

# Lower Los Angeles River Implementation Advisory Group Meeting

September 23, 2020 | 10:00 A.M. – 12:00 P.M.

Virtual Meeting

## AGENDA & SUMMARY

**Purpose & Charge:** Provide a public venue for discussion of proposed projects related to the Lower LA River, ensure proposed projects are consistent with the goals and objectives of the Lower LA River Revitalization Plan, and maximize multi-use opportunities and community benefits.

### I. Welcome & Introductions

### II. Project Information Packet

- Review Structure / Process

Michelle Loekman (District) provided an update on the Project Information Packet (PIP). The PIP serves as a guide that assists project proponents to ensure that their projects are consistent with the LLARRP through online submissions. The PIP is a “living document” intended to be updated as needed and will undergo a revision process to address recent comments.

### III. Project Updates

- Urban Orchard Project

Gladis Deras (City of South Gate) provided the update on the Urban Orchard Project. The Project seeks to develop City vacant land into an urban park and green space. The Project has completed the first design phase; subsequent phases will be designed as funding becomes available. It is estimated the first phase of the Project will cost approximately \$17 million.

- City of South Gate’s Anti-Displacement Updates

Gladis Deras (South Gate) provided the update on the City’s Anti-Displacement efforts. The City has been developing an inclusionary ordinance by the City’s Planning Commission and a draft of the ordinance is currently being finalized. The next steps for the ordinance include review and adoption by the City Council at the end of October. A draft of the ordinance can be found here: <http://www.cityofsouthgate.org/AgendaCenter/ViewFile/Item/9142?fileID=27458>

- Rio Hondo Confluence Area Project

Lee Alexanderson (District) provided an update on the Rio Hondo Confluence Area Project. As part of the RHCAP community engagement efforts, a final public survey was completed in lieu of hosting a community meeting. The final design concept



was recently completed this month. Additional information regarding the project can be found here: <https://lowerlariver.org/riohondoconfluence/>

- SELA Cultural Center

Mark Stanley (RMC) and Tensho Takemori (Gehry Partners) provided the update on the SELA Cultural Center. Mark provided an overview of the project, highlighting that the Cultural Center was one of the signature projects identified in the LLARRP, and located at the current site of a District Stormwater Maintenance Yard. Tensho discussed more details in terms of the its location and connectivity to other future developments. The Cultural Center emphasizes four central themes: community, visual arts, landscape, and music. The tentative completion date of the project is in 2024. For more information on the SELA Cultural Center, please visit <https://www.selaculturalcenter.org/>

#### **IV. Discussion Topics**

- Reconvening Lower LA River Revitalization Working Group

Suely Saro (RMC) provided an update on the Lower LA River Revitalization Working Group and its potential reconvening. The objectives for this effort are to reinvigorate interest, create momentum, and review the latest developments along the Lower LA River and identify new opportunities for continued progress. A potential meeting for this may be hosted in October with MIG as the facilitators.

- TNC's List of Project Characteristic Recommendations

Kelsey Jessup (The Nature Conservancy) provided an update on TNC's List of Project Characteristic Recommendations. A list of project guidelines was presented and discussed suggestions for projects to strive towards in the Lower LA River.

- IAG Meeting Schedule (Subject to Change)

Dan Sharp (District) stated that the IAG Meeting will attempt to establish a consistent schedule for future meetings per the dates below. Flexibility and accommodations to re-schedule the meeting will be considered should a majority of IAG Members voice conflicts with the proposed date.

- December 23, 2020, 10 A.M. – 12 P.M.
- March 24, 2021, 10 A.M. – 12 P.M.
- June 23, 2021, 10 A.M. – 12 P.M.
- September 22, 2021, 10 A.M. – 12 P.M.

