



CITY OF LAWNDALE

14717 Burin Avenue, Lawndale, California 90260
Phone (310) 973-3200 – www.lawndalecity.org

AGENDA

LAWNDALE PLANNING COMMISSION MEETING

Wednesday, March 22, 2023 - 6:30 p.m.

Lawndale City Hall Council Chamber

14717 Burin Avenue

Members of the public may provide their comments when the public comment sections of the meeting are opened. Anyone unable to attend the meeting may submit their public comment by email to agutierrez@lawndalecity.org. Submit your written comments to the Community Development Department by 5:30 p.m. the day of the meeting. Electronic, or written, comments must identify the Agenda Item Number in the comment letter or the subject line of the email. The public comment period will close once the public hearing time for the agenda item has concluded. The comments will be entered into the record and provided to the Commission. All comments should be a maximum of 500 words, which corresponds to approximately 3 minutes of speaking time.

Members of the public are welcome to attend the meeting in person. If you are sick or experiencing symptoms of illness, refrain from entering any City facilities to prevent the spread of diseases.

Copies of this Agenda Packet may be obtained prior to the meeting by written request or on the [City Website](#). Interested parties may contact the Community Development Department at (310) 973-3230 for clarification regarding individual agenda items.

This Agenda is subject to revision up to 72 hours before the meeting.

A. **CALL TO ORDER**

B. **ROLL CALL**

C. **PLEDGE OF ALLEGIANCE**

D. **CONSENT CALENDAR**

1. **Minutes of the Lawndale Planning Commission Regular Meeting – February 22, 2023**

2. **Minutes of the Lawndale Planning Commission Regular Meeting – March 8, 2023**

E. **PUBLIC COMMENTS**

Members of the audience may address the Commission on matters of public interest, which pertain to the City and are not otherwise listed on the agenda. If you wish to speak, please step forward to the microphone, but not required, state your name and city of residence, and make your presentation. The maximum time for the presentation is 3 minutes.

F. **PUBLIC HEARINGS**

1. **Case No. 23-07: Consideration to Amend the Lawndale Municipal Code to add Code Chapters 16.04. & 17.48., Establishing Rules and Regulations to Provide for Urban Dwellings and Urban Lot Splits under the R-1 Zone and a Finding of Categorical Exemption from CEQA**

G. REGULAR AGENDA

None

H. ITEMS FROM THE DIRECTOR OF COMMUNITY DEVELOPMENT

I. ITEMS FROM THE PLANNING COMMISSION

J. ADJOURNMENT

The next regularly scheduled meeting of the Planning Commission will be held at 6:30 p.m. on Wednesday, April 12, 2023, in the Lawndale City Hall council chamber, 14717 Burin Avenue, Lawndale, California.

It is the intention of the City of Lawndale to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this meeting, you will need special assistance beyond what is normally provided, we will attempt to accommodate you in every reasonable manner. Please contact the Community Development Department at (310) 973-3230 prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible. Please advise us at that time if you will need accommodations to attend or participate in meetings on a regular basis.

I hereby certify under penalty of perjury under the laws of the State of California that the agenda for the Planning Commission meeting to be held on March 22, 2023, was posted not less than 72 hours prior to the meeting.

Adrian Gutierrez,
Administrative Assistant II



**MINUTES OF THE
LAWNDALE PLANNING COMMISSION REGULAR MEETING
FEBRUARY 22, 2023**

A. CALL TO ORDER

Chairperson Martinez called the regular meeting to order at 6:34 p.m. in the Lawndale City Hall Council Chamber, 14717 Burin Avenue, Lawndale, California.

B. ROLL CALL

Commissioners Present: Chairperson John Martinez, Vice Chairperson Scott Smith, Commissioner Ni Kal S. Price

Commissioners Absent: Commissioner Madonna Sitka

Other Participants: Assistant City Attorney Stephanie Gutierrez, Community Development Manager Jared Chavez, Associate Planner Jose Hernandez, Administrative Assistant II Adrian Gutierrez

C. PLEDGE OF ALLEGIANCE

Chairperson Martinez led the flag salute.

D. CONSENT CALENDAR

1. Minutes of the Lawndale Planning Commission Regular Meeting – January 25, 2023

Vice Chairperson Smith motioned to approve the minutes with a second from Commissioner Price. The vote was carried 3-0 with Commissioner Sitka absent.

