



SAN FERNANDO

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COUNCILMEMBER/BOARDMEMBER CELESTE T. RODRIGUEZ

CITY OF SAN FERNANDO

CITY COUNCIL AND SUCCESSOR AGENCY TO THE SAN FERNANDO REDEVELOPMENT AGENCY REGULAR MEETING AGENDA SUMMARY TUESDAY, MARCH 1, 2022 - 6:00 PM

CITY HALL COUNCIL CHAMBER
117 MACNEIL STREET
SAN FERNANDO, CALIFORNIA 91340
TELECONFERENCE – PURSUANT TO PROVISIONS OF ASSEMBLY BILL 361

SPECIAL NOTICE REGARDING COVID-19

NOTICE OF TELECONFERENCE: Pursuant to Adopted Resolution No. 8098 by the City Council of the City of San Fernando, effective January 12, 2022, the City of San Fernando's Legislative Bodies may participate via teleconference and/or video in Accordance with Government Code Section 54953 as permitted under the provisions of Assembly Bill 361

PUBLIC PARTICIPATION OPTIONS

WATCH THE MEETING:

Live stream with audio and video, via YouTube Live, at:

<https://www.youtube.com/c/CityOfSanFernando>

Note: Comments submitted via YouTube will not be read into the record.

SUBMIT PUBLIC COMMENT IN PERSON:

Members of the public may provide comments in the City Council Chambers during the Public Comments section of the Agenda by submitting a comment card to the City Clerk.

SUBMIT PUBLIC COMMENT VIA EMAIL:

Members of the public may submit comments **by email** to cityclerk@sfcity.org no later than **5:00 p.m. the day of the meeting**, to ensure distribution to the City Council prior to consideration of the agenda. Comments received via email will be distributed to the City Council, read into the record, limited to three minutes, and made part of the official public record of the meeting.

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CALL-IN TO PROVIDE PUBLIC COMMENT LIVE AT THE MEETING:

Members of the public may **call-in between 6:00 p.m. and 6:15 p.m.** Comments will be heard in the order received, and limited to three minutes. If necessary, the call-in period may be extended by the Mayor. Note: This is audio only and no video.

Call-in Telephone Number: (669) 900-6833

Meeting ID: 833 6022 0211

Passcode: 924965

When connecting to the Zoom meeting to speak, you will be placed in a virtual “waiting area,” with your audio disabled, until it is your turn to speak and limited to three minutes.

CALL TO ORDER/ROLL CALL

PLEDGE OF ALLEGIANCE

Led by City Clerk Julia Fritz

APPROVAL OF AGENDA

Recommend that the City Council approve the agenda as presented and move that all ordinances presented tonight be read in title only as authorized under Government Code Section 36934.

DECORUM AND ORDER

The City Council, elected by the public, must be free to discuss issues confronting the City in an orderly environment. Public members attending City Council meetings shall observe the same rules of order and decorum applicable to the City Council (SF Procedural Manual). Any person making impertinent derogatory or slanderous remarks or who becomes boisterous while addressing the City Council or while attending the City Council meeting, may be removed from the room if the Presiding Officer so directs the sergeant-at-arms and such person may be barred from further audience before the City Council.

PUBLIC STATEMENTS

Members of the public may **provide comments in the City Council Chambers** during the Public Comments section of the Agenda by submitting a comment card to the City Clerk.

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Members of the public may provide a **live public comment by calling in between 6:00 p.m. and 6:15 p.m. CALL-IN INFORMATION: Telephone Number: (669) 900-6833; Meeting ID: 833 6022 0211; Passcode: 924965**

PUBLIC HEARING

- 1) A CONTINUED PUBLIC HEARING TO CONSIDER ADOPTING AN INTERIM URGENCY ORDINANCE EXTENDING THE INTERIM REGULATIONS FOR URBAN LOT SPLITS AND HOUSING DEVELOPMENT IN SINGLE-FAMILY RESIDENTIAL (R-1) ZONE FOR IMPLEMENTATION OF SENATE BILL 9 THROUGH JANUARY 19, 2023**

Recommend that the City Council:

- a. Conduct a Public Hearing; and
- b. Pending public testimony, in title only, waive full reading, and adopt Interim Urgency Ordinance No. U-1707, "An Interim Urgency Ordinance of the City Council of the City of San Fernando, California, making findings and extending for a period of 10 months and 15 days interim standards for Urban Lot Splits and Two-unit Residential Development Projects in Single-Family Residential (R-1) Zone pursuant to Senate Bill 9."

ADMINISTRATIVE REPORTS

- 2) CONSIDERATION TO AUTHORIZE USE OF THE CITY SEAL BY THE EDUCATION COMMISSION FOR A LETTER SOLICITING DONATIONS FOR THE STUDENT SCHOLARSHIP PROGRAM**

Recommend that the City Council:

- a. Approve the use of the City seal by the Education Commission for a letter requesting donations to the City's Youth Scholarship Program pursuant to City Council Resolution No. 6904;
- b. Authorize the Education Commission to circulate a donation letter on City letterhead; and
- c. Authorize the City Manager to accept donations to be used toward the City's Youth Scholarship Program.