#### **V. Next Steps**

- IAG Meeting – December 2020





RECEIVED

Item No. 11

JUL 22 2020

CITY OF SOUTH GATE  
OFFICE OF THE CITY MANAGER

12:15pm

*City of South Gate*  
CITY COUNCIL

AGENDA BILL

For the Regular Meeting of: July 28, 2020

Originating Department: Community Development

Department Director:

*Joe Perez*  
Joe Perez

City Manager:

*Michael Flad*  
Michael Flad

**SUBJECT: RECOMMENDED INCLUSIONARY HOUSING ORDINANCE POLICY**

**PURPOSE:** To receive an update on the status of the inclusionary housing ordinance including the recommended framework for the policy.

**RECOMMENDED ACTIONS:** The City Council will:

- a. Receive and file status report of the recommended Inclusionary Housing Ordinance policy; and
- b. Provide direction to staff.

*9/1/20*  
**FISCAL IMPACT:** None associated with this action. If adopted by the City Council, the proposed Ordinance would permit the City to require and enforce the inclusion of affordable housing on future developments within the City limits. As an alternative to the production of such required housing on-site, applicants would be permitted various alternatives including the donation of land to the South Gate Housing Authority or payment of a proposed housing in-lieu fee to the City to be deposited into an affordable housing trust fund of the City. Both dedicated land and the affordable housing trust fund would provide the Housing Authority and City additional assets to further the production of affordable housing needed in South Gate.

Additionally, the proposed Ordinance could permit the Community Development Department to charge administrative fees for purposes of carrying out the ordinance, including the review and preparation of inclusionary housing plans and affordable housing agreements for eligible projects.

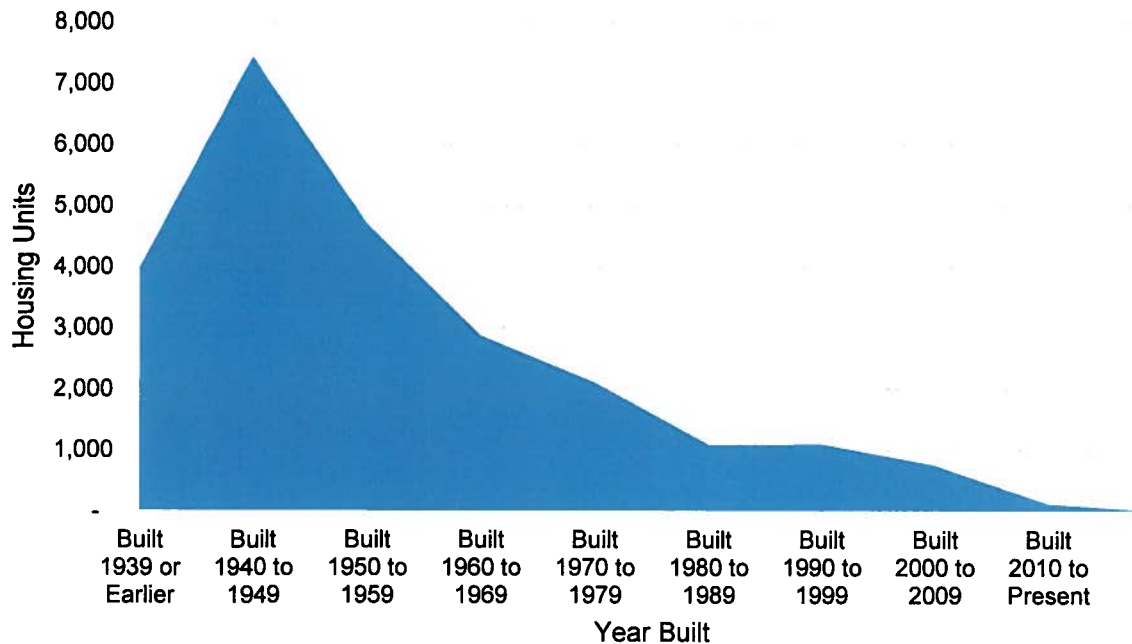
**ALIGNMENT WITH COUNCIL GOALS:** The proposed Inclusionary Housing Ordinance supports the goal of protecting strong and sustainable neighborhoods by increasing the ability of the City to affect the production of affordable housing in partnership with developers for future residential projects throughout the City.