E. PUBLIC COMMENTS

None

F. PUBLIC HEARINGS

1. General Plan Annual Progress Report 2022

Community Development Manager Chavez introduced the item. Associate Planner Hernandez gave a presentation on the item. City Manager Moore provided additional background on the history of prohibiting car washes in the city.

Manager Chavez and Associate Planner Hernandez responded to a question from Vice Chairperson Smith on how counter traffic for the Community Development Department is monitored.

Chairperson Martinez inquired about the large jump in permits issued in 2022 compared to previous years. Manager Chavez and Associate Planner Hernandez provided an explanation for the large jump in 2022.

Chairperson Martinez opened and closed the public hearing at 6:50 p.m. since there were no comments from the public.

Vice Chairperson Smith motioned to adopt Resolution 23-02, to direct staff to forward the General Plan Annual Progress Report 2022 to the City Council for its review and consideration and adopt a finding of exemption from the CEQA guidelines pursuant to section 15061(b)(3), with a second from Commissioner Price. The vote was carried 3-0 with Commissioner Sitka absent.

G. REGULAR AGENDA ITEMS

None

H. ITEMS FROM THE DIRECTOR OF COMMUNITY DEVELOPMENT

Community Development Manager Jared Chavez informed the Commission of the upcoming public hearing meeting for the Metro C (Green) Line project.

I. ITEMS FROM THE COMMISSION

None

J. ADJOURNMENT

Chairperson Martinez adjourned the meeting at 6:53 p.m. to the next regularly scheduled meeting to be held on Wednesday, March 8, 2023, at 6:30 p.m. at the Lawndale City Hall Council Chamber located at 14717 Burin Avenue, Lawndale, California.

John Martinez, Chairperson

ATTEST:

Jared Chavez, Community Development Manager



**MINUTES OF THE
LAWNDALE PLANNING COMMISSION REGULAR MEETING
MARCH 8, 2023**

A. CALL TO ORDER

Chairperson Martinez called the regular meeting to order at 6:34 p.m. in the Lawndale City Hall Council Chamber, 14717 Burin Avenue, Lawndale, California.

B. ROLL CALL

Commissioners Present: Chairperson John Martinez, Vice Chairperson Scott Smith, Commissioner Madonna Sitka, Commissioner Ni Kal S. Price, Commissioner Dr. Daniel Urrutia

Other Participants: Acting Assistant City Attorney Justin A. Tamayo, Assistant City Clerk Yvette Hall, Community Development Manager Jared Chavez, Associate Planner Jose Hernandez, Administrative Assistant II Adrian Gutierrez

C. PLEDGE OF ALLEGIANCE

Vice Chairperson Smith led the flag salute.

D. CONSENT CALENDAR

1. Minutes of the Lawndale Planning Commission Regular Meeting – February 22, 2023

Due to the wrong meeting date for the minutes being printed on the agenda, Acting Assistant City Attorney Tamayo advised the Commission to continue the minutes until the next regularly scheduled meeting.

Commissioner Price motioned to continue the minutes until the next regularly scheduled meeting with a second from Vice Chairperson Smith. The vote was carried 4-0.

E. PUBLIC COMMENTS

Chairperson Martinez opened and closed the public comments section at 6:37 p.m. since no one was in the audience.

F. PUBLIC HEARINGS

None

G. REGULAR AGENDA ITEMS

1. Annual Reorganization of the Chairperson and Vice Chairperson Positions

Assistant City Clerk Hall gave the oath of office and sworn in the Commission.

The Commission discussed nominations for the Chair and Vice Chair positions.

Commissioner Sitka motioned to nominate Ni Kal S. Price as Chairperson and John Martinez as Vice Chairperson with a second from Vice Chairperson Smith. The motion carried 5-0.

H. ITEMS FROM THE DIRECTOR OF COMMUNITY DEVELOPMENT

Community Development Manager Chavez welcomed Commissioner Urrutia to the commission, reminded the Commission of the public comment period for the Metro C (Green) Line project, and updated the commission on several development projects throughout the city.

I. ITEMS FROM THE COMMISSION

Commissioner Urrutia thanked the Commission for welcoming him and said he looked forward to working with the Commission.

Commissioner Sitka welcomed Commissioner Urrutia and congratulated Commissioner Price and Chairperson Martinez on their new positions.

