU. Additionally, as a condition for ministerial approval of an ADU, an applicant shall not be required to correct nonconforming zoning conditions. (Gov. Code, § 65852.2, subd. (e)(2).)



## J) Renter and Owner-occupancy

- **Are rental terms required?**

Yes. Local agencies may require that the property be used for rentals of terms longer than 30 days. ADUs permitted ministerially, under subdivision (e), shall be rented for terms longer than 30 days. (Gov. Code, § 65852.2, subds. (a)(6) & (e)(4).)

- **Are there any owner-occupancy requirements for ADUs?**

No. Prior to recent legislation, ADU laws allowed local agencies to elect whether the primary dwelling or ADU was required to be occupied by an owner. The updates to state ADU law removed the owner-occupancy allowance for newly created ADUs effective January 1, 2020. The new owner-occupancy exclusion is set to expire on December 31, 2024. Local agencies may not retroactively require owner occupancy for ADUs permitted between January 1, 2020, and December 31, 2024.

However, should a property have both an ADU and JADU, JADU law requires owner-occupancy of either the newly created JADU, or the single-family residence. Under this specific circumstance, a lot with an ADU would be subject to owner-occupancy requirements. (Gov. Code, § 65852.2, subd. (a)(2).)

## K) Fire Sprinkler Requirements

- **Are fire sprinklers required for ADUs?**

No. Installation of fire sprinklers may not be required in an ADU if sprinklers are not required for the primary residence. For example, a residence built decades ago would not have been required to have fire sprinklers installed under the applicable building code at the time. Therefore, an ADU created on this lot cannot be required to install fire sprinklers. However, if the same primary dwelling recently undergoes significant remodeling and is now required to have fire sprinklers, any ADU created after that remodel must likewise install fire sprinklers. (Gov. Code, § 65852.2, subds. (a)(1)(D)(xii) and (e)(3).)

Please note, for ADUs created on lots with multifamily residential structures, the entire residential structure shall serve as the “primary residence” for the purposes of this analysis. Therefore, if the multifamily structure is served by fire sprinklers, the ADU can be required to install fire sprinklers.

## L) Solar Panel Requirements

- **Are solar panels required for new construction ADUs?**

Yes, newly constructed ADUs are subject to the Energy Code requirement to provide solar panels if the unit(s) is a newly constructed, non-manufactured, detached ADU. Per the California Energy Commission (CEC), the panels can be installed on the ADU or on the primary dwelling unit. ADUs that are constructed within existing space, or as an addition to existing homes, including detached additions where an existing detached building is converted from non-residential to residential space, are not subject to the Energy Code requirement to provide solar panels.



Please refer to the CEC on this matter. For more information, see the CEC's website [www.energy.ca.gov](http://www.energy.ca.gov). You may email your questions to: [title24@energy.ca.gov](mailto:title24@energy.ca.gov), or contact the Energy Standards Hotline at 800-772-3300. CEC memos can also be found on HCD's website at <https://www.hcd.ca.gov/policy-research/AccessoryDwellingUnits.shtml>.

### 3. Junior Accessory Dwelling Units (JADUs) – Government Code Section 65852.22

- **Are two JADUs allowed on a lot?**

No. A JADU may be created on a lot zoned for single-family residences with one primary dwelling. The JADU may be created within the walls of the proposed or existing single-family residence, including attached garages, as attached garages are considered within the walls of the existing single-family residence. Please note that JADUs created in the attached garage are not subject to the same parking protections as ADUs and could be required by the local agency to provide replacement parking.

JADUs are limited to one per residential lot with a single-family residence. Lots with multiple detached single-family dwellings are not eligible to have JADUs. (Gov. Code, § 65852.22, subd. (a)(1).)

- **Are JADUs allowed in detached accessory structures?**

No, JADUs are not allowed in accessory structures. The creation of a JADU must be within the single-family residence. As noted above, attached garages are eligible for JADU creation. The maximum size for a JADU is 500 square feet. (Gov. Code, § 65852.22, subs. (a)(1), (a)(4), and (h)(1).)

- **Are JADUs allowed to be increased up to 150 square feet when created within an existing structure?**

No. Only ADUs are allowed to add up to 150 square feet “beyond the physical dimensions of the existing accessory structure” to provide for ingress. (Gov. Code, § 65852.2, subd. (e)(1)(A)(i).)

This provision extends only to ADUs and excludes JADUs. A JADU is required to be created within the single-family residence.

- **Are there any owner-occupancy requirements for JADUs?**

Yes. There are owner-occupancy requirements for JADUs. The owner must reside in either the remaining portion of the primary residence, or in the newly created JADU. (Gov. Code, § 65852.22, subd. (a)(2).)

### 4. Manufactured Homes and ADUs

- **Are manufactured homes considered to be an ADU?**

Yes. An ADU is any residential dwelling unit with independent facilities and permanent provisions for living, sleeping, eating, cooking and sanitation. An ADU includes a manufactured home (Health & Saf. Code, § 18007).

Health and Safety Code section 18007, subdivision (a): **“Manufactured home,”** for the purposes of this part, means a structure that was constructed on or after June 15, 1976, is transportable in one or more sections, is eight body feet or more in width, or 40 body feet or more in length, in the traveling mode, or, when erected on site, is 320 or more square feet, is built on a permanent chassis and designed to be used as a single-family dwelling with or without a foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein. “Manufactured home” includes any structure that meets all the requirements of this paragraph except the size requirements and with respect to which the manufacturer voluntarily files a certification and complies with the standards established under the National Manufactured Housing Construction and Safety Act of 1974 (42 U.S.C., Sec. 5401, and following).

## 5. ADUs and the Housing Element

- **Do ADUs and JADUs count toward a local agency’s Regional Housing Needs Allocation?**

Yes. Pursuant to Government Code section 65852.2 subdivision (m), and section 65583.1, ADUs and JADUs may be utilized towards the Regional Housing Need Allocation (RHNA) and Annual Progress Report (APR) pursuant to Government Code section 65400. To credit a unit toward the RHNA, HCD and the Department of Finance (DOF) utilize the census definition of a housing unit. Generally, an ADU, and a JADU with shared sanitation facilities, and any other unit that meets the census definition, and is reported to DOF as part of the DOF annual City and County Housing Unit Change Survey, can be credited toward the RHNA based on the appropriate income level. The housing element or APR must include a reasonable methodology to demonstrate the level of affordability. Local governments can track actual or anticipated affordability to assure ADUs and JADUs are counted towards the appropriate income category. For example, some local governments request and track information such as anticipated affordability as part of the building permit or other applications.

- **Is analysis required to count ADUs toward the RHNA in the housing element?**

Yes. To calculate ADUs in the housing element, local agencies must generally use a three-part approach: (1) development trends, (2) anticipated affordability and (3) resources and incentives. Development trends must consider ADUs permitted in the prior planning period and may also consider more recent trends. Anticipated affordability can use a variety of methods to estimate the affordability by income group. Common approaches include rent surveys of ADUs, using rent surveys and square footage assumptions and data available through the APR pursuant to Government Code section 65400. Resources and incentives include policies and programs to encourage ADUs, such as prototype plans, fee waivers, expedited procedures and affordability monitoring programs.

- **Are ADUs required to be addressed in the housing element?**

Yes. The housing element must include a description of zoning available to permit ADUs, including development standards and analysis of potential constraints on the development of ADUs. The element must include programs as appropriate to address identified constraints. In addition, housing elements must

include a plan that incentivizes and promotes the creation of ADUs that can offer affordable rents for very low, low-, or moderate-income households and requires HCD to develop a list of state grants and financial incentives in connection with the planning, construction and operation of affordable ADUs. (Gov. Code, § 65583 and Health & Saf. Code, § 50504.5.)

## 6. Homeowners Association

- **Can my local Homeowners Association (HOA) prohibit the construction of an ADU or JADU?**

No. Assembly Bill 670 (2019) and AB 3182 (2020) amended Section 4751, 4740, and 4741 of the Civil Code to preclude common interest developments from prohibiting or unreasonably restricting the construction or use, including the renting or leasing of, an ADU on a lot zoned for single-family residential use. Covenants, conditions and restrictions (CC&Rs) that either effectively prohibit or unreasonably restrict the construction or use of an ADU or JADU on such lots are void and unenforceable or may be liable for actual damages and payment of a civil penalty. Applicants who encounter issues with creating ADUs or JADUs within CC&Rs are encouraged to reach out to HCD for additional guidance.

## 7. Enforcement

- **Does HCD have enforcement authority over ADU ordinances?**

Yes. After adoption of the ordinance, HCD may review and submit written findings to the local agency as to whether the ordinance complies with state ADU law. If the local agency's ordinance does not comply, HCD must provide a reasonable time, no longer than 30 days, for the local agency to respond, and the local agency shall consider HCD's findings to amend the ordinance to become compliant. If a local agency does not make changes and implements an ordinance that is not compliant with state law, HCD may refer the matter to the Attorney General.

In addition, HCD may review, adopt, amend, or repeal guidelines to implement uniform standards or criteria that supplement or clarify ADU law.

## 8. Other

- **Are ADU ordinances existing prior to new 2020 laws null and void?**

No. Ordinances existing prior to the new 2020 laws are only null and void to the extent that existing ADU ordinances conflict with state law. Subdivision (a)(4) of Government Code Section 65852.2 states an ordinance that fails to meet the requirements of subdivision (a) shall be null and void and shall apply the state standards (see Attachment 3) until a compliant ordinance is adopted. However, ordinances that substantially comply with ADU law may continue to enforce the existing ordinance to the extent it complies with state law. For example, local governments may continue the compliant provisions of an ordinance and apply the state standards where pertinent until the ordinance is amended or replaced to fully comply with ADU law. At the same time, ordinances that are fundamentally incapable of being enforced because key provisions are invalid -- meaning there is not a reasonable way to sever conflicting provisions and apply the remainder of an ordinance in a way that is consistent with state law -- would be fully null and void and must follow all state standards until a compliant ordinance is adopted.

- **Do local agencies have to adopt an ADU ordinance?**

No. Local governments may choose not to adopt an ADU ordinance. Should a local government choose to not adopt an ADU ordinance, any proposed ADU development would be only subject to standards set in state ADU law. If a local agency adopts an ADU ordinance, it may impose zoning, development, design, and other standards in compliance with state ADU law. (See Attachment 4 for a state standards checklist.)

- **Is a local government required to send an ADU ordinance to the California Department of Housing and Community Development (HCD)?**

Yes. A local government, upon adoption of an ADU ordinance, must submit a copy of the adopted ordinance to HCD within 60 days after adoption. After the adoption of an ordinance, the Department may review and submit written findings to the local agency as to whether the ordinance complies with this section. (Gov. Code, § 65852.2, subd. (h)(1).)

Local governments may also submit a draft ADU ordinance for preliminary review by HCD. This provides local agencies the opportunity to receive feedback on their ordinance and helps to ensure compliance with the new state ADU law.

- **Are charter cities and counties subject to the new ADU laws?**

Yes. ADU law applies to a local agency which is defined as a city, county, or city and county, whether general law or chartered. (Gov. Code, § 65852.2, subd. (j)(5)).

Further, pursuant to Chapter 659, Statutes of 2019 (AB 881), the Legislature found and declared ADU law as “...a matter of statewide concern rather than a municipal affair, as that term is used in Section 5 of Article XI of the California Constitution” and concluded that ADU law applies to all cities, including charter cities.

- **Do the new ADU laws apply to jurisdictions located in the Coastal Zone?**

Yes. ADU laws apply to jurisdictions in the Coastal Zone, but do not necessarily alter or lessen the effect or application of Coastal Act resource protection policies. (Gov. Code, § 65852.22, subd. (l)).

Coastal localities should seek to harmonize the goals of protecting coastal resources and addressing housing needs of Californians. For example, where appropriate, localities should amend Local Coastal Programs for California Coastal Commission review to comply with the California Coastal Act and new ADU laws. For more information, see the [California Coastal Commission 2020 Memo](#) and reach out to the locality’s local Coastal Commission district office.

- **What is considered a multifamily dwelling?**

For the purposes of state ADU law, a structure with two or more attached dwellings on a single lot is considered a multifamily dwelling structure. Multiple detached single-unit dwellings on the same lot are not considered multifamily dwellings for the purposes of state ADU law.

# Resources





## Attachment 1: Statutory Changes (Strikeout/Italics and Underline)

### GOV. CODE: TITLE 7, DIVISION 1, CHAPTER 4, ARTICLE 2

#### Combined changes from (AB 3182 Accessory Dwelling Units) and (AB 881, AB 68 and SB 13 Accessory Dwelling Units)

(Changes noted in ~~strikeout~~, underline/*italics*)

Effective January 1, 2021, Section 65852.2 of the Government Code is amended to read:

#### **65852.2.**

- (a) (1) A local agency may, by ordinance, provide for the creation of accessory dwelling units in areas zoned to allow single-family or multifamily dwelling residential use. The ordinance shall do all of the following:
- (A) Designate areas within the jurisdiction of the local agency where accessory dwelling units may be permitted. The designation of areas may be based on the adequacy of water and sewer services and the impact of accessory dwelling units on traffic flow and public safety. A local agency that does not provide water or sewer services shall consult with the local water or sewer service provider regarding the adequacy of water and sewer services before designating an area where accessory dwelling units may be permitted.
- (B) (i) Impose standards on accessory dwelling units that include, but are not limited to, parking, height, setback, landscape, architectural review, maximum size of a unit, and standards that prevent adverse impacts on any real property that is listed in the California Register of Historic Resources. These standards shall not include requirements on minimum lot size.
- (ii) Notwithstanding clause (i), a local agency may reduce or eliminate parking requirements for any accessory dwelling unit located within its jurisdiction.
- (C) Provide that accessory dwelling units do not exceed the allowable density for the lot upon which the accessory dwelling unit is located, and that accessory dwelling units are a residential use that is consistent with the existing general plan and zoning designation for the lot.
- (D) Require the accessory dwelling units to comply with all of the following:
- (i) The accessory dwelling unit may be rented separate from the primary residence, but may not be sold or otherwise conveyed separate from the primary residence.
- (ii) The lot is zoned to allow single-family or multifamily dwelling residential use and includes a proposed or existing dwelling.
- (iii) The accessory dwelling unit is either attached to, or located within, the proposed or existing primary dwelling, including attached garages, storage areas or similar uses, or an accessory structure or detached from the proposed or existing primary dwelling and located on the same lot as the proposed or existing primary dwelling.
- (iv) If there is an existing primary dwelling, the total floor area of an attached accessory dwelling unit shall not exceed 50 percent of the existing primary dwelling.
- (v) The total floor area for a detached accessory dwelling unit shall not exceed 1,200 square feet.
- (vi) No passageway shall be required in conjunction with the construction of an accessory dwelling unit.
- (vii) No setback shall be required for an existing living area or accessory structure or a structure constructed in the same location and to the same dimensions as an existing structure that is converted to an accessory dwelling unit or to a portion of an accessory dwelling unit, and a setback of no more than four feet from the side and rear lot lines shall be required for an accessory dwelling unit that is not converted from an existing structure or a new structure constructed in the same location and to the same dimensions as an existing structure.
- (viii) Local building code requirements that apply to detached dwellings, as appropriate.
- (ix) Approval by the local health officer where a private sewage disposal system is being used, if required.
- (x) (I) Parking requirements for accessory dwelling units shall not exceed one parking space per accessory dwelling unit or per bedroom, whichever is less. These spaces may be provided as tandem parking on a driveway. (II) Offstreet parking shall be permitted in setback areas in locations determined by the local agency or through tandem parking, unless specific findings are made that parking in setback areas or tandem parking is not feasible based upon specific site or regional topographical or fire and life safety conditions.
- (III) This clause shall not apply to an accessory dwelling unit that is described in subdivision (d).
- (xi) When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit or converted to an accessory dwelling unit, the local agency shall not require that those offstreet parking spaces be replaced.
- (xii) Accessory dwelling units shall not be required to provide fire sprinklers if they are not required for the primary residence.

- (2) The ordinance shall not be considered in the application of any local ordinance, policy, or program to limit residential growth.
- (3) A permit application for an accessory dwelling unit or a junior accessory dwelling unit shall be considered and approved ministerially without discretionary review or a hearing, notwithstanding Section 65901 or 65906 or any local ordinance regulating the issuance of variances or special use permits. The permitting agency shall act on the application to create an accessory dwelling unit or a junior accessory dwelling unit within 60 days from the date the local agency receives a completed application if there is an existing single-family or multifamily dwelling on the lot. If the permit application to create an accessory dwelling unit or a junior accessory dwelling unit is submitted with a permit application to create a new single-family dwelling on the lot, the permitting agency may delay acting on the permit application for the accessory dwelling unit or the junior accessory dwelling unit until the permitting agency acts on the permit application to create the new single-family dwelling, but the application to create the accessory dwelling unit or junior accessory dwelling unit shall be considered without discretionary review or hearing. If the applicant requests a delay, the 60-day time period shall be tolled for the period of the delay. *If the local agency has not acted upon the completed application within 60 days, the application shall be deemed approved.* A local agency may charge a fee to reimburse it for costs incurred to implement this paragraph, including the costs of adopting or amending any ordinance that provides for the creation of an accessory dwelling unit.
- (4) An existing ordinance governing the creation of an accessory dwelling unit by a local agency or an accessory dwelling ordinance adopted by a local agency shall provide an approval process that includes only ministerial provisions for the approval of accessory dwelling units and shall not include any discretionary processes, provisions, or requirements for those units, except as otherwise provided in this subdivision. If a local agency has an existing accessory dwelling unit ordinance that fails to meet the requirements of this subdivision, that ordinance shall be null and void and that agency shall thereafter apply the standards established in this subdivision for the approval of accessory dwelling units, unless and until the agency adopts an ordinance that complies with this section.
- (5) No other local ordinance, policy, or regulation shall be the basis for the delay or denial of a building permit or a use permit under this subdivision.
- (6) This subdivision establishes the maximum standards that local agencies shall use to evaluate a proposed accessory dwelling unit on a lot that includes a proposed or existing single-family dwelling. No additional standards, other than those provided in this subdivision, shall be used or imposed, including any owner-occupant requirement, except that a local agency may require that the property be used for rentals of terms longer than 30 days.
- (7) A local agency may amend its zoning ordinance or general plan to incorporate the policies, procedures, or other provisions applicable to the creation of an accessory dwelling unit if these provisions are consistent with the limitations of this subdivision.
- (8) An accessory dwelling unit that conforms to this subdivision shall be deemed to be an accessory use or an accessory building and shall not be considered to exceed the allowable density for the lot upon which it is located, and shall be deemed to be a residential use that is consistent with the existing general plan and zoning designations for the lot. The accessory dwelling unit shall not be considered in the application of any local ordinance, policy, or program to limit residential growth.
- (b) When a local agency that has not adopted an ordinance governing accessory dwelling units in accordance with subdivision (a) receives an application for a permit to create an accessory dwelling unit pursuant to this subdivision, the local agency shall approve or disapprove the application ministerially without discretionary review pursuant to subdivision (a). The permitting agency shall act on the application to create an accessory dwelling unit or a junior accessory dwelling unit within 60 days from the date the local agency receives a completed application if there is an existing single-family or multifamily dwelling on the lot. If the permit application to create an accessory dwelling unit or a junior accessory dwelling unit is submitted with a permit application to create a new single-family dwelling on the lot, the permitting agency may delay acting on the permit application for the accessory dwelling unit or the junior accessory dwelling unit until the permitting agency acts on the permit application to create the new single-family dwelling, but the application to create the accessory dwelling unit or junior accessory dwelling unit shall still be considered ministerially without discretionary review or a hearing. If the applicant requests a delay, the 60-day time period shall be tolled for the period of the delay. If the local agency has not acted upon the completed application within 60 days, the application shall be deemed approved.
- (c) (1) Subject to paragraph (2), a local agency may establish minimum and maximum unit size requirements for both attached and detached accessory dwelling units.
- (2) Notwithstanding paragraph (1), a local agency shall not establish by ordinance any of the following:
- (A) A minimum square footage requirement for either an attached or detached accessory dwelling unit that prohibits an efficiency unit.

(B) A maximum square footage requirement for either an attached or detached accessory dwelling unit that is less than either of the following:

(i) 850 square feet.

(ii) 1,000 square feet for an accessory dwelling unit that provides more than one bedroom.

(C) Any other minimum or maximum size for an accessory dwelling unit, size based upon a percentage of the proposed or existing primary dwelling, or limits on lot coverage, floor area ratio, open space, and minimum lot size, for either attached or detached dwellings that does not permit at least an 800 square foot accessory dwelling unit that is at least 16 feet in height with four-foot side and rear yard setbacks to be constructed in compliance with all other local development standards.

(d) Notwithstanding any other law, a local agency, whether or not it has adopted an ordinance governing accessory dwelling units in accordance with subdivision (a), shall not impose parking standards for an accessory dwelling unit in any of the following instances:

(1) The accessory dwelling unit is located within one-half mile walking distance of public transit.

(2) The accessory dwelling unit is located within an architecturally and historically significant historic district.

(3) The accessory dwelling unit is part of the proposed or existing primary residence or an accessory structure.

(4) When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit.

(5) When there is a car share vehicle located within one block of the accessory dwelling unit.

(e) (1) Notwithstanding subdivisions (a) to (d), inclusive, a local agency shall ministerially approve an application for a building permit within a residential or mixed-use zone to create any of the following:

(A) One accessory dwelling unit ~~or~~ *and* one junior accessory dwelling unit per lot with a proposed or existing single-family dwelling if all of the following apply:

(i) The accessory dwelling unit or junior accessory dwelling unit is within the proposed space of a single-family dwelling or existing space of a single-family dwelling or accessory structure and may include an expansion of not more than 150 square feet beyond the same physical dimensions as the existing accessory structure. An expansion beyond the physical dimensions of the existing accessory structure shall be limited to accommodating ingress and egress.

(ii) The space has exterior access from the proposed or existing single-family dwelling.

(iii) The side and rear setbacks are sufficient for fire and safety.

(iv) The junior accessory dwelling unit complies with the requirements of Section 65852.22.

(B) One detached, new construction, accessory dwelling unit that does not exceed four-foot side and rear yard setbacks for a lot with a proposed or existing single-family dwelling. The accessory dwelling unit may be combined with a junior accessory dwelling unit described in subparagraph (A). A local agency may impose the following conditions on the accessory dwelling unit:

(i) A total floor area limitation of not more than 800 square feet.

(ii) A height limitation of 16 feet.

(C) (i) Multiple accessory dwelling units within the portions of existing multifamily dwelling structures that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, if each unit complies with state building standards for dwellings.

(ii) A local agency shall allow at least one accessory dwelling unit within an existing multifamily dwelling and shall allow up to 25 percent of the existing multifamily dwelling units.

(D) Not more than two accessory dwelling units that are located on a lot that has an existing multifamily dwelling, but are detached from that multifamily dwelling and are subject to a height limit of 16 feet and four-foot rear yard and side setbacks.

(2) A local agency shall not require, as a condition for ministerial approval of a permit application for the creation of an accessory dwelling unit or a junior accessory dwelling unit, the correction of nonconforming zoning conditions.

(3) The installation of fire sprinklers shall not be required in an accessory dwelling unit if sprinklers are not required for the primary residence.

(4) A local agency shall require that a rental of the accessory dwelling unit created pursuant to this subdivision be for a term longer than 30 days.

(5) A local agency may require, as part of the application for a permit to create an accessory dwelling unit connected to an onsite wastewater treatment system, a percolation test completed within the last five years, or, if the percolation test has been recertified, within the last 10 years.

(6) Notwithstanding subdivision (c) and paragraph (1) a local agency that has adopted an ordinance by July 1, 2018, providing for the approval of accessory dwelling units in multifamily dwelling structures shall ministerially consider a permit application to construct an accessory dwelling unit that is described in paragraph (1), and may impose standards including, but not limited to, design, development, and historic standards on said accessory dwelling units. These standards shall not include requirements on minimum lot size.



