



Date: December 17, 2024

To: Honorable Mayor and Members of the City Council

From: City Council Community Planning and Design Committee

By: Carlos Huizar, Management Associate

Subject: City Council Community Planning and Design Committee – Accept and File October 10, 2024 Meeting Minutes. Expenditure: None.

RECOMMENDATION

Recommendation of the City Council Community Planning and Design Committee that City Council accept and file October 10, 2024 meeting minutes.

DISCUSSION

The City Council Community Planning and Design Committee (Committee) convened on October 10, 2024, with a primary focus on receiving updates from the Community Development Department on the upcoming land use and zoning legislation and updates on the Land Use and Safety Elements.

Legislative Updates on Land Use, Zoning and Related Fees Legislation

The California State Legislature passed 1,206 bills during the current legislative session that were sent to the Governor Newsom for consideration, the highest number in his six years in office. He signed 1,017 bills and vetoed 189 bills. The bills addressed a wide range of issues such as housing, crime, healthcare, and artificial intelligence to name a few. Shown below is an overview of 18 bills related to housing, zoning, and fees that may have an impact to Torrance.

AB 1886 (Alvarez): Housing Element Law: Substantial Compliance: Housing Accountability Act.

Clarifies that a housing element or amendment is not considered substantially compliant with housing element law until the local agency has adopted a housing element that the HCD has determined is in substantial compliance with housing element law, as specified.

- Would make jurisdictions subject to the Builder's Remedy (building larger than what zoning allows in cities that don't zone for enough housing) until HCD or court finds that the Housing Element is substantially compliant.
- Ensures that the housing element or amendment is considered substantially compliant with the Housing Element Law. Findings cannot be superseded by subsequent contrary findings by the department or by a decision of a court of competent jurisdiction.
- State could challenge the Housing Element and/or Amendments to ensure that a jurisdiction complies or is in compliance with Housing Element Law.

AB 1893 (Wicks): Housing Accountability Act: Housing Disapprovals: Required Local Findings.

Limits the size of Builder's Remedy projects but reduces affordability requirements from 20% lower income or 100% moderate/middle income to at least 7% extremely low income; 10% very low income; 13% lower income; 100% moderate; 10 units or fewer (regardless of affordability) as long as a project exceeds 10 dwelling units per acre.

- This bill will expand the definition of Housing Development to be a Mixed-Use Development with at least 2/3 of the proposal to be residential.
- A local agency provides findings if the adopted Housing Element is in compliance at the time of an application being deemed complete. If not in compliance, developers could activate a Builder's Remedy without needing City Clearance or request.

AB 1413 (Carrillo): Housing Accountability Act: Disapprovals: California Environmental Quality Act.

Establishes timeframes in the Housing Accountability Act (HAA) for local agencies to consider objections, comments and evidence, related to determining whether a HAA protected housing development project is exempt from the California Environmental Quality Act (CEQA).

The act defines disapprove the housing development as including, among other things, until January 1, 2031, any instance in which a local agency fails to adopt a negative declaration or addendum for the project, to certify an environmental impact report for the project, or to approve another comparable environmental document, if certain conditions are satisfied, or fails to make a determination of whether the project is exempt from CEQA or commits an abuse of discretion if certain conditions are met, including that the applicant has given timely written notice to the local agency, as specified. The act requires the local agency, within 5 working days of receiving the notice, to file the notice with the county clerk for each county in which the project will be located, as specified.

- Requires the local agency, within 5 working days of receiving a timely written notice, to file the notice with the county clerk, to post the notice on the local agency's internet website and provide a copy to specified persons.
- Additionally requires the local agency to consider all objections, comments, evidence, and concerns submitted about the project or the applicant's written notice and would prohibit the local agency from making a determination until at least 60 days after the applicant has given timely written notice.

AB 2117 (Patterson): Development Permit Expirations: Actions or Proceedings.

This bill specifies that the period of time before a permit or project approval issued by a city, county, or state agency expires must not include the period of time during which an action or proceeding involving the approval or conditional approval of the permit or project approval is or was pending.

Ensures that local and state permits do not expire on an approved project while a CEQA challenge is taking place.

SB 393 (Glazer): Civil actions: Housing Development Projects.

Makes it potentially more expensive to file a CEQA lawsuit against affordable housing by shifting the burden of demonstrating that posting a bond would place an undue economic hardship on the

plaintiff from the defendant to the plaintiff in actions challenging certain low- or moderate-income housing projects.

SB 1037 (Weiner): Planning and zoning: Housing Element: Enforcement.

Fines cities up to \$50,000 per month for breaking state housing law.

- Currently, the local government to streamline, ministerially review, and approve housing development projects that satisfy objective planning standards. Failure to do so, this bill allows legal action by the HCD or Attorney General to enforce adoption of housing element revisions and charge a civil penalty. Minimum penalty is \$10,000 and maximum is \$50,000 per month.
- The bill would require these civil penalties to be deposited into the Building Homes and Jobs Trust Fund for the sole purpose of supporting the development of affordable housing located in the jurisdiction. Failure to pay, civil penalties the court could require the Controller to intercept any state and local funds and direct those funds to the Building Homes and Jobs Trust Fund.

SB 1211 (Skinner): Land use: Accessory Dwelling Units: Ministerial Approval.

Existing law allows up to two detached ADUs on a multifamily property. Authorizes up to 8 detached ADUs to be created on a lot with an existing multifamily dwelling, provided that the number of ADUs does not exceed the number of existing units on the lot, and up to 2 detached ADUs on a lot with a proposed multifamily dwelling.

Existing law prohibits replacement of off-street parking spaces if a garage, carport, or covered parking structure is demolished in conjunction with the construction/conversion to an ADU. This will further prohibit requiring the replacement of off-street parking spaces if an uncovered parking space is demolished in conjunction with the construction of, or is converted to, an ADU.

Existing law allows conversion of a certain number of ADUs within existing multifamily buildings as long as it is not used as livable space. This bill defines livable space to mean a space in a dwelling intended for human habitation, including living, sleeping, eating, cooking, or sanitation.

AB 2243 (Wicks): Housing Development Projects: Objective Standards: Affordability and Site Criteria.

Amends objective standards, affordability and site criteria for housing development established by the Middle-Class Housing Act of 2022 (SB 6) and the Affordable Housing and High Road Act of 2022 (AB 2011).

- Under AB 2011, the maximum size of a parcel was limited to 20 acres. This bill allows housing development projects for a regional mall site that is not greater than 100 acres.
- Prohibits the demolish of historic structure placed on a national, state, or local historic register.
- Prohibits housing development subject to streamlined, ministerial approval process for parcel designated for industrial use as long as it was designated as industrial in the general plan prior to January 1, 2022. Prohibits density limitations on mixed-income development that is a conversion of existing buildings into a residential use, provided that there are no additions more than 20% of the overall square footage.
- Affordability thresholds apply only to the base units of housing development & excludes units added by density bonus.
- Clarifies the definition of "use by right" as not subject to CUP or discretionary approval, permit or review process and no aspect of the project is a "project" as defined by CEQA.

- Expands definition of urban use to include a public park that is surrounded by other urban uses, parking lot/structure, transit/transportation facility, retail use or combination of these uses.
- Revises timeline for approval of housing development determined to consistent with objective standards.
- Requires designation and identification of exempted parcels on zoning map.

SB 450 (Atkins): Housing Development: Approvals.

Allows 2-unit residential projects in single family zones to be processed ministerially. This bill strengthens SB9 and applies to all cities.

- Removes the requirement that a proposed housing development does not allow for the demolition of more than 25% of the existing exterior structural walls to be considered ministerially.
- States local agency can impose objective zoning standards, objective subdivision standards, and objective design standards for the underlying zone.
- Removes the authorization for a local agency to deny a proposed housing development if the building official makes a written finding that the proposed housing development project would have a specific, adverse impact upon the physical environment.
- Requires the local agency to consider and approve or deny the proposed housing development application within 60 days from the date the local agency receives the completed application. If the local agency denies an application, local agency will provide a full set of comments to the applicant with a list of items that are defective or deficient, and a description of how the application can be remedied by the applicant.