Vice Chairperson Smith asked staff to investigate a possible hoarder house near 156th Street and Mansel Avenue.

Chairperson Martinez asked if the City Council would consider issuing parking permits for residents and overnight visitors. Community Development Manager Chavez mentioned that the municipal code allows residents to set up parking districts.

Chairperson Martinez publicly thanked Ali Awad for replacing the field lights at Jane Addams Park. He also asked if the city could replace the field lights at William Green Park.

Lastly, Chairperson Martinez congratulated Commissioner Urrutia for joining and Commissioner Price on becoming Chairperson.

J. ADJOURNMENT

Chairperson Martinez adjourned the meeting at 6:57 p.m. to the next regularly scheduled meeting to be held on Wednesday, March 22, 2023, at 6:30 p.m. at the Lawndale City Hall Council Chamber located at 14717 Burin Avenue, Lawndale, California.

John Martinez, Chairperson

ATTEST:

Jared Chavez, Community Development Manager





CITY OF LAWDALE PLANNING COMMISSION

STAFF REPORT

DATE: March 22, 2023

TO: Honorable Chairman and Members of the Planning Commission

REVIEWED BY: Jared Chavez, Community Development Manager 

PREPARED BY: Jose Hernandez, Associate Planner 

RE: CASE NO. 23-07: CONSIDERATION TO AMEND THE LAWDALE MUNICIPAL CODE TO ADD CODE CHAPTERS 16.04. AND AMEND 17.48., ESTABLISHING RULES AND REGULATIONS TO PROVIDE FOR URBAN DWELLINGS AND URBAN LOT SPLITS UNDER THE R-1 ZONE AND A FINDING OF CATEGORICAL EXEMPTION FROM CEQA.

BACKGROUND:

On September 16, 2021, the Governor signed into law, Senate Bill (SB) 9, which went into effect on January 1st, 2022. SB 9 is part of the state of California Senate Housing package which aims to increase the supply of housing in California. The bill requires ministerial approval of two dwelling units on a parcel zoned for a single-family unit. The bill will also allow the subdivision of single-family parcels with a ministerial approval of a parcel map subject to qualifying criteria.

Pursuant to SB 9, jurisdictions are allowed to adopt a local ordinance for the purposes of implementing two-residential developments and urban lots splits on a parcel zoned to allow for a single-family unit, and may impose objective zoning standards, subdivision standards, and design review standards that do not conflict with SB 9. The minimum size of new lots is 1,200 square feet and lot must be at least 40% of the size of the original lot.

AGENDA ITEM F-1

STAFF REVIEW:

Government Code Section 65852.21(b) allows for jurisdictions to adopt local requirements to regulate development of properties pursuant to SB 9, as long as the requirements are objective and not in conflict with the provisions of the bill. The provisions included in the draft implementing ordinance under consideration are intended to provide clarity on the City's objective development standards related to projects undertaken pursuant to SB 9. They also identify the permitting process for such projects.

Any development standards established by a local government to implement the provisions of SB 9 must be objective (not subject to discretion) and known in advance and cannot be more restrictive than those prescribed in the bill. Staff has identified objective development standards including limitations to number of units, unit size, height limitations, and parking requirements, among others, that have been tailored to the extent possible to maintain the character of existing single-family neighborhoods. All objective standards included in the draft ordinance are consistent with the limitations set forth in SB 9.

City Staff prepared a draft ordinance which establishes rules and regulations for the purpose of implementing two-unit residential developments and urban lot splits on a parcel zoned to allow a single-family residential unit within the City of Lawndale.

Staff has reviewed Senate Bill 9 and has prepared a draft Ordinance which will establish requirements for the addition of second units on single family zoned parcels:

- Second units will be limited to 800 sq. Ft.
- Private and common open space shall be provided for each unit.
- Provide a one-car garage per unit.
- Second units must be affordable.
- Require an affordable housing agreement.
- Must meet all design standards.
- Must provide guest parking at a ratio of 0.5 parking spaces per unit.

The following requirements will need to be met in order to qualify for a single-family zoned lot subdivision resulting in parcels that are smaller than the minimum lot size on the designated zone.

- One of the lots must be owner occupied.
- A restrictive use covenant is required.
- A reciprocal access easement must be recorded.
- Minimum street frontage must be 50 ft.