**ANALYSIS:** The proposed Inclusionary Housing Ordinance provides the City an additional tool to address the significant affordable housing crisis facing South Gate residents, where nearly two out of every three renters are paying more than 30 percent of their income on housing and most residents cannot afford to purchase a home in South Gate despite the relatively lower cost of housing.

## Why an Inclusionary Housing Ordinance?

Inclusionary housing is a new concept in South Gate, as the City does not currently require any development to contain as a condition of approval affordable units. In Los Angeles County, for cities with limited amount of new development, inclusionary housing may not seem like a necessary tool; indeed in recent decades development in South Gate has slowed considerably compared to the Post-War era as shown in the chart below.

*Figure 1: Historical Housing Development in the City of South Gate (Source: ESRI Business Analyst)*



However, these historical trends are changing, both in the region and in South Gate in particular. Recent trends in infill markets have increased the demand for housing in close proximity to job centers as opposed to outlying areas. Both market trends and state housing policy are affecting this shift towards seeing more housing near transit and job centers.

The City is recognizing the need to adapt its land use policy to achieve these goals and remain in compliance with state law. This includes the creation of three specific plans, each of which would allow for additional infill residential and mixed used development to occur.

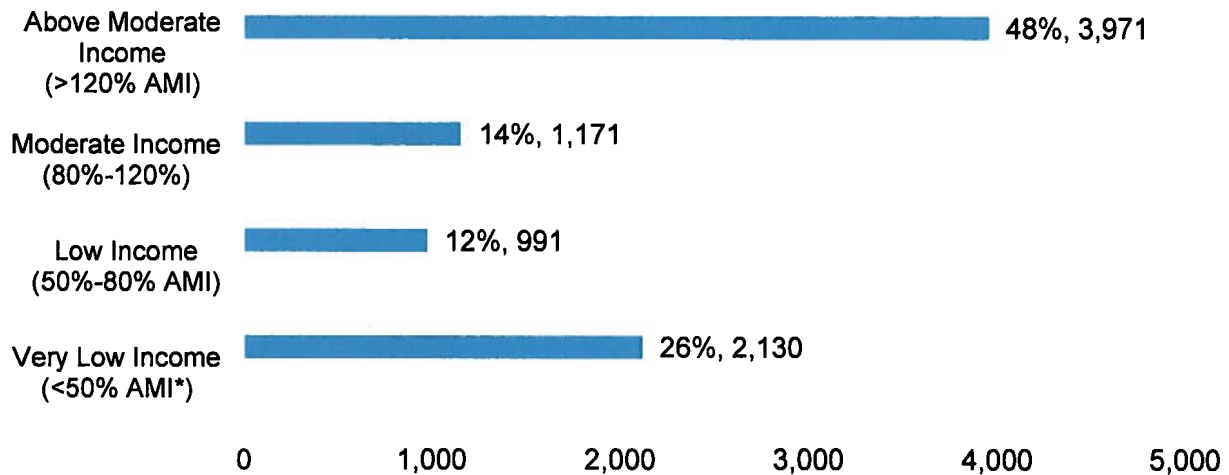
Figure 2: Anticipated New Residential Construction in Specific Plan Areas

Specific Plan Area	Anticipated Residential Units
Gateway District Specific Plan (Proposed) <sup>1</sup>	500
Hollydale Specific Plan <sup>2</sup>	618
Tweedy Boulevard Specific Plan <sup>3</sup>	1,060
<b>TOTAL</b>	<b>2,178</b>

While the California Department of Housing and Community Development (HCD) is still in the process of determining what the City of South Gate's next ("6th Round") fair share allocation from the Regional Housing Needs Assessment for the 8 year period beginning in 2021, the preliminary figures suggest South Gate may expect to see the need to produce 8,263 housing units, of which 2,130 (26 percent) would need to be affordable to very low income households (earning less than 50 percent of the County median income) with an almost equal amount of additional affordable units for low and moderate income households.

See the table below for a breakdown of the preliminary 6th Round RHNA requirements for South Gate.