- (f) (1) Fees charged for the construction of accessory dwelling units shall be determined in accordance with Chapter 5 (commencing with Section 66000) and Chapter 7 (commencing with Section 66012).
- (2) An accessory dwelling unit shall not be considered by a local agency, special district, or water corporation to be a new residential use for purposes of calculating connection fees or capacity charges for utilities, including water and sewer service, unless the accessory dwelling unit was constructed with a new single-family dwelling.
- (3) (A) A local agency, special district, or water corporation shall not impose any impact fee upon the development of an accessory dwelling unit less than 750 square feet. Any impact fees charged for an accessory dwelling unit of 750 square feet or more shall be charged proportionately in relation to the square footage of the primary dwelling unit.
- (B) For purposes of this paragraph, "impact fee" has the same meaning as the term "fee" is defined in subdivision (b) of Section 66000, except that it also includes fees specified in Section 66477. "Impact fee" does not include any connection fee or capacity charge charged by a local agency, special district, or water corporation.
- (4) For an accessory dwelling unit described in subparagraph (A) of paragraph (1) of subdivision (e), a local agency, special district, or water corporation shall not require the applicant to install a new or separate utility connection directly between the accessory dwelling unit and the utility or impose a related connection fee or capacity charge, unless the accessory dwelling unit was constructed with a new single-family home.
- (5) For an accessory dwelling unit that is not described in subparagraph (A) of paragraph (1) of subdivision (e), a local agency, special district, or water corporation may require a new or separate utility connection directly between the accessory dwelling unit and the utility. Consistent with Section 66013, the connection may be subject to a connection fee or capacity charge that shall be proportionate to the burden of the proposed accessory dwelling unit, based upon either its square feet or the number of its drainage fixture unit (DFU) values, as defined in the Uniform Plumbing Code adopted and published by the International Association of Plumbing and Mechanical Officials, upon the water or sewer system. This fee or charge shall not exceed the reasonable cost of providing this service.
- (g) This section does not limit the authority of local agencies to adopt less restrictive requirements for the creation of an accessory dwelling unit.
- (h) (1) A local agency shall submit a copy of the ordinance adopted pursuant to subdivision (a) to the Department of Housing and Community Development within 60 days after adoption. After adoption of an ordinance, the department may submit written findings to the local agency as to whether the ordinance complies with this section.
- (2) (A) If the department finds that the local agency's ordinance does not comply with this section, the department shall notify the local agency and shall provide the local agency with a reasonable time, no longer than 30 days, to respond to the findings before taking any other action authorized by this section.
- (B) The local agency shall consider the findings made by the department pursuant to subparagraph (A) and shall do one of the following:
- (i) Amend the ordinance to comply with this section.
- (ii) Adopt the ordinance without changes. The local agency shall include findings in its resolution adopting the ordinance that explain the reasons the local agency believes that the ordinance complies with this section despite the findings of the department.
- (3) (A) If the local agency does not amend its ordinance in response to the department's findings or does not adopt a resolution with findings explaining the reason the ordinance complies with this section and addressing the department's findings, the department shall notify the local agency and may notify the Attorney General that the local agency is in violation of state law.
- (B) Before notifying the Attorney General that the local agency is in violation of state law, the department may consider whether a local agency adopted an ordinance in compliance with this section between January 1, 2017, and January 1, 2020.
- (i) The department may review, adopt, amend, or repeal guidelines to implement uniform standards or criteria that supplement or clarify the terms, references, and standards set forth in this section. The guidelines adopted pursuant to this subdivision are not subject to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2.
- (j) As used in this section, the following terms mean:
- (1) "Accessory dwelling unit" means an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated. An accessory dwelling unit also includes the following:
- (A) An efficiency unit.
- (B) A manufactured home, as defined in Section 18007 of the Health and Safety Code.

- (2) "Accessory structure" means a structure that is accessory and incidental to a dwelling located on the same lot.
- (3) "Efficiency unit" has the same meaning as defined in Section 17958.1 of the Health and Safety Code.
- (4) "Living area" means the interior habitable area of a dwelling unit, including basements and attics, but does not include a garage or any accessory structure.
- (5) "Local agency" means a city, county, or city and county, whether general law or chartered.
- (6) "Nonconforming zoning condition" means a physical improvement on a property that does not conform with current zoning standards.
- (7) "Passageway" means a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the accessory dwelling unit.
- (8) "Proposed dwelling" means a dwelling that is the subject of a permit application and that meets the requirements for permitting.
- (9) "Public transit" means a location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.
- (10) "Tandem parking" means that two or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another.
- (k) A local agency shall not issue a certificate of occupancy for an accessory dwelling unit before the local agency issues a certificate of occupancy for the primary dwelling.
- (l) Nothing in this section shall be construed to supersede or in any way alter or lessen the effect or application of the California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code), except that the local government shall not be required to hold public hearings for coastal development permit applications for accessory dwelling units.
- (m) A local agency may count an accessory dwelling unit for purposes of identifying adequate sites for housing, as specified in subdivision (a) of Section 65583.1, subject to authorization by the department and compliance with this division.
- (n) In enforcing building standards pursuant to Article 1 (commencing with Section 17960) of Chapter 5 of Part 1.5 of Division 13 of the Health and Safety Code for an accessory dwelling unit described in paragraph (1) or (2) below, a local agency, upon request of an owner of an accessory dwelling unit for a delay in enforcement, shall delay enforcement of a building standard, subject to compliance with Section 17980.12 of the Health and Safety Code:
- (1) The accessory dwelling unit was built before January 1, 2020.
- (2) The accessory dwelling unit was built on or after January 1, 2020, in a local jurisdiction that, at the time the accessory dwelling unit was built, had a noncompliant accessory dwelling unit ordinance, but the ordinance is compliant at the time the request is made.
- (o) This section shall remain in effect only until January 1, 2025, and as of that date is repealed.  
**(Becomes operative on January 1, 2025)**

Section 65852.2 of the Government Code is amended to read (changes from January 1, 2021 statute noted in underline/italic):

**65852.2.**

- (a) (1) A local agency may, by ordinance, provide for the creation of accessory dwelling units in areas zoned to allow single-family or multifamily dwelling residential use. The ordinance shall do all of the following:
- (A) Designate areas within the jurisdiction of the local agency where accessory dwelling units may be permitted. The designation of areas may be based on the adequacy of water and sewer services and the impact of accessory dwelling units on traffic flow and public safety. A local agency that does not provide water or sewer services shall consult with the local water or sewer service provider regarding the adequacy of water and sewer services before designating an area where accessory dwelling units may be permitted.
- (B) (i) Impose standards on accessory dwelling units that include, but are not limited to, parking, height, setback, landscape, architectural review, maximum size of a unit, and standards that prevent adverse impacts on any real property that is listed in the California Register of Historic Resources. These standards shall not include requirements on minimum lot size.
- (ii) Notwithstanding clause (i), a local agency may reduce or eliminate parking requirements for any accessory dwelling unit located within its jurisdiction.
- (C) Provide that accessory dwelling units do not exceed the allowable density for the lot upon which the accessory dwelling unit is located, and that accessory dwelling units are a residential use that is consistent with the existing general plan and zoning designation for the lot.

- (D) Require the accessory dwelling units to comply with all of the following:
- (i) The accessory dwelling unit may be rented separate from the primary residence, but may not be sold or otherwise conveyed separate from the primary residence.
  - (ii) The lot is zoned to allow single-family or multifamily dwelling residential use and includes a proposed or existing dwelling.
  - (iii) The accessory dwelling unit is either attached to, or located within, the proposed or existing primary dwelling, including attached garages, storage areas or similar uses, or an accessory structure or detached from the proposed or existing primary dwelling and located on the same lot as the proposed or existing primary dwelling.
  - (iv) If there is an existing primary dwelling, the total floor area of an attached accessory dwelling unit shall not exceed 50 percent of the existing primary dwelling.
  - (v) The total floor area for a detached accessory dwelling unit shall not exceed 1,200 square feet.
  - (vi) No passageway shall be required in conjunction with the construction of an accessory dwelling unit.
  - (vii) No setback shall be required for an existing living area or accessory structure or a structure constructed in the same location and to the same dimensions as an existing structure that is converted to an accessory dwelling unit or to a portion of an accessory dwelling unit, and a setback of no more than four feet from the side and rear lot lines shall be required for an accessory dwelling unit that is not converted from an existing structure or a new structure constructed in the same location and to the same dimensions as an existing structure.
  - (viii) Local building code requirements that apply to detached dwellings, as appropriate.
  - (ix) Approval by the local health officer where a private sewage disposal system is being used, if required.
  - (x) (I) Parking requirements for accessory dwelling units shall not exceed one parking space per accessory dwelling unit or per bedroom, whichever is less. These spaces may be provided as tandem parking on a driveway.  
(II) Offstreet parking shall be permitted in setback areas in locations determined by the local agency or through tandem parking, unless specific findings are made that parking in setback areas or tandem parking is not feasible based upon specific site or regional topographical or fire and life safety conditions.  
(III) This clause shall not apply to an accessory dwelling unit that is described in subdivision (d).
  - (xi) When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit or converted to an accessory dwelling unit, the local agency shall not require that those offstreet parking spaces be replaced.
  - (xii) Accessory dwelling units shall not be required to provide fire sprinklers if they are not required for the primary residence.
- (2) The ordinance shall not be considered in the application of any local ordinance, policy, or program to limit residential growth.
- (3) A permit application for an accessory dwelling unit or a junior accessory dwelling unit shall be considered and approved ministerially without discretionary review or a hearing, notwithstanding Section 65901 or 65906 or any local ordinance regulating the issuance of variances or special use permits. The permitting agency shall act on the application to create an accessory dwelling unit or a junior accessory dwelling unit within 60 days from the date the local agency receives a completed application if there is an existing single-family or multifamily dwelling on the lot. If the permit application to create an accessory dwelling unit or a junior accessory dwelling unit is submitted with a permit application to create a new single-family dwelling on the lot, the permitting agency may delay acting on the permit application for the accessory dwelling unit or the junior accessory dwelling unit until the permitting agency acts on the permit application to create the new single-family dwelling, but the application to create the accessory dwelling unit or junior accessory dwelling unit shall be considered without discretionary review or hearing. If the applicant requests a delay, the 60-day time period shall be tolled for the period of the delay. *If the local agency has not acted upon the completed application within 60 days, the application shall be deemed approved.* A local agency may charge a fee to reimburse it for costs incurred to implement this paragraph, including the costs of adopting or amending any ordinance that provides for the creation of an accessory dwelling unit.
- (4) An existing ordinance governing the creation of an accessory dwelling unit by a local agency or an accessory dwelling ordinance adopted by a local agency shall provide an approval process that includes only ministerial provisions for the approval of accessory dwelling units and shall not include any discretionary processes, provisions, or requirements for those units, except as otherwise provided in this subdivision. If a local agency has an existing accessory dwelling unit ordinance that fails to meet the requirements of this subdivision, that ordinance shall be null and void and that agency shall thereafter apply the standards established in this subdivision for the approval of accessory dwelling units, unless and until the agency adopts an ordinance that complies with this section.
- (5) No other local ordinance, policy, or regulation shall be the basis for the delay or denial of a building permit or a use permit under this subdivision.
- (6) (A) This subdivision establishes the maximum standards that local agencies shall use to evaluate a proposed

accessory dwelling unit on a lot that includes a proposed or existing single-family dwelling. No additional standards, other than those provided in this subdivision, shall be used or ~~imposed, including any owner-occupant requirement, except that~~ imposed except that, subject to subparagraph (B), a local agency may require an applicant for a permit issued pursuant to this subdivision to be an owner-occupant or that the property be used for rentals of terms longer than 30 days.

(B) Notwithstanding subparagraph (A), a local agency shall not impose an owner-occupant requirement on an accessory dwelling unit permitted between January 1, 2020, to January 1, 2025, during which time the local agency was prohibited from imposing an owner-occupant requirement.

(7) A local agency may amend its zoning ordinance or general plan to incorporate the policies, procedures, or other provisions applicable to the creation of an accessory dwelling unit if these provisions are consistent with the limitations of this subdivision.

(8) An accessory dwelling unit that conforms to this subdivision shall be deemed to be an accessory use or an accessory building and shall not be considered to exceed the allowable density for the lot upon which it is located, and shall be deemed to be a residential use that is consistent with the existing general plan and zoning designations for the lot. The accessory dwelling unit shall not be considered in the application of any local ordinance, policy, or program to limit residential growth.

(b) When a local agency that has not adopted an ordinance governing accessory dwelling units in accordance with subdivision (a) receives an application for a permit to create an accessory dwelling unit pursuant to this subdivision, the local agency shall approve or disapprove the application ministerially without discretionary review pursuant to subdivision (a). The permitting agency shall act on the application to create an accessory dwelling unit or a junior accessory dwelling unit within 60 days from the date the local agency receives a completed application if there is an existing single-family or multifamily dwelling on the lot. If the permit application to create an accessory dwelling unit or a junior accessory dwelling unit is submitted with a permit application to create a new single-family dwelling on the lot, the permitting agency may delay acting on the permit application for the accessory dwelling unit or the junior accessory dwelling unit until the permitting agency acts on the permit application to create the new single-family dwelling, but the application to create the accessory dwelling unit or junior accessory dwelling unit shall still be considered ministerially without discretionary review or a hearing. If the applicant requests a delay, the 60-day time period shall be tolled for the period of the delay. If the local agency has not acted upon the completed application within 60 days, the application shall be deemed approved.

(c) (1) Subject to paragraph (2), a local agency may establish minimum and maximum unit size requirements for both attached and detached accessory dwelling units.

(2) Notwithstanding paragraph (1), a local agency shall not establish by ordinance any of the following:

(A) A minimum square footage requirement for either an attached or detached accessory dwelling unit that prohibits an efficiency unit.

(B) A maximum square footage requirement for either an attached or detached accessory dwelling unit that is less than either of the following:

(i) 850 square feet.

(ii) 1,000 square feet for an accessory dwelling unit that provides more than one bedroom.

(C) Any other minimum or maximum size for an accessory dwelling unit, size based upon a percentage of the proposed or existing primary dwelling, or limits on lot coverage, floor area ratio, open space, and minimum lot size, for either attached or detached dwellings that does not permit at least an 800 square foot accessory dwelling unit that is at least 16 feet in height with four-foot side and rear yard setbacks to be constructed in compliance with all other local development standards.

(d) Notwithstanding any other law, a local agency, whether or not it has adopted an ordinance governing accessory dwelling units in accordance with subdivision (a), shall not impose parking standards for an accessory dwelling unit in any of the following instances:

(1) The accessory dwelling unit is located within one-half mile walking distance of public transit.

(2) The accessory dwelling unit is located within an architecturally and historically significant historic district.

(3) The accessory dwelling unit is part of the proposed or existing primary residence or an accessory structure.

(4) When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit.

(5) When there is a car share vehicle located within one block of the accessory dwelling unit.

(e) (1) Notwithstanding subdivisions (a) to (d), inclusive, a local agency shall ministerially approve an application for a building permit within a residential or mixed-use zone to create any of the following:

(A) One accessory dwelling unit ~~or~~ and one junior accessory dwelling unit per lot with a proposed or existing single-family dwelling if all of the following apply:

(i) The accessory dwelling unit or junior accessory dwelling unit is within the proposed space of a single-family dwelling or existing space of a single-family dwelling or accessory structure and may include an expansion of not



more than 150 square feet beyond the same physical dimensions as the existing accessory structure. An expansion beyond the physical dimensions of the existing accessory structure shall be limited to accommodating ingress and egress.

(ii) The space has exterior access from the proposed or existing single-family dwelling.

(iii) The side and rear setbacks are sufficient for fire and safety.

(iv) The junior accessory dwelling unit complies with the requirements of Section 65852.22.

(B) One detached, new construction, accessory dwelling unit that does not exceed four-foot side and rear yard setbacks for a lot with a proposed or existing single-family dwelling. The accessory dwelling unit may be combined with a junior accessory dwelling unit described in subparagraph (A). A local agency may impose the following conditions on the accessory dwelling unit:

(i) A total floor area limitation of not more than 800 square feet.

(ii) A height limitation of 16 feet.

(C) (i) Multiple accessory dwelling units within the portions of existing multifamily dwelling structures that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, if each unit complies with state building standards for dwellings.

(ii) A local agency shall allow at least one accessory dwelling unit within an existing multifamily dwelling and shall allow up to 25 percent of the existing multifamily dwelling units.

(D) Not more than two accessory dwelling units that are located on a lot that has an existing multifamily dwelling, but are detached from that multifamily dwelling and are subject to a height limit of 16 feet and four-foot rear yard and side setbacks.

(2) A local agency shall not require, as a condition for ministerial approval of a permit application for the creation of an accessory dwelling unit or a junior accessory dwelling unit, the correction of nonconforming zoning conditions.

(3) The installation of fire sprinklers shall not be required in an accessory dwelling unit if sprinklers are not required for the primary residence.

*(4) A local agency may require owner occupancy for either the primary dwelling or the accessory dwelling unit on a single-family lot, subject to the requirements of paragraph (6) of subdivision (a).*

~~(4)~~ (5) A local agency shall require that a rental of the accessory dwelling unit created pursuant to this subdivision be for a term longer than 30 days.

~~(5)~~ (6) A local agency may require, as part of the application for a permit to create an accessory dwelling unit connected to an onsite wastewater treatment system, a percolation test completed within the last five years, or, if the percolation test has been recertified, within the last 10 years.

~~(6)~~ (7) Notwithstanding subdivision (c) and paragraph (1) a local agency that has adopted an ordinance by July 1, 2018, providing for the approval of accessory dwelling units in multifamily dwelling structures shall ministerially consider a permit application to construct an accessory dwelling unit that is described in paragraph (1), and may impose standards including, but not limited to, design, development, and historic standards on said accessory dwelling units. These standards shall not include requirements on minimum lot size.

(f) (1) Fees charged for the construction of accessory dwelling units shall be determined in accordance with Chapter 5 (commencing with Section 66000) and Chapter 7 (commencing with Section 66012).

(2) An accessory dwelling unit shall not be considered by a local agency, special district, or water corporation to be a new residential use for purposes of calculating connection fees or capacity charges for utilities, including water and sewer service, unless the accessory dwelling unit was constructed with a new single-family dwelling.

(3) (A) A local agency, special district, or water corporation shall not impose any impact fee upon the development of an accessory dwelling unit less than 750 square feet. Any impact fees charged for an accessory dwelling unit of 750 square feet or more shall be charged proportionately in relation to the square footage of the primary dwelling unit.

(B) For purposes of this paragraph, "impact fee" has the same meaning as the term "fee" is defined in subdivision

(b) of Section 66000, except that it also includes fees specified in Section 66477. "Impact fee" does not include any connection fee or capacity charge charged by a local agency, special district, or water corporation.

(4) For an accessory dwelling unit described in subparagraph (A) of paragraph (1) of subdivision (e), a local agency, special district, or water corporation shall not require the applicant to install a new or separate utility connection directly between the accessory dwelling unit and the utility or impose a related connection fee or capacity charge, unless the accessory dwelling unit was constructed with a new single-family ~~home-~~ dwelling.

(5) For an accessory dwelling unit that is not described in subparagraph (A) of paragraph (1) of subdivision (e), a local agency, special district, or water corporation may require a new or separate utility connection directly between the accessory dwelling unit and the utility. Consistent with Section 66013, the connection may be subject to a connection fee or capacity charge that shall be proportionate to the burden of the proposed accessory dwelling unit, based upon either its square feet or the number of its drainage fixture unit (DFU) values, as defined in the

Uniform Plumbing Code adopted and published by the International Association of Plumbing and Mechanical Officials, upon the water or sewer system. This fee or charge shall not exceed the reasonable cost of providing this service.

(g) This section does not limit the authority of local agencies to adopt less restrictive requirements for the creation of an accessory dwelling unit.

(h) (1) A local agency shall submit a copy of the ordinance adopted pursuant to subdivision (a) to the Department of Housing and Community Development within 60 days after adoption. After adoption of an ordinance, the department may submit written findings to the local agency as to whether the ordinance complies with this section.

(2) (A) If the department finds that the local agency's ordinance does not comply with this section, the department shall notify the local agency and shall provide the local agency with a reasonable time, no longer than 30 days, to respond to the findings before taking any other action authorized by this section.

(B) The local agency shall consider the findings made by the department pursuant to subparagraph (A) and shall do one of the following:

(i) Amend the ordinance to comply with this section.

(ii) Adopt the ordinance without changes. The local agency shall include findings in its resolution adopting the ordinance that explain the reasons the local agency believes that the ordinance complies with this section despite the findings of the department.

(3) (A) If the local agency does not amend its ordinance in response to the department's findings or does not adopt a resolution with findings explaining the reason the ordinance complies with this section and addressing the department's findings, the department shall notify the local agency and may notify the Attorney General that the local agency is in violation of state law.

(B) Before notifying the Attorney General that the local agency is in violation of state law, the department may consider whether a local agency adopted an ordinance in compliance with this section between January 1, 2017, and January 1, 2020.

(i) The department may review, adopt, amend, or repeal guidelines to implement uniform standards or criteria that supplement or clarify the terms, references, and standards set forth in this section. The guidelines adopted pursuant to this subdivision are not subject to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2.

(j) As used in this section, the following terms mean:

(1) "Accessory dwelling unit" means an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated. An accessory dwelling unit also includes the following:

(A) An efficiency unit.

(B) A manufactured home, as defined in Section 18007 of the Health and Safety Code.

(2) "Accessory structure" means a structure that is accessory and incidental to a dwelling located on the same lot.

(3) "Efficiency unit" has the same meaning as defined in Section 17958.1 of the Health and Safety Code.

(4) "Living area" means the interior habitable area of a dwelling unit, including basements and attics, but does not include a garage or any accessory structure.

(5) "Local agency" means a city, county, or city and county, whether general law or chartered.

(6) "Nonconforming zoning condition" means a physical improvement on a property that does not conform with current zoning standards.

(7) "Passageway" means a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the accessory dwelling unit.

(8) "Proposed dwelling" means a dwelling that is the subject of a permit application and that meets the requirements for permitting.

(9) "Public transit" means a location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.

(10) "Tandem parking" means that two or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another.

(k) A local agency shall not issue a certificate of occupancy for an accessory dwelling unit before the local agency issues a certificate of occupancy for the primary dwelling.

(l) Nothing in this section shall be construed to supersede or in any way alter or lessen the effect or application of the California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code), except that the local government shall not be required to hold public hearings for coastal development permit

applications for accessory dwelling units.

(m) A local agency may count an accessory dwelling unit for purposes of identifying adequate sites for housing, as specified in subdivision (a) of Section 65583.1, subject to authorization by the department and compliance with this division.

(n) In enforcing building standards pursuant to Article 1 (commencing with Section 17960) of Chapter 5 of Part 1.5 of Division 13 of the Health and Safety Code for an accessory dwelling unit described in paragraph (1) or (2) below, a local agency, upon request of an owner of an accessory dwelling unit for a delay in enforcement, shall delay enforcement of a building standard, subject to compliance with Section 17980.12 of the Health and Safety Code:

(1) The accessory dwelling unit was built before January 1, 2020.

(2) The accessory dwelling unit was built on or after January 1, 2020, in a local jurisdiction that, at the time the accessory dwelling unit was built, had a noncompliant accessory dwelling unit ordinance, but the ordinance is compliant at the time the request is made.

(o) This section shall ~~remain in effect only until January 1, 2025, and as of that date is repealed.~~ *become operative on January 1, 2025.*

Effective January 1, 2021, Section 4740 of the Civil Code is amended to read (changes noted in ~~strikeout~~, underline/italics) (AB 3182 (Ting)):

#### **4740.**

(a) An owner of a separate interest in a common interest development shall not be subject to a provision in a governing document or an amendment to a governing document that prohibits the rental or leasing of any of the separate interests in that common interest development to a renter, lessee, or tenant unless that governing document, or amendment thereto, was effective prior to the date the owner acquired title to ~~his or~~ her ~~their~~ separate interest.

~~(b) Notwithstanding the provisions of this section, an owner of a separate interest in a common interest development may expressly consent to be subject to a governing document or an amendment to a governing document that prohibits the rental or leasing of any of the separate interests in the common interest development to a renter, lessee, or tenant.~~

~~(c)~~ (b) For purposes of this section, the right to rent or lease the separate interest of an owner shall not be deemed to have terminated if the transfer by the owner of all or part of the separate interest meets at least one of the following conditions:

(1) Pursuant to Section 62 or 480.3 of the Revenue and Taxation Code, the transfer is exempt, for purposes of reassessment by the county tax assessor.

(2) Pursuant to subdivision (b) of, solely with respect to probate transfers, or subdivision (e), (f), or (g) of, Section 1102.2, the transfer is exempt from the requirements to prepare and deliver a Real Estate Transfer Disclosure Statement, as set forth in Section 1102.6.

~~(d)~~ (c) Prior to renting or leasing ~~his or her~~ their separate interest as provided by this section, an owner shall provide the association verification of the date the owner acquired title to the separate interest and the name and contact information of the prospective tenant or lessee or the prospective tenant's or lessee's representative.

~~(e)~~ (d) Nothing in this section shall be deemed to revise, alter, or otherwise affect the voting process by which a common interest development adopts or amends its governing documents.