SB 1123 (Caballero): Planning and Zoning: Subdivisions: Ministerial Review.

Expands SB 684 (2023), which allows development of 10 or fewer units on a multifamily zoned parcel, including a subdivision, to be processed ministerially.

- Updates existing law to include vacant single-family lots and allow building up to 10 homes.
- Prohibits counting ADUs or JADUs toward the 10 residential unit limitation.
- Prohibits the subdivision resulting in existing dwelling unit being separate from the title of other existing dwelling unit on the lot.
- Expands law to vacant lots zoned for single-family residential and no larger than 1-1/2 acres are eligible. Newly created lots shall be no smaller than 1,200 square feet.
- Requires proposed development to result in at least 66% of the maximum allowable density.
- Prohibits a minimum frontage requirement for newly created parcels.

AB 2553 (Friedman): Housing Development: Major Transit Stops: Vehicular Traffic Impact Fees.

CEQA exempts from its requirements residential projects on infill sites and transit priority projects that meet certain requirements, including a requirement that the projects are located within 1/2 mile of a major transit stop. CEQA defines major transit stop to include, a) existing rail or bus rapid transit station, b) ferry terminal served by bus or rail transit service, c) the intersection of 2 or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.

This bill revises the definition of major transit stop to increase the frequency of service interval from 15 minutes to 20 minutes.

AB 3177 (Carrillo): Mitigation Fee Act

Requires a local agency to set a rate for mitigating vehicular traffic impacts fee to reflect a lower rate of vehicular trip generation associated with housing developments provided that a development project:

- a) is located within a transit priority area and the major transit stop, (Note: If planned, the transit priority area and major transit stop must be programed to be completed before or within one year from the completion and occupancy of the housing development);
- b) is located within 1/2 mile of a convenience retail uses such as grocery store; and
- c) meets local off-street parking requirements or no more than 1 parking space for a unit with 0–2-bedroom unit and 2 parking space for a unit with 3 or more bedroom.

If these characteristics are not met, the City may impose fee that is proportional to the estimated rate of vehicular trip generation associated with the housing development.

In addition, a local agency is prohibited from imposing land dedication requirement on a housing development that is located in a transit priority area and the linear street frontage of the development is 500 feet or more for roadway widening in order to mitigate traffic impacts, to achieve the locally established Level of Service (LOS) and desired roadway width. Unless local agency can make a finding with substantial evidence that the land dedication requirement is necessary to preserve the health, safety and welfare of the public including pedestrians, cyclists and children.

However, local agency is allowed to impose land dedication for housing development that is related to public improvement including but not limited to sidewalk and sewer improvements.

AB 2430 (Alvarez): AB 2430 Density Bonuses: Monitoring Fees

Prohibits cities from charging a monitoring fee for Density Bonus housing development projects including projects that are already in service if all of the following conditions are met:

- a) Project received a density bonus in accordance with Density Bonus Law;
- b) Project offers 100% of the units are for low & very low-income households except a Manager's unit and up to 20% moderate-income households;
- c) Project is subject to a recorded regulatory agreement with California Tax Credit Allocation Committee (CTCAC), California Housing Finance Agency (CHFA) or Department of Housing and Community Development (HCD) for compliance with Section 65915 (b) (1) (G);
- d) Fully executed Tax Credit Reservation Letter indicating the applicant accepted the award has been submitted to the City prior to receiving a building permit;
- e) Recorded regulatory agreement with CTCAC or HCD has been submitted to the City; and
- f) Copy of compliance monitoring document required by CTCAC or HCD has been submitted to the City.

Cities may charge a monitoring fee if the housing project:

- a) Utilizes a local incentive program that further lower the affordability including higher number of affordable units than what is being monitored by CTCAC, CHFA or HCD;
- b) Is for moderate income households;

- c) Accepts local funding source to develop different affordability based on area median income or rents than what is monitored for by CTCAC, CHFA & HCD; and
- d) Accepts regional, state and federal funding that requires local monitoring activities beyond those conducted by CTCAC, HCD or public agency issuing the funding.

Per this law, City that is not collecting a monitoring fee has no obligation to monitor a housing development for compliance with density bonus law.

SB 937 (Wiener): Development Projects: Fees and Charges.

Allows deferral of fees on residential development projects until the date of final inspection or issuance of a Certificate of Occupancy, whichever occurs first.

- Prohibits a local agency that imposes fees or charges on a residential development for the construction of public improvements or facilities from requiring the payment of those fees or charges until the date of the final inspection or the date the certificate of occupancy is issued, whichever occurs first (except for utility service fees). **The act exempts specified units in a residential development proposed by a nonprofit housing developer if the housing development meets certain conditions.
- Allows fees to still be collected up front but cannot hinder the residential development from pulling building permits.
- Allows Local Agency can require a performance bond or letter of credit for specified units. Local Agency can require a contract to pay fee or charge, as a condition of the building permit issuance.

AB 2694 (Ward): Density Bonus Law: Residential Care Facilities for the Elderly.

Clarifies that Residential Care Facilities for the Elderly (RCFEs) qualify as senior citizen housing developments under Density Bonus Law (DBL) by expanding the definition of a “development” and providing more specific language regarding a “shared housing unit” to include units without a common kitchen where a room is shared by unrelated persons. Residential Care Facilities for the Elderly (RCFEs), commonly referred to as Assisted Living Facilities, support elderly individuals by offering living accommodations such as meals, housekeeping, medication management, and personal care assistance for daily activities. Residents in these facilities enter into a lease agreement for residential units with the provider, allowing them to live at the facility as their home, instead of a healthcare facility. RCFEs are required to include private or semi-private bathrooms, a dining area, and a communal space for activities that can also function as a dining room, and these spaces are sometimes shared between unrelated persons. AB 2694 clarifies the definition of a development within California's DBL (Gov. Code §§65915 -. 65918) so that it may now include specification in the case of RCFEs for unit occupants to be unrelated persons.

By expanding this definition to include circumstances pertaining to living arrangements found within RCFEs where individuals may be unrelated, this bill expands a city or county's ability to administer the Density Bonus Law and provide more opportunity to enact developer agreements to construct, among other options, a senior citizen housing development.

AB 2023 (Quirk-Silva): Housing Element Substantial Compliance: Rebuttable Presumptions.

This measure would create a rebuttable presumption of invalidity in any legal action challenging a local government's action or failure to act if the Department of Housing and Community Development finds that the action or failure to act does not substantially comply with the

jurisdictions adopted housing element or housing element obligations. This measure would also add 120 days to the housing element review process each time changes are made to a pending housing element.

Additionally, for the 7th and each subsequent revision of the housing element, would require a local government to complete the rezoning of sites within one year of the statutory deadline for the adoption of the housing element or 3 years and 90 days of the statutory deadline if the local government satisfies certain requirements.

AB 3093 (Ward) Land Use: Housing Element: Streamlined Multifamily Housing.

This measure would require local governments to account for the housing needs of people experiencing homelessness in their housing elements by adding two new income categories to the Regional Housing Needs Assessment framework: acutely low-income and extremely low-income.

- Acutely Low Income (ALI), meaning those earning between 0% and 15% of the area median income (AMI).
- Extremely Low Income (ELI), meaning those earning between 15% and 30% of the AMI.

AB 98 (Curry): Planning and Zoning: Logistics Use: Truck Routes.

Beginning January 1, 2026, would prescribe various statewide warehouse design and build standards for any proposed new or expanded logistics use developments, including standards for building design and location, parking, truck loading bays, landscaping buffers, entry gates, and signage.