AGENDA ITEM F-1

ENVIRONMENTAL ASSESSMENT:

Staff is requesting that the Planning Commission recommend that the City Council determine that the project is exempt from the California Environmental Quality Act (CEQA) under Section 15061(b)(3) of the CEQA Guidelines, which provides that CEQA only applies to projects that have the potential for causing a significant effect on the environment. Where, as here, it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment because the proposed amendment is not considered a project and therefore, the activity is not subject to CEQA.

PUBLIC REVIEW:

Notices of a public hearing were posted on the bulletin board outside City Hall and published in the *Daily Breeze* on March 10, 2023. As of the writing of this staff report, no comments from the public have been received concerning the proposed ordinance.

LEGAL REVIEW:

The City Attorney has reviewed the draft ordinance No. _____

RECOMMENDATION:

IT IS RECOMMENDED THAT the Planning Commission:

- 1) Recommend the City Council find and determine that the draft ordinance is exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15061(b)(3) of the CEQA Guidelines;
- 2) Conduct a public hearing; and
- 3) Adopt Resolution No. 23-01, setting forth findings of fact and recommending that the City Council adopt draft Ordinance No. _____.

Attachments:

- 1) PC Resolution No. 23-03
- 2) Draft Ordinance _____ .

RESOLUTION NO. 23-03

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LAWDALE, CALIFORNIA RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE ESTABLISHING RULES AND REGULATIONS TO PROVIDE FOR URBAN DWELLING UNITS AND URBAN LOT SPLITS IN THE R-1 ZONE. AND A FINDING OF CATEGORICAL EXEMPTION FROM CEQA

WHEREAS, the Governor signed into law, Senate Bill (SB) 9 and as part of the State of California Senate Housing package that is aimed to increase the supply of housing in California; and

WHEREAS, the Planning Commission for the City of Lawndale is charged with the responsibility of reviewing proposed amendments to the Lawndale Municipal Code; and

WHEREAS, it is necessary from time to time to update the zoning ordinance to bring it into conformity with State law and to address public health, safety, and welfare concerns; and

WHEREAS, the Planning Commission of the City of Lawndale now desires to recommend to the City Council that the City amend the Lawndale Municipal Code to establish land use regulations for two unit residential developments and urban lot splits of Single-Family Residential (R-1) zoned lots in the City of Lawndale; and

WHEREAS, Government Code Section 66411.7(a) limits eligibility of urban lot splits by size and proportionality; and

WHEREAS, Government Code Sections 65852.21(a)(2) and 66411.7(a)(3)(C) limit such urban lot splits and construction to sites that are not located on or within certain farmland, wetlands, very high fire hazard severity zones, hazardous waste sites, earthquake fault zones, special flood hazard areas, regulatory floodways, lands identified for conservation, habitats for protected species, and historic properties; and

WHEREAS, Government Code Sections 65852.21(a)(3) through (a)(5), limit eligibility of such construction of secondary units that proposes to demolish or alter housing subject to affordability restrictions, housing subject to rent or price controls, housing that has been occupied by a tenant in the last three years, housing that has been withdrawn from rent or lease within the past 15 years, and housing that requires demolition of existing structural walls unless authorized by local ordinance or has not been tenant-occupied within the past 3 years; and

WHEREAS, Government Code Sections 65852.21(a)(6) and 66411.7(a)(3)(E) allow a city to deny an urban lot split for properties within an historic district or listed on the State's Historic Resource Inventory or within a site that is designated or listed as a city or county landmark or historic property or district pursuant to a city or county ordinance; and

WHEREAS, Government Code Sections 65852.21(b) and 66411.7(c) allow a city to establish objective zoning standards, objective subdivision standards, and objective design review standards, if it does not conflict with state law; and

WHEREAS, such objective zoning standards, objective subdivision standards, and objective design review standards may not have the effect of "precluding the construction of two units on either of the resulting parcels or that would result in a unit size of less than 800 square feet"; and

WHEREAS, Government Code Sections 65852.21 and 66411.7 allow a city to deny a proposed housing development or urban lot split if the project would have a specific, adverse impact, as defined and determined in paragraph (2) of subdivision (d) of Section 65589.5, upon public health and safety or the physical environment and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact; and

WHEREAS, the proposed amendment was duly and properly noticed for discussion and public hearing before the Planning Commission on March 22, 2023; and

WHEREAS, evidence was heard and presented from all persons interested in affecting said proposal, from all persons protesting the same and from members of the City staff, and the Planning Commission, having reviewed, analyzed and studied said proposal.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF LAWDALE, CALIFORNIA DOES HEREBY RESOLVE AND RECOMMEND AS FOLLOWS:

Section 1. The Planning Commission finds and determines that the recitals above are true and correct and are hereby incorporated herein.