~~(f) This section shall apply only to a provision in a governing document or a provision in an amendment to a governing document that becomes effective on or after January 1, 2012.~~

Effective January 1, 2021 of the *Section 4741 is added to the Civil Code, to read (AB 3182 (Ting)):*

#### **4741.**

(a) An owner of a separate interest in a common interest development shall not be subject to a provision in a governing document or an amendment to a governing document that prohibits, has the effect of prohibiting, or unreasonably restricts the rental or leasing of any of the separate interests, accessory dwelling units, or junior accessory dwelling units in that common interest development to a renter, lessee, or tenant.

(b) A common interest development shall not adopt or enforce a provision in a governing document or amendment to a governing document that restricts the rental or lease of separate interests within a common interest to less than 25 percent of the separate interests. Nothing in this subdivision prohibits a common interest development from adopting or enforcing a provision authorizing a higher percentage of separate interests to be rented or leased.

(c) This section does not prohibit a common interest development from adopting and enforcing a provision in a

governing document that prohibits transient or short-term rental of a separate property interest for a period of 30 days or less.

(d) For purposes of this section, an accessory dwelling unit or junior accessory dwelling unit shall not be construed as a separate interest.

(e) For purposes of this section, a separate interest shall not be counted as occupied by a renter if the separate interest, or the accessory dwelling unit or junior accessory dwelling unit of the separate interest, is occupied by the owner.

(f) A common interest development shall comply with the prohibition on rental restrictions specified in this section on and after January 1, 2021, regardless of whether the common interest development has revised their governing documents to comply with this section. However, a common interest development shall amend their governing documents to conform to the requirements of this section no later than December 31, 2021.

(g) A common interest development that willfully violates this section shall be liable to the applicant or other party for actual damages, and shall pay a civil penalty to the applicant or other party in an amount not to exceed one thousand dollars (\$1,000).

(h) In accordance with Section 4740, this section does not change the right of an owner of a separate interest who acquired title to their separate interest before the effective date of this section to rent or lease their property.

Effective January 1, 2020, Section 65852.22 of the Government Code is was amended to read (AB 68 (Ting)):  
**65852.22.**

(a) Notwithstanding Section 65852.2, a local agency may, by ordinance, provide for the creation of junior accessory dwelling units in single-family residential zones. The ordinance may require a permit to be obtained for the creation of a junior accessory dwelling unit, and shall do all of the following:

(1) Limit the number of junior accessory dwelling units to one per residential lot zoned for single-family residences with a single-family residence built, or proposed to be built, on the lot.

(2) Require owner-occupancy in the single-family residence in which the junior accessory dwelling unit will be permitted. The owner may reside in either the remaining portion of the structure or the newly created junior accessory dwelling unit. Owner-occupancy shall not be required if the owner is another governmental agency, land trust, or housing organization.

(3) Require the recordation of a deed restriction, which shall run with the land, shall be filed with the permitting agency, and shall include both of the following:

(A) A prohibition on the sale of the junior accessory dwelling unit separate from the sale of the single-family residence, including a statement that the deed restriction may be enforced against future purchasers.

(B) A restriction on the size and attributes of the junior accessory dwelling unit that conforms with this section.

(4) Require a permitted junior accessory dwelling unit to be constructed within the walls of proposed or existing single-family residence.

(5) Require a permitted junior accessory dwelling to include a separate entrance from the main entrance to the proposed or existing single-family residence.

(6) Require the permitted junior accessory dwelling unit to include an efficiency kitchen, which shall include all of the following:

(A) A cooking facility with appliances.

(B) A food preparation counter and storage cabinets that are of reasonable size in relation to the size of the junior accessory dwelling unit.

(b) (1) An ordinance shall not require additional parking as a condition to grant a permit.

(2) This subdivision shall not be interpreted to prohibit the requirement of an inspection, including the imposition of a fee for that inspection, to determine if the junior accessory dwelling unit complies with applicable building standards.

(c) An application for a permit pursuant to this section shall, notwithstanding Section 65901 or 65906 or any local ordinance regulating the issuance of variances or special use permits, be considered ministerially, without discretionary review or a hearing. The permitting agency shall act on the application to create a junior accessory dwelling unit within 60 days from the date the local agency receives a completed application if there is an existing single-family dwelling on the lot. If the permit application to create a junior accessory dwelling unit is submitted with a permit application to create a new single-family dwelling on the lot, the permitting agency may delay acting on the permit application for the junior accessory dwelling unit until the permitting agency acts on the permit application to create the new single-family dwelling, but the application to create the junior accessory dwelling unit shall still be considered ministerially without discretionary review or a hearing. If the applicant requests a delay, the 60-day time period shall be tolled for the period of the delay. A local agency may charge a fee to reimburse the local agency for costs incurred in connection with the issuance of a permit pursuant to this section.



(d) For purposes of any fire or life protection ordinance or regulation, a junior accessory dwelling unit shall not be considered a separate or new dwelling unit. This section shall not be construed to prohibit a city, county, city and county, or other local public entity from adopting an ordinance or regulation relating to fire and life protection requirements within a single-family residence that contains a junior accessory dwelling unit so long as the ordinance or regulation applies uniformly to all single-family residences within the zone regardless of whether the single-family residence includes a junior accessory dwelling unit or not.

(e) For purposes of providing service for water, sewer, or power, including a connection fee, a junior accessory dwelling unit shall not be considered a separate or new dwelling unit.

(f) This section shall not be construed to prohibit a local agency from adopting an ordinance or regulation, related to parking or a service or a connection fee for water, sewer, or power, that applies to a single-family residence that contains a junior accessory dwelling unit, so long as that ordinance or regulation applies uniformly to all single-family residences regardless of whether the single-family residence includes a junior accessory dwelling unit.

(g) If a local agency has not adopted a local ordinance pursuant to this section, the local agency shall ministerially approve a permit to construct a junior accessory dwelling unit that satisfies the requirements set forth in subparagraph (A) of paragraph (1) of subdivision (e) of Section 65852.2 and the requirements of this section.

(h) For purposes of this section, the following terms have the following meanings:

(1) "Junior accessory dwelling unit" means a unit that is no more than 500 square feet in size and contained entirely within a single-family residence. A junior accessory dwelling unit may include separate sanitation facilities, or may share sanitation facilities with the existing structure.

(2) "Local agency" means a city, county, or city and county, whether general law or chartered.

Effective January 1, 2020 Section 17980.12 is was added to the Health and Safety Code, immediately following Section 17980.11, to read (SB 13 (Wieckowski)):

**17980.12.**

(a) (1) An enforcement agency, until January 1, 2030, that issues to an owner of an accessory dwelling unit described in subparagraph (A) or (B) below, a notice to correct a violation of any provision of any building standard pursuant to this part shall include in that notice a statement that the owner of the unit has a right to request a delay in enforcement pursuant to this subdivision:

(A) The accessory dwelling unit was built before January 1, 2020.

(B) The accessory dwelling unit was built on or after January 1, 2020, in a local jurisdiction that, at the time the accessory dwelling unit was built, had a noncompliant accessory dwelling unit ordinance, but the ordinance is compliant at the time the request is made.

(2) The owner of an accessory dwelling unit that receives a notice to correct violations or abate nuisances as described in paragraph (1) may, in the form and manner prescribed by the enforcement agency, submit an application to the enforcement agency requesting that enforcement of the violation be delayed for five years on the basis that correcting the violation is not necessary to protect health and safety.

(3) The enforcement agency shall grant an application described in paragraph (2) if the enforcement determines that correcting the violation is not necessary to protect health and safety. In making this determination, the enforcement agency shall consult with the entity responsible for enforcement of building standards and other regulations of the State Fire Marshal pursuant to Section 13146.

(4) The enforcement agency shall not approve any applications pursuant to this section on or after January 1, 2030. However, any delay that was approved by the enforcement agency before January 1, 2030, shall be valid for the full term of the delay that was approved at the time of the initial approval of the application pursuant to paragraph (3).

(b) For purposes of this section, "accessory dwelling unit" has the same meaning as defined in Section 65852.2.

(c) This section shall remain in effect only until January 1, 2035, and as of that date is repealed.

**GOV. CODE: TITLE 7, DIVISION 1, CHAPTER 4, ARTICLE 2**  
**AB 587 Accessory Dwelling Units**

Effective January 1, 2020 Section 65852.26 is was added to the Government Code, immediately following Section 65852.25, to read (AB 587 (Friedman)):

**65852.26.**

(a) Notwithstanding clause (i) of subparagraph (D) of paragraph (1) of subdivision (a) of Section 65852.2, a local agency may, by ordinance, allow an accessory dwelling unit to be sold or conveyed separately from the primary residence to a qualified buyer if all of the following apply:

- (1) The property was built or developed by a qualified nonprofit corporation.
- (2) There is an enforceable restriction on the use of the land pursuant to a recorded contract between the qualified buyer and the qualified nonprofit corporation that satisfies all of the requirements specified in paragraph (10) of subdivision (a) of Section 402.1 of the Revenue and Taxation Code.
- (3) The property is held pursuant to a recorded tenancy in common agreement that includes all of the following:
  - (A) The agreement allocates to each qualified buyer an undivided, unequal interest in the property based on the size of the dwelling each qualified buyer occupies.
  - (B) A repurchase option that requires the qualified buyer to first offer the qualified nonprofit corporation to buy the property if the buyer desires to sell or convey the property.
  - (C) A requirement that the qualified buyer occupy the property as the buyer's principal residence.
  - (D) Affordability restrictions on the sale and conveyance of the property that ensure the property will be preserved for low-income housing for 45 years for owner-occupied housing units and will be sold or resold to a qualified buyer.
- (4) A grant deed naming the grantor, grantee, and describing the property interests being transferred shall be recorded in the county in which the property is located. A Preliminary Change of Ownership Report shall be filed concurrently with this grant deed pursuant to Section 480.3 of the Revenue and Taxation Code.
- (5) Notwithstanding subparagraph (A) of paragraph (2) of subdivision (f) of Section 65852.2, if requested by a utility providing service to the primary residence, the accessory dwelling unit has a separate water, sewer, or electrical connection to that utility.

(b) For purposes of this section, the following definitions apply:

- (1) "Qualified buyer" means persons and families of low or moderate income, as that term is defined in Section 50093 of the Health and Safety Code.
- (2) "Qualified nonprofit corporation" means a nonprofit corporation organized pursuant to Section 501(c)(3) of the Internal Revenue Code that has received a welfare exemption under Section 214.15 of the Revenue and Taxation Code for properties intended to be sold to low-income families who participate in a special no-interest loan program.

**CIVIL CODE: DIVISION 4, PART 5, CHAPTER 5, ARTICLE 1**  
**AB 670 Accessory Dwelling Units**

Effective January 1, 2020, Section 4751 is was added to the Civil Code, to read (AB 670 (Friedman)):

**4751.**

(a) Any covenant, restriction, or condition contained in any deed, contract, security instrument, or other instrument affecting the transfer or sale of any interest in a planned development, and any provision of a governing document, that either effectively prohibits or unreasonably restricts the construction or use of an accessory dwelling unit or junior accessory dwelling unit on a lot zoned for single-family residential use that meets the requirements of Section 65852.2 or 65852.22 of the Government Code, is void and unenforceable.

(b) This section does not apply to provisions that impose reasonable restrictions on accessory dwelling units or junior accessory dwelling units. For purposes of this subdivision, "reasonable restrictions" means restrictions that do not unreasonably increase the cost to construct, effectively prohibit the construction of, or extinguish the ability

to otherwise construct, an accessory dwelling unit or junior accessory dwelling unit consistent with the provisions of Section 65852.2 or 65852.22 of the Government Code.

**GOV. CODE: TITLE 7, DIVISION 1, CHAPTER 3, ARTICLE 10.6**

**AB 671 Accessory Dwelling Units**

Effective January 1, 2020, Section 65583(c)(7) of the Government Code ~~is~~ was added to read (sections of housing element law omitted for conciseness) (AB 671 (Friedman)):

**65583(c)(7).**

Develop a plan that incentivizes and promotes the creation of accessory dwelling units that can be offered at affordable rent, as defined in Section 50053 of the Health and Safety Code, for very low, low-, or moderate-income households. For purposes of this paragraph, "accessory dwelling units" has the same meaning as "accessory dwelling unit" as defined in paragraph (4) of subdivision (i) of Section 65852.2.

Effective January 1, 2020, Section 50504.5 ~~is~~ was added to the Health and Safety Code, to read (AB 671 (Friedman)):

**50504.5.**

(a) The department shall develop by December 31, 2020, a list of existing state grants and financial incentives for operating, administrative, and other expenses in connection with the planning, construction, and operation of an accessory dwelling unit with affordable rent, as defined in Section 50053, for very low, low-, and moderate-income households.

(b) The list shall be posted on the department's internet website by December 31, 2020.

(c) For purposes of this section, "accessory dwelling unit" has the same meaning as defined in paragraph (4) of subdivision (i) of Section 65852.2 of the Government Code.

## Attachment 2: State Standards Checklist

| YES/NO | STATE STANDARD*   | GOVERNMENT CODE SECTION             |
|--------|---|-------------------------------------|
|        | Unit is not intended for sale separate from the primary residence and may be rented.  | 65852.2(a)(1)(D)(i)                 |
|        | Lot is zoned for single-family or multifamily use and contains a proposed, or existing, dwelling.   | 65852.2(a)(1)(D)(ii)                |
|        | The accessory dwelling unit is either attached to, or located within, the proposed or existing primary dwelling, including attached garages, storage areas or similar uses, or an accessory structure, or detached from the proposed or existing dwelling and located on the same lot as the proposed or existing primary dwelling.   | 65852.2(a)(1)(D)(iii)               |
|        | Increased floor area of an attached accessory dwelling unit does not exceed 50 percent of the existing primary dwelling but shall be allowed to be at least 800/850/1000 square feet.   | 65852.2(a)(1)(D)(iv), (c)(2)(B) & C |
|        | Total area of floor area for a detached accessory dwelling unit does not exceed 1,200 square feet.  | 65852.2(a)(1)(D)(v)                 |
|        | Passageways are not required in conjunction with the construction of an accessory dwelling unit.  | 65852.2(a)(1)(D)(vi)                |
|        | Setbacks are not required for an existing living area or accessory structure or a structure constructed in the same location and to the same dimensions as an existing structure that is converted to an accessory dwelling unit or to a portion of an accessory dwelling unit, and a setback of no more than four feet from the side and rear lot lines shall be required for an accessory dwelling unit that is not converted from an existing structure or a new structure constructed in the same location and to the same dimensions as an existing structure. | 65852.2(a)(1)(D)(vii)               |
|        | Local building code requirements that apply to detached dwellings are met, as appropriate.  | 65852.2(a)(1)(D)(viii)              |
|        | Local health officer approval where a private sewage disposal system is being used, if required.  | 65852.2(a)(1)(D)(ix)                |
|        | Parking requirements do not exceed one parking space per accessory dwelling unit or per bedroom, whichever is less. These spaces may be provided as tandem parking on an existing driveway.   | 65852.2(a)(1)(D)(x)(I)              |

## Attachment 3: Bibliography

### [ACCESSORY DWELLING UNITS: CASE STUDY](#) (26 pp.)

By the United States Department of Housing and Urban Development, Office of Policy Development and Research. (2008)

Introduction: Accessory dwelling units (ADUs) — also referred to as accessory apartments, ADUs, or granny flats — are additional living quarters on single-family lots that are independent of the primary dwelling unit. The separate living spaces are equipped with kitchen and bathroom facilities and can be either attached or detached from the main residence. This case study explores how the adoption of ordinances, with reduced regulatory restrictions to encourage ADUs, can be advantageous for communities. Following an explanation of the various types of ADUs and their benefits, this case study provides examples of municipalities with successful ADU legislation and programs. Section titles include: History of ADUs; Types of Accessory Dwelling Units; Benefits of Accessory Dwelling Units; and Examples of ADU Ordinances and Programs.

### [THE MACRO VIEW ON MICRO UNITS](#) (46 pp.)

By Bill Whitlow, et al. – Urban Land Institute (2014)  
Library Call #: H43 4.21 M33 2014

The Urban Land Institute Multifamily Housing Councils were awarded a ULI Foundation research grant in fall 2013 to evaluate from multiple perspectives the market performance and market acceptance of micro and small units.

### [SECONDARY UNITS AND URBAN INFILL: A Literature Review](#) (12 pp.)

By Jake Wegmann and Alison Nemirow (2011)  
UC Berkeley: IURD  
Library Call # D44 4.21 S43 2011

This literature review examines the research on both infill development in general, and secondary units in particular, with an eye towards understanding the similarities and differences between infill as it is more traditionally understood – i.e., the development or redevelopment of entire parcels of land in an already urbanized area – and the incremental type of infill that secondary unit development constitutes.

### [RETHINKING PRIVATE ACCESSORY DWELLINGS](#) (5 pp.)

By William P. Macht. Urbanland online. (March 6, 2015)  
Library Location: Urbanland 74 (1/2) January/February 2015, pp. 87-91.

One of the large impacts of single-use, single-family detached zoning has been to severely shrink the supply of accessory dwellings, which often were created in or near primary houses. Detached single-family dwelling zones—the largest housing zoning category—typically preclude more than one dwelling per lot except under stringent regulation, and then only in some jurisdictions. Bureaucratically termed “accessory dwelling units” that are allowed by some jurisdictions may encompass market-derived names such as granny flats, granny cottages, mother-in-law suites, secondary suites, backyard cottages, casitas, carriage flats, sidekick houses, basement apartments, attic apartments, laneway houses, multigenerational homes, or home-within-a-home.

[Regulating ADUs in California: Local Approaches & Outcomes](#) (44 pp.)

By Deidra Pfeiffer  
Terner Center for Housing and Innovation, UC Berkeley

Accessory dwelling units (ADU) are often mentioned as a key strategy in solving the nation's housing problems, including housing affordability and challenges associated with aging in place. However, we know little about whether formal ADU practices—such as adopting an ordinance, establishing regulations, and permitting—contribute to these goals. This research helps to fill this gap by using data from the Terner California Residential Land Use Survey and the U.S. Census Bureau to understand the types of communities engaging in different kinds of formal ADU practices in California, and whether localities with adopted ordinances and less restrictive regulations have more frequent applications to build ADUs and increasing housing affordability and aging in place. Findings suggest that three distinct approaches to ADUs are occurring in California: 1) a more restrictive approach in disadvantaged communities of color, 2) a moderately restrictive approach in highly advantaged, predominately White and Asian communities, and 3) a less restrictive approach in diverse and moderately advantaged communities. Communities with adopted ordinances and less restrictive regulations receive more frequent applications to build ADUs but have not yet experienced greater improvements in housing affordability and aging in place. Overall, these findings imply that 1) context-specific technical support and advocacy may be needed to help align formal ADU practices with statewide goals, and 2) ADUs should be treated as one tool among many to manage local housing problems.

[ADU Update: Early Lessons and Impacts of California's State and Local Policy Changes](#) (8 p.)

By David Garcia (2017)  
Terner Center for Housing and Innovation, UC Berkeley

As California's housing crisis deepens, innovative strategies for creating new housing units for all income levels are needed. One such strategy is building Accessory Dwelling Units (ADUs) by private homeowners. While large scale construction of new market rate and affordable homes is needed to alleviate demand-driven rent increases and displacement pressures, ADUs present a unique opportunity for individual homeowners to create more housing as well. In particular, ADUs can increase the supply of housing in areas where there are fewer opportunities for larger-scale developments, such as neighborhoods that are predominantly zoned for and occupied by single-family homes.

In two of California's major metropolitan areas -- Los Angeles and San Francisco -- well over three quarters of the total land area is comprised of neighborhoods where single-family homes make up at least 60 percent of the community's housing stock. Across the state, single-family detached units make up 56.4 percent of the overall housing stock. Given their prevalence in the state's residential land use patterns, increasing the number of single-family homes that have an ADU could contribute meaningfully to California's housing shortage.

[Jumpstarting the Market for Accessory Dwelling Units: Lessons Learned from Portland, Seattle and Vancouver](#) (29 pp.)

By Karen Chapple et al (2017)  
Terner Center for Housing and Innovation, UC Berkeley

Despite government attempts to reduce barriers, a widespread surge of ADU construction has not materialized. The ADU market remains stalled. To find out why, this study looks at three cities in the Pacific Northwest of the United States and Canada that have seen a spike in construction in recent years: Portland, Seattle, and Vancouver. Each city has adopted a set of zoning reforms, sometimes in combination with financial incentives and outreach programs, to spur ADU construction. Due to these changes, as well as the acceleration of the housing crisis in each city, ADUs have begun blossoming.

[Accessory Dwelling Units as Low-Income Housing: California's Faustian Bargain](#) (37 pp.)

By Darrel Ramsey-Musolf (2018)

University of Massachusetts Amherst, ScholarWorks@UMass Amherst

In 2003, California allowed cities to count accessory dwelling units (ADU) towards low-income housing needs. Unless a city's zoning code regulates the ADU's maximum rent, occupancy income, and/or effective period, then the city may be unable to enforce low-income occupancy. After examining a stratified random sample of 57 low-, moderate-, and high-income cities, the high-income cities must proportionately accommodate more low-income needs than low-income cities. By contrast, low-income cities must quantitatively accommodate three times the low-income needs of high-income cities. The sample counted 750 potential ADUs as low-income housing. Even though 759 were constructed, no units were identified as available low-income housing. In addition, none of the cities' zoning codes enforced low-income occupancy. Inferential tests determined that cities with colleges and high incomes were more probable to count ADUs towards overall and low-income housing needs. Furthermore, a city's count of potential ADUs and cities with high proportions of renters maintained positive associations with ADU production, whereas a city's density and prior compliance with state housing laws maintained negative associations. In summary, ADUs did increase local housing inventory and potential ADUs were positively associated with ADU production, but ADUs as low-income housing remained a paper calculation.



## CITY OF LOMITA CITY COUNCIL REPORT

**TO:** City Council **Item No. PH 11**

**FROM:** Ryan Smoot, City Manager

**PREPARED BY:** Sheri Repp Loadsman, Planner

**MEETING DATE:** April 5, 2022

**SUBJECT:** Discussion and Consideration to Adopt an Extension of Urgency Ordinance Relating to Urban Lot Splits and Two-Unit Residential Developments in Single-Family Zones as Allowed by Senate Bill 9

### **RECOMMENDATION**

Conduct public hearing and after City Attorney reads the title, adopt an extension of Urgency Ordinance No. 832U, for a period of 10 months and 15 days, to implement State of California Senate Bill 9 to allow urban lot splits and two-unit residential developments in single-family residential zones.

### **BACKGROUND**

On September 16, 2021, the Governor signed into law Senate Bill No. 9 (SB 9). This bill requires the ministerial approval of two dwelling units per parcel in single-family residential zones, where previously only one primary dwelling unit would have been permitted. This is in addition to permitting accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs), in some cases. Additionally, SB 9 requires ministerial approval of lot splits in single-family residential zones and allows two units to be built on each resulting parcel. If a local jurisdiction did not adopt their own regulations, the provisions of SB 9 as adopted by the State became effective January 1, 2022.

On February 28, 2022, City Council adopted an Urgency Ordinance to implement SB 9 with local objective standards. This Ordinance is effective for 45 days. The extension of the Urgency Ordinance is coming to the City Council prior to the expiration day for consideration of an extension. Consistent with State law, the proposed extension has been noticed and published.

Because the conditions justifying the adoption of Urgency Ordinance No. 832U have not been alleviated, and staff is recommending the regulations established by Urgency



Ordinance No. 832U be extended for an additional 10 months and 15 days, as permitted by Government Code Sections 36934, 36937, and 65858, to allow for the development of regulations for incorporation into the Lomita Municipal Code. If the Urgency Ordinance is not extended, then these two-unit developments and urban lot splits will be process and approved by the City without considerations of the objective standards included in the Urgency Ordinance. Rather, the Staff will only be permitted to review these projects under the text of SB 9.

## **Discussion**

The City is undergoing a process to establish appropriate, objective development standards involving an urban lot split and development of a two-unit residential development (either attached or detached) on A-1 and R-1 zoned properties. Consistent with the provisions of SB 9, staff prepared an urgency ordinance to establish interim development standards, which was adopted by City Council on February 28, 2022. The adopted interim standards contain the following provisions:

- A prohibition on ADUs and JADUs in conjunction with projects seeking to incorporate both an urban lot split and development of a two-unit residential development or duplex;
- A requirement to limit the size of new units to 800 square feet for projects that cannot comply with existing single-family development standards;
- A one-story height limitation for each unit;
- A requirement of one parking space per new unit created, with exemptions as required under SB 9;
- Requirement of an owner-occupancy affidavit for lot split applications, consistent with SB 9;
- The maximum lot coverage shall not exceed 50%. The lot coverage shall include all buildings and structures (primary and accessory), covered porches and patios and covered parking areas. This lot coverage standard shall apply to the maximum extent feasible so that two primary dwelling units on the lot at 800 square feet are permitted.
- Landscaping and open space requirements to ensure sufficient open space including the retention of existing trees on-site or planting of new trees; and
- A prohibition on short-term rental of units developed under the provisions of SB 9.
- A requirement that second units, and both units of a two-unit development, if rented, shall only be rented at an affordable rent for lower-income households, as defined in Health and Safety Code Section 50053, and shall only be rented to lower-income households, as defined in Health and Safety Code Section 50079.5, for a minimum of 30 years.