Sensitive receptors include (1) residences, (2) preschool through high schools, (3) daycares, (4) publicly owned parks, playgrounds, and recreational areas or facilities primarily used by children, unless built as a condition of approval for the development of a logistics use; (5) nursing homes and related facilities; and (6) hospitals.

- Requires a facility operator to establish and submit for approval a truck routing plan and to enforce it.
- Requires 2-to-1 replacement of any demolished housing unit that was occupied within the last 10 years.
- Requires cities outside of warehouse concentration region to update their circulation element by January 1, 2028.
- Requires a county or city to provide for posting of conspicuous signage to identify truck routes and additional signage for truck parking and appropriate idling facility locations.
- Requires truck routes to be publicly available.
- Entry gates to the loading truck court must be positioned to allow a minimum of 50 feet of available stacking depth inside the property line. The stacking depth would increase by 70 feet for every 20 loading bays and beyond 50 loading bays, to the extent feasible.
- Anti-idling signs must be installed at truck loading sites, the entrance to the development, and at all heavy-duty truck exit driveways directing drivers to the proper truck route.
- Authorizes the Attorney General to enforce these provisions, as provided, including by imposition of a fine of up to \$50,000 every 6 months if the required updates have not been made.

Update on Land Use and Safety Elements

On May 18, 2022, the Planning Commission recommended to the City Council the adoption of the Housing Element Update (HEU) and Initial Study/Negative Declaration (LUS21-00002/EAS21-00003). On June 14, 2022, City Council adopted the HEU and the California Department of Housing and Community Development (HCD) certified the City's Housing Element Update on October 12, 2022.

As part of the HEU, the City committed to a number of housing programs that require updates to the General Plan Land Use and Safety Element to maintain consistency with the goals established in the HEU. Additionally, Senate Bill (SB) 1000 requires incorporation of an Environmental Justice (EJ) Element, or related EJ goals, policies, and objectives to be integrated upon the adoption or revision of two or more elements concurrently.

The purpose of a General Plan is to guide land use planning decisions. Under state law, subdivisions, capital improvements, development agreements, and many other land use actions must be consistent with the adopted General Plan. A General Plan typically includes eight mandatory elements which are: land use, circulation (transportation), housing, open space, conservation, safety, noise, and environmental justice; however, cities can add additional elements depending on local concerns, meaning the total number of elements can vary.

Again, as part of the Torrance's recently approved HEU, the City is required to update the Land Use and Safety Elements as well as incorporate the EJ Element into both documents, as part of the City's General Plan update.

- Land Use Element: The Land Use Element designates the general distribution, location, and extent (including standards for population density and building intensity) of the uses of land for housing, commercial, industry, agriculture, open space, public facilities, and other categories of public and private uses. The primary purpose of the Land Use Element is to identify the goals, policies, and standards of the General Plan that will guide the physical growth of Torrance, including the public facilities necessary to support such growth.
- Safety Element: The Safety Element details local hazards, vulnerability to hazards, and emergency preparedness.
- EJ Element: The EJ Element identifies and reduces unique or compounded health risks with a focus on disadvantaged communities. Priorities will be reflected in community plans, City Council policies, infrastructure priorities and facility improvement programs, as well as annual City budgets that work together with the General Plan to advance improvements in neighborhoods throughout Torrance.

Earlier this year, Community Development staff issued a Request for Qualifications (RFQ) for these efforts and selected RRM Design Group out of San Luis Obispo. RRM Design Group has experience and knowledge of the City as they prepared the Housing Corridor Overlay for the City and has prepared general plans and updates for other municipalities. The contract services agreement with RRM is for \$198,224 and it is being funded by Local Early Action Planning (LEAP) Grant funds that were awarded to the City by the State in 2021 for the purposes of updating planning documents.

On August 21, 2024, the kickoff meeting with RRM was held to discuss the project overview, requirements, expectations, and scheduling. A copy of the schedule is attached for reference (Attachment 1). The next steps include meetings with stakeholders and public outreach to educate members of the public about the planning process and get a broad-based understanding and receive input. Public outreach will include community workshops, pop-up events such as a booth or table at the farmer's market, webpage and social media campaign, online questionnaire, mailers, etc.

On September 4, 2024, staff commenced the public outreach by providing the Planning Commission with an update on the upcoming changes to the General Plan Land Use Element, Safety Element, and amendments to the Torrance Municipal Code related to residential development, regulatory relief, and compliance with State law.

Staff will be working closely with RRM and it is anticipated that the process will be completed by August 2025. Additional updates and information will be provided as the project continues to move forward.

Conclusion

The Committee recommends that the City Council accept and file the meeting minutes from the October 10, 2024 meeting.

ATTACHMENTS

1. City Council Community Planning and Design Committee Meeting Minutes – October 10, 2024
2. October 10, 2024 City Council Community Planning and Design Agenda Packet
3. Committee Meeting PowerPoint Presentation

MINUTES OF A MEETING OF THE CITY COUNCIL COMMUNITY PLANNING AND DESIGN COMMITTEE

1. CALL TO ORDER

The Community Planning and Design Committee Meeting convened in a regular meeting at 5:00 pm on Thursday, October 10, 2024, in the LeRoy J. Jackson Council Chamber at Torrance City Hall.

ROLL CALL

Present: Chair Gerson, Committee Member Lewis

Absent: Committee Member Mattucci

Also Present: Community Development Director Michelle Ramirez, Management Associate Carlos Huizar, Logan Galimi, Management Aide

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Committee Member Lewis.

3. WELCOME AND INTRODUCTIONS

Chair Dr. Gerson provided a brief introduction and requested committee members to introduce themselves to the public.

Staff presenting:

Community Development Director Michelle Ramirez, Planning Assistant Planning Associate Adrian Perez, Planning Associate Kevin Joe, Planning Associate Suree Peerapol, Senior Planning Associate Carolyn Chun, and Planning Assistant Brice Thompson.

4. REPORT OF STAFF ON THE POSTING OF THE AGENDA

The agenda was posted on the Public Notice Board at 3031 Torrance Boulevard and on the City of Torrance webpage on Thursday, October 3, 2024.

5. ADMINISTRATIVE MATTERS

A. City Manager and Community Development – Accept and File Community Development Department Update on recently signed Legislative matters

- Senior Planning Associate Chun introduced the concept of the “housing element.” Since 1969, California has required cities to meet state-determined housing needs. This involves updating the element every 8 years and being certified by CA’s Department of Housing and Community Development or a court prior to implementation.
- Planning Associate Perez discussed AB 1886, AB 1893, AB 1413, AB 2117, SB 393, SB 1037 (minimal impact on Torrance), SB 1211, SB 450, AB 2553, and SB 937 (minimal impact on Torrance).
 - Committee Member Lewis asked Planning Associate Perez which of the above bills she believed had the greatest impact on Torrance and why.
 - Planning Associate Perez responded that the greatest impact would be that the housing element would have to be done sooner. Additionally, she suggested the public may have concerns about SB 1211’s (regarding ADUs) effect on parking.
 - Committee Member Lewis clarified that Torrance’s housing element is good till 2029.
 - Community Development Director Ramirez reaffirmed the challenge of having the housing element done sooner. She explained that, normally, cities prepare the housing element 1 to 1.5 years before it’s due. This would probably cause us to prepare 2 years before it’s due. In fact, the last round of housing element approvals for SCAG cities took

about 1 year over the approval deadline. So, Torrance will likely start in 2026 to prepare for 2029.