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STAFF COMMUNICATION INCLUDING COMMISSION UPDATES

GENERAL CITY COUNCIL/BOARD MEMBER COMMENTS AND LIAISON UPDATES

ADJOURNMENT The meeting will adjourn to its next regular meeting.

I hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted on the City Hall bulletin board not less than 24 hours prior to the meeting.

Julia Fritz, CMC

City Clerk

Signed and Posted: February 28, 2022 (3:00 p.m.)

The Regular Meetings of the City Council of the City of San Fernando also serves as concurrent Regular Meeting s of the Successor Agency to the San Fernando Redevelopment Agency, and, from time to time, such other bodies of the City composed exclusive of the Members of the City Council.

Agendas and complete Agenda Packets (including staff reports and exhibits related to each item) are posted on the City's `Internet website www.sfcity.org. These are also available for public reviewing prior to a meeting in the City Clerk Department. Any public writings distributed by the City Council to at least a majority of the Councilmembers regarding any item on this regular meeting agenda will also be made available at the City Clerk Department at City Hall located at 117 Macneil Street, San Fernando, CA, 91340 during normal business hours. In addition, the City may also post such documents on the City's website at www.sfcity.org. In accordance with the Americans with Disabilities Act of 1990, if you require a disability-related modification/accommodation to attend or participate in this meeting, including auxiliary aids or services please call the City Clerk Department at (818) 898-1204 or cityclerk@sfcity.org at least 48 hours prior to the meeting.

**Special Meeting
San Fernando City Council
and Successor Agency to the
San Fernando Redevelopment Agency**

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AGENDA REPORT

To: Mayor Mary Mendoza and Councilmembers

From: Nick Kimball, City Manager
By: Kanika Kith, Director of Community Development

Date: March 1, 2022

Subject: A Continued Public Hearing to Consider Adopting an Interim Urgency Ordinance Extending the Interim Regulations for Urban Lot Splits and Housing Development in Single-Family Residential (R-1) Zone for Implementation of Senate Bill 9 through January 19, 2023

RECOMMENDATION:

It is recommended that the City Council:

- a. Conduct a Public Hearing; and
- b. Pending public testimony, in title only, waive full reading, and adopt Interim Urgency Ordinance No. U-1707 (Attachment "A"), "An Interim Urgency Ordinance of the City Council of the City of San Fernando, California, making findings and extending for a period of 10 months and 15 days interim standards for Urban Lot Splits and Two-unit Residential Development Projects in Single-Family Residential (R-1) Zone pursuant to Senate Bill 9."

BACKGROUND:

1. On July 19, 2021, the City Council discussed Senate Bill 9 (SB 9) and directed staff to submit a letter in opposition to SB 9.
2. On July 30, 2021, the City submitted a letter of opposition of SB 9 to Senate President Pro Tempore Atkins.
3. On August 26, 2021, a Ballot Initiative seeking to supersede the requirements included in SB 9 with a constitutional amendment that will return land use authority to local agencies was initiated and is currently being circulated for supporting signatures. Should the ballot measure be certified by the State Registrar, it will be placed on November 8, 2022 ballot.
4. On August 30, 2021, the California Legislature approved SB 9 and sent it to the Governor's Office for signature.

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5. On September 8, 2021, the City submitted a letter to Governor Newsom requesting a veto of SB 9.
6. On September 16, 2021, Governor Newsom signed SB 9 into law that requires all local land use agencies to ministerially approve urban lot splits and development of two residential units per single-family residential lot.
7. On January 1, 2022 SB 9 became effective.
8. On January 18, 2022, the City Council adopted Interim Urgency Ordinance No. U-1706 to establish interim regulations and procedures for urban lot splits and two-unit residential development projects pursuant to SB 9.
9. On February 14, 2022, the City sent a letter of support for the Brand-Huang-Mendoza Tripartisan Land Use Initiative and Ballot Initiative No. 21-0016A1, titled "Provides that Local Land-Use and Zoning Laws Override Conflicting State Laws. Initiative Constitutional Amendment" to the Attorney General Office.
10. On February 14, 2022, the regulations established in Interim Urgency Ordinance No. U-1706 were presented to the Planning and Preservation Commission (the Commission) and the Commission expressed interest in modifying the interim regulations. The Commission continued the discussion to their next regular meeting of March 14, 2022, to allow staff to further evaluate and present additional regulations for consideration.
11. On February 22, 2022, the City Council approved a motion to continue the public hearing to a special meeting on March 1, 2022.

ANALYSIS:

The current Interim Urgency Ordinance No. U-1707, adopted on January 18, 2022, is effective until March 4, 2022. The Interim Urgency Ordinance puts a number of regulations in place to minimize the initial impact of SB 9 while allowing the City to establish permanent regulations to comply with SB 9. The adopted Urgency Ordinance allows the City to impose local regulations to the maximum extent allowed by SB 9, such as limiting the number of housing units to four units, requiring an affordability covenant for at least one unit, and establishing objective design standards.