The subsequent ordinance to establish permanent regulations will evaluate additional requirements including revised objective design standards and an affordability requirement. Approval of urban lot splits and two-unit projects based solely on the City's default standards, without appropriate regulations governing lot configuration, unit size,

height, setbacks, parking, utilities, among other things, would threaten the character of existing neighborhoods, and negatively impact property values, personal privacy, and public safety. These threats to public safety, health, and welfare justify adoption of this Ordinance as an urgency ordinance to be effective immediately upon adoption by a four-fifths vote of the City Council.

### **STATE REGULATIONS**

Pursuant to California Government Code Section 65858, the City Council may, in order to protect public safety, health, and welfare, adopt an interim urgency ordinance prohibiting any uses that may be in conflict with a contemplated general plan, specific plan, or zoning proposal that the legislative body, planning commission or the planning department is considering or studying or intends to study within a reasonable time. A four-fifths vote of the body is necessary and the interim ordinance may be in effect for 45 days. The legislative body may, after proper notice and public hearing, extend an interim ordinance for 10 months and 15 days and extend again for another one-year period, for a total period of two years. Any extension shall also require a four-fifths vote for adoption; not more than two extensions may be adopted.

### **ENVIRONMENTAL ANALYSIS**

Under California Government Code sections 65852.21(j) and 66411.7(n), the adoption of an ordinance by a city or county implementing the provisions of Government Code sections 66411.7 and 65852.21 and regulating urban lot splits and two-unit projects is statutorily exempt from the requirements of the California Environmental Quality Act (“CEQA”). Therefore, adoption of this Ordinance is statutorily exempt from CEQA because it implements these new laws enacted by SB 9.

The project is further exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines. Section 15061(b)(3) states that CEQA applies only to projects that have the potential for causing a significant effect on the environment. The proposed text amendments will not have a significant effect on the environment because the proposed zone text amendments would provide for new standards consistent with State Law and do not propose any physical construction.

### **ATTACHMENTS**

1. Draft Extension of Urgency Ordinance
2. Urgency Ordinance No. 832U
3. City Council Staff Report dated February 28, 2022

Reviewed by:



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Gary Y. Sugano  
Assistant City Manager

Approved by:



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Ryan Smoot  
City Manager

Prepared by:



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Sheri Repp Loadsman  
Planner

**URGENCY ORDINANCE NO. 834U**

**AN EXTENSION OF INTERIM URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOMITA, CALIFORNIA, RELATING TO URBAN LOT SPLITS AND TWO-UNIT RESIDENTIAL DEVELOPMENTS IN SINGLE-FAMILY RESIDENTIAL ZONES AS ALLOWED BY THE STATE OF CALIFORNIA SENATE BILL 9**

**THE CITY COUNCIL OF THE CITY OF LOMITA DOES ORDAIN AS FOLLOWS:**

**Section 1.** In 2021, the California Legislature approved, and the Governor signed into law Senate Bill 9 (“SB 9”), which among other things, adds Government Code section 65852.21 and 66411.7 to impose new limits on local authority to regulate urban lot splits and two-unit projects.

**Section 2.** SB 9 allows the City to adopt objective design, development, and subdivision standards for urban lot splits and two-unit projects.

**Section 3.** SB 9 became effective on January 1, 2022, and preempts any conflicting City ordinance.

**Section 4.** The City desires to amend its local regulatory scheme to comply with Government Code sections 66411.7 and 65852.21 and to appropriately regulate projects under SB 9.

**Section 5.** There is a current and immediate threat to the public health, safety, or welfare based on the passage of SB 9 because if the City does not adopt appropriate objective standards for urban lot splits and two-unit projects, the City would thereafter be limited to applying the few objective standards that are already in its code, which did not anticipate and were not enacted with urban lot splits and ministerial two-unit projects in mind.

**Section 6.** Approval of urban lot splits and two-unit projects based solely on the City’s default standards, without appropriate regulations governing lot configuration, unit size, height, setbacks, parking, utilities, among other things, would threaten the character of existing neighborhoods, and negatively impact property values, personal privacy, and public safety. These threats to public safety, health, and welfare justify adoption of this Ordinance as an urgency ordinance to be effective immediately upon adoption by a four-fifths vote of the City Council.

**Section 7.** To protect the public safety, health, and welfare, the City Council may adopt this Ordinance as an urgency measure in accordance with Government Code section 36934, 36937(b), and 65858 in order to regulate any uses that may be in conflict with contemplated General Plan or zoning proposal that the City intends to study within a reasonable time.

**Section 8.** On February 28, 2022, the City Council at a duly noticed public

meeting took testimony and adopted Urgency Ordinance No. 832U (a copy of which is attached as **Exhibit “A”** and incorporated herein) an Urgency Ordinance implementing SB 9, for a period of 45 days.

**Section 9.** Urgency Ordinance 832U was necessary to address the danger to the public health, safety, and general welfare articulated by the State related to the housing crisis and immediately provide the provisions to implement SB 9 related development in a manner that protects the City’s interest in orderly planning and aesthetics.

**Section 10.** On April 5, 2022, the City Council held a duly noticed public hearing and took testimony regarding this urgency ordinance to extend Urgency Ordinance 832U (“Extension Ordinance”).

**Section 11.** The City Council has considered, and by adoption this Extension Ordinance ratifies and adopts, the report, which is incorporated in the Staff Report dated April 5, 2022, describing the continued need for regulations to implement SB 9 which led to adoption of Urgency Ordinance No. 832U.

**Section 12.** Because the conditions justifying the adoption of Urgency Ordinance No. 832U have not been alleviated, and the City Council desires to extend the regulations established by Urgency Ordinance No. 832U for an additional ten (10) months and fifteen (15) days, as permitted by Government Code Sections 36934, 36937, and 65858, to allow for the development of regulations for incorporation into the Lomita Municipal Code.

**Section 13.** The City Council finds and declares that this Urgency Ordinance establishes interim exceptions to the Zoning Code to allow two-unit housing developments and urban lot splits as specified by California Government Code Sections 66452.6, 65852.21, and 66411.7, as adopted and amended by SB 9. The provisions of this Urgency Ordinance shall supersede any other provision to the contrary in the Zoning Code or Subdivision Code. Zoning standards provided for in the Zoning Code that are not affected by this Urgency Ordinance shall remain in effect. It is not the intent of this Urgency Ordinance to override any lawful use restrictions as may be set forth in Conditions, Covenants, and Restrictions (CC&Rs) of a common interest development.

**Section 14.** The City Council approves of the following amendments to the Lomita Municipal Code:

1. The alphabetical list of uses in Section 11-1.15.04(D) of Title XI of the Lomita Municipal Code is amended to add the following new definition to read as follows:

*Dwelling, Two-Unit Housing Development* means a housing development containing no more than two residential dwelling units within a single-family residential zone, other than an accessory dwelling unit or junior accessory dwelling unit, that qualifies for ministerial review pursuant to California Government Code Section 65852.21. A housing development

contains two residential dwelling units if the development proposes no more than two new residential dwelling units or proposes to add one new residential dwelling unit to one existing residential unit, or retention of two existing legal non-conforming residential dwellings units where one or both units are subject to a proposed addition or alteration.

2. The alphabetical list of uses in Section 11-1.15.19(S) of Title XI of the Lomita Municipal Code is amended to add the following new definition to read as follows:

Single-family residential zone shall have the same meaning as in California Government Code Section 65852.21. A single-family residential zone includes the A-1 and R-1 zones.

3. The alphabetical list of uses in Section 11-1.15.21(U) of Title XI of the Lomita Municipal Code is amended to add the following new definition to read as follows:

Urban Lot Split means a ministerial application for a parcel to subdivide an existing parcel located within a single-family residential zone into two parcels, as authorized by Section 66411.7 of the Government Code.

4. Section 11-1.30.01. (Uses) of Title XI of the Lomita Municipal Code is hereby amended to read as follows:

| Use   | Zone |     |     | Supplemental Requirements               |
|---|------|-----|-----|---|
|   | A-1  | R-1 | RVD |   |
| Accessory dwelling unit                                 | P    | P   | P   | <a href="#">Sec. 11-1.30.06</a>         |
| Accessory structures                                    | P    | P   | P   | <a href="#">Sec. 11-1.30.05</a>         |
| Accessory structures that do not meet Code requirements | S    | S   | S   |   |
| Childcare facilities not in a residence                 |      |     | C   | Childcare facilities not in a residence |
| Civic and public buildings                              | C    | C   | P   |   |
| Condominium conversions                                 | C    | C   | C   | <a href="#">Sec. 11-2.370</a>           |
| Farm pets   | P    |     |     | <a href="#">Sec. 11-1.30.08</a>         |
| Home occupations  | P    | P   | P   | <a href="#">Sec. 11-1.30.11</a>         |
| Hospitals   |      |     | C   | Hospitals                               |
| Manufactured homes                                      | P    | P   | P   | <a href="#">Sec. 11-1.30.09</a>         |

|  |     |     |     |  |
|--|-----|-----|-----|--|
| Multifamily housing (1)  |     |     | P   |  |
| Nursery stock  | C   |     |     |  |
| Organizational house (convent, etc.)   |     |     | C   |  |
| Parking lots adjoining or located directly across the street from a commercial use | C   | C   | C   |  |
| Parking pads in front yard   | S   | S   | S   | See "Off-street Parking, Storage and Loading"  |
| Private tennis clubs   | C   |     |     |  |
| Public parks   | P   | P   | P   |  |
| Public utilities   | C   | C   | C   |  |
| Religious facilities   | C   | C   | C   | See "Special Development Standards"  |
| Rooming house  |     |     | P   |  |
| Schools (2)  | C   | C   | C   | Unless otherwise exempted by the school district, schools with a total capacity of more than fifty students (as determined by the Department of Building and Safety) shall be subject to the development standards in <a href="#">Section 11-1.68.04</a> |
| Senior PUD   |     |     | C   | <a href="#">Sec. 11-1.30.14</a>  |
| Similar uses not listed  | DOS | DOS | DOS |  |
| Single-family residence  | P   | P   | P   |  |
| State-licensed community care and childcare facilities with six                    | P   | P   | P   | As defined in the California Health and Safety Code  |

|   |          |          |       |   |
|---|----------|----------|-------|---|
| (6) or fewer persons  |          |          |       | Sec. 1502, and 1596.750 et seq.   |
| State-licensed community care and childcare facilities with seven (7) to fifteen (15) persons   | C        | C        | C     | As defined in the California Health and Safety Code sections 1502 and 1596.750<br><a href="#">Sec. 11-1.30.10</a> |
| <b><u>Two-Unit Residential Development (8)</u></b>  | <u>P</u> | <u>P</u> |       | <b><u>Sec. 11-1.30.16</u></b>   |
| Supportive housing  | P        | P        | P (1) | As defined in 11-1.15.019 (S)   |
| Transitional housing  | P        | P        | P (1) | As defined in 11-1.15.20 (T)  |
| Wireless communication facilities   | WCFP     | WCFP     | WCFP  | See "Wireless Communications Facilities"  |
| <p>P — Permitted Use<br/> S — Site Plan Required<br/> C — Conditional Use Permit Required<br/> WCFP — Wireless Communication Facility Permit<br/> DOS — Determination of Similarity</p> <p>Notes:<br/> (1) Additions and new buildings requiring additional parking must receive "site plan" approval pursuant to this title.<br/> (2) Nonprofit organizations which existed prior to 1979 may apply for a conditional use permit provided that the school is located on the same site as the organization.</p> |          |          |       |   |



| Development Standard   | Zone           |                |     |                |
|--|----------------|----------------|-----|----------------|
|  | A-1 <b>(8)</b> | R-1 <b>(8)</b> | RVD | Senior PUD (7) |
| Minimum lot area (square feet) <b>(8)</b>  | 5,000          | 5,000          | (1) | 2,000          |
| Minimum lot width (2) <b>(8)</b>   | 50'            | 50'            | 50' |                |
| Maximum floor area ratio   | .60            | .60            | NA  | NA             |
| Dwelling units per acre  | 8.7            | 8.7            | (1) | (3)            |
| Front yard setback*  | 20'            | 20'            | 20' | 15'            |
| Corner lot—Secondary front*  | 10'            | 10'            | 10' | 10'            |
| Side yard setbacks* (4) <b>(8)</b>   | 5'             | 5'             | 5'  | 5'             |
| Rear yard setback for main unit*   | 20'            | 20'            | 20' | 15'            |
| Maximum height of principal structure (5) <b>(8)</b>   | 27'            | 27'            | 27' | 27'            |
| Maximum height of accessory structures, <b><i>and</i></b> detached accessory dwelling units <b><i>and two-unit residential development</i></b> (6) | 16'            | 16'            | 16' | NA             |
| Minimum rear and side yard setbacks for newly constructed accessory dwelling units   | 5'             | 5'             | 5'  | NA             |

|  |   |    |    |                                    |
|--|---|----|----|------------------------------------|
| Minimum rear and side yard for setback accessory structures <b><u>and second units</u></b> | 3'  | 3' | 3' | 3'                                 |
| Solar panels   |   |    |    | Sec. <a href="#">11-1.30.03(l)</a> |
| Parking requirements   |   |    |    | Off-Street Parking Standards       |
| <b>Notes:</b>  |   |    |    |                                    |
| *  | Modifications to yard setbacks subject to the provisions for "Modifications" and "Site Plan Review" found in this title.  |    |    |                                    |
| (1)  | The RVD zone has multiple density levels, and the allowable densities are dictated by the number following the zoning symbol as indicated on the City of Lomita Zoning Map (e.g., RVD-1,500: 1 unit per 1,500 square feet and 29.04 du/acre).   |    |    |                                    |
| (2)  | 50' of frontage must be on a dedicated public street. A lot fronting a turnaround portion of a cul-de-sac may be 40' wide. <b><u>Modification subject to development standards and requirements applicable to Sec. 11-1.30.15 for Urban Lot Split and Sec. 11-1.30.16 for Two-Unit Residential Development.</u></b> |    |    |                                    |
| (3)  | Density subject to the general plan designation of the subject property.  |    |    |                                    |
| (4)  | Setback equals ten percent of the lot width, but not less than three feet and need not exceed five feet.  |    |    |                                    |
| (5)  | Residential properties located south of Pacific Coast Highway shall be limited to 16', and no more than one story, in height unless a height variation permit is granted. <a href="#">Section 11-1.30.12.</a>   |    |    |                                    |
| (6)  | Accessory structures, accessory dwelling and <b><u>second new dwelling units subject to Sec. 11-1.30.16</u></b> are limited to one story. Accessory structures, <b><u>accessory dwelling</u></b> and <b><u>second new dwelling units subject to Sec. 11-1.30.16</u></b> are limited to one story.                   |    |    |                                    |
| (7)  | Refer to <a href="#">Section 11-1.30.14</a> for additional requirements.  |    |    |                                    |
| <b><u>(8)</u></b>  | <b><u>Refer to Section 11-1.30.16 for development standards applicable to Two-Unit Residential Development</u></b>  |    |    |                                    |

5. Section 11-1.30.03. (General standards of development) of Title XI of the Lomita Municipal Code is hereby amended, in part, to read as follows:

(A) The following general standards of development apply to all property in residential zones, except two-unit housing developments described in Section 11-1.30.16.

6. Sec. 11-1.30.04. (Location of other structures and projections into yards) of Title XI of the Lomita Municipal Code is hereby amended, in part, to read as follows:

The following requirements apply to structures and projections into required yards:

(A) Surface-mounted architectural features such as, but not limited to, cornices, eaves, and chimneys may project up to 50 percent or two and one-half (2½) feet into the required side yard setback, whichever is less, and up to five (5) feet in the required front, rear, and corner side yard setback.

7. Section 11-1.30.05 (Accessory buildings and structures) of Title XI of the Lomita Municipal Code is hereby amended, in part, to read as follows:

(B) This section does not apply to accessory dwelling units as described in [Section 11-1.30.06](#) and two-unit housing developments described in [Section 11-1.30.16](#).

8. Section 11-1.30.15 is hereby added to Title XI of the Lomita Municipal Code to read as follows:

**Section 11.1.30.15 Urban Lot Splits**

(A) Purpose. The purpose of this section is to allow and appropriately regulate urban lot splits in accordance with Government Code section 66411.7.

(B) Definition. An “urban lot split” means a ministerial application to subdivide an existing parcel located within a single-family residential zone into two parcels, as authorized by Section 66411.7 of the Government Code and complying with the provision of Sec. 11-2.76.1.

(C) Application.

1. Only individual property owners may apply for an urban lot split. “Individual property owner” means a natural person holding fee title individually or jointly in the person’s own name or a beneficiary of a trust that holds fee title. “Individual property owner” does not include any corporation or corporate person of any kind (partnership, limited partnership, limited liability company, C corporation, S corporation, etc.) except for a community land trust (as defined by Revenue and Taxation Code Section 402.1(a)(11)(C)(ii)) or a qualified nonprofit corporation (as defined by Revenue and Taxation Code Section 214.15).
2. An application for an urban lot split must be submitted on the city’s approved form. Only a complete application will be considered. The city will inform the applicant in writing of any incompleteness within 30 days after the application is submitted.
3. The city may establish a fee to recover its costs for adopting, implementing, and enforcing this section of the code, in accordance with applicable law. The city council may establish and change the fee by resolution. The fee must be paid with the application.

(D) Approval.

1. An application for a parcel map for an urban lot split is approved or denied ministerially, by the Community Development Director, without discretionary review.
2. A tentative parcel map for an urban lot split is approved ministerially if it complies with all the requirements of this section. The tentative parcel map may not be recorded. A final parcel map is approved ministerially as well, but not until the owner demonstrates that the required documents have been recorded, such as the deed restriction and easements. The tentative parcel map expires three months after approval.
3. The approval must require the owner and applicant to hold the city harmless from all claims and damages related to the approval and its subject matter.
4. The approval must require the owner and applicant to reimburse the city for all costs of enforcement, including attorneys' fees and costs associated with enforcing the requirements of this code.

(E) An urban lot split must satisfy each of the following requirements:

1. Map Act Compliance.

A. The urban lot split must conform to all applicable objective requirements of the Subdivision Map Act (Gov. Code § 66410 et. seq., "SMA"), including implementing requirements in this code, except as otherwise expressly provided in this section.

B. If an urban lot split violates any part of the SMA, the city's subdivision regulations, including this section, or any other legal requirement:

a. The buyer or grantee of a lot that is created by the urban lot split has all the remedies available under the SMA, including but not limited to an action for damages or to void the deed, sale, or contract.

b. The city has all the remedies available to it under the SMA, including but not limited to the following:

- i. An action to enjoin any attempt to sell, lease, or finance the property.
- ii. An action for other legal, equitable, or summary remedy, such as declaratory and injunctive relief.

- iii. Criminal prosecution, punishable by imprisonment in county jail or state prison for up to one year, by a fine of up to \$10,000, or both; or a misdemeanor.
  - iv. Record a notice of violation.
  - v. Withhold any or all future permits and approvals.
- c. Notwithstanding section 66411.1 of the SMA, no dedication of rights-of-way or construction of offsite improvements is required for an urban lotsplit.
- C. Zone. The lot to be split is in the A-1 or R-1 Single-Family Residential Zone.
- D. Lot Location.
- a. The lot is not located on a site that is any of the following:
    - i. Prime farmland, farmland of statewide importance, or land that is zoned or designated for agricultural protection or preservation by the voters.
    - ii. A wetland.
    - iii. Within a very high fire hazard severity zone, unless the site complies with all fire-hazard mitigation measures required by existing building standards.
    - iv. A hazardous waste site that has not been cleared for residential use.
    - v. Within a delineated earthquake fault zone, unless all development on the site complies with applicable seismic protection building code standards.
    - vi. Within a 100-year flood hazard area, unless the site has either:
      - (I) been subject to a Letter of Map Revision prepared by the Federal Emergency Management Agency and issued to the local jurisdiction, or
      - (II) meets Federal Emergency Management Agency requirements necessary to meet minimum flood plain management criteria of the National Flood Insurance Program.
    - vii. Within a regulatory floodway, unless all

development on the site has received a no-rise certification.

viii. Land identified for conservation in an adopted natural community conservation plan, habitat conservation plan, or other adopted natural resource protection plan.

ix. Habitat for protected species.

x. Land under conservation easement.

b. The purpose of subpart A.4.a above is merely to summarize the requirements of Government Code section 65913.4(a)(6)(B)–(K). (See Gov. Code § 66411.7(a)(3)(C).)

E. Not Historic. The lot to be split must not be a historic property or within a historic district that is included on the State Historic Resources Inventory. Nor may the lot be or be within a site that is designated by ordinance as a city or county landmark or as a historic property or district.

F. No Prior Urban Lot Split.

a. The lot to be split was not established through a prior urban lot split.

b. The lot to be split is not adjacent to any lot that was established through a prior urban lot split by the owner of the lot to be split or by any person acting in concert with the owner.

G. No Impact on Protected Housing. The urban lot split must not require or include the demolition or alteration of any of the following types of housing:

a. Housing that is income-restricted for households 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 policy power.

c. Housing, or a lot that used to have housing, that has been withdrawn from rental or lease under the Ellis Act (Gov. Code §§ 7060–7060.7) at any time in the 15 years prior to submission of the urban lot split application.

d. Housing that has been occupied by a tenant in the last three years. [The applicant and the owner of a property for which

an urban lot split is sought must provide a sworn statement as to this fact with the application for the parcel map. The city may conduct its own inquiries and investigation to ascertain the veracity of the sworn statement, including but not limited to, surveying owners of nearby properties; and the city may require additional evidence of the applicant and owner as necessary to determine compliance with this requirement.

H. Lot Size and Configuration.

- a. The lot to be split must be at least 2,400 square feet.
- b. The resulting lots must each be at least 1,200 square feet.
- c. Each of the resulting lots must be between 60 percent and 40percent of the original lot area.
- d. Side lines shall be at right angles to the streets on which the lots front and substantially parallel to each other; or project radially from the approximate center locus on cul-de-sac streets and other curves or knuckles having a radial curve of less than one hundred (100') and project in essentially straight lines.

I. Easements.

- a. The owner must enter into an easement agreement with each public-service provider to establish easements that are sufficient for the provision of public services and facilities to each of the resulting lots.
- b. Each easement must be shown on the tentative parcel map.
- c. Copies of the unrecorded easement agreements must be submitted with the application. The easement agreements must be recorded against the property before the final map may be approved, in accordance with subpart B above.

J. Lot Frontage.

- a. Where 50 feet of frontage on a public right-of-way is not proposed for both lots created by an Urban Lot Split, each lot shall have a minimum of 30 feet of frontage on a public right-of-way and an average width of 30 feet, or
- b. Where 30 feet of frontage on a public right-of-way is not

proposed for both lots created by an Urban Lot Split, one of the lots shall be provided with access by a corridor of at least 12 feet but not more than 15 feet of frontage on a public street.

- c. Where one of the lots created by an Urban Lot Split does not propose frontage on a public right-of-way, direct access to the
- d. The access corridor shall be kept free and clear of building or structures of any kind except for lawful fences and underground or overhead utilities. public right-of-way must be provided through an access corridor easement for ingress and emergency access of at least 12 feet but not more than 15 feet of frontage on a public street.

K. Unit Standards.

- a. No more than two dwelling units of any kind may be built on a lot that results from an urban lot split. For purposes of this paragraph, "unit" means any dwelling unit, including, but not limited to, a primary dwelling unit, a unit created under section 11-1.30.16 of this code, an ADU, or a JADU.

L. Separate Conveyance.

- a. Within a resulting lot.
  - i. Primary dwelling units on a lot that is created by an urban lot split may not be owned or conveyed separately from each other.
  - ii. Condominium airspace divisions and common interest developments are not permitted on a lot that is created by an urban lot split.
  - iii. All fee interest in a lot and all dwellings on the lot must be held equally and undivided by all individual property owners.
- b. Between resulting lots. Separate conveyance of the resulting lots is permitted. If dwellings or other structures (such as garages) on different lots are adjacent or attached to each other, the urban lot split boundary may separate them for conveyance purposes if the structures meet building code safety standards and are sufficient to allow separate conveyance. If any attached structures span or will span the new lot line, or if the two lots share a driveway, the owner must record appropriate CC&Rs, easements, or other



documentation that is necessary to allocate rights and responsibility between the owners of the two lots.