Section 2. The Planning Commission finds that after careful consideration of text, facts, exhibits, testimony, staff reports and public comments, the Planning Commission recommends that City Council:

1. Find and determine that the draft ordinance is exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15061(b)(3) of the CEQA Guidelines and Division 13 (commencing with Section 21000) of the Public Resources Code; and
2. Recommend that the City Council adopt the draft Ordinance, attached hereto as Attachment "B".

PASSED, APPROVED AND ADOPTED THIS 22nd DAY OF MARCH 2023

Ni Kal S. Price, Chairperson
Lawndale Planning Commission

ATTEST

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF LAWNSDALE)

I, Jared Chavez, Community Development Manager for the City of Lawndale, California, do hereby certify that the foregoing **Resolution No. 23-03** was duly approved by the Planning Commission of the City of Lawndale at a regular meeting of said Commission held on the **22nd day of March, 2023** by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAINED:

Jared Chavez,
Community Development Manager

DRAFT ORDINANCE NO.

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
LAWNDALE, CALIFORNIA AMENDING THE LAWNDALE
MUNICIPAL CODE TO ADD CHAPTERS 16.04, ___ AND AMEND
ARTICLE VII OF CHAPTER 17.48, ESTABLISHING RULES AND
REGULATIONS TO PROVIDE FOR URBAN DWELLING UNITS
AND URBAN LOT SPLITS UNDER THE R-1 ZONE. AND A
FINDING OF CATEGORICAL EXEMPTION FROM CEQA
-DRAFT-**

SUMMARY: This ordinance establishes City’s rules and regulations to ministerially approve urban lot splits and the construction of up to two residential units (Dwelling Units) within “Urbanized areas” of the City, as designated by the US Census Bureau, subject to certain limitations.

WHEREAS, the Lawndale Municipal Code (LMC) currently contains no regulations regarding the urban lots splits and construction of up to two residential units within single-family residential (R-1) zones within City of Lawndale (City) limits; and

WHEREAS, the City has the authority under its police power, to enact regulations for the public peace, morals, and welfare of the City; and

WHEREAS, during the 2021 legislative session, the State of California and the Governor signed Senate Bill 9 (SB 9), which added Sections 65852.21 and 66411.7 to the Government Code to require local agencies to ministerially approve urban lot splits and development of two residential lot provided the projects meet certain conditions; and

WHEREAS, the City desires to adopt an ordinance that addresses the procedures for such Urban Dwellings and Urban Lot Splits, and provides objective standards, in accordance with State law.

WHEREAS, the proposed amendment was duly noticed and agendized for discussion and public hearing before the Planning Commission on March 10, 2023; and

WHEREAS, at the meeting of the Planning Commission on March 22, 2023, the Planning Commission recommended that the City Council approve the proposed ordinance amendment; and

WHEREAS, the proposed ordinance amendment was duly noticed and agenized for discussion and public hearing before the City Council on March 22, 2023; and

WHEREAS, the City Council, after notice duly given as required by law, held a public hearing on _____, 2023 in the City Hall council chamber located at 14717 Burin Avenue, Lawndale, California, to consider this matter.

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

SECTION 1. The City Council finds and determines that the recitals above are true and correct, and are hereby incorporated by reference.

SECTION 2. The proposed amendment to the Lawndale Municipal Code, as described below, are consistent with the goals and objectives of the adopted General Plan.

SECTION 3. Title 16 (Subdivisions) is amended to add Chapter 16.04.____ (Urban Lot Splits) to the Lawndale Municipal Code to read, in its entirety, as follows (deletions marked in ~~strikethrough~~, additions in ***bold and italics***):

“Chapter 16.04.____ Urban lot splits

16.04.____ Purpose

16.04.____ Definitions

16.04.____ General Requirements

16.04.____ Denials

16.04.____ Purpose

This Chapter applies to urban lot splits in single family zones in accordance with Government Code section 66411.7.