The regulations established in Interim Urgency Ordinance No. U-1706 were presented to the Planning and Preservation Commission for discussion on February 14, 2022. The Commission considered the adopted regulations, inclusive of comments made by the City Council during the Agenda Item to adopt the Interim Ordinance. Planning and Preservation Commissioners provided feedback and requested staff to prepare proposed revisions and include additional

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regulations for developing a permanent ordinance to implement SB 9. Staff anticipates presenting a revised set of regulations to the Commission on March 14, 2022 for additional review and feedback.

To provide the Planning and Preservation Commission with adequate time to consider permanent proposed regulations, staff recommends that the City Council extend the adopted interim regulations set forth in Interim Urgency Ordinance U-1707. Staff recommends that the City Council consider extending the interim regulations to the maximum period of time allowed by law. Pursuant to Government Code Section 65858, the City Council may extend the interim regulations for up to 10 months and 15 days, which the new expiration date would be January 19, 2023. However, proposed final regulations may be presented to City Council prior to the expiration date, if warranted.

Government Code Section 65858(d) Written Report.

Paragraph (d) of Government Code Section 65858 provides as follows: *“Ten days prior to the expiration of that interim ordinance or any extension, the legislative body shall issue a **written report describing the measures taken to alleviate the condition** which led to the adoption of the ordinance.”*

Notice of this public hearing was published in the *San Fernando Sun* within the time limits set forth under Government Code Section 65858(a).

This agenda report is intended to provide the report of measures taken to alleviate the underlying conditions that formed the basis for the City’s adoption of interim regulations as required by Government Code Section 65858. Since the adoption of Urgency Ordinance No. U-1706, staff presented the matter of long-term regulations to the Planning and Preservation Commission at its meeting of February 14, 2022. Feedback and input was received from the Planning and Preservation Commission and will be evaluated for feasibility and consistency with the restrictions imposed upon municipalities under SB 9. The City is also studying measures adopted by other cities to determine whether there are other standards which better balance the limitations and restrictions of SB 9 with the City’s objectives for ensuring that residential development in the City is properly managed in the best interests of the public health, safety and welfare.

Staff anticipates presenting a permanent ordinance to the City Council before January 2023, in which case, the extension of the interim regulations will be rescinded when the City Council adopts the permanent regulations.

Environmental Review.

The adoption of this Urgency Ordinance is exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15061(b)(3) (the “common sense exemption”) and Section 15378 (“not a project”) since it can be seen with certainty that adopting an ordinance to

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comply with the state law provisions of SB 9 will not have a significant effect on the environment. Adopting the Urgency Ordinance is also exempt under Government Code Section 66411.7, subd. (n) which exempts cities' adoption of ordinances implementing that section of SB 9 from CEQA.

BUDGET IMPACT:

Preparation of zoning related ordinances and legislative advocacy programs are included in the annual work program for the Community Development Department and City Manager's Office, respectively. Therefore, funding for both efforts is included in the Fiscal Year 2021-2022 Adopted Budget.

CONCLUSION:

Staff recommends that the City Council conduct a public hearing and pending public testimony, adopt Interim Urgency Ordinance No. U-1707 making findings and extending regulations for Urban Lot Splits and Housing Development in Single-Family Residential (R-1) Zone for implementation of SB 9.

ATTACHMENT:

A. Interim Urgency Ordinance No. U-1707

INTERIM URGENCY ORDINANCE NO. 1707

**AN INTERIM URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
SAN FERNANDO, CALIFORNIA, MAKING FINDINGS AND EXTENDING FOR
A PERIOD OF 10 MONTH AND 15 DAYS INTERIM STANDARDS FOR URBAN
LOT SPLITS AND TWO-UNIT RESIDENTIAL DEVELOPMENT PROJECTS IN
SINGLE-FAMILY RESIDENTIAL (R-1) ZONE PURSUANT TO SENATE BILL 9**

WHEREAS, California Constitution Article XI, Section 7, enables the City of San Fernando (the "City") to enact local planning and land use regulations; and

WHEREAS, the authority to adopt and enforce zoning regulations is an exercise of the City's police power to protect the public health, safety, and welfare; and

WHEREAS, the City desires to ensure that residential development occurs in an orderly manner, in accordance with the goals and objectives of the General Plan and reasonable land use planning principles; and

WHEREAS, on September 16, 2021, California Governor Gavin Newsom signed Senate Bill 9 (SB 9) into law as part of an effort to address the State's housing crisis by streamlining housing production; and

WHEREAS, the new legislation is effective on January 1, 2022 and requires local agencies to ministerially approve urban lot splits and development of two residential units per single family residential lots provided the projects meet certain criteria; and

WHEREAS, the City wishes to balance compliance with State law with the rights still preserved under the new legislation authorizing the City to establish objective zoning, subdivision and design review standards consistent with SB 9 required to approve urban lot splits and two-unit residential development; and

WHEREAS, Government Code section 65858 authorizes the City Council to adopt an urgency ordinance by a four-fifths vote for the immediate preservation of the public health, safety, or welfare, and to prohibit a land use that may be in conflict with a contemplated general plan, specific plan, or zoning proposal that the City Council, Planning and Preservation Commission, or the Community Development Department is considering or studying or intends to study within a reasonable time; and

WHEREAS, State law provides the City with authority to extend an interim standards set forth under Urgency Ordinance No. U-1706 for ten (10) months and fifteen (15) days; and