M. Regulation of Uses.

- a. Residential-only. No non-residential use is permitted on any lot created by urban lot split.
- b. No Short-Term Rentals. No dwelling unit on a lot that is created by an urban lot split or containing a two-unit residential development may be rented for a period of less than 30 days.
- c. Owner Occupancy. The applicant for an urban lot split must sign an affidavit stating that the applicant intends to occupy one of the dwelling units on one of the resulting lots as the applicant's principal residence for a minimum of three years after the urban lot split is approved.
- d. Housing Crisis Act Replacement Housing Obligations. If the proposed development will result in the demolition of protected housing, as defined in California Government Code Section 66300, the applicant shall replace each demolished protected unit and comply with all applicable requirements imposed pursuant to subsection (d) of Government Code Section 66300.

N. Deed Restriction. The owner must record a deed restriction, acceptable to the city, that does each of the following:

- a. Expressly prohibits the use of any lot created by an urban lot split for any rental of any dwelling on the property for a period of less than 30 days.
- b. Expressly prohibits any non-residential use of the lots created by the urban lot split.
- c. Expressly prohibits any separate conveyance of a primary dwelling on the property, any separate fee interest, and any common interest development within the lot.
- d. States that the property is formed by an urban lot split and is therefore, subject to the city's urban lot split regulations, including all applicable limits on dwelling size and development and the only development permitted on the lot are two-unit projects subject to Section 11-2.76.1.

(F) Specific Adverse Impacts.

1. Notwithstanding anything else in this section, the city may deny an application for an urban lot split if the building official makes a written finding, based on a preponderance of the evidence that the project would have a “specific, adverse impact” on either public health and safety or on the physical environment and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact.
2. “Specific adverse impact” has the same meaning as in Gov. Code § 65589.5(d)(2): “a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete” and does not include (1) inconsistency with the zoning ordinance or general plan land use designation or (2) the eligibility to claim a welfare exemption under Revenue and Taxation Code section 214(g).
3. The building official may consult with and be assisted by planning staff and others as necessary in making a finding of specific, adverse impact.

9. Section 11-1.30.16 is hereby added to Title XI of the Lomita Municipal Code to read as follows:

**Section 11-1.30.16 Two-Unit Housing Development**

- (A) Purpose. The purpose of this section is to allow and appropriately regulate two-unit projects in accordance with Government Code section 65852.21.
- (B) Definition. A “two-unit housing development” means a housing development containing no more than two residential dwelling units within a single-family residential zone, other than an accessory dwelling unit or junior accessory dwelling unit, that qualifies for ministerial review pursuant to California Government Code Section 65852.21. A housing development contains two residential dwelling units if the development proposes no more than two new residential dwelling units or proposes to add one new residential dwelling unit to one existing residential unit, or retention of two existing legal non-conforming residential dwellings units where one or both units are subject to a proposed addition or alteration.
- (C) Application.
  1. Only individual property owners may apply for an urban lot split. “Individual property owner” means a natural person holding fee title individually or jointly in the person’s own name or a beneficiary of a trust that holds fee title. “Individual property owner” does not include any corporation or corporate person of any kind (partnership, limited partnership, limited liability company, C corporation, S corporation, etc.) except for a community land trust (as defined by Revenue and Taxation Code Section 402.1(a)(11)(C)(ii)) or a

qualified nonprofit corporation (as defined by Revenue and Taxation Code Section 214.15).

2. An application for a two-unit project must be submitted on the city's approved form.
3. The applicant must obtain a certificate of compliance with the Subdivision Map Act for the lot and provide the certificate with the application.
4. Only a complete application will be considered. The city will inform the applicant in writing of any incompleteness within 30 days after the application is submitted.
5. The city may establish a fee to recover its costs for adopting, implementing, and enforcing this section of the code, in accordance with applicable law. The city council may establish and change the fee by resolution. The fee must be paid with the application.

(D) Approval.

1. An application for a two-unit project is approved or denied ministerially, by the Community Development Director.
2. The ministerial approval of a two-unit project does not take effect until the city has confirmed that the required documents have been recorded, such as the deed restriction and easements.
3. The approval must require the owner and applicant to hold the city harmless from all claims and damages related to the approval and its subject matter.
4. The approval must require the owner and applicant to reimburse the city for all costs of enforcement, including attorneys' fees and costs associated with enforcing the requirements of this code.

(E) Requirements. A two-unit project must satisfy each of the following requirements:

1. Map Act Compliance. The lot must have been legally subdivided.
2. Zone. The lot is in the A-1 or R-1 Single-Family Residential Zone.
3. Lot Location.
  - a. The lot is not located on a site that is any of the following:
    - i. Prime farmland, farmland of statewide importance, or land that is zoned or designated for agricultural protection or

preservation by the voters.

ii. A wetland.

iii. Within a very high fire hazard severity zone, unless the site complies with all fire-hazard mitigation measures required by existing building standards.

iv. A hazardous waste site that has not been cleared for residential use.

v. Within a delineated earthquake fault zone, unless all development on the site complies with applicable seismic protection building code standards.

vi. Within a 100-year flood hazard area, unless the site has either:

(I) been subject to a Letter of Map Revision prepared by the Federal Emergency Management Agency and issued to the local jurisdiction, or

(II) meets Federal Emergency Management Agency requirements necessary to meet minimum flood plain management criteria of the National Flood Insurance Program.

vii. Within a regulatory floodway, unless all development on the site has received a no-rise certification.

viii. Land identified for conservation in an adopted natural community conservation plan, habitat conservation plan, or other adopted natural resource protection plan.

ix. Habitat for protected species.

x. Land under conservation easement.

4. Not Historic. The lot must not be a historic property or within a historic district that is included on the State Historic Resources Inventory. Nor may the lot be or be within a site that is designated by ordinance as a city or county landmark or as a historic property or district.

5. No Impact on Protected Housing. The two-unit project must not require or include the demolition or alteration of any of the following types of housing:

a. Housing that is income-restricted for households 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 policy power.
  - c. Housing, or a lot that used to have housing, that has been withdrawn from rental or lease under the Ellis Act (Gov. Code §§ 7060–7060.7) at any time in the 15 years prior to submission of the urban lot split application.
  - d. Housing that has been occupied by a tenant in the last three years. The applicant and the owner of a property for which a two-unit project is sought must provide a sworn statement as to this fact with the application for the parcel map. The city may conduct its own inquiries and investigation to ascertain the veracity of the sworn statement, including but not limited to, surveying owners of nearby properties; and the city may require additional evidence of the applicant and owner as necessary to determine compliance with this requirement.
6. Unit Standards, Development Standards and Design Criteria
- a. Quantity.
    - i. No more than two dwelling units of any kind may be built on a lot that results from an urban lot split. For purposes of this paragraph, "unit" means any dwelling unit, including, but not limited to, a primary dwelling unit, a unit created under section 11-1.30.16 of this code, an ADU, or a JADU.
    - ii. A lot that is not created by an urban lot split may have a two-unit project under this section, plus any ADU or JADU that must be allowed under state law and the city's ADU ordinance.
  - b. Unit Size.
    - i. The total floor area of each primary dwelling built that is developed under this section shall not exceed 800 square feet.
    - ii. Each new primary dwelling unit shall be at least the following minimum sizes based on the number of sleeping rooms provided:
      - i. Studio / One bedroom: 500 square feet.
      - ii. More than one bedroom: 700 square feet.
    - iii. A primary dwelling that was legally established on the lot prior to the two-unit project and that is larger than 800 square feet is limited to the lawful floor area at the time of the two-unit project. The unit may not be expanded.

- iv. A primary dwelling that was legally established prior to the two-unit project and that is smaller than 800 square feet may be expanded to 800 square feet after or as part of the two-unit project.
- c. Demolition Cap. The two-unit project may not involve the demolition of more than 25 percent of the existing exterior walls of an existing dwelling unless the site has not been occupied by a tenant in the last three years.
- d. Lot Coverage. The maximum lot coverage shall not exceed 50%. The lot coverage shall include all buildings and structures (primary and accessory), covered porches and patios and covered parking areas. This lot coverage standard shall apply to the maximum extent feasible so that two primary dwelling units on the lot at 800 square feet are permitted.
- e. Open Space. Each new primary dwelling unit shall provide, at a minimum, a continuous private recreation area of 225 square feet with minimum interior dimensions of 10 feet. The private recreation shall be open and unobstructed from the ground to the sky and may be located within the interior, street side or rear setback areas. This open space standard shall apply to the maximum extent feasible so that two primary dwelling units on the lot at 800 square feet are permitted.
- f. Setbacks.
  - i. New Primary Dwelling Units. The following minimum setbacks from the property lines shall be observed for each new primary dwelling unit and any garages and accessory structures that are attached to a new primary dwelling unit. Detached garages and accessory structures shall comply with the setbacks contained in subsection 2. The required setbacks shall be maintained open and unobstructed from the ground to the sky, except for the permitted intrusions.
    - I. Front Setback: 20 feet
    - II. Interior Side Setback: 4 feet
    - III. Street Side Setback: 10 feet
    - IV. Rear Setback: 4 feet.
  - ii. Detached Garages and Accessory Structures. The following minimum setbacks from the property lines shall be observed for detached garages and accessory structures on a lot
    - I. Front Setback: 20 feet
    - II. Interior Side Setback: 4 feet
    - III. Street Side Setback: 10 feet
    - IV. Rear Setback: 4 feet or minimum 10 feet from centerline of alley.

- iii. Any construction occurring on a lot that abuts a street that has not been fully improved shall observe all building setbacks from the ultimate right-of-way of the street.
- iv. Exceptions. Notwithstanding subpart E.6.f above:
  - I. Existing Structures. No setback is required for an existing legally established structure or for a new structure that is constructed in the same location and to the same dimensions as an existing legally established structure.
  - II. A required minimum setback may be reduced pursuant to this section to the degree it would (i) physically preclude the development or maintenance of two dwelling units on a lot or (ii) physically preclude any new primary dwelling unit from being 800 square feet in floor area; but in no event may any structure be less than four feet from a side or rear property line.
  - III. Permitted Intrusions. The following permitted intrusion may project into any required setback a maximum of two feet: cornices, eaves, belt courses, sills, buttresses, planter boxes, masonry planters, guard railings, chimneys, and architectural projections with no floor area, including, but not limited to, windows and pilasters.
- g. Parking. Off-street parking for an existing primary dwelling unit shall continue to be provided in accordance with the standards of the underlying zone. Each new primary dwelling unit must have at least one off-street parking space per unit unless one of the following applies:
  - I. The lot is located within one-half mile walking distance of either (i) a corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours, or (ii) a major transit stop as defined by Section 21064.3 of the California Public Resources Code, including but not limited to the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.
  - II. The site is located within one block of a car-share vehicle location. A car share vehicle is a motor vehicle that is operated as part of a regional fleet by a public or private car sharing company or organization allowing for hourly or daily service.

- h. Utilities. Each primary dwelling unit on a lot must have its own direct utility connection to the utility /public service provider. Submitted plans shall show the location and dimension of all above ground and underground utility and public service facilities serving each lot and each dwelling unit and the location and dimensions of all related easements.
- i. Unit Height; Stories. Each new primary dwelling unit shall be one story, constructed at ground level, and shall not be more than 16 feet in height measured from ground level to the highest point on the roof.
- j. Building Separation. Except as otherwise allowed by state law, a minimum building separation of six (6) feet shall be maintained between all detached structures on a lot, including all residential units, garages and accessory structures.
- k. Tree Preservation: Any plans for an addition or new construction shall identify the location of any mature trees onsite and provide protective measures to ensure preservation of mature trees. A mature tree is defined as a tree is defined as any tree having a main trunk or stem measuring 24 inches in diameter, or 75 inches in circumference, measured at a height of 4 ½ feet above ground level at the root crown. A removal includes moving a tree or removing more than one-third of a tree's vegetation. Sites without an existing mature tree must provide at least two 24-inch box trees within the front yard setback or open space area.
- l. Each new primary dwelling unit shall have a main entry that is clearly defined, and to the extent possible, be oriented directly toward the street(s) in order to provide a consistency with the neighborhood character. The main entry shall be covered, with a minimum depth of three (3) feet. Each covered entry shall be in proportion to the building and shall incorporate architectural features that are used in the overall building design.
- m. Water Heaters: Each new primary dwelling unit shall have a separate hot water heater. The location of the water heater shall be incorporated into the design of each unit. No exterior water heater enclosures shall be permitted. Tankless water heaters may be utilized subject to compliance with applicable building codes.
- n. Refuse Storage Areas. All developments shall provide each unit with the appropriate number of containers for recyclables, organics and non-recyclable solid waste ("trash containers") as required by the designated waste hauler, and shall comply with the following:
  - i. Trash containers shall be stored within designated storage areas only and not within the garage parking area.
  - ii. The area required for each container shall be a minimum of 38



inches by 38 inches.

- iii. The trash areas shall be paved and accessed by gates and a walkway for ease of taking trash containers to and from the street.
- o. Building & Safety. All structures built on the lot must comply with all current local building standards. A project under this section is a change of use and subjects the whole of the lot, and all structures, to the city's current code.
- p. Affordability: Second units, and both units of a two-unit development, if rented, shall only be rented at an affordable rent for lower-income households, as defined in Health and Safety Code Section 50053, and shall only be rented to lower-income households, as defined in Health and Safety Code Section 50079.5, for a minimum of 30 years. Prior to the issuance of a certificate of occupancy for any second unit or any unit of a two-unit development, the owner of the property shall execute and record on the property a deed restriction, in a form approved by the director and the city attorney, establishing legal restrictions consistent with this Section.
- q. Other Standards. All other applicable standards of this Code shall apply to the extent these standards do not conflict with this section of State law.

#### 7. Separate Conveyance.

- a. Primary dwelling units on the lot may not be owned or conveyed separately from each other.
- b. Condominium airspace divisions and common interest developments are not permitted within the lot.
- c. All fee interest in the lot and all the dwellings must be held equally and undivided by all individual property owners.

#### 8. Regulation of Uses.

- a. Residential-only. No non-residential use is permitted on the lot.
- b. No Short-Term Rentals. No dwelling unit on the lot may be rented for a period of less than 30 days.
- c. Owner Occupancy. Unless the lot was formed by an urban lot split, the individual property owners of a lot with a two-unit project must occupy one of the dwellings on the lot as the owners' principal residence and legal domicile.

9. Notice of Construction.

- a. At least 30 business days before starting any construction of a two-unit project, the property owner must give written notice to all the owners of record of each of the adjacent residential parcels, which notice must include the following information:
  - i. Notice that construction has been authorized.
  - ii. The anticipated start and end dates for construction.
  - iii. The hours of construction.
  - iv. Contact information for the project manager (for construction-related complaints), and
  - v. Contact information for the Building & Safety Department.
- b. This notice requirement does not confer a right on the noticed persons or on anyone else to comment on the project before permits are issued. Approval is ministerial. Under state law, the City has no discretion in approving or denying a particular project under this section. This notice requirement is purely to promote neighborhood awareness and expectation.

10. Deed Restriction. The owner must record a deed restriction, acceptable to the city, that does each of the following:

- a. Expressly prohibits any rental of any dwelling on the property for a period of less than 30 days.
- b. Expressly prohibits any non-residential use of the lot.
- c. Expressly prohibits any separate conveyance of a primary dwelling on the property, any separate fee interest, and any common interest development within the lot.
- d. If the lot is not created by an urban lot split, expressly requires the individual property owners to live in one of the dwelling units on the lot as the owners' primary residence and legal domicile.
- e. If the lot is created by an urban lot split, then it is subject to the city's urban lot split regulations, including all applicable limits on dwelling size and development and the only development permitted on the lot are two-unit projects subject to this section.

(F) Specific Adverse Impacts.

- a. Notwithstanding anything else in this section, the city may deny an application for a two-unit project if the building official makes a written finding, based on a preponderance of the evidence, that the project would

have a “specific, adverse impact” on either public health and safety or on the physical environment and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact.

b. “Specific adverse impact” has the same meaning as in Gov. Code § 65589.5(d)(2): “a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete” and does not include (1) inconsistency with the zoning ordinance or general plan land use designation or (2) the eligibility to claim a welfare exemption under Revenue and Taxation Code section 214(g).

c. The building official may consult with and be assisted by planning staff and others as necessary in making a finding of specific, adverse impact.

(G) Remedies.

If a two-unit project violates any part of this code or any other legal requirement:

a. The buyer, grantee, or lessee of any part of the property has an action for damages or to void the deed, sale, or contract.

b. The city may:

a. Bring an action to enjoin any attempt to sell, lease, or finance the property.

b. Bring an action for other legal, equitable, or summary remedy, such as declaratory and injunctive relief.

c. Pursue criminal prosecution, punishable by imprisonment in county jail or state prison for up to one year, by a fine of up to \$10,000, or both; or a misdemeanor.

d. Record a notice of violation.

e. Withhold any or all future permits and approvals.

f. Pursue all other administrative, legal, or equitable remedies that are allowed by law or the city’s code.

9. Section 11-2.76.1 is hereby added to Title XI of the Lomita Municipal Code to read as follows:

**Sec. 11-2.76.1 – Urban Lot Splits**

- A. The provisions of this section apply to the processing of parcel maps for urban lot splits pursuant to California Government Code Section 66411.7 and Section 11-1.30.15 of this code.
- B. Approval. Notwithstanding the Subdivision Map Act or any other provision of this chapter, an application for a parcel map for an urban lot split is approved or denied ministerially, by the city's community and economic development director, without discretionary review. A tentative parcel map for an urban lot split is approved ministerially if it complies with the requirements of Section 11-1.30.15 and applicable objective requirements of this chapter and the Subdivision Map Act. The tentative parcel map may not be recorded. A final parcel map is approved ministerially, but not until the owner demonstrates that the required documents have been recorded, such as the deed restriction and easements.
- C. Guidance and Procedures. The city engineer has the authority to interpret and establish guidance and procedures for the processing, approving, and finalizing parcel maps for urban lot splits, which are consistent with state and local law.
- D. Application.
1. Only individual property owners may apply for an urban lot split. "Individual property owner" means a natural person holding fee title individually or jointly in the person's own name or a beneficiary of a trust that holds fee title. "Individual property owner" does not include any corporation or corporate person of any kind (partnership, limited partnership, limited liability company, C corporation, S corporation, etc.) except for a community land trust (as defined by Revenue and Taxation Code Section 402.1(a)(11)(C)(ii)) or a qualified nonprofit corporation (as defined by Revenue and Taxation Code Section 214.15).
  2. An application for an urban lot split must be submitted on the city's approved form. Only a complete application will be considered. The city will inform the applicant in writing of any incompleteness within 30 days after the application is submitted.
  3. The city may establish a fee to recover its costs for adopting, implementing, and enforcing this section of the code, in accordance with applicable law. The city council may establish and change the fee by resolution. The fee must be paid with the application.

**Section 15. Severability.** If any provision of this ordinance or its application to any person or circumstance is held to be invalid, such invalidity has no effect on the other provisions or applications of the ordinance that can be given effect without the invalid provision or application, and to this extent, the provisions of this resolution are severable. The City Council declares that it would have adopted this resolution irrespective of the invalidity of any portion thereof.

**Section 16. Effective Date.** This Ordinance takes effect immediately upon its adoption and shall remain in effect for a period of ten (10) months and fifteen (15) days from the date of adoption, in accordance with Government Code Section 65858.

**Section 17. CEQA.** Under California Government Code sections 65852.21(j) and 66411.7(n), the adoption of an ordinance by a city or county implementing the provisions of Government Code sections 66411.7 and 65852.21 and regulating urban lot splits and two-unit projects is statutorily exempt from the requirements of the California Environmental Quality Act (“CEQA”). Therefore, adoption of this Ordinance is statutorily exempt from CEQA because it implements these new laws enacted by SB 9. The project is further exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines. Section 15061(b)(3) states that CEQA applies only to projects that have the potential for causing a significant effect on the environment. The proposed text amendments will not have a significant effect on the environment because the proposed zone text amendments would provide for new standards consistent with State Law and do not propose any physical construction.

**Section 18. General Plan** The City Council finds that the proposed amendment is consistent with the general objectives, principles, and standards of the General Plan.

**Section 19. Certification.** The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same,

**PASSED, APPROVED and ADOPTED** this 5<sup>th</sup> day of April 2022.

\_\_\_\_\_  
Cindy Segawa, Mayor

ATTEST:

\_\_\_\_\_  
Kathleen Horn Gregory, MMC, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Trevor Rusin, City Attorney

**URGENCY ORDINANCE NO. 832U**

**AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOMITA, CALIFORNIA, RELATING TO URBAN LOT SPLITS AND TWO-UNIT RESIDENTIAL DEVELOPMENTS IN SINGLE-FAMILY RESIDENTIAL ZONES AS ALLOWED BY THE STATE OF CALIFORNIA SENATE BILL 9**

**THE CITY COUNCIL OF THE CITY OF LOMITA DOES ORDAIN AS FOLLOWS:**

**Section 1.** In 2021, the California Legislature approved, and the Governor signed into law Senate Bill 9 (“SB 9”), which among other things, adds Government Code section 65852.21 and 66411.7 to impose new limits on local authority to regulate urban lot splits and two-unit projects.

**Section 2.** SB 9 allows the City to adopt objective design, development, and subdivision standards for urban lot splits and two-unit projects.

**Section 3.** SB 9 became effective on January 1, 2022, and preempts any conflicting City ordinance.

**Section 4.** The City desires to amend its local regulatory scheme to comply with Government Code sections 66411.7 and 65852.21 and to appropriately regulate projects under SB 9.

**Section 5.** There is a current and immediate threat to the public health, safety, or welfare based on the passage of SB 9 because if the City does not adopt appropriate objective standards for urban lot splits and two-unit projects, the City would thereafter be limited to applying the few objective standards that are already in its code, which did not anticipate and were not enacted with urban lot splits and ministerial two-unit projects in mind.

**Section 6.** Approval of urban lot splits and two-unit projects based solely on the City’s default standards, without appropriate regulations governing lot configuration, unit size, height, setbacks, parking, utilities, among other things, would threaten the character of existing neighborhoods, and negatively impact property values, personal privacy, and public safety. These threats to public safety, health, and welfare justify adoption of this Ordinance as an urgency ordinance to be effective immediately upon adoption by a four-fifths vote of the City Council.

**Section 7.** To protect the public safety, health, and welfare, the City Council may adopt this Ordinance as an urgency measure in accordance with Government Code section 36937(b).

**Section 8.** the City Council has considered the staff report, supporting documents, public testimony, and all appropriate information that has been submitted with this Ordinance and

all legal prerequisites to the adoption of the Ordinance have occurred.

**Section 9.** The City Council approves of the following amendments to the Lomita Municipal Code:

1. The alphabetical list of uses in Section 11-1.15.04(D) of Title XI of the Lomita Municipal Code is amended to add the following new definition to read as follows:

Dwelling, Two-Unit Housing Development means a housing development containing no more than two residential dwelling units within a single-family residential zone, other than an accessory dwelling unit or junior accessory dwelling unit, that qualifies for ministerial review pursuant to California Government Code Section 65852.21. A housing development contains two residential dwelling units if the development proposes no more than two new residential dwelling units, or proposes to add one new residential dwelling unit to one existing residential unit, or retention of two existing legal non-conforming residential dwellings units where one or both units are subject to a proposed addition or alteration.

2. The alphabetical list of uses in Section 11-1.15.19(S) of Title XI of the Lomita Municipal Code is amended to add the following new definition to read as follows:

Single-family residential zone shall have the same meaning as in California Government Code Section 65852.21. A single-family residential zone includes the A-1 and R-1 zones.

3. The alphabetical list of uses in Section 11-1.15.21(U) of Title XI of the Lomita Municipal Code is amended to add the following new definition to read as follows:

Urban Lot Split means a ministerial application for a parcel to subdivide an existing parcel located within a single-family residential zone into two parcels, as authorized by Section 66411.7 of the Government Code.

