



## Legislation Text

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**File #:** 22-0470, **Version:** 1

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**TO:**

Honorable Mayor and Members of the City Council

**THROUGH:**

Bruce Moe, City Manager

**FROM:**

Quinn M. Barrow, City Attorney  
Carrie Tai, AICP, Community Development Director

**SUBJECT:**

Alleviation Report for Second Extension of Senate Bill (SB) 9 Interim Zoning Ordinance (Community Development Director Tai).

**ISSUE ALLEVIATION MEASURES REPORT**

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**RECOMMENDATION:**

Staff recommends that the City Council issue this report pursuant to Government Code Section 65858(d).

**FISCAL IMPLICATIONS:**

There are no fiscal impact associated with the issuance of the report.

**BACKGROUND:**

Government Code Section 65858(d) requires that 10 days prior to the expiration or extension of any interim zoning ordinance, the City Council must issue a written report describing the measures taken to alleviate the condition which led to the adoption of the ordinance. The City Council adopted on December 21, 2021, and extended on February 1, 2022, Urgency Ordinance No. 21-0009-U, an interim zoning ordinance to add objective standards and specific requirements regarding the implementation of SB 9. The standards include minimum lot frontages, driveway widths, refuse storage areas, parking requirements, and a covenant to ensure that property owners comply with SB 9 regulations in perpetuity. This Ordinance will expire on December 19, 2022, unless extended.

**DISCUSSION:**

In compliance with Government Code Section 65858(d), the City Council hereby issues this report.

Due to the housing shortage in California, the California State Legislature adopted SB 9 allowing for urban lot splits and construction of additional dwelling units on lots in single-family zoning districts. SB 9 became effective on January 1, 2022. SB 9 limits the City to adopting objective development standards to accompany its implementation of SB 9. Cities without local ordinances must approve any SB 9 development project that meets minimal State criteria and any other applicable regulation in the zoning district. Cities do not have the ability to add other standards not adopted through a local

ordinance.

The City has taken the following measures to alleviate the condition that led to the adoption of the interim ordinance. Staff has studied the issues associated with allowing urban lot splits and construction of additional dwelling units in single-family zoning districts in the City. Staff has evaluated the presence of high-quality transit corridors and major transit stops and determined that the City is not precluded from requiring parking for each dwelling unit in an SB 9 development project. Staff has developed public education materials, which have been posted on the city's website at [www.manhattanbeach.gov/sb9](http://www.manhattanbeach.gov/sb9) <<http://www.manhattanbeach.gov/sb9%20>>. Staff has actively responded to inquiries from the public about SB 9 projects. A City Council public hearing has been scheduled for December 6, 2022, to consider extending the interim ordinance to December 19, 2023, to allow staff additional time to develop long-term/permanent regulations.

**PUBLIC OUTREACH:**

After analysis, staff determined that public outreach was not required for this issue. However, the City will distribute and publish public hearing notices prior to the December 6, 2022, public hearing to extend the interim zoning ordinance.

**LEGAL REVIEW:**

The City Attorney has reviewed this report and determined that no additional legal analysis is necessary.

**ATTACHMENT:**

1. Government Code Section 65858