WHEREAS, on February 10, 2022, the City Clerk published a notice of a public hearing to be held on February 22, 2022 to consider the extension of the interim standards in the *San Fernando Sun* as required by Government Code Section 65858(a); and

WHEREAS, on February 22, 2022, the City Council voted 3-0 to continue consideration of this ordinance to a special City Council meeting on March 1, 2022 to allow for consideration by the full City Council; and

WHEREAS, the City Council, as part of its regular meeting of February 22, 2022, conducted a public hearing to consider the extension of the interim regulations and provided the public with an opportunity to provide comment/testimony on the matter before taking action to approve this Urgency Ordinance.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN FERNANDO DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Urgency Findings

- A. The Recitals above are true and correct.
- B. On January 18, 2022, the City Council adopted Urgency Ordinance No. U-1706 to establish interim regulations and procedures for urban lot splits and two-unit residential development projects pursuant to Senate Bill (SB) 9 (2021); and
- C. Pursuant to California Government Code Section 65858, Urgency Ordinance No. U-1706 expires 45 days after January 18, 2022 (i.e., it expires on March 4, 2022); and
- D. All of the findings cited in Urgency Ordinance No. U-1706 concerning the existence of an immediate and current threat to the public peace, health, safety, and welfare, based on the passage of SB 9 continue to be valid and are incorporated herein by reference because, if the City did not adopt appropriate objective standards for SB 9, SB 9 projects have the potential to significantly impact the character of the City's well established single family neighborhoods and well-thought out community planning and housing strategy and requires further study.
- E. Government Code Section 65858(d) provides in relevant part: Ten days prior to the expiration of the interim ordinance or any extension, the legislative body shall issue a written report describing the measures taken to alleviate the condition which led to the adoption of the ordinance. Said written report is included with the staff report that accompanies this Urgency Ordinance and was published with said staff report on the City's internet homepage as part of the public agenda for the City Council's meeting of February 22, 2022. Said report describes the measures taken to alleviate the conditions which led to the adoption of Urgency Ordinance No. 1706 and the City Council hereby ratifies the written report; and
- F. On February 10, 2022, the City published notice of a public hearing to consider the extension of the interim standards originally established by Urgency Ordinance No. 1706 in the *San Fernando Sun*.

- G. In accordance with Government Code Section 65858(a), and pursuant to the findings stated herein, the City Council hereby finds and declares: (i) that the findings and determinations above are true and correct; (ii) that there exists a current and immediate threat to the public health, safety, and welfare requiring this Urgency Ordinance further extending the interim standards originally established by Urgency Ordinance No. 1706; and (iii) that this Urgency Ordinance is necessary for the immediate preservation of the public peace, health, and safety as set forth herein.

SECTION 2. Continuing Imposition of Interim Regulations. In recognition of the foregoing findings above, the following interim standings initially implement by way of Urgency Ordinance No. U-1706 shall continue to remain in effect for a period of ten (10) months and fifteen (15) following the 45-day expiration of Urgency Ordinance No. U-1706:

- A. Notwithstanding any other ordinance or provision of the San Fernando City Code, no application for a building permit or other land use entitlement shall be approved for a new “urban lot split” or “two-unit development” (whether the project is the construction of two new units or adding a second unit) unless it satisfies all the requirements in Section C of this Ordinance. These interim regulations shall remain in effect for so long as this Ordinance remains in place or until such time as the same are amended by new permanent regulations that comply with new State regulations.
- B. The City shall not approve an application for a new urban lot split and/or two-unit development unless the proposed subdivision and/or housing project satisfies all of the standards below. An application for a new urban lot split and/or two-unit development that satisfies each of the below standards shall be approved by the Community Development Director following a ministerial review for compliance. A proposal for development under this section shall be initiated by an application on a form prescribed by the City together with the required fee.
- C. Except as otherwise provided under this Ordinance or under Government Code Section 65852.21 and Section 66411.7 the following conditions and restrictions shall apply to any proposed urban lot split and two-unit development:

1. Purpose.

The provisions of this section establish interim standards and procedures for projects developed pursuant to the regulations included in state Senate Bill 9 (SB 9).

2. Definitions.

For the purposes of this section, certain words and phrases used in this section are defined

as follows:

Front lot means when an urban lot split creates two lots where there was previously one lot, the lot with the most frontage on the primary street shall be considered the front lot.

Rear lot means when an urban lot split creates two lots where there was previously one lot, the lot with the least frontage on the primary street shall be considered the rear lot.

Rear lot front setback means the distance between the front lot line and closest element of a building or structure on the site area of a rear lot created by an urban lot split. The front lot line of such rear lot may also be the rear lot line of the front lot, and shall be the lot line closest to, and parallel to the primary street.

Second primary dwelling unit means a dwelling unit constructed on a lot zoned single-family residential as permitted pursuant to the requirements of this Ordinance and SB 9.

Senate Bill 9 or *SB 9* means the state law passed by the California state senate and approved by the Governor on September 16, 2021. The bill amends Government Code section 66452.6 and adds to sections 65852.21 and 66411.7 of Chapter 162, and takes effect on January 1, 2022.