4. Section 11-1.30.01. (Uses) of Title XI of the Lomita Municipal Code is hereby amended to read as follows:

| Use   | Zone |     |     | Supplemental Requirements       |
|---|------|-----|-----|---------------------------------|
|   | A-1  | R-1 | RVD |                                 |
| Accessory dwelling unit                                 | P    | P   | P   | <a href="#">Sec. 11-1.30.06</a> |
| Accessory structures                                    | P    | P   | P   | <a href="#">Sec. 11-1.30.05</a> |
| Accessory structures that do not meet Code requirements | S    | S   | S   |                                 |

|  |   |   |   |  |
|--|---|---|---|--|
| Childcare facilities not in a residence  |   |   | C | Childcare facilities not in a residence  |
| Civic and public buildings   | C | C | P |  |
| Condominium conversions  | C | C | C | <a href="#">Sec. 11-2.370</a>  |
| Farm pets  | P |   |   | <a href="#">Sec. 11-1.30.08</a>  |
| Home occupations   | P | P | P | <a href="#">Sec. 11-1.30.11</a>  |
| Hospitals  |   |   | C | Hospitals  |
| Manufactured homes   | P | P | P | <a href="#">Sec. 11-1.30.09</a>  |
| Multifamily housing (1)  |   |   | P |  |
| Nursery stock  | C |   |   |  |
| Organizational house (convent, etc.)   |   |   | C |  |
| Parking lots adjoining or located directly across the street from a commercial use | C | C | C |  |
| Parking pads in front yard   | S | S | S | See "Off-street Parking, Storage and Loading"  |
| Private tennis clubs   | C |   |   |  |
| Public parks   | P | P | P |  |
| Public utilities   | C | C | C |  |
| Religious facilities   | C | C | C | See "Special Development Standards"  |
| Rooming house  |   |   | P |  |
| Schools (2)  | C | C | C | Unless otherwise exempted by the school district, schools with a total capacity of more than fifty students (as determined by the Department of Building and Safety) shall be subject to the |



|   |          |          |       |   |
|---|----------|----------|-------|---|
|   |          |          |       | development standards in <a href="#">Section 11-1.68.04</a>   |
| Senior PUD  |          |          | C     | <a href="#">Sec. 11-1.30.14</a>   |
| Similar uses not listed   | DOS      | DOS      | DOS   |   |
| Single-family residence   | P        | P        | P     |   |
| State-licensed community care and childcare facilities with six (6) or fewer persons  | P        | P        | P     | As defined in the California Health and Safety Code Sec. 1502, and 1596.750 et seq.                               |
| State-licensed community care and childcare facilities with seven (7) to fifteen (15) persons   | C        | C        | C     | As defined in the California Health and Safety Code sections 1502 and 1596.750<br><a href="#">Sec. 11-1.30.10</a> |
| <b><u>Two-Unit Residential Development (8)</u></b>  | <u>P</u> | <u>P</u> |       | <b><u>Sec. 11-1.30.16</u></b>   |
| Supportive housing  | P        | P        | P (1) | As defined in 11-1.15.019 (S)   |
| Transitional housing  | P        | P        | P (1) | As defined in 11-1.15.20 (T)  |
| Wireless communication facilities   | WCFP     | WCFP     | WCFP  | See "Wireless Communications Facilities"  |
| <p>P — Permitted Use<br/> S — Site Plan Required<br/> C — Conditional Use Permit Required<br/> WCFP — Wireless Communication Facility Permit<br/> DOS — Determination of Similarity</p> <p>Notes:<br/> (1) Additions and new buildings requiring additional parking must receive "site plan" approval pursuant to this title.<br/> (2) Nonprofit organizations which existed prior to 1979 may apply for a conditional use permit provided that the school is located on the same site as the organization.</p> |          |          |       |   |

| Development Standard   | Zone           |                |     |                |
|--|----------------|----------------|-----|----------------|
|  | A-1 <b>(8)</b> | R-1 <b>(8)</b> | RVD | Senior PUD (7) |
| Minimum lot area (square feet) <b>(8)</b>  | 5,000          | 5,000          | (1) | 2,000          |
| Minimum lot width (2) <b>(8)</b>   | 50'            | 50'            | 50' |                |
| Maximum floor area ratio   | .60            | .60            | NA  | NA             |
| Dwelling units per acre  | 8.7            | 8.7            | (1) | (3)            |
| Front yard setback*  | 20'            | 20'            | 20' | 15'            |
| Corner lot—Secondary front*  | 10'            | 10'            | 10' | 10'            |
| Side yard setbacks* (4) <b>(8)</b>   | 5'             | 5'             | 5'  | 5'             |
| Rear yard setback for main unit*   | 20'            | 20'            | 20' | 15'            |
| Maximum height of principal structure (5) <b>(8)</b>   | 27'            | 27'            | 27' | 27'            |
| Maximum height of accessory structures, <b>and</b> detached accessory dwelling units <b>and two-unit residential development</b> (6) | 16'            | 16'            | 16' | NA             |
| Minimum rear and side yard setbacks for newly constructed accessory dwelling units   | 5'             | 5'             | 5'  | NA             |

|  |  |    |    |                                    |
|--|--|----|----|------------------------------------|
| Minimum rear and side yard for setback accessory structures <b><i>and second units</i></b> | 3'   | 3' | 3' | 3'                                 |
| Solar panels   |  |    |    | Sec. <a href="#">11-1.30.03(I)</a> |
| Parking requirements   |  |    |    | Off-Street Parking Standards       |
| Notes:   |  |    |    |                                    |
| *  | Modifications to yard setbacks subject to the provisions for "Modifications" and "Site Plan Review" found in this title.   |    |    |                                    |
| (1)  | The RVD zone has multiple density levels, and the allowable densities are dictated by the number following the zoning symbol as indicated on the City of Lomita Zoning Map (e.g., RVD-1,500: 1 unit per 1,500 square feet and 29.04 du/acre).  |    |    |                                    |
| (2)  | 50' of frontage must be on a dedicated public street. A lot fronting a turnaround portion of a cul-de-sac may be 40' wide. <b><i>Modification subject to development standards and requirements applicable to Sec. 11-1.30.15 for Urban Lot Split and Sec. 11-1.30.16 for Two-Unit Residential Development.</i></b>              |    |    |                                    |
| (3)  | Density subject to the general plan designation of the subject property.   |    |    |                                    |
| (4)  | Setback equals ten percent of the lot width, but not less than three feet and need not exceed five feet.   |    |    |                                    |
| (5)  | Residential properties located south of Pacific Coast Highway shall be limited to 16', and no more than one story, in height unless a height variation permit is granted. <a href="#">Section 11-1.30.12.</a>  |    |    |                                    |
| (6)  | Accessory structures, accessory dwelling and <b><i>second new dwelling</i></b> units <b><i>subject to Sec. 11-1.30.16</i></b> are limited to one story.<br>Accessory structures, <b><i>accessory dwelling</i></b> and <b><i>second-new dwelling</i></b> units <b><i>subject to Sec. 11-1.30.16</i></b> are limited to one story. |    |    |                                    |
| (7)  | Refer to <a href="#">Section 11-1.30.14</a> for additional requirements.   |    |    |                                    |
| <b><u>(8)</u></b>  | <b><u>Refer to Section 11-1.30.16 for development standards applicable to Two-Unit Residential Development</u></b>   |    |    |                                    |

5. Section 11-1.30.03. (General standards of development) of Title XI of the Lomita Municipal Code is hereby amended, in part, to read as follows:

(A) The following general standards of development apply to all property in residential zones, except two-unit housing developments described in Section 11-1.30.16.

6. Sec. 11-1.30.04. (Location of other structures and projections into yards) of Title XI of the Lomita Municipal Code is hereby amended, in part, to read as follows:

The following requirements apply to structures and projections into required yards:

(A) Surface-mounted architectural features such as, but not limited to, cornices, eaves, and chimneys may project up to 50 percent or two and one-half (2½) feet into the required side yard setback, whichever is less, and up to five (5) feet in the required front, rear, and corner side yard setback.

7. Section 11-1.30.05 (Accessory buildings and structures) of Title XI of the Lomita Municipal Code is hereby amended, in part, to read as follows:

(B) This section does not apply to accessory dwelling units as described in [Section 11-1.30.06](#) and two-unit housing developments described in Section 11-1.30.16.

8. Section 11-1.30.15 is hereby added to Title XI of the Lomita Municipal Code to read as follows:

**Section 11.1.30.15 Urban Lot Splits**

(A) Purpose. The purpose of this section is to allow and appropriately regulate urban lot splits in accordance with Government Code section 66411.7.

(B) Definition. An “urban lot split” means a ministerial application to subdivide an existing parcel located within a single-family residential zone into two parcels, as authorized by Section 66411.7 of the Government Code and complying with the provision of Sec. 11-2.76.1.

(C) Application.

1. Only individual property owners may apply for an urban lot split. “Individual property owner” means a natural person holding fee title individually or jointly in the person’s own name or a beneficiary of a trust that holds fee title. “Individual property owner” does not include any corporation or corporate person of any kind (partnership, limited partnership, limited liability company, C corporation, S corporation, etc.) except for a community land trust (as defined by Revenue and Taxation Code Section 402.1(a)(11)(C)(ii)) or a qualified nonprofit corporation (as defined by Revenue and Taxation Code Section 214.15).

2. An application for an urban lot split must be submitted on the city’s approved form. Only a complete application will be considered. The city will inform the applicant in writing of any incompleteness within 30 days after the application is submitted.

3. The city may establish a fee to recover its costs for adopting, implementing, and enforcing this section of the code, in accordance with applicable law. The city council may establish and change the fee by resolution. The fee must be paid with the application.

(D) Approval.

1. An application for a parcel map for an urban lot split is approved or denied ministerially, by the Community Development Director, without discretionary review.
2. A tentative parcel map for an urban lot split is approved ministerially if it complies with all the requirements of this section. The tentative parcel map may not be recorded. A final parcel map is approved ministerially as well, but not until the owner demonstrates that the required documents have been recorded, such as the deed restriction and easements. The tentative parcel map expires three months after approval.
3. The approval must require the owner and applicant to hold the city harmless from all claims and damages related to the approval and its subject matter.
4. The approval must require the owner and applicant to reimburse the city for all costs of enforcement, including attorneys' fees and costs associated with enforcing the requirements of this code.

(E) An urban lot split must satisfy each of the following requirements:

1. Map Act Compliance.

- A. The urban lot split must conform to all applicable objective requirements of the Subdivision Map Act (Gov. Code § 66410 et. seq., "SMA"), including implementing requirements in this code, except as otherwise expressly provided in this section.
- B. If an urban lot split violates any part of the SMA, the city's subdivision regulations, including this section, or any other legal requirement:
  - a. The buyer or grantee of a lot that is created by the urban lot split has all the remedies available under the SMA, including but not limited to an action for damages or to void the deed, sale, or contract.
  - b. The city has all the remedies available to it under the SMA, including but not limited to the following:
    - i. An action to enjoin any attempt to sell, lease, or finance the property.
    - ii. An action for other legal, equitable, or summary remedy, such as declaratory and injunctive relief.

- iii. Criminal prosecution, punishable by imprisonment in county jail or state prison for up to one year, by a fine of up to \$10,000, or both; or a misdemeanor.
  - iv. Record a notice of violation.
  - v. Withhold any or all future permits and approvals.
  - c. Notwithstanding section 66411.1 of the SMA, no dedication of rights-of-way or construction of offsite improvements is required for an urban lotsplit.
- C. Zone. The lot to be split is in the A-1 or R-1 Single-Family Residential Zone.
- D. Lot Location.
- a. The lot is not located on a site that is any of the following:
    - i. Prime farmland, farmland of statewide importance, or land that is zoned or designated for agricultural protection or preservation by the voters.
    - ii. A wetland.
    - iii. Within a very high fire hazard severity zone, unless the site complies with all fire-hazard mitigation measures required by existing building standards.
    - iv. A hazardous waste site that has not been cleared for residential use.
    - v. Within a delineated earthquake fault zone, unless all development on the site complies with applicable seismic protection building code standards.
    - vi. Within a 100-year flood hazard area, unless the site has either:
      - (I) been subject to a Letter of Map Revision prepared by the Federal Emergency Management Agency and issued to the local jurisdiction, or
      - (II) meets Federal Emergency Management Agency requirements necessary to meet minimum flood plain management criteria of the National Flood Insurance Program.
    - vii. Within a regulatory floodway, unless all

development on the site has received a no-rise certification.

viii. Land identified for conservation in an adopted natural community conservation plan, habitat conservation plan, or other adopted natural resource protection plan.

ix. Habitat for protected species.

x. Land under conservation easement.

b. The purpose of subpart A.4.a above is merely to summarize the requirements of Government Code section 65913.4(a)(6)(B)–(K). (See Gov. Code § 66411.7(a)(3)(C).)

E. Not Historic. The lot to be split must not be a historic property or within a historic district that is included on the State Historic Resources Inventory. Nor may the lot be or be within a site that is designated by ordinance as a city or county landmark or as a historic property or district.

F. No Prior Urban Lot Split.

a. The lot to be split was not established through a prior urban lot split.

b. The lot to be split is not adjacent to any lot that was established through a prior urban lot split by the owner of the lot to be split or by any person acting in concert with the owner.

G. No Impact on Protected Housing. The urban lot split must not require or include the demolition or alteration of any of the following types of housing:

a. Housing that is income-restricted for households 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 policy power.

c. Housing, or a lot that used to have housing, that has been withdrawn from rental or lease under the Ellis Act (Gov. Code §§ 7060–7060.7) at any time in the 15 years prior to submission of the urban lot split application.

d. Housing that has been occupied by a tenant in the last three years. [The applicant and the owner of a property for which

an urban lot split is sought must provide a sworn statement as to this fact with the application for the parcel map. The city may conduct its own inquiries and investigation to ascertain the veracity of the sworn statement, including but not limited to, surveying owners of nearby properties; and the city may require additional evidence of the applicant and owner as necessary to determine compliance with this requirement.

H. Lot Size and Configuration.

- a. The lot to be split must be at least 2,400 square feet.
- b. The resulting lots must each be at least 1,200 square feet.
- c. Each of the resulting lots must be between 60 percent and 40percent of the original lot area.
- d. Side lines shall be at right angles to the streets on which the lots front and substantially parallel to each other; or project radially from the approximate center locus on cul-de-sac streets and other curves or knuckles having a radial curve of less than one hundred (100') and project in essentially straight lines.

I. Easements.

- a. The owner must enter into an easement agreement with each public-service provider to establish easements that are sufficient for the provision of public services and facilities to each of the resulting lots.
- b. Each easement must be shown on the tentative parcel map.
- c. Copies of the unrecorded easement agreements must be submitted with the application. The easement agreements must be recorded against the property before the final map may be approved, in accordance with subpart B above.

J. Lot Frontage.

- a. Where 50 feet of frontage on a public right-of-way is not proposed for both lots created by an Urban Lot Split, each lot shall have a minimum of 30 feet of frontage on a public right-of-way and an average width of 30 feet, or
- b. Where 30 feet of frontage on a public right-of-way is not



proposed for both lots created by an Urban Lot Split, one of the lots shall be provided with access by a corridor of at least 12 feet but not more than 15 feet of frontage on a public street.

- c. Where one of the lots created by an Urban Lot Split does not propose frontage on a public right-of-way, direct access to the
- d. The access corridor shall be kept free and clear of building or structures of any kind except for lawful fences and underground or overhead utilities. public right-of-way must be provided through an access corridor easement for ingress and emergency access of at least 12 feet but not more than 15 feet of frontage on a public street.

K. Unit Standards.

- a. No more than two dwelling units of any kind may be built on a lot that results from an urban lot split. For purposes of this paragraph, "unit" means any dwelling unit, including, but not limited to, a primary dwelling unit, a unit created under section 11-1.30.16 of this code, an ADU, or a JADU.

L. Separate Conveyance.

- a. Within a resulting lot.
  - i. Primary dwelling units on a lot that is created by an urban lot split may not be owned or conveyed separately from each other.
  - ii. Condominium airspace divisions and common interest developments are not permitted on a lot that is created by an urban lot split.
  - iii. All fee interest in a lot and all dwellings on the lot must be held equally and undivided by all individual property owners.
- b. Between resulting lots. Separate conveyance of the resulting lots is permitted. If dwellings or other structures (such as garages) on different lots are adjacent or attached to each other, the urban lot split boundary may separate them for conveyance purposes if the structures meet building code safety standards and are sufficient to allow separate conveyance. If any attached structures span or will span the new lot line, or if the two lots share a driveway, the owner must record appropriate CC&Rs, easements, or other

documentation that is necessary to allocate rights and responsibility between the owners of the two lots.

M. Regulation of Uses.

- a. Residential-only. No non-residential use is permitted on any lot created by urban lot split.
- b. No Short-Term Rentals. No dwelling unit on a lot that is created by an urban lot split or containing a two-unit residential development may be rented for a period of less than 30 days.
- c. Owner Occupancy. The applicant for an urban lot split must sign an affidavit stating that the applicant intends to occupy one of the dwelling units on one of the resulting lots as the applicant's principal residence for a minimum of three years after the urban lot split is approved.
- d. Housing Crisis Act Replacement Housing Obligations. If the proposed development will result in the demolition of protected housing, as defined in California Government Code Section 66300, the applicant shall replace each demolished protected unit and comply with all applicable requirements imposed pursuant to subsection (d) of Government Code Section 66300.

N. Deed Restriction. The owner must record a deed restriction, acceptable to the city, that does each of the following:

- a. Expressly prohibits the use of any lot created by an urban lot split for any rental of any dwelling on the property for a period of less than 30 days.
- b. Expressly prohibits any non-residential use of the lots created by the urban lot split.
- c. Expressly prohibits any separate conveyance of a primary dwelling on the property, any separate fee interest, and any common interest development within the lot.
- d. States that the property is formed by an urban lot split and is therefore, subject to the city's urban lot split regulations, including all applicable limits on dwelling size and development and the only development permitted on the lot are two-unit projects subject to Section 11-2.76.1.

(F) Specific Adverse Impacts.

1. Notwithstanding anything else in this section, the city may deny an application for an urban lot split if the building official makes a written finding, based on a preponderance of the evidence that the project would have a “specific, adverse impact” on either public health and safety or on the physical environment and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact.
2. “Specific adverse impact” has the same meaning as in Gov. Code § 65589.5(d)(2): “a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete” and does not include (1) inconsistency with the zoning ordinance or general plan land use designation or (2) the eligibility to claim a welfare exemption under Revenue and Taxation Code section 214(g).
3. The building official may consult with and be assisted by planning staff and others as necessary in making a finding of specific, adverse impact.

9. Section 11-1.30.16 is hereby added to Title XI of the Lomita Municipal Code to read as follows:

**Section 11-1.30.16 Two-Unit Housing Development**

- (A) Purpose. The purpose of this section is to allow and appropriately regulate two-unit projects in accordance with Government Code section 65852.21.
- (B) Definition. A “two-unit housing development” means a housing development containing no more than two residential dwelling units within a single-family residential zone, other than an accessory dwelling unit or junior accessory dwelling unit, that qualifies for ministerial review pursuant to California Government Code Section 65852.21. A housing development contains two residential dwelling units if the development proposes no more than two new residential dwelling units, or proposes to add one new residential dwelling unit to one existing residential unit, or retention of two existing legal non-conforming residential dwellings units where one or both units are subject to a proposed addition or alteration.
- (C) Application.
  1. Only individual property owners may apply for an urban lot split. “Individual property owner” means a natural person holding fee title individually or jointly in the person’s own name or a beneficiary of a trust that holds fee title. “Individual property owner” does not include any corporation or corporate person of any kind (partnership, limited partnership, limited liability company, C corporation, S corporation, etc.) except for a community land trust (as defined by Revenue and Taxation Code Section 402.1(a)(11)(C)(ii)) or a

qualified nonprofit corporation (as defined by Revenue and Taxation Code Section 214.15).

2. An application for a two-unit project must be submitted on the city's approved form.
3. The applicant must obtain a certificate of compliance with the Subdivision Map Act for the lot and provide the certificate with the application.
4. Only a complete application will be considered. The city will inform the applicant in writing of any incompleteness within 30 days after the application is submitted.
5. The city may establish a fee to recover its costs for adopting, implementing, and enforcing this section of the code, in accordance with applicable law. The city council may establish and change the fee by resolution. The fee must be paid with the application.

(D) Approval.

1. An application for a two-unit project is approved or denied ministerially, by the Community Development Director.
2. The ministerial approval of a two-unit project does not take effect until the city has confirmed that the required documents have been recorded, such as the deed restriction and easements.
3. The approval must require the owner and applicant to hold the city harmless from all claims and damages related to the approval and its subject matter.
4. The approval must require the owner and applicant to reimburse the city for all costs of enforcement, including attorneys' fees and costs associated with enforcing the requirements of this code.

(E) Requirements. A two-unit project must satisfy each of the following requirements:

1. Map Act Compliance. The lot must have been legally subdivided.
2. Zone. The lot is in the A-1 or R-1 Single-Family Residential Zone.
3. Lot Location.
  - a. The lot is not located on a site that is any of the following:
    - i. Prime farmland, farmland of statewide importance, or land that is zoned or designated for agricultural protection or

preservation by the voters.

ii. A wetland.

iii. Within a very high fire hazard severity zone, unless the site complies with all fire-hazard mitigation measures required by existing building standards.

iv. A hazardous waste site that has not been cleared for residential use.

v. Within a delineated earthquake fault zone, unless all development on the site complies with applicable seismic protection building code standards.

vi. Within a 100-year flood hazard area, unless the site has either:

(I) been subject to a Letter of Map Revision prepared by the Federal Emergency Management Agency and issued to the local jurisdiction, or

(II) meets Federal Emergency Management Agency requirements necessary to meet minimum flood plain management criteria of the National Flood Insurance Program.

vii. Within a regulatory floodway, unless all development on the site has received a no-rise certification.

viii. Land identified for conservation in an adopted natural community conservation plan, habitat conservation plan, or other adopted natural resource protection plan.

ix. Habitat for protected species.

x. Land under conservation easement.

4. Not Historic. The lot must not be a historic property or within a historic district that is included on the State Historic Resources Inventory. Nor may the lot be or be within a site that is designated by ordinance as a city or county landmark or as a historic property or district.

5. No Impact on Protected Housing. The two-unit project must not require or include the demolition or alteration of any of the following types of housing:

a. Housing that is income-restricted for households 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 policy power.
  - c. Housing, or a lot that used to have housing, that has been withdrawn from rental or lease under the Ellis Act (Gov. Code §§ 7060–7060.7) at any time in the 15 years prior to submission of the urban lot split application.
  - d. Housing that has been occupied by a tenant in the last three years. The applicant and the owner of a property for which a two-unit project is sought must provide a sworn statement as to this fact with the application for the parcel map. The city may conduct its own inquiries and investigation to ascertain the veracity of the sworn statement, including but not limited to, surveying owners of nearby properties; and the city may require additional evidence of the applicant and owner as necessary to determine compliance with this requirement.
6. Unit Standards, Development Standards and Design Criteria
- a. Quantity.
    - i. No more than two dwelling units of any kind may be built on a lot that results from an urban lot split. For purposes of this paragraph, "unit" means any dwelling unit, including, but not limited to, a primary dwelling unit, a unit created under section 11-1.30.16 of this code, an ADU, or a JADU.
    - ii. A lot that is not created by an urban lot split may have a two-unit project under this section, plus any ADU or JADU that must be allowed under state law and the city's ADU ordinance.
  - b. Unit Size.
    - i. The total floor area of each primary dwelling built that is developed under this section shall not exceed 800 square feet.
    - ii. Each new primary dwelling unit shall be at least the following minimum sizes based on the number of sleeping rooms provided:
      - i. Studio / One bedroom: 500 square feet.
      - ii. More than one bedroom: 700 square feet.
    - iii. A primary dwelling that was legally established on the lot prior to the two-unit project and that is larger than 800 square feet is limited to the lawful floor area at the time of the two-unit project. The unit may not be expanded.

- iv. A primary dwelling that was legally established prior to the two-unit project and that is smaller than 800 square feet may be expanded to 800 square feet after or as part of the two-unit project.
- c. Demolition Cap. The two-unit project may not involve the demolition of more than 25 percent of the existing exterior walls of an existing dwelling unless the site has not been occupied by a tenant in the last three years.
- d. Lot Coverage. The maximum lot coverage shall not exceed 50%. The lot coverage shall include all buildings and structures (primary and accessory), covered porches and patios and covered parking areas. This lot coverage standard shall apply to the maximum extent feasible so that two primary dwelling units on the lot at 800 square feet are permitted.
- e. Open Space. Each new primary dwelling unit shall provide, at a minimum, a continuous private recreation area of 225 square feet with minimum interior dimensions of 10 feet. The private recreation shall be open and unobstructed from the ground to the sky and may be located within the interior, street side or rear setback areas. This open space standard shall apply to the maximum extent feasible so that two primary dwelling units on the lot at 800 square feet are permitted.
- f. Setbacks.
  - i. New Primary Dwelling Units. The following minimum setbacks from the property lines shall be observed for each new primary dwelling unit and any garages and accessory structures that are attached to a new primary dwelling unit. Detached garages and accessory structures shall comply with the setbacks contained in subsection 2. The required setbacks shall be maintained open and unobstructed from the ground to the sky, except for the permitted intrusions.
    - I. Front Setback: 20 feet
    - II. Interior Side Setback: 4 feet
    - III. Street Side Setback: 10 feet
    - IV. Rear Setback: 4 feet.
  - ii. Detached Garages and Accessory Structures. The following minimum setbacks from the property lines shall be observed for detached garages and accessory structures on a lot
    - I. Front Setback: 20 feet
    - II. Interior Side Setback: 4 feet
    - III. Street Side Setback: 10 feet
    - IV. Rear Setback: 4 feet or minimum 10 feet from centerline of alley.