- Additionally, Community Development Director Ramirez cited the challenge that the California Department of Housing and Community Development (HCD) kept changing the rules and making it too detailed for cities to comply (e.g., 12–15-page letter back from multiple reviewers).
- Committee Member Lewis inquired about a transportation component to the housing element that would hold up turning the housing element in.
 - Community Development Director Ramirez stated that was one of the bills they would discuss shortly.
- Planning Associate Kevin Joe discussed AB 2023, SB 1123, SB 2243, and AB 3093.
- Chair Gerson asked about SB 2243's new standard that reimbursement to local agency and school district not required.
 - Director Ramirez clarified that SB 2243 is saying that cities cannot seek reimbursements due to any additional impacts the law might have (passing the buck).
- Regarding AB 3093's designation of the Extremely Low Income—15%-30% of current median income (AMI)—and Acutely Low Income—0%-15% of AMI, Committee Member Lewis asked about the current AMI designations/categories.
 - Staff did not know off the top of their head but were able to Google the answer.
- Planning Associate Suree Peerapol discussed SB 3177 and AB 2430.
- Planning Assistant Brice Thompson discussed SB 2694 and AB 98.
- Director Ramirez stated that AB 98 was already having a big impact on staff. Developers are hastily submitting projects before the deadline so they don't have to comply with AB 98.
- Additionally, Ramirez highlighted that SB 2632 prohibits local government from treating thrift retail stores differently than regular retail stores. So, we will have to develop new standards.
 - For clarification, the consignment stores on Hawthorne are different than thrift stores.
- Director Ramirez also explained that AB 1053, regarding mobile rent caps, did not go through, which is relevant because they were discussed in the last Council meeting.
- Committee Member Lewis asked if the Planning Commission will be trained on these legislative updates.
- Director Ramirez stated that training can be provided.

MOTION: Committee Member Lewis motioned to accept and file the Community Development Department Update. Chair Gerson seconded the motion. The motion carried.

B: City Manager and Community Development – Accept and File Community Development Updates on Land Use and Safety Element Updates.

- Senior Planning Associate Chun explained that the General Plan includes the following mandatory elements: 1) land use, 2) circulation, 3) conservation, 4) noise, 5) open space, 6) safety, 7) environmental justice, and 8) housing. While revising land use and safety elements, Torrance is subject to SB 1000 and incorporates environmental justice.
- The timeline for these updates is as follows:
 - 6/14/2022: City Council adopted the Housing Element Update (HEU).
 - 10/12/2022: HCD certified HEU.
 - 8/21/2024: Kickoff meeting with RMM Design Group.
 - 9/4/2024: Began public outreach and updated Planning Commission.
 - Expected completion - August 2025.

- Chun clarified that the Local Early Action Planning Grant funds the RMM Design Group. Additionally, public outreach includes social media posts, Farmer Market tabling, and mailers.

MOTION: Committee Member Lewis motioned to accept and file the Community Development Department Updates. Chair Gerson seconded the motion. The motion carried.

6. PUBLIC COMMENT

Chair Gerson asked if anyone from the public would like to speak.

There were no members of the public that wished to speak at the time.

7. CLOSING REMARKS

- Management Associate Carlos Huizar summarized that two actions to accept and file were approved, and that staff will prepare an item for full Council at a future Council meeting.
- Community Development Director Michelle Ramirez thanked the Committee for letting staff update them.
- Chair Gerson stated this meeting was important to him because the last time the Committee met was in 2019.
- Committee Member Lewis asked present staff to please take back to all of their teams how much the Committee appreciates their hard work. The Community Development Department has been impacted in so many ways, and stated the Committee understands that it is incredibly difficult work.

8. ADJOURNMENT

At 5:56 PM, Committee Member Lewis moved to adjourn the meeting. Chair Gerson seconded the motion. The motion carried.



TORRANCE CITY COUNCIL COMMUNITY PLANNING AND DESIGN COMMITTEE AGENDA

**THURSDAY, OCTOBER 10, 2024
REGULAR MEETING
5:00 PM**

**TORRANCE CITY HALL, LEROY J. JACKSON COUNCIL CHAMBER
3031 TORRANCE BOULEVARD
TORRANCE, CA 90503**

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Manager's office at (310) 618-5880. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28CFR35.102-35.104 ADA Title II] Direct questions or concerns to the City Council at (310) 618-2801, City Manager at (310) 618-5880, or the individual department head prior to submission to the City Council Transportation Committee. Parties will be notified if the complaint will be included on a subsequent agenda.

PARTICIPATE BEFORE THE MEETING by emailing CHuizar@TorranceCA.Gov and write "Public Comment" in the subject line. In the body of the email include the item number and/or title of the item with your comments. All comments emailed before **5:30 p.m.** on **Wednesday, October 9, 2024** will be included as a "Supplemental" on the City's website prior to the meeting. Comments received after 5:30 p.m., but prior to the adjournment of the meeting will be added to the record.

1. CALL TO ORDER

Councilmember Gerson, Chair

ROLL CALL: Councilmembers Lewis, Mattucci and Chair Gerson

2. PLEDGE OF ALLEGIANCE

Councilmember Lewis

3. WELCOME AND INTRODUCTIONS

Councilmember Gerson, Chair

4. REPORT OF STAFF ON THE POSTING OF THE AGENDA

C. Huizar, Mgt. Associate

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5. ADMINISTRATIVE MATTERS

5A. City Manager and Community Development – Accept and File Community Development Department Updates on recently signed Legislative matters.

RECOMMENDATION:

Recommendation of the City Manager and Community Development Director that the City Council Community Planning and Design Committee accept and file the report on the legislative updates.

5B. City Manager and Community Development – Accept and File Community Development Updates on Land Use and Safety Element Updates.

RECOMMENDATION:

Recommendation of the City Manager and Community Development Director that the City Council Community Planning and Design Committee accept and file the report on the Land Use and Safety Element updates.

6. PUBLIC COMMENT

This portion of the meeting is reserved for comment on items not on the agenda that are topics of general interest to the public that are within the subject matter jurisdiction of the City Council Community Planning and Design Committee. Under the Ralph M. Brown Act, City Council Community Planning and Design Committee cannot act on items raised during public comment but may respond briefly to statements made or questions posed; request clarification; or refer the item to staff.

7. CLOSING REMARKS

8. ADJOURNMENT



Date: October 10, 2024

To: Chair and Members of the City Council Planning and Design Committee

From: Michelle Ramirez, Community Development Director
Aram Chaparyan, City Manager

By: Oscar Martinez, Planning Manager | OMartinez@TorranceCA.gov
Carolyn Chun, Senior Planning Associate | CChun@TorranceCA.gov

Subject: City Manager and Community Development – Accept and File Community Development Department Updates on recently signed Legislative matters.

RECOMMENDATION

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FUNDING

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Clarifies that a housing element or amendment is not considered substantially compliant with housing element law until the local agency has adopted a housing element that the HCD has determined is in substantial compliance with housing element law, as specified.

- Would make jurisdictions subject to the Builder's Remedy (building larger than what zoning allows in cities that don't zone for enough housing) until HCD or court finds that the Housing Element is substantially compliant.
- Ensures that the housing element or amendment is considered substantially compliant with the Housing Element Law. Findings cannot be superseded by subsequent contrary findings by the department or by a decision of a court of competent jurisdiction.
- State could challenge the Housing Element and/or Amendments to ensure that a jurisdiction complies or is in compliance with Housing Element Law.

AB 1893 (Wicks): Housing Accountability Act: Housing Disapprovals: Required Local Findings.

Limits the size of Builder's Remedy projects but reduces affordability requirements from 20% lower income or 100% moderate/middle income to at least 7% extremely low income; 10% very low income; 13% lower income; 100% moderate; 10 units or fewer (regardless of affordability) as long as a project exceeds 10 dwelling units per acre.

- This bill will expand the definition of Housing Development to be a Mixed-Use Development with at least 2/3 of the proposal to be residential.
- A local agency provides findings if the adopted Housing Element is in compliance at the time of an application being deemed complete. If not in compliance, developers could activate a Builder's Remedy without needing City Clearance or request.

AB 1413 (Carrillo): Housing Accountability Act: Disapprovals: California Environmental Quality Act.