16.04.____ Definitions

“Single-Family zone” shall mean any parcel of land that is zoned R-1.

“Urban lot split” shall mean a parcel map subdivision permitted pursuant to SB 9 which creates two parcels.

“Urban dwelling unit” shall mean a second unit permitted pursuant to SB 9. An urban dwelling unit shall not mean an Accessory Dwelling Unit or a Junior Accessory Dwelling unit.

16.04.____ General Requirements

An urban lot split shall comply with the following requirements:

- A. All requirements in Government Code section 66411.7.***
- B. All applicable objective requirements of the Subdivision Map Act (Division 2 (commencing with Section 66410)), except as expressly provided in this Chapter.***
- C. All requirements of the Lawndale Municipal Code, except that requirements imposed by this Chapter shall take precedence over other conflicting requirements.***
- D. The rental of any unit created by an urban lot split must be for a term longer than 30 days.***

E. The property owner must agree to an unannounced inspection every year for the first three years to ensure the property owner is living onsite. A restrictive use covenant must be recorded. The property owner must pay the special inspection fee as set forth in the City's fee and fine resolution.

F. Objective Development Standards: The following objective development standards apply to urban lot splits:

1. Size and Number: The parcel map subdividing an existing parcel must create no more than two new parcels of approximately equal lot area provided that one parcel shall not be smaller than 40 percent of the lot area of the original parcel proposed for subdivision. The subdivision must not be done in a manner that leaves one lot with more than two units including existing and proposed main dwellings, ADUs, and JADUs. No more than four total units may exist on the two new parcels.

2. Minimum Size: Both newly created parcels created by an urban lot split must be no smaller than 1,200 square feet.

3. Setbacks:

a. Existing Structures: No setback is required for an existing, permitted structure or a structure constructed in the same location and to the same dimensions as an existing, permitted structure.

b. New Structures and Additions: The minimum setback from the side and rear property line is four feet.

4. Building Separation: The units or structures involved in an urban lot split may be attached or detached provided that the structures meet building code safety standards and are sufficient to allow separate conveyance. A six (6) foot separation is required for detached structures.

5. Frontage: Both resulting parcels shall have a minimum frontage of 50 feet. If each parcel cannot accommodate a frontage of 50 feet, then the access strip shall not be less than 20 feet in width.

6. Conjunction with Urban Dwellings: Only structures that meet the requirements of urban dwellings are allowed on urban lot splits.

7. Lot Configuration Standards: Urban lot splits must comply with the Urban Dwelling and Urban Lot Split Configuration Standards adopted by City Council Resolution and incorporated herein by reference.

8. An easement must be provided over the front parcel to the rear parcel for access to the public right of way, providing public services and facilities, maintenance of utilities, and (if required) fire department access.

G. Demolition and Alteration: *A proposed urban lot split must not require demolition or alteration of any of the following types of housing:*

1. Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income.

2. Housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power.

3. Housing that has been occupied by a tenant in the last three years.

H. Disclosures: *At the time of sale, a site with an urban dwelling must disclose to the seller:*

1. The site must not be used for short term rentals;

2. The property owner must agree to an unannounced inspection every year for the first three years to ensure the property owner is living onsite. The property owner must pay the special inspection fee in the City's fee and fine resolution;

3. The property owner must provide a copy of the Restrictive Use Covenant.

4. The property owner must provide all necessary information to the City required in the annual housing element report; and

5. The site cannot be the subject of future urban lot splits.

16.04. ___ Denials

A. *The Community Development Director may deny an application for an urban lot split upon making both of the following findings in writing based upon a preponderance of evidence.*

1. The proposal would have significant, adverse impact upon the public health and safety or the physical environment as defined and determined in Government Code Section 65589.5(d)(2).

2. There is no feasible method to satisfactorily mitigate or avoid the specific impact."

SECTION 4. Title 17 (Zoning), Chapter 17.48 (Residential Zones) is amended to add Article VII (Single-Family Lot Subdivisions) to the Lawndale Municipal Code to read, in its entirety, as follows (deletions marked in ~~strikethrough~~, additions in ***bold and italics***):

"Article VII Single-Family Lot Subdivisions"

17.48.450 Purpose

17.48.460 Definitions

17.48.470 *General Requirements*

17.48.480 *Denials*

17.48.450 *Purpose*

This Chapter applies to urban dwellings in single family zones in accordance with Government Code section 65852.21.