Two-unit development means a housing development containing two dwelling units on a lot zoned single-family residential (R-1) pursuant to the requirements of this Ordinance and SB 9.

Urban lot split means a parcel map subdivision of a single family residential parcel as permitted pursuant to SB 9 that creates no more than two parcels of approximately equal lot area.

3. Applicability.

The provisions of this section shall apply to residential projects and urban lot splits with Single-Family Residential (R-1) zone that are proposed pursuant to the regulations in SB 9. Except as expressly provided in SB 9 or in this section, all other regulations of the underlying zone of a property developed pursuant to SB 9 shall apply, along with all other applicable regulations related to any urban lot split or two-unit development.

4. General Requirements; Covenant Required.

A property owner seeking to complete an urban lot split, or develop units on a single-family residential property pursuant to the regulations set forth in SB 9 and the standards in this section, shall be subject to the following general requirements, which shall be accepted and acknowledged by the property owner by signing and recording a

covenant against the property. The covenant shall be supplied by the City and provide as follows:

- A. The short term rental defined as rentals of any duration less than 31 consecutive calendar days of any units on the site shall be prohibited;
- B. Non-residential uses on the site shall be prohibited;
- C. Any subsequent urban lot split of land that was previously subdivided with an urban lot split shall be prohibited;
- D. The owner of the property for which an urban lot split is proposed shall sign an affidavit stating that the owner intends to occupy one of the housing units as their principal residence for at least three years from the date of the approval of the urban lot split; and
- E. If, pursuant to SB 9, more than one unit is developed on a lot, one of such units shall be rented or leased at a rate affordable to low income tenants, if it is rented. Upon request from the City, the property owner shall furnish a copy of the rental or lease agreement of any unit created by SB 9 that is rented or leased; and
- F. The owner of the property for which an urban lot split is proposed shall sign an affidavit stating that neither the owner nor any person acting in concert with the owner of the parcel being subdivided has previously subdivided an adjacent parcel using an urban lot split as provided for in this section.

5. Urban Lot Split Regulations.

Approval of a tentative parcel map or parcel map for urban lot split shall not result in a subdivision of more than two lots for a single-family residential lot, pursuant to the regulations contained in SB 9 as follows:

- A. No lot resulting from an urban lot split shall be smaller than 1,200 square feet.
- B. The two resulting lots shall be of approximately equal lot area, and not smaller than 48% or larger than 52% of the lot area of the original parcel.
- C. No flag lots shall be created as a result of an urban lot split.
- D. The width of any lot resulting from an urban lot split shall not be less than 75% of the original lot width.
- E. No right-of-way dedications shall be imposed upon urban lot split projects.

6. Maximum Number of Units.

- A. For projects that include an urban lot split, no more than two units may be located on a lot that results from an urban lot split. The units must conform to the objective standards included in this section. Existing and proposed ADUs and Junior ADUs shall be counted toward the maximum number of units permitted.
- B. For projects that do not include an urban lot split, no more than three units (including one ADU, and one Junior ADU) may be located on a site. The units must conform to the objective standards included in this section and as otherwise regulated by ADU or Junior ADU regulations.
- C. No second primary dwelling units shall be permitted on a property already developed with an ADU and/or Junior ADU. No ADU or Junior ADU shall be permitted on a property developed with a second primary dwelling unit.

7. Maximum Unit Size.

No unit constructed pursuant to SB 9 regulations shall be more than 800 square feet in size. For the purposes of this section, basements shall count as floor area.

8. Maximum Unit Height.

No unit constructed pursuant to SB 9 regulations shall exceed 14 feet and one story in height.

9. Setbacks.

- A. Side and rear setbacks. Any units constructed pursuant to the provisions of SB 9 shall have a minimum four foot setback from all side and rear lot lines.
- B. Front setback for a front lot shall be the setback as established in the Zoning Code for R-1 Zone.
- C. Front setback for a rear lot created by the urban lot split shall be ten feet. The front lot line shall be the lot line closest to, and parallel to the primary street.
- D. Setbacks for existing structures. No setbacks shall be required if a unit is constructed within the footprint of an existing structure on a lot.

10. Minimum Width of Building.

The front most unit constructed on a site with street frontage shall have a minimum unit width of 40 feet or 75% of the lot width, whichever is less.

11. Design of Unit.

- A. The front most unit constructed on a front lot shall have a front door facing the street.
- B. Each unit on each lot created by an urban lot split shall have a separate entrance.
- C. Any unit other than front most unit, or the front most unit on the front lot, shall be completely screened by either: 1) other unit(s) on the lot; or 2) landscaping.
- D. Additions or new second primary dwelling units added to sites where an existing structure will be retained must match the architectural style of the existing dwelling including but not limited to the roof pitch, window size, window type, exterior building materials, lighting fixtures, and paint colors.

12. Parking.

- A. Parking required - One uncovered parking space is required for each unit created pursuant to SB 9, unless the parcel upon which the unit is created is within one-half mile of a high quality transit corridor or a major transit stop, or a car share vehicle facility located within one block of the project.
- B. Parking location restrictions
 - 1. Parking shall not be provided within a front setback.
 - 2. Rear lot parking shall be accessed via an alley, if there is an alley.