- iii. Any construction occurring on a lot that abuts a street that has not been fully improved shall observe all building setbacks from the ultimate right-of-way of the street.
- iv. Exceptions. Notwithstanding subpart E.6.f above:
  - I. Existing Structures. No setback is required for an existing legally established structure or for a new structure that is constructed in the same location and to the same dimensions as an existing legally established structure.
  - II. A required minimum setback may be reduced pursuant to this section to the degree it would (i) physically preclude the development or maintenance of two dwelling units on a lot or (ii) physically preclude any new primary dwelling unit from being 800 square feet in floor area; but in no event may any structure be less than four feet from a side or rear property line.
  - III. Permitted Intrusions. The following permitted intrusion may project into any required setback a maximum of two feet: cornices, eaves, belt courses, sills, buttresses, planter boxes, masonry planters, guard railings, chimneys, and architectural projections with no floor area, including, but not limited to, windows and pilasters.
- g. Parking. Off-street parking for an existing primary dwelling unit shall continue to be provided in accordance with the standards of the underlying zone. Each new primary dwelling unit must have at least one off-street parking space per unit unless one of the following applies:
  - I. The lot is located within one-half mile walking distance of either (i) a corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours, or (ii) a major transit stop as defined by Section 21064.3 of the California Public Resources Code, including but not limited to the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.
  - II. The site is located within one block of a car-share vehicle location. A car share vehicle is a motor vehicle that is operated as part of a regional fleet by a public or private car sharing company or organization allowing for hourly or daily service.



- h. Utilities. Each primary dwelling unit on a lot must have its own direct utility connection to the utility /public service provider. Submitted plans shall show the location and dimension of all above-ground and underground utility and public service facilities serving each lot and each dwelling unit and the location and dimensions of all related easements.
- i. Unit Height; Stories. Each new primary dwelling unit shall be one story, constructed at ground level, and shall not be more than 16 feet in height measured from ground level to the highest point on the roof.
- j. Building Separation. Except as otherwise allowed by state law, a minimum building separation of six (6) feet shall be maintained between all detached structures on a lot, including all residential units, garages and accessory structures.
- k. Tree Preservation: Any plans for an addition or new construction shall identify the location of any mature trees onsite and provide protective measures to ensure preservation of mature trees. A mature tree is defined as a tree is defined as any tree having a main trunk or stem measuring 24 inches in diameter, or 75 inches in circumference, measured at a height of 4 ½ feet above ground level at the root crown. A removal includes moving a tree or removing more than one-third of a tree's vegetation. Sites without an existing mature tree must provide at least two 24-inch box trees within the front yard setback or open space area.
- l. Each new primary dwelling unit shall have a main entry that is clearly defined, and to the extent possible, be oriented directly toward the street(s) in order to provide a consistency with the neighborhood character. The main entry shall be covered, with a minimum depth of three (3) feet. Each covered entry shall be in proportion to the building and shall incorporate architectural features that are used in the overall building design.
- m. Water Heaters: Each new primary dwelling unit shall have a separate hot water heater. The location of the water heater shall be incorporated into the design of each unit. No exterior water heater enclosures shall be permitted. Tankless water heaters may be utilized subject to compliance with applicable building codes.
- n. Refuse Storage Areas. All developments shall provide each unit with the appropriate number of containers for recyclables, organics and non-recyclable solid waste ("trash containers") as required by the designated waste hauler, and shall comply with the following:
  - i. Trash containers shall be stored within designated storage areas only and not within the garage parking area.
  - ii. The area required for each container shall be a minimum of 38

inches by 38 inches.

- iii. The trash areas shall be paved and accessed by gates and a walkway for ease of taking trash containers to and from the street.
- o. Building & Safety. All structures built on the lot must comply with all current local building standards. A project under this section is a change of use and subjects the whole of the lot, and all structures, to the city's current code.
- p. Affordability: Second units, and both units of a two-unit development, if rented, shall only be rented at an affordable rent for lower-income households, as defined in Health and Safety Code Section 50053, and shall only be rented to lower-income households, as defined in Health and Safety Code Section 50079.5, for a minimum of 30 years. Prior to the issuance of a certificate of occupancy for any second unit or any unit of a two-unit development, the owner of the property shall execute and record on the property a deed restriction, in a form approved by the director and the city attorney, establishing legal restrictions consistent with this Section.
- q. Other Standards. All other applicable standards of this Code shall apply to the extent these standards do not conflict with this section of Statelaw.

7. Separate Conveyance.

- a. Primary dwelling units on the lot may not be owned or conveyed separately from each other.
- b. Condominium airspace divisions and common interest developments are not permitted within the lot.
- c. All fee interest in the lot and all the dwellings must be held equally and undivided by all individual property owners.

8. Regulation of Uses.

- a. Residential-only. No non-residential use is permitted on the lot.
- b. No Short-Term Rentals. No dwelling unit on the lot may be rented for a period of less than 30 days.
- c. Owner Occupancy. Unless the lot was formed by an urban lot split, the individual property owners of a lot with a two-unit project must occupy one of the dwellings on the lot as the owners' principal residence and legal domicile.

9. Notice of Construction.

- a. At least 30 business days before starting any construction of a two-unit project, the property owner must give written notice to all the owners of record of each of the adjacent residential parcels, which notice must include the following information:
  - i. Notice that construction has been authorized,
  - ii. The anticipated start and end dates for construction,
  - iii. The hours of construction,
  - iv. Contact information for the project manager (for construction-related complaints), and
  - v. Contact information for the Building & Safety Department.
- b. This notice requirement does not confer a right on the noticed persons or on anyone else to comment on the project before permits are issued. Approval is ministerial. Under state law, the City has no discretion in approving or denying a particular project under this section. This notice requirement is purely to promote neighborhood awareness and expectation.

10. Deed Restriction. The owner must record a deed restriction, acceptable to the city, that does each of the following:

- a. Expressly prohibits any rental of any dwelling on the property for a period of less than 30 days.
- b. Expressly prohibits any non-residential use of the lot.
- c. Expressly prohibits any separate conveyance of a primary dwelling on the property, any separate fee interest, and any common interest development within the lot.
- d. If the lot is not created by an urban lot split, expressly requires the individual property owners to live in one of the dwelling units on the lot as the owners' primary residence and legal domicile.
- e. If the lot is created by an urban lot split, then it is subject to the city's urban lot split regulations, including all applicable limits on dwelling size and development and the only development permitted on the lot are two-unit projects subject to this section.

(F) Specific Adverse Impacts.

- a. Notwithstanding anything else in this section, the city may deny an application for a two-unit project if the building official makes a written finding, based on a preponderance of the evidence, that the project would

have a "specific, adverse impact" on either public health and safety or on the physical environment and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact.

b. "Specific adverse impact" has the same meaning as in Gov. Code § 65589.5(d)(2): "a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete" and does not include (1) inconsistency with the zoning ordinance or general plan land use designation or (2) the eligibility to claim a welfare exemption under Revenue and Taxation Code section 214(g).

c. The building official may consult with and be assisted by planning staff and others as necessary in making a finding of specific, adverse impact.

(G) Remedies.

If a two-unit project violates any part of this code or any other legal requirement:

a. The buyer, grantee, or lessee of any part of the property has an action for damages or to void the deed, sale, or contract.

b. The city may:

a. Bring an action to enjoin any attempt to sell, lease, or finance the property.

b. Bring an action for other legal, equitable, or summary remedy, such as declaratory and injunctive relief.

c. Pursue criminal prosecution, punishable by imprisonment in county jail or state prison for up to one year, by a fine of up to \$10,000, or both; or a misdemeanor.

d. Record a notice of violation.

e. Withhold any or all future permits and approvals.

f. Pursue all other administrative, legal, or equitable remedies that are allowed by law or the city's code.

9. Section 11-2.76.1 is hereby added to Title XI of the Lomita Municipal Code to read as follows:

**Sec. 11-2.76.1 – Urban Lot Splits**

- A. The provisions of this section apply to the processing of parcel maps for urban lot splits pursuant to California Government Code Section 66411.7 and Section 11-1.30.15 of this code.
- B. Approval. Notwithstanding the Subdivision Map Act or any other provision of this chapter, an application for a parcel map for an urban lot split is approved or denied ministerially, by the city's community and economic development director, without discretionary review. A tentative parcel map for an urban lot split is approved ministerially if it complies with the requirements of Section 11-1.30.15 and applicable objective requirements of this chapter and the Subdivision Map Act. The tentative parcel map may not be recorded. A final parcel map is approved ministerially, but not until the owner demonstrates that the required documents have been recorded, such as the deed restriction and easements.
- C. Guidance and Procedures. The city engineer has the authority to interpret and establish guidance and procedures for the processing, approving, and finalizing parcel maps for urban lot splits, which are consistent with state and local law.
- D. Application.
  - 1. Only individual property owners may apply for an urban lot split. "Individual property owner" means a natural person holding fee title individually or jointly in the person's own name or a beneficiary of a trust that holds fee title. "Individual property owner" does not include any corporation or corporate person of any kind (partnership, limited partnership, limited liability company, C corporation, S corporation, etc.) except for a community land trust (as defined by Revenue and Taxation Code Section 402.1(a)(11)(C)(ii)) or a qualified nonprofit corporation (as defined by Revenue and Taxation Code Section 214.15).
  - 2. An application for an urban lot split must be submitted on the city's approved form. Only a complete application will be considered. The city will inform the applicant in writing of any incompleteness within 30 days after the application is submitted.
  - 3. The city may establish a fee to recover its costs for adopting, implementing, and enforcing this section of the code, in accordance with applicable law. The city council may establish and change the fee by resolution. The fee must be paid with the application.

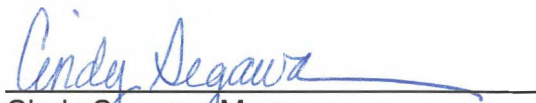
**Section 10. Severability.** If any provision of this ordinance or its application to any person or circumstance is held to be invalid, such invalidity has no effect on the other provisions or applications of the ordinance that can be given effect without the invalid provision or application, and to this extent, the provisions of this resolution are severable. The City Council declares that it would have adopted this resolution irrespective of the invalidity of any portion thereof.


**Section 11. Effective Date.** This Ordinance takes effect immediately upon its adoption and shall become operative on January 1, 2022.


**Section 12. CEQA.** Under California Government Code sections 65852.21(j) and 66411.7(n), the adoption of an ordinance by a city or county implementing the provisions of Government Code sections 66411.7 and 65852.21 and regulating urban lot splits and two-unit projects is statutorily exempt from the requirements of the California Environmental Quality Act ("CEQA"). Therefore, adoption of this Ordinance is statutorily exempt from CEQA because it implements these new laws enacted by SB 9. The project is further exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines. Section 15061(b)(3) states that CEQA applies only to projects that have the potential for causing a significant effect on the environment. The proposed text amendments will not have a significant effect on the environment because the proposed zone text amendments would provide for new standards consistent with State Law and do not propose any physical construction.

**Section 13.** The City Council finds that the proposed amendment is consistent with the general objectives, principles, and standards of General Plan.

**PASSED, APPROVED and ADOPTED** this 28<sup>th</sup> day of February 2022

  
Cindy Segawa, Mayor

ATTEST:  
  
Kathleen Horn Gregory, MMC, City Clerk

APPROVED AS TO FORM:  
  
Trevor Rusin, City Attorney



STATE OF CALIFORNIA )  
COUNTY OF LOS ANGELES ) SS  
CITY OF LOMITA )

I, **Kathleen Horn Gregory**, City Clerk of the City of Lomita, California, do hereby certify that the foregoing Ordinance No. 832 was duly passed, approved, and adopted by the City Council of the City of Lomita at its regular meeting held on February 28, 2022, by the following vote, to wit:

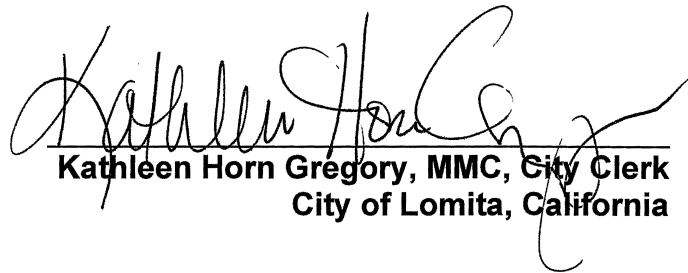
AYES: Council Members: Gazeley, Uphoff, Waronek, Mayor Pro Tem Waite and Mayor Segawa

NOES: None

ABSENT: None

RECUSE: None

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the official seal of the City of Lomita, California this 28<sup>th</sup> day of February 2022.

  
\_\_\_\_\_  
**Kathleen Horn Gregory, MMC, City Clerk  
City of Lomita, California**



## CITY OF LOMITA CITY COUNCIL REPORT

**TO:** City Council **Item No. PH 5**

**FROM:** Ryan Smoot, City Manager

**PREPARED BY:** Greg Kapovich, Community and Economic Development Director

**MEETING DATE:** February 28, 2022

**SUBJECT:** Discussion and Consideration of an Urgency Ordinance Relating to Urban Lot Splits and Two-Unit Residential Developments in Single-Family Zones as Allowed by Senate Bill 9

### **RECOMMENDATION**

Conduct public hearing and after City Attorney reads the title, adopt Urgency Ordinance No. 832U (for a period of 45 days) relating to Urban Lot Splits and Two-Unit Residential Developments in Single-Family Residential Zones as allowed by the State of California Senate Bill 9.

### **BACKGROUND**

On September 16, 2021, the Governor signed into law Senate Bill No. 9 (SB 9). This bill requires the ministerial approval of two dwelling units per parcel in single-family residential zones, where previously only one primary dwelling unit would have been permitted. This is in addition to permitting accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs), in some cases. Additionally, SB 9 requires ministerial approval of lot splits in single-family residential zones and allows two units to be built on each resulting parcel. If a local jurisdiction does not adopt their own regulations, the provisions of SB 9 as adopted by the State became effective January 1, 2022.

### **Existing Regulations**

The most common housing type in Lomita consists of single-family houses (51.2%). Properties with two to four units represent 4.3% of the housing stock and are often found on the oversized properties located in the A-1 and R-1 residential zones. Zoning regulations allowing second units and additional density based upon lot size were replaced with standards associated with accessory dwelling units. Current zoning regulations permit up to three units on a single-family zoned parcel: one primary dwelling, one accessory dwelling unit (ADU) and one junior accessory dwelling unit (JADU).



ADUs may either be detached from the primary dwelling or attached through an addition to the primary dwelling or partial conversion of the primary dwelling's existing floor area. ADUs must provide living, sleeping, cooking, and sanitation facilities independent of the primary dwelling.

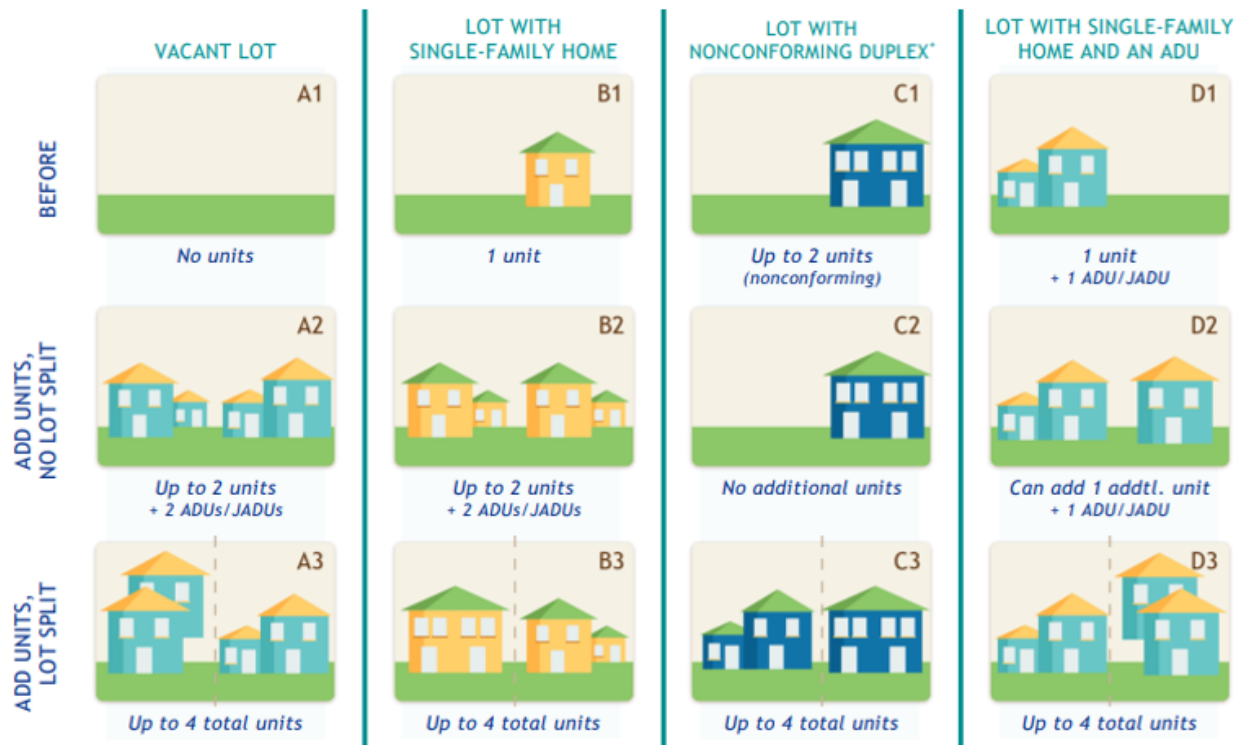
JADUs may only be created via conversion of existing floor area of the primary dwelling and are limited to 500 square feet in size. JADUs must include an efficiency kitchen and separate entrance, but may share a bathroom with the primary dwelling. Development of a JADU additionally requires that the property owner be an owner-occupant that lives in either the primary dwelling or the JADU. Governmental agencies, land trusts, and housing organizations are exempt from the owner occupancy requirement.

### **SB 9 (Atkins)**

Similar to previous state legislation on ADUs, SB 9 overrides existing density limits in single-family zones. SB 9 is intended to support increased supply of starter, modestly priced homes by encouraging building of smaller houses on smaller lots. SB 9 requires ministerial approval by the City of: 1) two-lot subdivisions of single-family residential lots, 2) development projects for up to two units per lot in single-family zones, and 3) a project that includes both 1 and 2 above. The state law outlines several requirements for the ministerial approval of a two-lot subdivision and/or two-unit development. These include:

- Each new lot must be at least 1,200 square feet;
- Each new lot must be relatively equal in lot area and no lot can be less than 40% of the original lot size; • Lots previously subdivided via SB 9 cannot be subdivided again; and
- The City cannot establish regulations that prohibit units of at least 800 square feet in size.

On an existing single-family zoned lot (not created by SB 9), a single-family home is permitted but SB 9 now authorizes the option to add another detached single-family residence. Alternatively, an existing single-family residence could be remodeled as a duplex or the structure could be demolished and replaced with a duplex. SB 9 preserves the opportunity to add up to two ADUs/JADUs for a total of no more than four units on the property. On lots created by an SB 9 subdivision, a maximum of two units is permitted on each of the lots resulting from the subdivision for a total of four units. The unit mix can be a duplex, single-family or an ADU/JADU as long as the total number of units does not exceed two units per lot. While every application will have unique characteristics and is reviewed independently, the following table and graph illustrate several possible scenarios (though there may be others) where SB 9 could allow for additional residential units.



SB 9 does not require jurisdictions to approve more than 4 units total, including ADUs/JADUs, for an urban lot split. No additional units would be available for an existing lot with a legally constructed but not currently permitted nonconforming duplex.

SB 9 also outlines what types of regulations a local jurisdiction can and cannot impose on an SB 9 project and requires adoption of “objective standards” by which the Planning staff of the City can implement SB 9.

The table below outlines standards and regulations that the City may and may not be permitted to establish under SB 9.

| REGULATION               | PERMITTED  | NOT PERMITTED   |
|--------------------------|--|---|
| Subdivision Requirements | <ul style="list-style-type: none"> <li>Easements for provision of public services</li> <li>Easements to ensure subdivided lots have access to the public right-of-way</li> </ul> | <ul style="list-style-type: none"> <li>Dedication of rights-of-way Construction of offsite improvements</li> <li>Correction of nonconforming zoning conditions</li> </ul>                                       |
| Objective Standards      | <ul style="list-style-type: none"> <li>Objective zoning standards, subdivision standards, and design standards</li> </ul>  | <ul style="list-style-type: none"> <li>No setback can be required if unit is built within the footprint of an existing structure</li> <li>Otherwise, maximum 4-foot setback from side and rear yards</li> </ul> |

|                     |   |  |
|---------------------|---|--|
|                     |   | <ul style="list-style-type: none"> <li>Standards cannot physically prevent the development of an 800 square foot unit on each lot</li> </ul>   |
| Parking             | <ul style="list-style-type: none"> <li>Can require one parking space per unit</li> </ul>  | <ul style="list-style-type: none"> <li>Cannot require parking if site is within one-half mile of a high-quality transit corridor or a major transit stop or if there is a car share vehicle within one block of the project</li> </ul> |
| Rental Restrictions | <ul style="list-style-type: none"> <li>Prohibit short term rental of any units created through SB 9</li> <li>For lot splits, applicants must submit an affidavit that they intend to occupy one of the units as a principal residence for at least three years</li> </ul> | <ul style="list-style-type: none"> <li>No additional owner occupancy standards allowed</li> </ul>  |

SB 9 prohibits demolition or alteration of existing rent-restricted housing units, housing that has been the subject of an Ellis Act eviction within the past 15 years, or housing that has been occupied by a tenant within the last three years. Additionally, the bill prohibits demolition of more than 25% of exterior walls unless local ordinances allow greater demolition, or if the site has not been occupied by a tenant in the last three years. Certain sites, such as designated historic landmarks and properties within designated state and local historic or landmark districts, are exempt from the provisions of SB 9.

SB 9 allows local Building Officials to deny a duplex project or urban lot split only by making a written finding, based on a preponderance of evidence, that the project would have a specific adverse impact on public health and safety or the physical environment, and that there is no feasible method to mitigate or avoid such an impact. Inconsistency with a city's General Plan or zoning ordinance does not constitute a specific adverse impact. City Staff will be reviewing these projects on a case-by-case basis to determine whether or not a specific adverse impact finding can appropriately be made.

**Proposed Regulations Contained in the Urgency Ordinance**

Staff has prepared an urgency ordinance to establish interim objective development standards for projects involving more than one unit on A-1 and R-1 zoned properties. The ordinance contains the following provisions:

- A prohibition on ADUs and JADUs in conjunction with projects seeking to incorporate both an urban lot split and development of a two-unit residential development or duplex;
- A requirement to limit the size of new units to 800 square feet for projects that cannot comply with existing single-family development standards;
- A one-story height limitation for each unit;
- A requirement of one parking space per new unit created, with exemptions as required under SB 9;
- Requirement of an owner-occupancy affidavit for lot split applications, consistent with SB 9;
- The maximum lot coverage shall not exceed 50%. The lot coverage shall include all buildings and structures (primary and accessory), covered porches and patios and covered parking areas. This lot coverage standard shall apply to the maximum extent feasible so that two primary dwelling units on the lot at 800 square feet are permitted.
- Landscaping and open space requirements to ensure sufficient open space including the retention of existing trees on-site or planting of new trees; and
- A prohibition on short-term rental of units developed under the provisions of SB 9.
- A requirement that second units, and both units of a two-unit development, if rented, shall only be rented at an affordable rent for lower-income households, as defined in Health and Safety Code Section 50053, and shall only be rented to lower-income households, as defined in Health and Safety Code Section 50079.5, for a minimum of 30 years.

Because the proposed ordinance is an urgency ordinance, City staff anticipates returning the Council with a subsequent ordinance to establish permanent regulations and evaluate whether revised objective design standards should be added in addition to evaluating an affordability requirement.