Establishes timeframes in the Housing Accountability Act (HAA) for local agencies to consider objections, comments and evidence, related to determining whether a HAA protected housing development project is exempt from the California Environmental Quality Act (CEQA).

The act defines disapprove the housing development as including, among other things, until January 1, 2031, any instance in which a local agency fails to adopt a negative declaration or addendum for the project, to certify an environmental impact report for the project, or to approve another comparable environmental document, if certain conditions are satisfied, or fails to make a determination of whether the project is exempt from CEQA or commits an abuse of discretion if certain conditions are met, including that the applicant has given timely written notice to the local agency, as specified. The act requires the local agency, within 5 working days of receiving the notice, to file the notice with the county clerk for each county in which the project will be located, as specified.

- Requires the local agency, within 5 working days of receiving a timely written notice, to file the notice with the county clerk, to post the notice on the local agency's internet website and provide a copy to specified persons.
- Additionally requires the local agency to consider all objections, comments, evidence, and concerns submitted about the project or the applicant's written notice and would prohibit the local agency from making a determination until at least 60 days after the applicant has given timely written notice.

AB 2117 (Patterson): Development Permit Expirations: Actions or Proceedings.

This bill specifies that the period of time before a permit or project approval issued by a city, county, or state agency expires must not include the period of time during which an action or proceeding involving the approval or conditional approval of the permit or project approval is or was pending.

Ensures that local and state permits do not expire on an approved project while a CEQA challenge is taking place

SB 393 (Glazer): Civil actions: Housing Development Projects.

Makes it potentially more expensive to file a CEQA lawsuit against affordable housing by shifting the burden of demonstrating that posting a bond would place an undue economic hardship on the plaintiff from the defendant to the plaintiff in actions challenging certain low- or moderate-income housing projects.

SB 1037 (Weiner): Planning and zoning: Housing Element: Enforcement.

Fines cities up to \$50,000 per month for breaking state housing law.

- Currently, the local government to streamline, ministerially review, and approve housing development projects that satisfy objective planning standards. Failure to do so, this bill allows legal action by the HCD or Attorney General to enforce adoption of housing element revisions and charge a civil penalty. Minimum penalty is \$10,000 and maximum is \$50,000 per month.
- The bill would require these civil penalties to be deposited into the Building Homes and Jobs Trust Fund for the sole purpose of supporting the development of affordable housing located in the jurisdiction. Failure to pay, civil penalties the court could require the Controller to intercept any state and local funds and direct those funds to the Building Homes and Jobs Trust Fund.

SB 1211 (Skinner): Land use: Accessory Dwelling Units: Ministerial Approval.

Existing law allows up to two detached ADUs on a multifamily property. Authorizes up to 8 detached ADUs to be created on a lot with an existing multifamily dwelling, provided that the number of ADUs does not exceed the number of existing units on the lot, and up to 2 detached ADUs on a lot with a proposed multifamily dwelling.

Existing law prohibits replacement of off-street parking spaces if a garage, carport, or covered parking structure is demolished in conjunction with the construction/conversion to an ADU. This will further prohibit requiring the replacement of off-street parking spaces if an uncovered parking space is demolished in conjunction with the construction of, or is converted to, an ADU.

Existing law allows conversion of a certain number of ADUs within existing multifamily buildings as long as it is not used as livable space. This bill defines livable space to mean a space in a dwelling intended for human habitation, including living, sleeping, eating, cooking, or sanitation.

AB 2243 (Wicks): Housing Development Projects: Objective Standards: Affordability and Site Criteria.

Amends objective standards, affordability and site criteria for housing development established by the Middle-Class Housing Act of 2022 (SB 6) and the Affordable Housing and High Road Act of 2022 (AB 2011).

- Under AB 2011, the maximum size of a parcel was limited to 20 acres. This bill allows housing development projects for a regional mall site that is not greater than 100 acres.
- Prohibits the demolish of historic structure placed on a national, state, or local historic register.
- Prohibits housing development subject to streamlined, ministerial approval process for parcel designated for industrial use as long as it was designated as industrial in the general plan prior to January 1, 2022.

- Prohibits density limitations on mixed-income development that is a conversion of existing buildings into a residential use, provided that there are no additions more than 20% of the overall square footage.
- Affordability thresholds apply only to the base units of housing development & excludes units added by density bonus.
- Clarifies the definition of "use by right" as not subject to CUP or discretionary approval, permit or review process and no aspect of the project is a "project" as defined by CEQA.
- Expands definition of urban use to include a public park that is surrounded by other urban uses, parking lot/structure, transit/transportation facility, retail use or combination of these uses.
- Revises timeline for approval of housing development determined to consistent with objective standards.
- Requires designation and identification of exempted parcels on zoning map.

SB 450 (Atkins): Housing Development: Approvals.

Allows 2-unit residential projects in single family zones to be processed ministerially. This bill strengthens SB9 and applies to all cities.

- Removes the requirement that a proposed housing development does not allow for the demolition of more than 25% of the existing exterior structural walls to be considered ministerially.
- States local agency can impose objective zoning standards, objective subdivision standards, and objective design standards for the underlying zone.
- Removes the authorization for a local agency to deny a proposed housing development if the building official makes a written finding that the proposed housing development project would have a specific, adverse impact upon the physical environment.
- Requires the local agency to consider and approve or deny the proposed housing development application within 60 days from the date the local agency receives the completed application. If the local agency denies an application, local agency will provide a full set of comments to the applicant with a list of items that are defective or deficient, and a description of how the application can be remedied by the applicant.

SB 1123 (Caballero): Planning and Zoning: Subdivisions: Ministerial Review.

Expands SB 684 (2023), which allows development of 10 or fewer units on a multifamily zoned parcel, including a subdivision, to be processed ministerially.

- Updates existing law to include vacant single-family lots and allow building up to 10 homes.
- Prohibits counting ADUs or JADUs toward the 10 residential unit limitation.
- Prohibits the subdivision resulting in existing dwelling unit being separate from the title of other existing dwelling unit on the lot.
- Expands law to vacant lots zoned for single-family residential and no larger than 1-½ acres are eligible. Newly created lots shall be no smaller than 1,200 square feet.
- Requires proposed development to result in at least 66% of the maximum allowable density.
- Prohibits a minimum frontage requirement for newly created parcels.

AB 2553 (Friedman): Housing Development: Major Transit Stops: Vehicular Traffic Impact Fees.

CEQA exempts from its requirements residential projects on infill sites and transit priority projects that meet certain requirements, including a requirement that the projects are located within 1/2 mile of a major transit stop. CEQA defines major transit stop to include, a) existing rail or bus rapid transit station, b) ferry terminal served by bus or rail transit service, c) the intersection of 2 or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.

This bill revises the definition of major transit stop to increase the frequency of service interval from 15 minutes to 20 minutes.

AB 3177 (Carrillo): Mitigation Fee Act

Requires a local agency to set a rate for mitigating vehicular traffic impacts fee to reflect a lower rate of vehicular trip generation associated with housing developments provided that a development project:

- a) is located within a transit priority area and the major transit stop, (Note: If planned, the transit priority area and major transit stop must be programed to be completed before or within one year from the completion and occupancy of the housing development);
- b) is located within ½ mile of a convenience retail uses such as grocery store; and
- c) meets local off-street parking requirements or no more than 1 parking space for a unit with 0–2-bedroom unit and 2 parking space for a unit with 3 or more bedroom.

If these characteristics are not met, the City may impose fee that is proportional to the estimated rate of vehicular trip generation associated with the housing development.

In addition, a local agency is prohibited from imposing land dedication requirement on a housing development that is located in a transit priority area and the linear street frontage of the development is 500 feet or more for roadway widening in order to mitigate traffic impacts, to achieve the locally established Level of Service (LOS) and desired roadway width. Unless local agency can make a finding with substantial evidence that the land dedication requirement is necessary to preserve the health, safety and welfare of the public including pedestrians, cyclists and children.

