



Administrative Report

L.3., File # 25-1531

Meeting Date: 11/18/2025

To: MAYOR AND CITY COUNCIL

**From: MARC WIENER, COMMUNITY DEVELOPMENT DIRECTOR, SEAN SCULLY, PLANNING
MANAGER**

TITLE

PUBLIC HEARING FOR INTRODUCTION AND FIRST READING OF ORDINANCES AMENDING TITLE 10, CHAPTER 2, ARTICLE 1, SECTION 10-2.402 DEFINITIONS AND TITLE 10, CHAPTER 5, ARTICLE 1, SECTION 10-5.402 DEFINITIONS OF THE REDONDO BEACH MUNICIPAL CODE PERTAINING TO THE DEFINITION OF "P" (PERMITTED BY RIGHT) IN THE CITY'S VARIOUS SPECIFIED ZONES AND PROCEDURES AND DETERMINING THE AMENDMENT AS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

PROCEDURES:

1. Open the public hearing and take testimony;
2. Close the public hearing and deliberate;
3. Introduce the following ordinances by title only; and
4. Adopt by title only the resolution submitting ordinance to the California Coastal Commission

INTRODUCE BY TITLE ONLY ORDINANCE NO. 3308-25, AN ORDINANCE OF THE CITY OF REDONDO BEACH, CALIFORNIA, AMENDING TITLE 10, CHAPTER 2, ARTICLE 1, SECTION 10-2.402(A)(135.5) OF THE REDONDO BEACH MUNICIPAL CODE PERTAINING TO THE DEFINITION OF "P" (PERMITTED BY RIGHT) IN THE CITY'S VARIOUS SPECIFIED ZONES AND PROCEDURES AND DETERMINING SUCH AMENDMENTS AS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

INTRODUCE BY TITLE ONLY ORDINANCE NO. 3309-25, AN ORDINANCE OF THE CITY OF REDONDO BEACH, CALIFORNIA, AMENDING TITLE 10, CHAPTER 5, ARTICLE 1, SECTION 10-5.402(A) OF THE REDONDO BEACH MUNICIPAL CODE PERTAINING TO THE DEFINITION OF "P" (PERMITTED BY RIGHT) IN THE CITY'S VARIOUS SPECIFIED ZONES AND PROCEDURES AND DETERMINING SUCH AMENDMENT AS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

ADOPT BY TITLE ONLY RESOLUTION NO. CC-2511-090, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA, FORWARDING TO AND REQUESTING CERTIFICATION BY THE CALIFORNIA COASTAL COMMISSION OF AMENDMENTS TO TITLE 10, CHAPTER 5 (COASTAL LAND USE PLAN IMPLEMENTING ORDINANCE), ARTICLE 1, SECTION 10-5.402(A) OF THE REDONDO BEACH MUNICIPAL CODE PERTAINING TO THE DEFINITION OF "P" (PERMITTED BY RIGHT) IN THE CITY'S VARIOUS SPECIFIED ZONES AND PROCEDURES, WHICH IS INTENDED TO BE CARRIED OUT IN A

MANNER FULLY IN CONFORMITY WITH THE COASTAL ACT; AND PROVIDING THAT THE AMENDMENTS TO THE CITY'S LOCAL COASTAL PROGRAM WILL TAKE EFFECT AUTOMATICALLY UPON COASTAL COMMISSION APPROVAL PURSUANT TO PUBLIC RESOURCES CODE SECTION 30514 AND TITLE 14, SECTION 13551 OF THE CALIFORNIA CODE OF REGULATIONS

EXECUTIVE SUMMARY

The California Department of Housing and Community Development (HCD) has recently requested that the City adopt a zoning ordinance amendment providing a definition for "permitted by right/use by right" consistent with Government Code Section 65583.2, subdivision (i) in order to clarify the City's implementation of "Program 9: By-Right Approval for Projects with 20 Percent Affordable Units" of the City's 6th Cycle 2021-2029 Housing Element. It should be noted, the City has already adopted an ordinance implementing Program 9 (Ordinance No. CC-3282-24 and CC-3283-24 on November 12, 2024). This proposed zoning ordinance amendment simply clarifies how a "use" or "project" that qualifies as "permitted by right" is defined and processed.

Also important to note is that while the Redondo Beach Municipal Code currently does not include a formal definition of "permitted by right," the City has always administratively processed "uses and projects" identified as "P" in the various zoning land use tables in a manner consistent with the requirements identified in Government Code Section 65583.2, Subdivision (i).

BACKGROUND

On July 5, 2022, the City Council adopted the "City of Redondo Beach's 6th Cycle (2021-2029) Housing Element," incorporating all amendments recommended by the California HCD and submitted the revised Housing Element to HCD on July 11, 2022.