13. Affordable Rental Rate Required.

If more than one unit is developed on a single lot using SB 9, one of such units shall be available at a rental rate affordable to low income tenants if it is rented. Upon request by the City, a property owner shall furnish the rental or lease agreements for any units rented or leased on a parcel that was developed pursuant to the regulations outlined in this section.

14. Open Space.

Urban dwelling units must provide a minimum of 400 square feet of private open space. The open space must be directly accessible to the unit it serves.

15. Building Separation.

No detached second primary dwelling unit shall be closer than six feet to any other accessory building or primary dwelling unit, on the same lot or parcel. The six-foot distance shall be measured from the closet points of the building walls or structure walls. A minimum of four feet shall be maintained between eave overhangs, chimneys, bay windows or any other architectural feature.

16. Compliance with Standards Cannot Physically Preclude Minimum Unit Size Requirements.

The standards set forth in this Chapter shall not physically preclude the construction of up to two dwelling units per parcel and shall not preclude each unit from being at least 800 square feet in floor area, unless otherwise permitted by law. In such event, the housing development shall comply with the objective standards to the maximum extent necessary as determined by the Community Development Director that will not preclude the construction of up to two units per parcel with at least 800 square feet in floor area.

17. Adverse Impact Findings

The Building Official, or his or her designee, may make a written finding to deny an urban lot split or the construction of units pursuant to the regulations of SB 9. Such findings shall be based upon the preponderance of evidence that the proposed housing development project would have a specific, adverse impact (as defined in paragraph (2) of subdivision (d) of Government Code Section 65589.5) upon the public health and safety or the physical environment, and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.”

SECTION 3. Written Report Required by Government Code Section 65858(d).

The City Council hereby adopts as its written report required by Government Code Section 65858(d), the published staff report that accompanied this Urgency Ordinance for the Public Hearing held February 22, 2022. The staff report is included as part of the City’s online agenda archive and photocopies can also be made available to interested members of the public upon request.

SECTION 4. CEQA Finding.

The City Council hereby finds that this Ordinance is exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15061(b)(3) (the “common sense exemption”) and Section 15378 (“not a project”) since it can be seen with certainty that adopting an ordinance to comply with the state law provisions of SB 9 will not have a significant effect on the environment. Adopting the Urgency Ordinance is also exempt under Government Code

Section 66411.7, subd. (n) which exempts cities' adoption of ordinances implementing that section of SB 9 from CEQA.

SECTION 5. Penalty.

Violation of any provision of this Ordinance shall constitute a misdemeanor and a civil violation subject to the penalties provided for under Article II (General Penalties) and Article III (Administrative Penalties – Citations) of Chapter 1 (General Provisions and Penalties of the San Fernando City Code. Each and every day such a violation exists shall constitute a separate and distinct violation of this Ordinance. In addition to the foregoing, any violation of this Ordinance shall constitute a public nuisance and shall be subject to abatement as provided by all applicable provisions of law.

SECTION 6. Severability.

If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of any competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the Ordinance would be subsequently declared invalid or unconstitutional.

SECTION 7. Savings Clause.

Neither the adoption of this Ordinance nor the repeal or amendment by this Ordinance of any ordinance or part or portion of any ordinance previously in effect in the City, or within the territory comprising the City, shall in any manner affect the prosecution for the violation of any ordinance, which violation was committed prior to the effective date of this Ordinance, nor be construed as a waiver of any license, fee or penalty or the penal provisions applicable to any violation of such ordinances.

SECTION 8. Effective Date And Extension Of Urgency Ordinance

If adopted by at least four-fifths vote of the City Council, this Urgency Ordinance shall be effective commencing as the 45-day expiration date of Urgency Ordinance No. 1706 (the "Effective Date"). This Urgency Ordinance shall, in turn, expire, and its standards and requirements shall terminate, ten (10) months and fifteen (15) from the Effective Date, unless extended by the City Council at a noticed public hearing, pursuant to Government Code Section 65858.

PASSED, APPROVED AND ADOPTED by the City Council of the City of San Fernando at a regular meeting held on this 1st day of March 2022.

Mary Mendoza, Mayor of the City of
San Fernando, California

ATTEST:

Julia Fritz, City Clerk

APPROVED AS TO FORM:

Richard Padilla, Assistant City Attorney

CERTIFICATION

I, City Clerk of the City of San Fernando, California, do hereby certify that the foregoing Interim Urgency Ordinance No. 1707 was adopted at a regular meeting of the City Council of the City of San Fernando, California held on the 1st day of March, 2022 by the following vote of the City Council:

AYES:

NAYS:

ABSENT:

ABSTAINED:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of San Fernando, California, this _____ day of February, 2022.