However, local agency is allowed to impose land dedication for housing development that is related to public improvement including but not limited to sidewalk and sewer improvements.

AB 2430 (Alvarez): AB 2430 Density Bonuses: Monitoring Fees

Prohibits cities from charging a monitoring fee for Density Bonus housing development projects including projects that are already in service if all of the following conditions are met:

- a) Project received a density bonus in accordance with Density Bonus Law;
- b) Project offers 100% of the units are for low & very low-income households except a Manager's unit and up to 20% moderate-income households;
- c) Project is subject to a recorded regulatory agreement with California Tax Credit Allocation Committee (CTCAC), California Housing Finance Agency (CHFA) or Department of Housing and Community Development (HCD) for compliance with Section 65915 (b) (1) (G);
- d) Fully executed Tax Credit Reservation Letter indicating the applicant accepted the award has been submitted to the City prior to receiving a building permit;

- e) Recorded regulatory agreement with CTCAC or HCD has been submitted to the City; and
- f) Copy of compliance monitoring document required by CTCAC or HCD has been submitted to the City.

Cities may charge a monitoring fee if the housing project:

- a) Utilizes a local incentive program that further lower the affordability including higher number of affordable units than what is being monitored by CTCAC, CHFA or HCD;
- b) Is for moderate income households;
- c) Accepts local funding source to develop different affordability based on area median income or rents than what is monitored for by CTCAC, CHFA & HCD; and
- d) Accepts regional, state and federal funding that requires local monitoring activities beyond those conducted by CTCAC, HCD or public agency issuing the funding.

Per this law, City that is not collecting a monitoring fee has no obligation to monitor a housing development for compliance with density bonus law.

SB 937 (Wiener): Development Projects: Fees and Charges.

Allows deferral of fees on residential development projects until the date of final inspection or issuance of a Certificate of Occupancy, whichever occurs first.

- Prohibits a local agency that imposes fees or charges on a residential development for the construction of public improvements or facilities from requiring the payment of those fees or charges until the date of the final inspection or the date the certificate of occupancy is issued, whichever occurs first (except for utility service fees). **The act exempts specified units in a residential development proposed by a nonprofit housing developer if the housing development meets certain conditions.
- Allows fees to still be collected up front but cannot hinder the residential development from pulling building permits.
- Allows Local Agency can require a performance bond or letter of credit for specified units. Local Agency can require a contract to pay fee or charge, as a condition of the building permit issuance.

AB 2694 (Ward): Density Bonus Law: Residential Care Facilities for the Elderly.

Clarifies that Residential Care Facilities for the Elderly (RCFEs) qualify as senior citizen housing developments under Density Bonus Law (DBL) by expanding the definition of a “development” and providing more specific language regarding a “shared housing unit” to include units without a common kitchen where a room is shared by unrelated persons. Residential Care Facilities for the Elderly (RCFEs), commonly referred to as Assisted Living Facilities, support elderly individuals by offering living accommodations such as meals, housekeeping, medication management, and personal care assistance for daily activities. Residents in these facilities enter into a lease agreement for residential units with the provider, allowing them to live at the facility as their home, instead of a healthcare facility. RCFEs are required to include private or semi-private bathrooms, a dining area, and a communal space for activities that can also function as a dining room, and these spaces are sometimes shared between unrelated persons. AB 2694 clarifies the definition of a development within California's DBL (Gov. Code §§65915 - . 65918) so that it may now include specification in the case of RCFEs for unit occupants to be unrelated persons.

By expanding this definition to include circumstances pertaining to living arrangements found within RCFEs where individuals may be unrelated, this bill expands a city or county's ability to administer the Density Bonus Law and provide more opportunity to enact developer agreements to construct, among other options, a senior citizen housing development.

AB 2023 (Quirk-Silva): Housing Element Substantial Compliance: Rebuttable Presumptions.

This measure would create a rebuttable presumption of invalidity in any legal action challenging a local government's action or failure to act if the Department of Housing and Community Development finds that the action or failure to act does not substantially comply with the jurisdictions adopted housing element or housing element obligations. This measure would also add 120 days to the housing element review process each time changes are made to a pending housing element.

Additionally, for the 7th and each subsequent revision of the housing element, would require a local government to complete the rezoning of sites within one year of the statutory deadline for the adoption of the housing element or 3 years and 90 days of the statutory deadline if the local government satisfies certain requirements.

AB 3093 (Ward) Land Use: Housing Element: Streamlined Multifamily Housing.

This measure would require local governments to account for the housing needs of people experiencing homelessness in their housing elements by adding two new income categories to the Regional Housing Needs Assessment framework: acutely low-income and extremely low-income.

- Acutely Low Income (ALI), meaning those earning between 0% and 15% of the area median income (AMI).
- Extremely Low Income (ELI), meaning those earning between 15% and 30% of the AMI.

AB 98 (Curry): Planning and Zoning: Logistics Use: Truck Routes.

Beginning January 1, 2026, would prescribe various statewide warehouse design and build standards for any proposed new or expanded logistics use developments, including standards for building design and location, parking, truck loading bays, landscaping buffers, entry gates, and signage.

Sensitive receptors include (1) residences, (2) preschool through high schools, (3) daycares, (4) publicly owned parks, playgrounds, and recreational areas or facilities primarily used by children, unless built as a condition of approval for the development of a logistics use; (5) nursing homes and related facilities; and (6) hospitals.

- Requires a facility operator to establish and submit for approval a truck routing plan and to enforce it.
- Requires 2-to-1 replacement of any demolished housing unit that was occupied within the last 10 years.
- Requires cities outside of warehouse concentration region to update their circulation element by January 1, 2028.
- Requires a county or city to provide for posting of conspicuous signage to identify truck routes and additional signage for truck parking and appropriate idling facility locations.
- Requires truck routes to be publicly available.

- Entry gates to the loading truck court must be positioned to allow a minimum of 50 feet of available stacking depth inside the property line. The stacking depth would increase by 70 feet for every 20 loading bays and beyond 50 loading bays, to the extent feasible.
- Anti-idling signs must be installed at truck loading sites, the entrance to the development, and at all heavy-duty truck exit driveways directing drivers to the proper truck route.
- Authorizes the Attorney General to enforce these provisions, as provided, including by imposition of a fine of up to \$50,000 every 6 months if the required updates have not been made.



Date: October 10, 2024

To: Chair and Members of the City Council Community Planning and Design Committee

From: Aram Chaparyan, City Manager
Michelle Ramirez, Community Development Director

By: Oscar Martinez, Planning Manager | OMartinez@TorranceCA.gov
Carolyn Chun, Senior Planning Associate | CChun@TorranceCA.gov

Subject: City Manager and Community Development – Accept and File Community Development Department Updates on Land Use and Safety Element Updates.

RECOMMENDATION

Recommendation of the City Manager and Community Development Director that the City Council Community Planning and Design Committee accept and file the report on the Land Use and Safety Element updates.

FUNDING

There is no funding required for this action.

DISCUSSION

On May 18, 2022, the Planning Commission recommended to the City Council the adoption of the Housing Element Update (HEU) and Initial Study/Negative Declaration (LUS21-00002/EAS21-00003). On June 14, 2022, City Council adopted the HEU and the California Department of Housing and Community Development (HCD) certified the City's Housing Element Update on October 12, 2022.

As part of the HEU, the City committed to a number of housing programs that require updates to the General Plan Land Use and Safety Element to maintain consistency with the goals established in the HEU. Additionally, Senate Bill (SB) 1000 requires incorporation of an Environmental Justice (EJ) Element, or related EJ goals, policies, and objectives to be integrated upon the adoption or revision of two or more elements concurrently.