17.48.460 *Definitions*

For the purposes of this chapter, the following terms, phrases, words and their derivations shall have the meanings ascribed to them in this chapter.

“Single-Family zone” shall mean any parcel of land that is zoned R-1.

“Urban lot split” shall mean a parcel map subdivision permitted pursuant to SB 9 which creates two parcels.

“Urban dwelling unit” shall mean a second unit permitted pursuant to SB 9. An urban dwelling unit shall not mean an Accessory Dwelling Unit or a Junior Accessory Dwelling unit.

17.48.470 *General Requirements*

A. A property owner seeking approval of an urban dwelling unit shall comply with all of the following general requirements:

1. The maximum size of an urban dwelling unit shall not exceed 800 sq. ft. in size.

2. The minimum size of an urban dwelling unit shall not be less than 500 sq. ft.

3. Both units shall conform to all the development standards and design guidelines of the Lawndale Municipal Code.

4. The urban dwelling unit shall be designated an affordable unit of very low, or low affordability level.

5. Demolition and Alteration: A proposed urban dwelling may not require demolition or alteration of any of the following types of housing:

i. Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income.

ii. Housing that is subject to any form of rent or price control through a public entity’s valid exercise of its police power.

iii. Housing that has been occupied by a tenant in the last three years.

6. The rental of any urban dwelling must be for a term longer than 30 days.

7. The parcel for the proposed urban dwelling must contain no more than two units after construction of any urban dwelling. Existing and proposed ADUs and JADUs will be counted toward the maximum number of units. An urban dwelling development contains two residential units if the development proposes no more than two new units or if it proposes to add one new unit to one existing unit.

8. Setbacks:

i. Existing Structures: No setback is required for an existing, permitted structure or a structure constructed in the same location and to the same dimensions as an existing, permitted structure.

ii. New Structures and Additions: The minimum setback from the side and rear property line is four feet.

9. Height: 16 foot height limit .

10. Parking: A parking space within a garage is required for all new dwellings under the urban lot split.

17.48.480 Denials

A. The Community Development Director may deny an application for an urban dwelling unit upon making both of the following findings in writing based upon a preponderance of evidence.

1. The proposal would have significant, adverse impact upon the public health and safety or the physical environment as defined and determined in Government Code Section 65589.5(d)(2).

2. There is no feasible method to satisfactorily mitigate or avoid the specific impact. “

SECTION 5. This Ordinance is exempt from the California Environmental Quality Act (“CEQA”) pursuant to Public Resources Code Section 21080.17 and CEQA Guidelines section 15282(h). These sections statutorily exempt the adoption of an ordinance implementing provisions of Government Code Section 65852.1 and 65852.2. This ordinance would allow for the single-family residential subdivisions consistent with and as required by state law. Additionally, this ordinance is exempt from CEQA under Section 15061(b)(3) of the CEQA Guidelines, which provides that CEQA only applies to projects that have the potential for causing a significant effect on the environment. Where, as here, it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

SECTION 6. Severability. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of any competent jurisdiction, such decision shall not affect the validity of the each and every section, subsection, sentence, clause and phrase thereof not declared invalid or remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and

unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

SECTION 7. The City Clerk shall certify to the passage and adoption of this ordinance, and shall make a minute of the passage and adoption thereof in the records of and the proceedings of the City Council at which the same is passed and adopted. This ordinance shall be in full force and effect thirty (30) days after its final passage and adoption, and within fifteen (15) days after its final passage, the City Clerk shall cause it to be posted and published in a newspaper of general circulation in the manner required by law.

PASSED, APPROVED, AND ADOPTED this ____ day of _____, 2023.

Robert Pullen-Miles, Mayor

ATTEST:

State of California)
County of Los Angeles) SS
City of Lawndale)

I, Erika Harbison, City Clerk of the City of Lawndale, California, do hereby certify that the City Council duly approved and adopted the foregoing Ordinance No. __ at its regular meeting held on the __ day of __, 2023, by the following roll call vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Robert Pullen-Miles, Mayor					
Sirley Cuevas, Mayor Pro Tem					
Pat Kearney					
Bernadette Suarez					
Rhonda Hofmann Gorman					

Erica Harbison, City Clerk

Date

APPROVED AS TO FORM:

Gregory Murphy, City Attorney