



Honorable Mayor and Members of the Hermosa Beach City Council

**CONSIDERATION OF A RESOLUTION EXPRESSING OPPOSITION TO SENATE
BILL 450 (ATKINS)**

(City Manager Suja Lowenthal)

Recommended Action:

Staff recommends City Council consider adopting by title a Resolution of the City Council of the City of Hermosa Beach, California expressing opposition to Senate Bill 450 (**Attachment 1**).

Executive Summary:

The City of Hermosa Beach regularly expresses its support or opposition regarding legislative matters that would have an impact on the City. The City was made aware that Senate Bill (SB) 450 has been presented to the Governor for signature. SB 450 has significant implications affecting a local jurisdiction’s ability to review proposed housing developments. Staff presents this item to consider adoption of a resolution opposing SB 450 (Atkins).

Background:

The legislature of the State of California each year proposes, passes, and has signed into law various bills addressing a range of housing and other land use issues. Many of these bills usurp the authority of local jurisdictions to determine for themselves the land use policies and practices that best suit each city and its residents and instead impose mandates that do not consider the needs and differences of jurisdictions throughout the State of California.

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Past Board, Commission, and Council Actions

Meeting Date	Description
May 25, 2021	City Council approved the adoption of a Resolution expressing support for actions to further strengthen local authority and control as related to local zoning and housing issues.

Meeting Date	Description
November 23, 2021	City Council adopted a resolution expressing support for the “Brand-Huang-Mendoza Tri-partisan Land Use Initiative” to Amend Article XI of the Constitution of the State of California to make zoning and land use community affairs, and not of State interest, submitted to the Attorney General of California.
July 11, 2023	City Council directed Staff to prepare a Resolution expressing support to further strengthen local democracy, authority, and control as related to local zoning and housing issues.
March 26, 2024	Councilmember Deto requested, and Mayor Pro Tem Francois and Councilmember Jackson supported, a future agenda item to consider adoption of a resolution expressing opposition to Assembly Bill 2560 and other similar bills.
April 9, 2024	City Council adopted Resolution 24,742 opposing to Assembly Bill (AB) 2560, SB 1077, SB 1092, and SB 951, all of which impacted local control in the Coastal zone.

Discussion:

Senate Bill (SB) 9, commonly known as the “urban lot split” or “two-unit” development housing regulations, was adopted in 2021. SB 9 required that jurisdictions consider proposed housing developments containing no more than 2 residential units within a single-family residential zone ministerially, without discretionary review or hearing, if the proposed housing development meets certain requirements, including that the proposed housing development does not allow for the demolition of more than 25 percent of the existing exterior structural walls, except as provided. Jurisdictions were able to impose objective zoning standards, objective subdivision standards, and objective design standards, as defined, except as specified, on the proposed housing development. Jurisdictions could also deny a proposed housing development if specified conditions are met, including that the building official makes a written finding that the proposed housing development project would have a specific, adverse impact upon public health and safety or the physical environment, as provided.

Senate Bill (SB) 450

On September 3, 2024, Senator Atkins introduced Senate Bill 450, which proposes to strengthen SB 9 by changing the following:

1. Remove the requirement that a proposed housing development does not allow for the demolition of more than 25 percent of the existing exterior structural walls to be considered ministerially.
2. Prohibit a local agency from imposing objective zoning standards, objective subdivision standards, and objective design standards that do not apply uniformly

to development within the underlying zone (these provisions do not prohibit a local agency from adopting or imposing objective zoning standards, objective subdivision standards, and objective design standards on the development if the standards are more permissive than applicable standards within the underlying zone.)

3. Remove 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.
4. Require 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 and would deem the application approved after that time.
5. Require a permitting agency, if it denies an application, to 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.

Staff recommends City Council consider adopting by title a Resolution (**Attachment 1**) of the City Council of the City of Hermosa Beach, California expressing opposition to SB 450 for its impact to local control.

General Plan Consistency:

This report and associated recommendation have been evaluated for their consistency with the City's General Plan. Relevant Policies are listed below:

Governance Element

Goal 1. A high degree of transparency and integrity in the decision-making process.

Policy:

- **Open meetings.** Maintain the community's trust by holding meetings in which decisions are being made, that are open and available for all community members to attend, participate, or view remotely.

Goal 4. A leader and partner in the region.

Policy:

- **4.1 Regional governance.** Play an active role in the South Bay Cities Council of Governments, the Southern California Association of Governments and other regional agencies to protect and promote the interests of the City.

Land Use Element

- Goal 1.** Create a sustainable urban form and land use patterns that support a robust economy and high quality of life for residents.
- Goal 2.** Neighborhoods provide for diverse needs of residents of all ages and abilities, and are organized to support healthy and active lifestyles.
- Goal 3.** A series of unique, destination-oriented districts throughout Hermosa Beach.
- Goal 4.** A variety of corridors throughout the city provide opportunities for shopping, recreation, commerce, employment, and circulation.
- Goal 5.** Quality and authenticity in architecture and site design in all construction and renovation of buildings.
- Goal 6.** A pedestrian-focused urban form that creates visual interest and a comfortable outdoor environment.
- Goal 7.** Adequate space and appropriate integration of community and school facilities that support physical activity, civic life and social connections for residents of all ages and interests.
- Goal 8.** A range of coastal-dependent and visitor-serving uses available to serve a variety of income ranges and amenity desires.
- Goal 9.** Local energy independence through renewable energy generation.
- Goal 10.** A strong sense of cultural and architectural heritage.
- Goal 11.** A proud and visible identity as an arts and cultural community.
- Goal 12.** A mix of cultural facilities that support and encourage the community's vibrant range of art creation and presentation.
- Goal 13.** Land use patterns that improve the health of residents.

Fiscal Impact:

There is no immediate fiscal impact associated with the recommended action.

Attachments:

- 1. Draft Resolution
- 2. Senate Bill 450 Text

Respectfully Submitted by: Carrie Tai, Community Development Director

Noted for Fiscal Impact: Viki Copeland, Administrative Services Director

Legal Review: Patrick Donegan, City Attorney

Reviewed by: Angela Crespi, Deputy City Manager

Approved: Suja Lowenthal, City Manager