The purpose of a General Plan is to guide land use planning decisions. Under state law, subdivisions, capital improvements, development agreements, and many other land use actions must be consistent with the adopted General Plan. A General Plan typically includes eight mandatory elements which are: land use, circulation (transportation), housing, open space, conservation, safety, noise, and environmental justice; however, cities can add additional elements depending on local concerns, meaning the total number of elements can vary.

Again, as part of the Torrance's recently approved HEU, the City is required to update the Land Use and Safety Elements as well as incorporate the EJ Element into both documents, as part of the City's General Plan update.

- **Land Use Element:** The Land Use Element designates the general distribution, location, and extent (including standards for population density and building intensity) of the uses of land for housing, commercial, industry, agriculture, open space, public facilities, and other categories of public and private uses. The primary purpose of the Land Use Element is to identify the goals, policies, and standards of the General Plan that will guide the physical growth of Torrance, including the public facilities necessary to support such growth.
- **Safety Element:** The Safety Element details local hazards, vulnerability to hazards, and emergency preparedness.
- **EJ Element:** The EJ Element identifies and reduces unique or compounded health risks with a focus on disadvantaged communities. Priorities will be reflected in community plans, City Council policies, infrastructure priorities and facility improvement programs, as well as annual City budgets that work together with the General Plan to advance improvements in neighborhoods throughout Torrance.

Earlier this year, Community Development staff issued a Request for Qualifications (RFQ) for these efforts and selected RRM Design Group out of San Luis Obispo. RRM Design Group has experience and knowledge of the City as they prepared the Housing Corridor Overlay for the City and has prepared general plans and updates for other municipalities. The contract services agreement with RRM is for \$198,224 and it is being funded by Local Early Action Planning (LEAP) Grant funds that were awarded to the City by the State in 2021 for the purposes of updating planning documents.

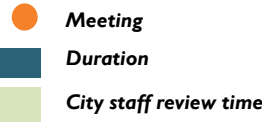
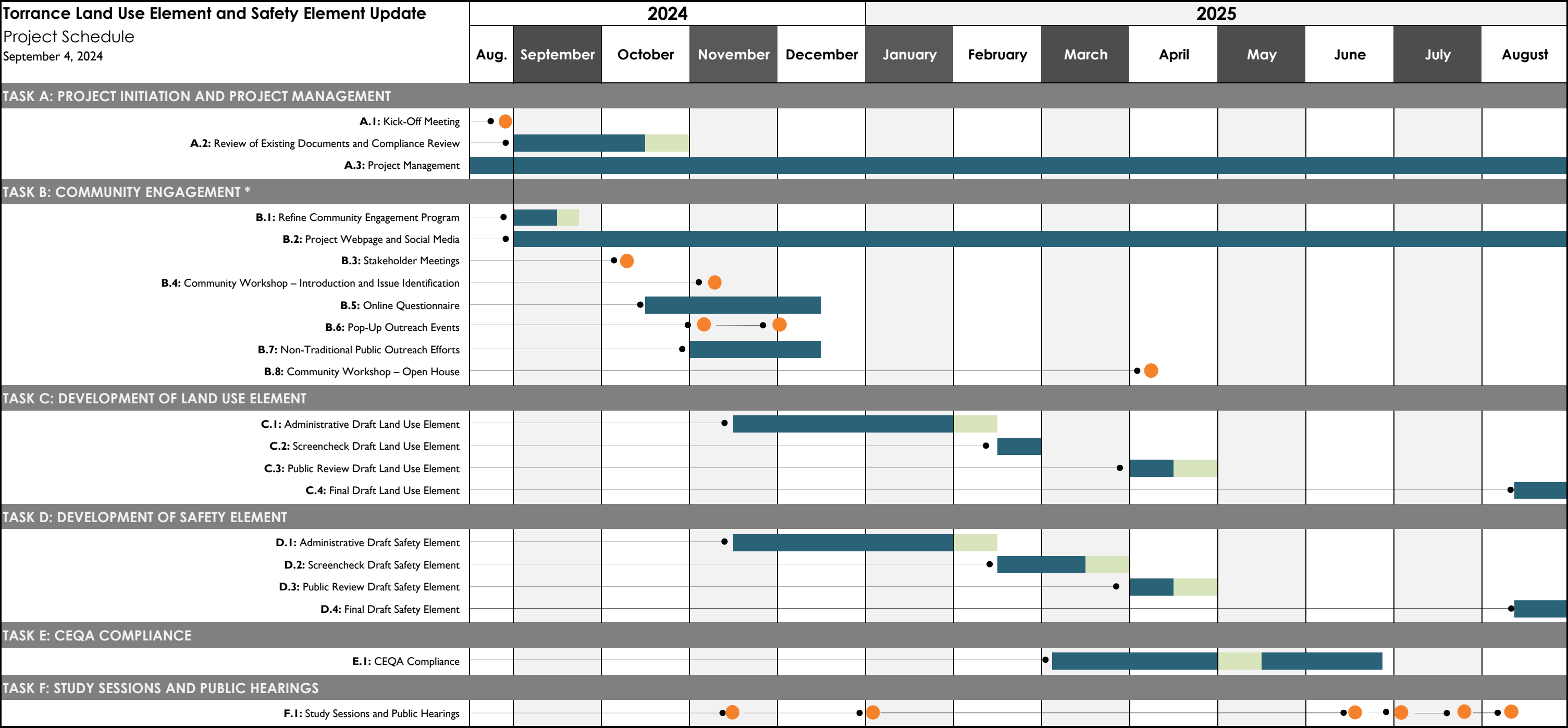
On August 21, 2024, the kickoff meeting with RRM was held to discuss the project overview, requirements, expectations, and scheduling. A copy of the schedule is attached for reference (Attachment 1). The next steps include meetings with stakeholders and public outreach to educate members of the public about the planning process and get a broad-based understanding and receive input. Public outreach will include community workshops, pop-up events such as a booth or table at the farmer's market, webpage and social media campaign, online questionnaire, mailers, etc.

On September 4, 2024, staff commenced the public outreach by providing the Planning Commission with an update on the upcoming changes to the General Plan Land Use Element, Safety Element, and amendments to the Torrance Municipal Code related to residential development, regulatory relief, and compliance with State law.

Staff will be working closely with RRM and it is anticipated that the process will be completed by August 2025. Additional updates and information will be provided as the project continues to move forward.

Attachments

1. Land Use and Safety Element Update Project Schedule



* Timing for Task B, Community Engagement, will be further refined as part of the Refined Community Engagement Program.

City of
TORRANCE
California

**CITY COUNCIL
COMMUNITY PLANNING & DESIGN
COMMITTEE MEETING**

THURSDAY, OCTOBER 10, 2024

5:00 PM

ROLL CALL

FLAG SALUTE

WELCOME AND INTRODUCTIONS

AGENDA

ITEM 5A

ADOPTED HOUSING DEVELOPMENT BILL SUMMARY

Housing Element

32

What is a Housing Element?

Since 1969, California has required that all local governments adequately plan to meet the housing needs as determined by the State. California's local governments meet this requirement by:

- Adopting housing programs and implementation strategies.
- Updating Housing Element (or amendment) every eight years (cycle).
- Certifying Housing Element via the Department of Housing and Community Development (HCD) or the Court prior to implementation.

AB 1886

AB 1893³³

AB 1413

What is a Builder's Remedy?

Builder's remedy is an allowance for the builder to assist City's to meet their Regional Housing Need Assessment (RHNA) numbers by receiving additional wavier(s) from development standards if the proposal has mixed affordable residential.



AB 1886

34

- Requires the Housing Element and/or Amendments to be considered substantially compliant with the Housing Element Law.
- Allows state to challenge Housing Element and/or Amendments.

AB 1893

35

- Expands the definition of Housing Development to be a Mixed-Use Development with at least 2/3 of the proposal to be residential.
- Provide findings if the adopted Housing Element is in compliance at the time of an application being deemed complete.

