

RESOLUTION NO. CC-2101-009

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA, OPPOSING SENATE BILL 9 (ATKINS) WHICH WOULD REQUIRE MINISTERIAL APPROVAL OF HOUSING DEVELOPMENT CONTAINING TWO RESIDENTIAL UNITS AND PARCEL MAP DIVIDING A LOT INTO TWO EQUAL PARTS FOR RESIDENTIAL USE

WHEREAS, any official position of the City of Redondo Beach with respect to legislation, rules, regulations or policies proposed to or pending before a local, state or federal governmental body or agency must first have been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor;

WHEREAS, pending before the State legislature is SB 9 (Atkins) introduced on December 7, 2020, which if enacted into law would require cities and counties, including charter cities, to provide for the ministerial ('by right') approval of a housing development containing two residential units (a duplex), and a parcel map dividing a lot in to two equal parts ('lot split'), for residential use;

WHEREAS, enactment into law of SB 9 would eliminate public hearings by the Planning Department and public notice, inasmuch as the proposed projects would only require administrative review, and proposes to provide ministerial approval of a parcel map (four or less parcels) for a lot split, and thereby amend sections of the Subdivision Map Act by extending from 12 to 24 months the additional time period of an approved or conditionally approved Tentative Map;

WHEREAS, SB 9 would exempt these projects from environmental review as required by the California Environmental Quality Act (CEQA) by establishing a ministerial review process, without discretionary review or a public hearing, thereby undermining community participation and vetting by local legislative bodies;

WHEREAS, SB 9 further stipulates that a city or county cannot require a duplex project to comply with any standard that would prevent two units from being built, and would prohibit a local agency from imposing regulations that require dedications of rights-of way or the construction of offsite and onsite improvements for parcels created through a lot split; and

WHEREAS, enactment into law of SB 9 would undermine the Subdivision Map Act, which vests the authority to regulate and control the design and improvement of subdivisions by the legislative body of a local agency and sets forth procedures governing the local agency's processing, approval, conditional approval or disapproval, and filing of tentative, final (five or more parcels), and parcel maps (four or less parcels), and the modification of those maps.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The City Council hereby finds that the above recitals are true and correct and are incorporated herein by reference as if set forth in full.

SECTION 2. With the concurrence of the Mayor, that by adoption of this Resolution, the City of Redondo Beach hereby OPPOSES SB 9 (Atkins), which if enacted into law would require cities and counties, including charter cities, to provide for the ministerial ('by right) approval of a housing development containing two residential units (a duplex), and a parcel map dividing a lot into two equal parts ('lot split'), for residential use; and exempts environmental review; and would approve these projects without discretionary review, or a public hearing; thereby undermining local land use control and the concept of 'Home Rule' by the imposition of State legislation on local government agencies, including charter cities.

SECTION 3. That the City Clerk shall certify to the passage and adoption of this resolution and shall enter the same in the Book of Original Resolutions.

PASSED, APPROVED AND ADOPTED this 19th day of January, 2021.

William C. Brand, Mayor

APPROVED AS TO FORM:

ATTEST:

Michael W. Webb, City Attorney

Eleanor Manzano, CMC, City Clerk

ATTEST:

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF REDONDO BEACH)

I, Eleanor Manzano, City Clerk of the City of Redondo Beach, California, do hereby certify that the foregoing Resolution No. CC-2101-009 was duly passed, approved and adopted by the City Council of the City of Redondo Beach, California, at a regular meeting of said City Council held on the 19th day of January, 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Eleanor Manzano, CMC City Clerk