In their letter dated September 1, 2022, HCD found the City of Redondo Beach's adopted 6th Cycle (2021-2029) Housing Element to be in full compliance with State Housing Element Law (Article 10.6 of the Gov. Code). The September 1, 2022 certification letter from HCD also noted that all rezoning actions and "program" implementation prescribed in the City's Housing Element must be completed three years and 120 days from the statutory deadline of February 12, 2025.

At their public hearings on November 5, and 12, 2024, the City Council adopted amendments to the City's General Plan, Local Coastal Program (LCP), and the Redondo Beach Municipal Code, Title 10, Planning and Zoning, Chapter 1, Subdivisions, Chapter 2 Zoning and Land Use, and Chapter 5 Coastal Land Use Plan Implementing Ordinance, that implement the City's 6th Cycle 2021-2029 Housing Element inclusive of all required zoning amendments (inland and coastal) for implementing the identified Housing Sites and Housing Programs.

On January 7, 2025, the City transmitted a letter to the HCD detailing all actions taken by the Council in November of 2024 that were required to implement the City's 6th Cycle 2021-2029 Housing Element.

On August 27, 2025, HCD issued a Letter of Technical Assistance requesting that the City adopt a zoning code amendment by ordinance or resolution providing a definition for "use by right" consistent with Government Code Section 65583.2, subdivision (i). The "Letter of Technical Assistance" did not cite any other issues or concerns with the City's adopted ordinances and resolutions that served to implement the Housing Sites and Housing Programs within the City's 6th Cycle 2021-2029 Housing Element. A copy of the August 27, 2025, HCD Letter of Technical Assistance is included for reference.

At their public hearing on October 16, 2025, the Planning Commission considered the proposed definition for "permitted by right" (P) and unanimously recommended that the City Council approve the California Environmental Quality Act (CEQA) Exemption and adopt the amendment to the City's Zoning Ordinance and Coastal Land Use Plan Implementing Ordinance for the proposed definition of "permitted by right" (P) with no changes recommended.

Below is the proposed definition for "P" and "permitted by right/use by right" that would be added to Section 10-2.402

Definitions of the Zoning Ordinance and Section 10-5.402 Definitions of the Coastal Land Use Plan Implementing Ordinance as requested by HCD. The draft definition references and incorporates the language within Government Code Section 65583.2, Subdivision (i), pursuant to HCD's direction.

"Section 10-2.402/10-5.402 Definitions.

(135.5) "Permitted by right" is a use classification designated by the letter "P" in land use tables for the specified zones. "Permitted by right" is equivalent to "use by right" as defined by Government Code Section 65583.2, Subdivision (i) and shall mean a development project that satisfies all of the following conditions:

1. The development is required to be approved administratively if it meets pre-defined objective standards.
2. The development project does not require a conditional use permit, planned unit development permit, or any other discretionary review.
3. The development project is not a "project" for purposes of the California Environmental Quality Act (CEQA) (Division 13 commencing with Section 21000 of the Public Resources Code) and is generally exempt from the CEQA review process."

HCD was provided with a copy of the proposed definition for "permitted by right - (P)" on October 10 and November 3, 2025. HCD has offered no additional comments.

ENVIRONMENTAL STATUS

Staff has determined that the proposed zoning ordinance amendments are Categorically Exempt from further environmental review, pursuant to Section 15060(c)(2), as the project is not expected to result in a reasonably foreseeable change in the environment, and Section 15061(b)(3) that refers to activities where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, otherwise known as a common-sense CEQA exemption.

COORDINATION

The Community Development Department coordinated the preparation of the associated ordinances and resolutions with the City Attorney's Office. A copy of the proposed definition of "permitted by right - (P)" was transmitted to HCD on October 10 and November 3, 2025. HCD has provided no additional comments.

FISCAL IMPACT

Funding for the preparation of this report and the ordinances is available in the Community Development Department's annual operating budget.

APPROVED BY:

Mike Witzansky, City Manager

ATTACHMENTS

- Ord - No. 3308-25 Permitted By Right Definition, Inland
- Ord - No. 3309-25 Permitted By Right Definition, Coastal
- Reso - No. CC-2511-090 Forwarding to California Coastal Commission of Coastal Ordinance
- CEQA Exemption Declaration - Permitted By Right Ordinance
- Letter - HCD Technical Assistance Letter, August 27, 2025
- Reso - No. 2025-10-PCR-10 Definition of Permitted By Right, Planning Commission, October 16, 2025
- Administrative Report - Definition Permitted By Right, Planning Commission, October 16, 2025
- Minutes - Planning Commission, October 16, 2025