AB 1413

36

- Redefined disapproving housing developments.
- Within 5 working days of receiving a timely written notice, Staff must:
 - File the notice with the county clerk;
 - Post the notice on the City's website; and
 - Provide a copy of the notice to specified persons.

AB 1413(cont'd)

37

- Requires the City:
 - Consider all objections, comments, evidence, and concerns regarding the project or the applicant's written notice;
 - Prohibits the City from making a determination for at least 60 days.

What is a Permit (for the purpose of this State Bill)?

“Permit” means an entitlement permit (i.e. variance, conditional use permit, or any other development permit), but does not include, building permit, grading permit, or non-discretionary permit.

This Bill...

Approval expiration shall not include any period of time a permit was pending or in legal proceedings.

SB 393

39

The Courts could require a security deposit from a party for costs and damages that may be incurred by the developer (i.e. a delay in carrying out the development project).

Existing law requires a motion to be made on the grounds:

1. The action was brought in bad faith, vexatiously, to delay or thwart the low- or moderate-income nature of the housing development project; and
2. The plaintiff will not suffer undue economic hardship by filing the undertaking.

SB 393(cont'd)

40

Gives the Court ability to limit or waive the security deposit if it could cause economic hardship.

Would require the motion:

1. To be made on the grounds that the action is without merit; and
2. The action was brought in bad faith, vexatiously, for the purpose of delay, or to thwart the low- or moderate-income nature of the housing development project.

SB 1037

41

- Cities can no longer self-certify Housing Element Updates.
- If adopted late, allows legal action by the HCD or Attorney General to enforce adoption of housing element revisions and charge a civil penalty.

SB 1037 (cont'd)

42

- Minimum penalty is \$10,000 and maximum is \$50,000 per month.
 - The civil penalties enter the "Building Homes and Jobs Trust Fund" supporting affordable housing development located in the jurisdiction.
 - Failure to pay penalties could require Controller intercept local funds.

SB 1211

43

Amends ADU law and allows up to 8 or fewer detached ADUs within the multi-family residential districts.

- Based on existing number of units on-site.
- Required to meet health and safety standards.
- If garage is converted, as part of the scope, the parking does not have to be replaced.

SB 9 with amendments to include charter cities. Some of the amendments include:

- Proposed housing development does not allow for the 25% of the existing exterior structural walls to be considered ministerially, (this language was removed).
- Cities can impose objective zoning standards.
- Removes Building Official authority make written findings about adverse impacts upon the physical environment.

California Law defines "Major Transit Stop" as the following:

- A. An existing rail or bus rapid transit station.
- B. A ferry terminal served by either a bus or rail transit service.
- C. The intersection of two or more major bus routes with a frequency of service interval of 20 ~~15~~ minutes or less during the morning and afternoon peak commute periods.

SB 937

46

Prohibits a local agency from requiring residential development impact fees upfront.

- Allows developer to delay fees or charges.
- Local agency can require a performance bond or letter of credit for specified units.

AB 2023

47

- Creates rebuttable presumption of invalidity if a local government fails to substantially comply with the jurisdictions adopted housing element or housing element obligations.
- This bill adds 120 days to the housing element review process each time changes are made to a pending housing element.
- Must complete rezoning from in a timely manner.

AB 2023_(cont'd)

48

- Minimum penalty is \$10,000 and maximum is \$100,000 per month.
 - The civil penalties enter the "Building Homes and Jobs Trust Fund" supporting affordable housing development located in the jurisdiction.
 - Failure to pay penalties could require Controller intercept local funds.

SB 1123

49

Amends SB 684 which allows the ministerial, streamlined approval of development and subdivision of 10 or fewer residential units on lots under 5 acres zoned for multi-family residential. (Effective July 1, 2025).

New Standards:

- Excludes ADUs or JADUs toward the 10 residential unit limitation.
- Title of all existing dwellings shall be the same.
- Vacant lots zoned for single-family residential and no larger than 1-½ acres are eligible, (new lots shall be no smaller than 1,200 square feet).
- Results in at least 66% of the maximum allowable density.
- No minimum frontage requirement.

SB 2243

51

Amends objective standards, affordability and site criteria for housing development established by the Middle-Class Housing Act of 2022 (SB 6) and the Affordable Housing and High Road Act of 2022 (AB 2011).

SB 2243_(cont'd)

52

New Standards:

- Allows housing projects for a regional mall site up to 100 acres.
- Prohibits demolition of a historic structure.
- Exclusion of parcels designated for industrial use.
- Centralized HVAC within 500 feet of freeway.
- No density limit for a conversion.

SB 2243_(cont'd)

53

New Standards:

- Excludes density bonus units from affordability thresholds.
- Clarifies the definition of "use by right".
- Includes public park as urban use.
- Revises timeline for approval of housing development.
- Designation and identification of exempted parcels.
- Reimbursement to local agency and school district not required.

AB 3093

54

Requires the City to account for housing needs for people experiencing being unhoused.

California created two new income categories:

- Extremely Low Income (ELI) - earning between 15% to 30% of area median income (AMI).
- Acutely Low Income (ALI) - earning between 0% to 15% of AMI.

AB 3177

55

To set lower mitigation vehicular traffic fee impacts for housing developments. If the housing development meets certain criteria:

- a) Located within transit priority area and a major transit stop;
- b) Located within ½ mile of a convenience retail uses; and
- c) Meets local off-street parking requirements or no more than:
 - 1 parking spaces per 0-2 bedroom unit; and
 - 2 parking spaces per 3 + bedroom unit.

AB 2430

56

Prohibits cities from charging a monitoring fee for Density Bonus Projects that meet the following conditions:

- a) Project offers 100% of the units are for low & very low-income households except a Manager's unit and up to 20% moderate-income households;
- b) Project received a density bonus in accordance with Density Bonus Law;
- c) Project is subject to a recorded regulatory agreement with one of California regulatory bodies;

AB 2430(cont'd)

57

- d) Fully executed Tax Credit Reservation Letter indicating the applicant accepted the award has been submitted to the City prior to receiving a building permit;
- e) Recorded regulatory agreement with regulatory bodies has been submitted to the City; and
- f) Copy of compliance monitoring document required by regulatory bodies has been submitted to the City.

SB 2694

58

Clarifies Residential Care Facilities for the Elderly (RCFEs):

- Under Density Bonus Law (DBL), as Senior Citizen housing developments.
- Expanded the definition of a “development.”
- Provided specific language regarding a “shared housing unit.”
 - Units without a common kitchen where a room is shared by unrelated persons.

AB 98

59

- Effective January 1, 2026, Local agencies are prohibited from approving new or expanded “logistics uses” near sensitive receptors, unless the new standards from this bill are met.
 - Bill establishes logistics and warehousing standards baseline.
- Circulation Element is required to be updated 2028.
 - Key update - identify specific truck routes and avoid uses/zones that may have sensitive receptors.

DIRECTOR UPDATES

ITEM 5B

LAND USE AND SAFETY ELEMENT UPDATES

General Plan

62

What is a General Plan?

Serves a local government's "blueprint" for how the city and/or county will grow and develop. This plan is required by law to include eight elements:

- land use
- circulation
- conservation
- noise
- open space
- safety
- environmental justice
- housing

Timeline

63

- June 14, 2022, City Council adopted the Housing Element Update (HEU).
- October 12, 2022, HCD certified HEU.
- August 21, 2024, Kickoff meeting with RMM Design Group.
- September 4, 2024, commenced public outreach.
 - Staff provided an update to the Planning Commission and upcoming changes:
 - General Plan Land Use Element;
 - General Plan Safety Element; and
 - Torrance Municipal Code.
- Expected completion - August 2025.

QUESTIONS? COMMENTS?



PUBLIC COMMENT

CONCLUSION

ADJOURNMENT