**RELATIONSHIP TO HOUSING ELEMENT**

On December 21, 2022, the City Council approved the Housing Element and established housing policies for the preservation and development of housing and programs to accommodate the City's share of the regional housing needs in Southern California. Two programs addressed the need to update the zoning ordinance and establish design standards for ADUs/JADUs and enhanced development opportunities in the A-1 and R-1 zones. The Housing Element programs as shown as follows:

|            |   |
|------------|---|
| PROGRAM 6: | <p><b>ACCESSORY DWELLING UNITS</b></p> <p>The City will review and amend the Zoning Code to permit accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) in all zones that permit residential uses, consistent with State law. Further, the City will develop and adopt a program that incentivizes and promotes the creation of ADUs that can be offered at an affordable rent for very low-, low-, or moderate-income households.</p> |
|------------|---|

|             |  |
|-------------|--|
|             |  |
| PROGRAM 15: | <p><b>SUPPORTING LOW DENSITY</b></p> <p>To increase opportunities for homeownership, the City will identify objective design standards and create a ministerial process by which a single-family or agriculture zoned lot can be subdivided to accommodate additional single-family units. This will maintain the City’s existing single-family character while creating new options for those entering the housing market and increasing opportunities for fee-simple type of ownership. (SB 9, 2022)</p> |

The intent with the two programs is to provide a layered approach to address recent state laws (ADUs and SB 9) and to provide an incentive for development of oversized A-1 and R-1 zone properties to meet enhanced development standards. During the term of the proposed SB 9 urgency ordinance, staff recommends that a comprehensive ordinance update be pursued to address ADUs, SB 9 and to provide development standards encouraging more homeownership by facilitating subdivision and in-fill development of larger single-family homes. Regulations for ADUs/JADUs and SB 9 related development will likely provide limitations, especially related to unit size (800 square feet maximum) and height (limited to one story). As discussed during the Housing Element public hearing process, oversized properties in the A-1 and R-1 zone will be considered for more substantial development (e.g. subdivision of 3 or more lots and larger homes) provided setbacks, parking and other enhanced standards can be provided. By utilizing this layered approach, Lomita can comply with the state requirements while incentivizing higher quality development and homeownership opportunities.

**ENVIRONMENTAL ANALYSIS**

Under California Government Code sections 65852.21(j) and 66411.7(n), the adoption of an ordinance by a city or county implementing the provisions of Government Code sections 66411.7 and 65852.21 and regulating urban lot splits and two-unit projects is statutorily exempt from the requirements of the California Environmental Quality Act (“CEQA”). Therefore, adoption of this Ordinance is statutorily exempt from CEQA because it implements these new laws enacted by SB 9.

The project is further exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines. Section 15061(b)(3) states that CEQA applies only to projects that have the potential for causing a significant effect on the environment. The proposed text amendments will not have a significant effect on the environment because the proposed zone text amendments would provide for new standards consistent with State Law and do not propose any physical construction.

**ATTACHMENTS**

- 1. Draft Urgency Ordinance
- 2. Senate Bill 9

Reviewed by:



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Gary Y. Sugano  
Assistant City Manager

Approved by:



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Ryan Smoot  
City Manager

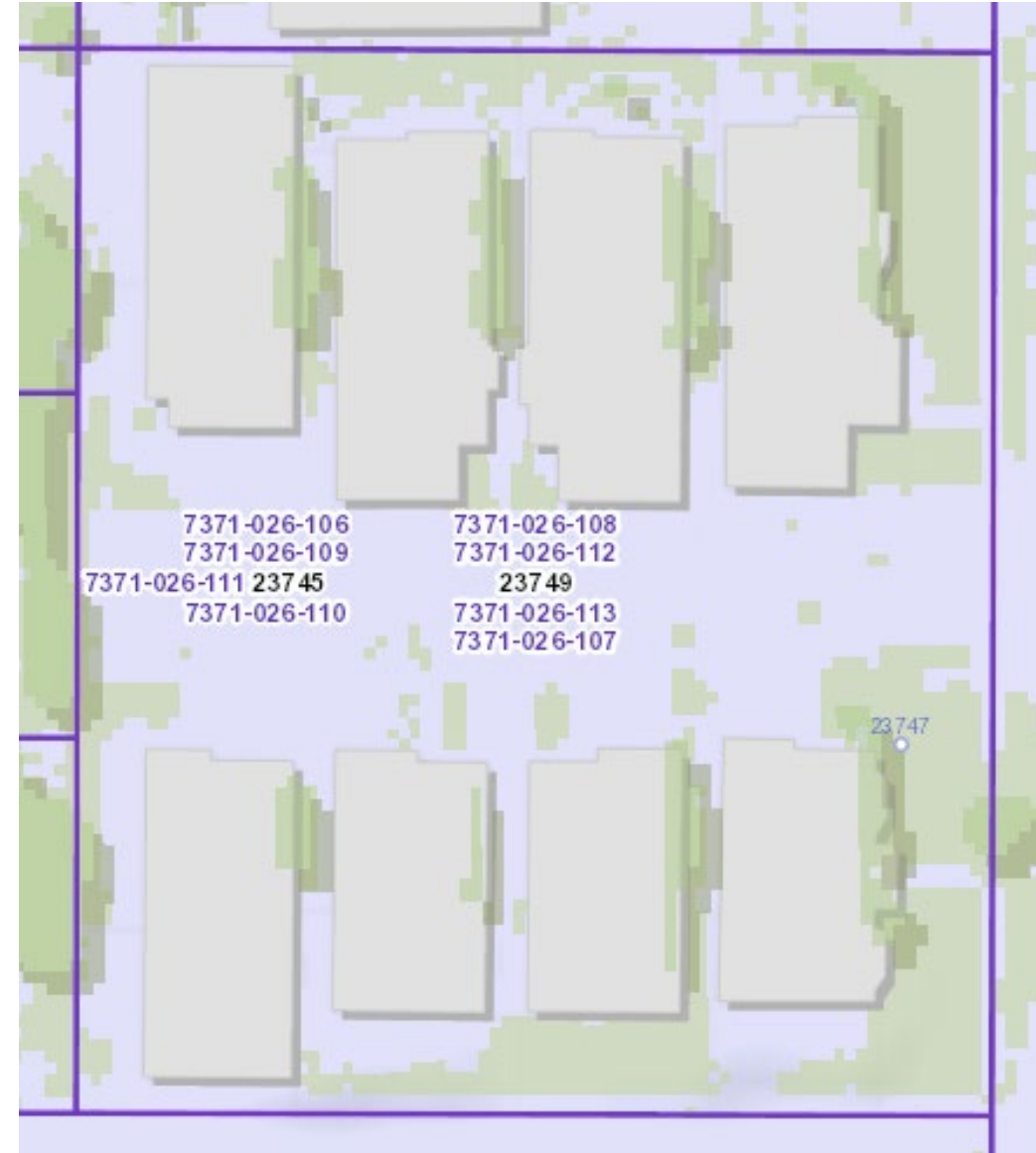
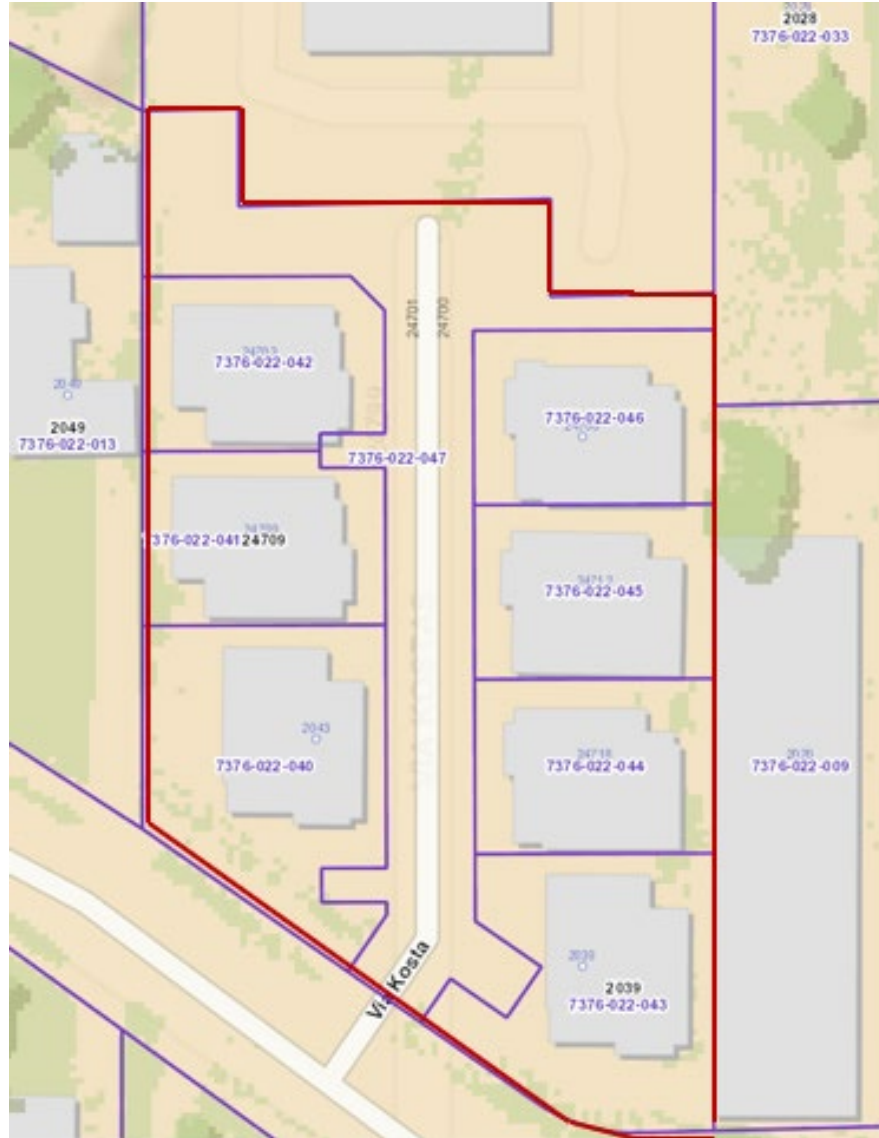
Prepared by:



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Sheri Repp Loadsman, Planner

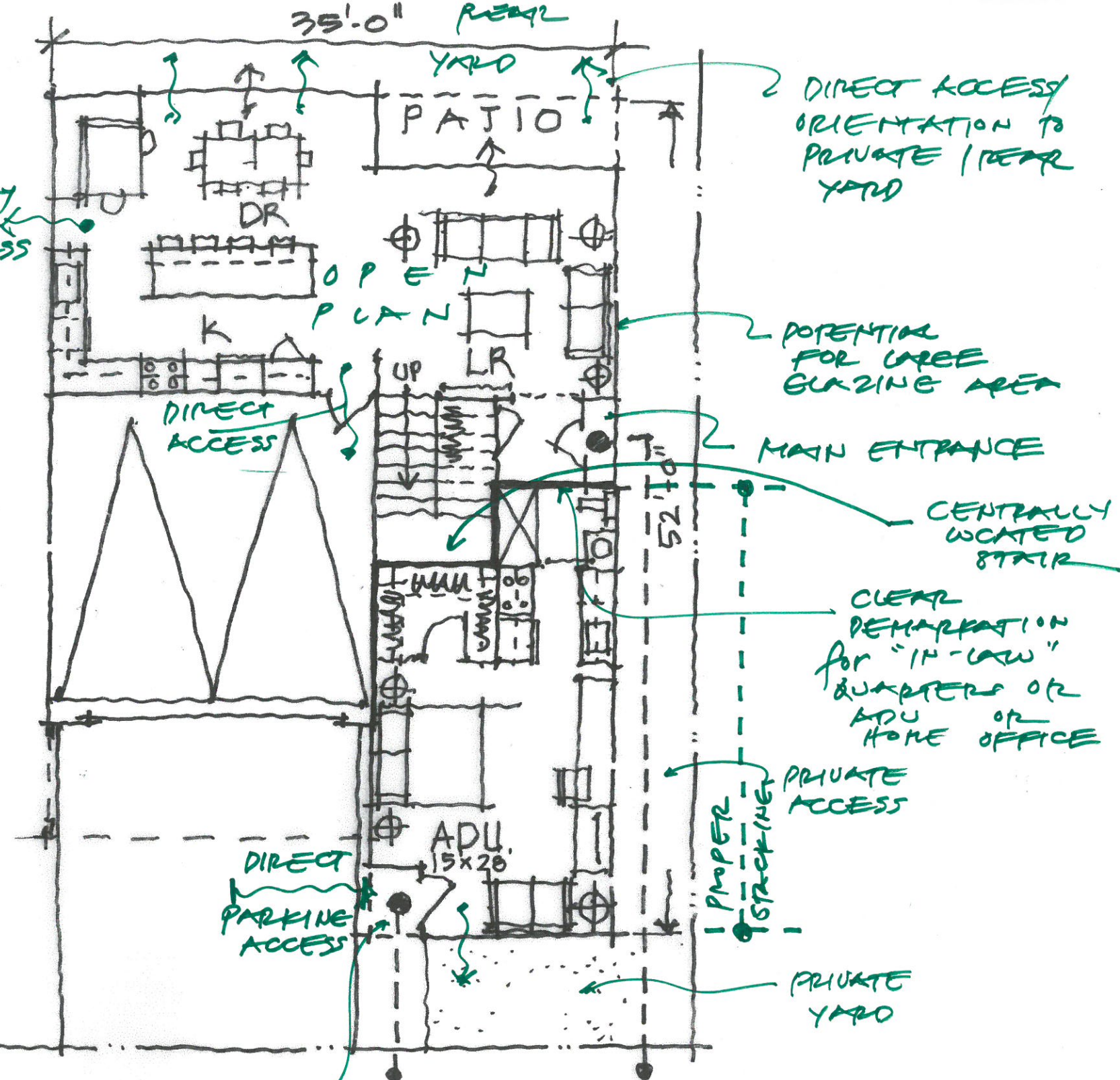
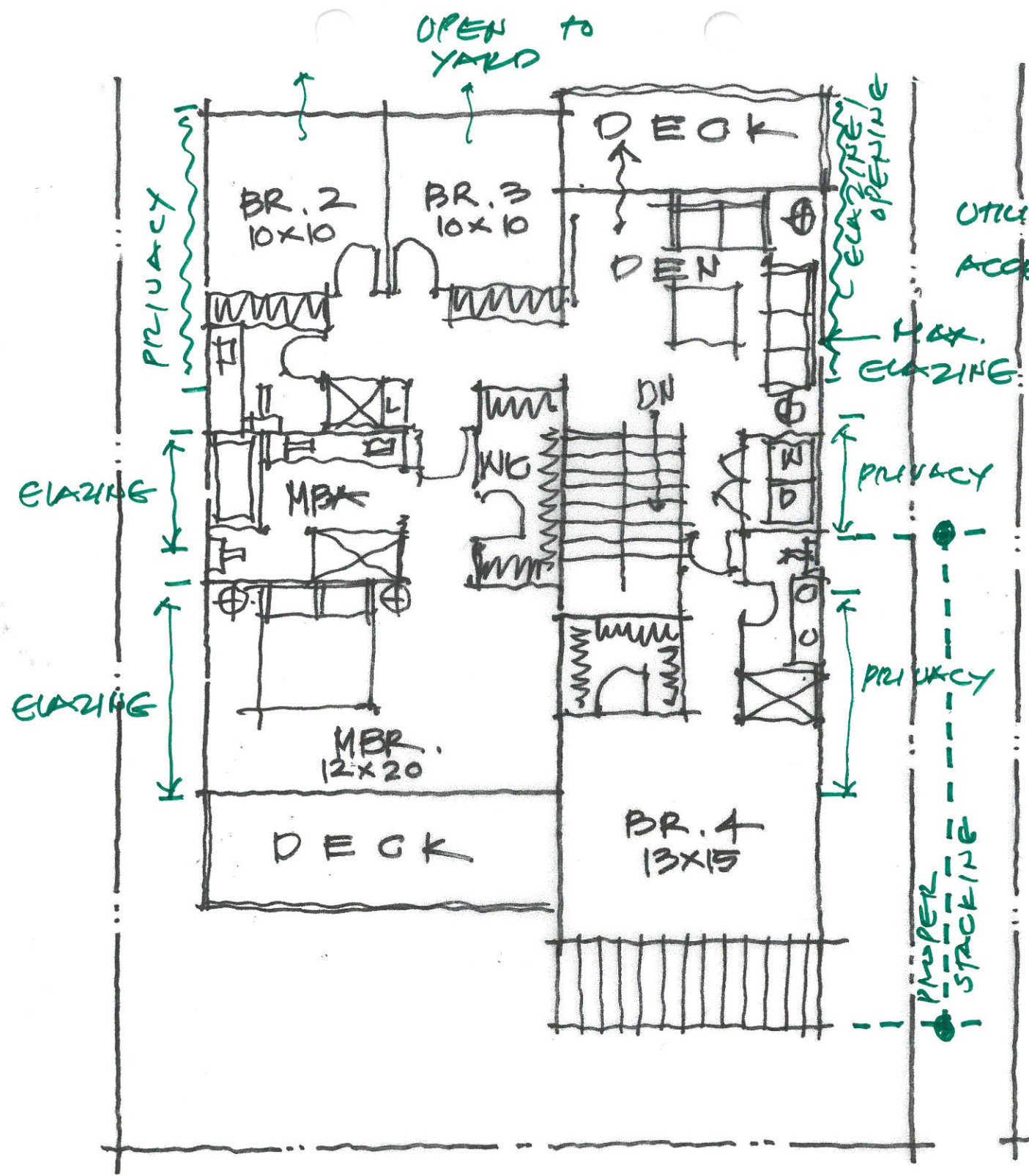
### Multiple Single-Family Units



# Multiple Single-Family Units







LONITA 9  
SCHIAPPA

DEDICATED ACCESS  
for ADU OR  
HOME OFFICE

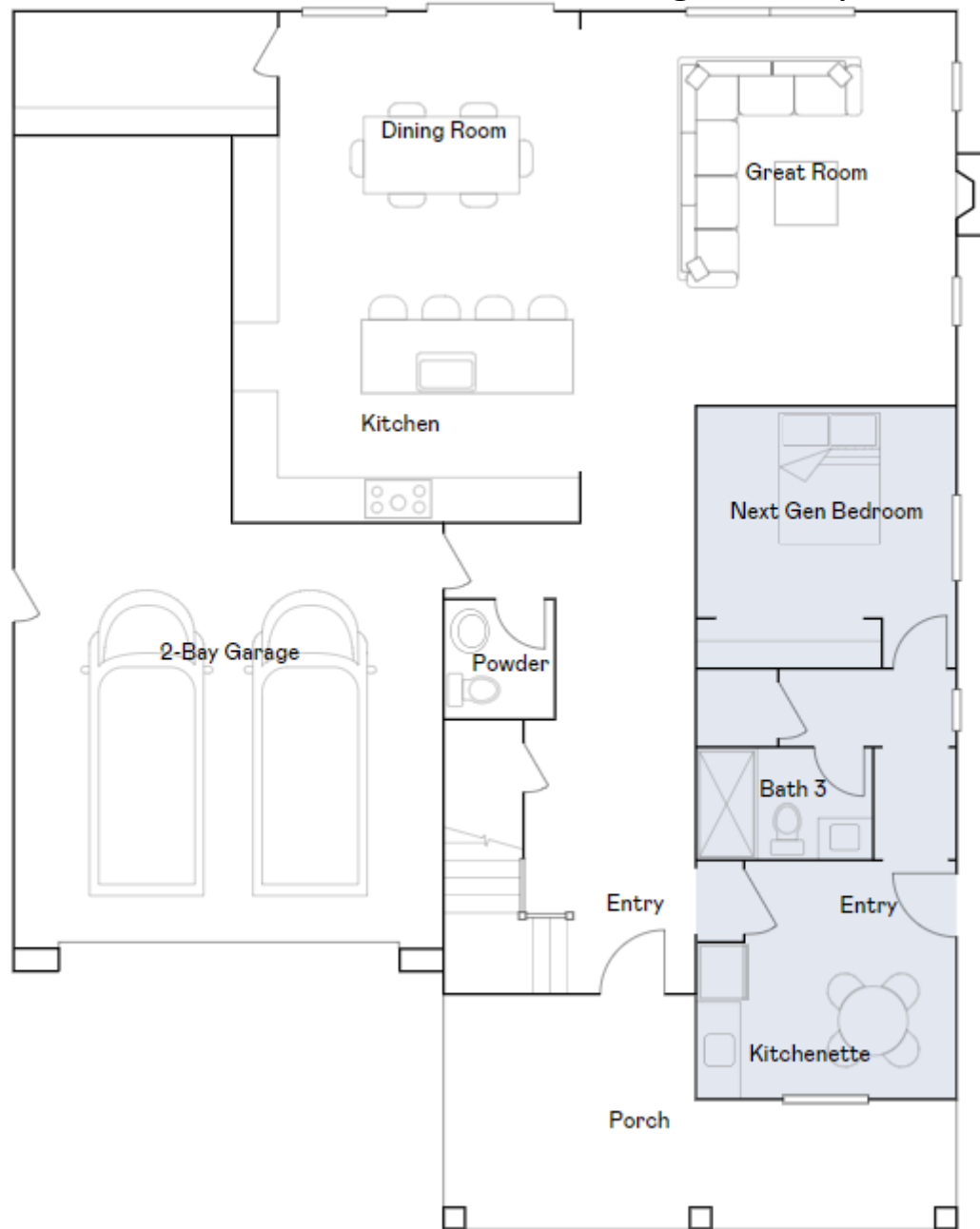
PLAN A

BTR  
22-0419

MR  
22-0427



# Single Family with ADU



# Single Family with ADU



FIRST FLOOR



Attachment 4

| Category  | Accessory Dwelling Unit (detached)   | Accessory Dwelling Unit (attached to primary unit) | Junior Accessory Dwelling Unit   | Two-Unit per SB9  | Multiple Single-Family Units (R1/A1 Zone)              |
|---|--|--|--|---|--|
| Purpose   | Gov. Code § 65852.2  |  |  | Gov. Code § 65852.21 and 66411.7  |  |
| Allowable Number of Units   | One (1) ADU for lots with existing or proposed single family dwelling  |  | One (1) JADU for lots with existing or proposed single family dwelling | Two (2) Residential Units, other than ADU/ JADU (1)   | One (1) unit per 4,000 square feet                     |
| Setbacks  | Front: 20 feet   |  | JADU shall comply with existing setbacks and height                    | Front: 20 feet  | Front: 20 feet   |
|   | Rear: 4 feet   |  |  | Rear: 4 feet  | Rear: 5 feet   |
|   | Side: 4 feet   |  |  | Side: 4 feet  | Side: 5 feet   |
|   | Street Side: 10 feet   |  |  | Street Side: 10 feet  | Street Side: 10 feet                                   |
| Height  | 16 feet.   | 27 feet (2)  |  | 16 feet.  | 27 feet.   |
| Approval Process  | By-Right (Staff review)  |  | By-Right (Staff review)  | By-Right (Staff review)   | By-Right (Staff review) Rental Units                   |
|   |  |  |  |   | Discretionary - Subdivision/Planned Development        |
| Max FAR   | 0.6  | 0.6  | 0.6  |   | 0.6  |
| Max Lot Coverage  |  |  |  | 50%   | 50%  |
| Lot Dimensions  | No minimum lot dimensions  |  |  |   |  |
| Open Space  | Continuous private recreation area of 225 sq. ft. with minimum interior dimensions of 10 ft. open and unobstructed |  |  | Continuous private recreation area of 225 sq. ft. with minimum interior dimensions of 10 ft. open and unobstructed  |  |
| Minimum Unit Size   | 150 square feet  |  | 150 square feet  |   | 801 square feet  |
| Maximum Unit Size   | 850 square feet for units with one bedroom   |  | 500 square feet  | 800 square feet regardless of number of bedrooms  | 2500 square feet                                       |
| Parking   | 1,000 square feet for units with more than one bedroom   |  |  |   | Over 2501 square feet required to include attached ADU |
|   | 1 space for ADU  |  |  | 1 space for each new dwelling unit  | 2 spaces per primary unit plus 1 space for ADU         |
|   | Exemptions apply per Gov. Code § 65852.2(d)(1-5)   |  |  | Exemptions apply per Gov. Code § 65852.21(c)(1-5)   | Exemptions apply per Gov. Code § 65852.2(d)(1-5)       |
| Owner Occupancy   | Required (2)   |  | Required   | Required  |  |
| Affordable Housing  |  |  |  | Second units, and both units of a two-unit development, if rented, shall only be rented at an affordable rent for lower-income households and shall only be rented to lower-income households, for a minimum of 30 years. |  |
| <p>(1) Prohibition on ADUs and JADUs in conjunction with projects seeking to incorporate both an urban lot split and development of a two-unit residential development or duplex.</p> <p>(2) Must comply with 16 ft height limit unless in compliance with underlying setbacks for primary unit and obtained height variation permit, if required.</p> <p>(3) Owner-occupancy affidavit for lot split applications and ADU applications after January 1, 2025</p> |  |  |  |   |  |