Julia Fritz, City Clerk

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AGENDA REPORT

To: Mayor Mary Mendoza and Councilmembers

From: Nick Kimball, City Manager
By: Julian J. Venegas, Director of Recreation and Community Services

Date: March 1, 2022

Subject: Consideration to Authorize Use of the City Seal by the Education Commission for a Letter Soliciting Donations for the Student Scholarship Program

RECOMMENDATION:

It is recommended that the City Council:

- a. Approve the use of the City seal by the Education Commission for a letter requesting donations to the City's Youth Scholarship Program pursuant to City Council Resolution No. 6904 (Attachment "A");
- b. Authorize the Education Commission to circulate a donation letter (Attachment "B") on City letterhead; and
- c. Authorize the City Manager to accept donations to be used toward the City's Youth Scholarship Program.

BACKGROUND:

1. On May 5, 2011, the San Fernando Education Commission was established to act as liaison between the City and local school administrators. The association included board members from the Los Angeles Unified School District and other private schools operating within the City's boundaries.
2. In 2016, the Education Commission was tasked with administering the Youth Scholarship Program to support students seeking a postsecondary education. Originally, only two scholarships were available for deserving students. However, the scholarship program has grown from two scholarships to nine scholarships since its inception.
3. On October 26, 2021, the Education Commission discussed preparing a letter soliciting donations to bolster the current funding available for annual Youth Scholarships.

Consideration to Authorize Use of the City Seal by the Education Commission for a Letter Soliciting Donations for the Student Scholarship Program

Page 2 of 2

4. On February 22, 2022, City Council directed staff to revise the donation letter for clarity. The letter should be concise and straightforward regarding the intent of the donation request.

ANALYSIS:

The Student Scholarship Program is funded by generous donations from benefactors such as current and former San Fernando Councilmembers, City staff, community organizations, and businesses such as Republic Services. The goal of the Education Commission is to increase the available funding for the 2021-2022 scholarship cycle, and to support additional worthy students realize their educational goals.

The scholarship awards range between \$250 and \$1,000, which are contingent upon the number of qualifying essays selected by the Education Commission. Previous scholarship recipients have used their awards towards transportation, meals, textbooks, housing, and other college expenses. These scholarships have made a difference and have assisted students to stay in school. To sustain and enhance the City's Youth Scholarship Program, the Education Commission drafted a donation letter to garner funding for this program (Attachment "B").

The Commission is requesting City Council's approval to circulate the donation letter on City letterhead to potential donors.

BUDGET IMPACT:

All proceeds from the donation letter campaign are held by the City and deposited into accounts in the City's General Ledger that separately track funding for the Youth Scholarship. A minimum of eight scholarships will be funded for the 2021-2022 scholarship cycle. Any remaining funds are held over for the next scholarship cycle, which will be during the 2022-2023 school year.

CONCLUSION:

It is recommended that the City Council authorize the Education Commission to circulate a donation letter on City letterhead to support the 2021-2022 Youth Scholarship Program.

ATTACHMENTS:

- A. Resolution No. 6904
- B. 2022-2023 Student Scholarship Program Donation Letter
Exhibit "A": Student Scholarship Program Donation Form

RESOLUTION NO. 6904

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF SAN FERNANDO, AMENDING THE STANDARD
MANAGEMENT PROCEDURE REGARDING USE OF CITY
SEAL**

WHEREAS, the City Council adopted a standard management procedure for the use of the City seal on August 3, 1987.

WHEREAS, the City Council desires to revise the procedure to limit the use of the City seal, as provided in this resolution.

WHEREAS, it shall be City policy that the City seal, as described in Municipal Code Section 1-13, shall only be used as provided in this policy. The purpose of this policy is to:

- A. Ensure that the City seal is not used for inappropriate events and affairs.
- B. Control use of the City seal so as to prevent unauthorized use, which could imply City participation, support, or sponsorship in commercial, political, or non-City events.

**THE CITY COUNCIL OF THE CITY OF SAN FERNANDO HEREBY
FINDS AND RESOLVES:**

The City has designated an official seal, which serves to identify City involvement in some manner. Typically, the seal is used on City stationary, City vehicles, brochures and other information. It is important that some guidelines be followed so that the seal be used in an appropriate manner. Therefore, the following guidelines shall be followed pertaining to the City seal:

1. The City seal may be used on all City related literature, material, vehicles, etc., and for City sponsored or co-sponsored functions and events.
2. The City seal may be used on t-shirts, hats, calendars and other like material when sponsored by the City upon approval of the City Administrator.
3. The City seal may not be used by organizations other than the City without prior approval of a majority of the City Council.
4. The City seal may not be used for political or commercial purposes.
5. In cases where it is unclear whether a proposed use of the seal is appropriate, three members of the City Council must approve the use as a scheduled item on a City Council agenda.

PASSED, APPROVED and ADOPTED this 5th day of May, 2003.

Dr. José Hernández
Mayor José Hernández, Ph.D.

ATTEST:

Elena G. Chávez
Elena G. Chávez, City Clerk

APPROVED AS TO FORM:

Michael Estrada
Michael Estrada, City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF SAN FERNANDO)

I, Elena G. Chávez, City Clerk of the City of San Fernando, do hereby certify that the foregoing Resolution was duly adopted by the City Council of the City of San Fernando and signed by the Mayor of the City of San Fernando at a regular meeting held on the 5th day of May, 2003; and that the same was passed by the following vote:

AYES: Hernández, De La Torre, Veres, Ruelas, Martinez - 5

NOES: None

ABSENT: None

Elena G. Chávez
Elena G. Chávez, City Clerk

THE CITY OF SAN FERNANDO

CITY COUNCIL

MAYOR
MARY MENDOZA

VICE MAYOR
HECTOR A. PACHECO

COUNCILMEMBER
SYLVIA BALLIN

COUNCILMEMBER
CINDY MONTAÑEZ

COUNCILMEMBER
CELESTE T. RODRIGUEZ

City of San Fernando

2022-2023 Student Scholarship Program

Since 2016, the City of San Fernando has been offering a Student Scholarship Program to assist local students with attaining their postsecondary educational goals. To date, this program has made a difference in more than 75 students' lives and is only made possible through generous donations from various benefactors, businesses and community organizations.

The San Fernando City Council and the San Fernando Education Commission request your help in supporting the 2022-2023 Student Scholarship Program with a monetary donation that may be applied to one of the eight (8) current scholarship programs, or used to establish a new scholarship program of your choosing.

For more information on each of the current scholarship programs and how to donate to the San Fernando Student Scholarship Program, please complete the enclosed Scholarship Donation Form or contact the City of San Fernando at (818) 898-1290 or email educom@sfcity.org. The impact of investing in our future leaders through a scholarship gift will last a lifetime.

Sincerely,
San Fernando Education Commissioners

Chair Angel Zobel-Rodriguez

Vice Chair David Govea

Commissioner Suzanne N. Llamas

RECREATION &
COMMUNITY
SERVICES
DEPARTMENT

Commissioner Nicole Mohr

Commissioner Olivia Robledo

RECREATION PARK
208 PARK AVENUE
SAN FERNANDO
CALIFORNIA
91340
(818) 898-1290

LAS PALMAS PARK
505 S. HUNTINGTON ST.
SAN FERNANDO
CALIFORNIA
91340
(818) 898-7340

WWW.SFCITY.ORG

Student Scholarship Program Donation Form

The goal of the Student Scholarship Program fundraising campaign is to garner adequate funding to award a minimum of eight scholarships to students seeking a post-secondary education. Listed below are the current scholarship opportunities offered through the City of San Fernando's Education Commission. Your gift may be applied to a specific scholarship program; granted to the General Scholarship Fund where the funds will be applied to the scholarship with the most need; or used to establish a new scholarship program (please contact the City for information on establishing a new scholarship).

Gabriel Fernandez Memorial Scholarship - Established in memory of sweet Gabriel Fernandez who was a neglected and abused child that lost his life in 2013 at the age of 8 years old. Awards range from \$250-\$500. Founded by Independent Cities Financing Authority (ICFA) Community Funds and private donors.

Elias Rodriguez Memorial Scholarship - Established to honor Elias Rodriguez's life, which was tragically cut short in February 2017. He attended the Academy for Scientific Exploration in San Fernando as a 9th grader when he was lost. Awards range from \$250-\$500. Founded by ICFA Community Funds and private donors.

Pahola Mascorro "Why Not You?" Scholarship - Established to honor Pahola Mascorro, who became an unwitting symbol of hope after the tragic death of her son, Eli Rodriguez. The Community lost Pahola to cancer in the summer of 2019. Awards are in the amount of \$250. Founded by Councilmember Sylvia Ballin Community Funds, Education Commissioner David Govea, and private donors.

Nursing and Healthcare Scholarship - Established to inspire young members of our community who have chosen to enter the healthcare profession. Awards are in the amount of \$1,000. Founded by Vice Mayor Hector A. Pacheco Community Funds.

Environmental Sustainability Scholarship - Established to encourage college-bound students to aspire toward a sustainable future. Awards are in the amount of \$250. Founded by former City Councilmember Joel Fajardo Community Funds.

Unheard Voices Scholarship - Established to honor students that tackle Social Justice issues such as LGBTQ rights, human relations, disenfranchisement, and other marginalized peoples. Awards are in the amount of \$250. Founded by former City Councilmember Joel Fajardo Community Funds.

Gerry's Kids Scholarship - Established to honor the legacy of Geraldine "Gerry" Hou, an LA Public Librarian who encouraged countless young people of color. Awards are in the amount of \$1,250. Founded by Timothy Hou, former San Fernando Deputy City Manager/Director of Community Development.

Republic Services – Cesar Chavez Scholarship – Established to encourage students that believe tomorrow's thinkers and innovators will solve and tackle pressing issues regarding the conservation of our environment. Awards are in the amount of \$1,000. Founded by Republic Services.

STUDENT SCHOLARSHIP PROGRAM

Donation Form

Page 2 of 2

DONOR INFORMATION:

Name_____ Phone_____

Address_____ E-mail_____

_____I would like to donate to the General Scholarship Fund _____I would like to establish a new scholarship

_____I would like to donate to a specific scholarship:_____

Donation Amount* \$_____ One-Time_____ Recurring (Monthly) _____ (Annually) _____

*Make check payable to City of San Fernando and remit to 117 Macneil Street, San Fernando, CA 91340 C/O Scholarships
Credit Card donations may be submitted by calling Recreation and Community Services office at 818-898-1290
For more information call 818-898-1290 or email educom@sfcity.org