Figure 3: 6th Round RHNA Requirements for South Gate (October 2021-September 2029) – Preliminary Subject to Change



<sup>1</sup> Public Review draft, Gateway District Specific Plan dated February 2019. Page 74

<sup>2</sup> Hollydale Specific Plan, adopted June 2017. Page 131

<sup>3</sup> Tweedy Boulevard Specific Plan, Adopted March 2019. Page 157

## How Other Los Angeles County Cities are Implementing Inclusionary Housing

Generally, inclusionary housing can be done in three different ways:

1. Through an inclusionary housing ordinance that applies citywide, such as what is proposed in South Gate
2. Through an overlay zone where a specific area or specific type of affordable housing is designated
3. On a case-by-case basis through the discretionary approval process.

For the most part, staff believes that an inclusionary housing ordinance that applies citywide is the most comprehensive and effective approach toward achieving the production of more infill affordable housing. South Gate's housing challenges go well beyond one specific type of housing needed, as the typical resident would qualify as a very low income household in Los Angeles County.

Twelve (12) of the 88 cities in Los Angeles County have an inclusionary housing ordinance, although only 10 of these 12 ordinances are effective at this time. Many of these predated changes to state law in 2017 (Assembly Bill 1505) which effectively reinstated the ability of a city to enact such policies on rental housing. Prior to AB 1505, courts ruled that cities could not require inclusionary housing on rental projects, specifically under the 2009 decision of *Palmer/Sixth Street Properties, L.P., et al. v. City of Los Angeles* (2009) 175 Cal.App.4th 1396 ("Palmer Case"). Two cities, Duarte and Whittier, have each suspended their ordinances previously due to the Palmer Case and have not yet taken action to reinstate their ordinances since AB 1505.

Among Gateway cities, no other city currently has an inclusionary housing ordinance, although the City of Long Beach is currently preparing to present an ordinance to its city council later this summer and the County of Los Angeles has been pursuing this effort recently as well.

An inclusionary housing ordinance generally requires applicants of market rate, non-income restricted housing to restrict a percentage the new units for affordable households, who earn less than 120 percent of the County median income, adjusted for household size. The percentage varies based on many factors, but generally anything over 15 percent would trigger state HCD review.

Figure 4: Inclusionary Housing Requirements in Los Angeles County

<b>Existing Ordinances</b>	<b>Minimum Project Size</b>		<b>Inclusionary Requirement</b>	
	<i>Rental</i>	<i>Ownership</i>	<i>Rental</i>	<i>Ownership</i>
1. Agoura Hills	1 unit	1 unit	15%	15%
2. Avalon	5 units	5 units	20%	20%
3. Burbank	1 unit	1 unit	15%	15%
4. Calabasas	5 units	5 units	50%	50%
5. Claremont	7 units	7 units	15%	15%
6. Duarte (suspended)	10 units	10 units	15%	15%
7. Glendale	8 units	N/A	15%	N/A
8. Pasadena	10 units	10 units	20%	20%
9. Rancho Palos Verdes	5 units	5 units	5% - 10%	5% - 10%
10. Santa Monica	2 units	2 units	25%	25%
11. West Hollywood	1 unit	1 unit	7.5% - 12%	15%
12. Whittier (suspended)	7 units	7 units	7.5% - 12%	15%
<b>Proposed Ordinances</b>				
1. Long Beach	10 units	10 units	12%	10%
2. Los Angeles County	10 units	10 units	10% - 20%	5% - 20%

Unlike these other jurisdictions, South Gate must balance an acute need for affordable housing given these facts:

- Favoring an inclusionary requirement:
  - South Gate has much lower household incomes than these other cities with inclusionary ordinances;
  - Housing costs in South Gate remain relatively low and yet very much out of reach for most South Gate residents;



- South Gate has a relatively high amount of future production required by the upcoming 6th round Regional Housing Needs Assessment (RHNA); and
- South Gate has experienced demand due to the planned extension of light rail through the City.
- Constraining the effectiveness of an inclusionary requirement in the City:
  - No adjacent city is currently pursuing an inclusionary housing ordinance;
  - South Gate does not want to discourage development by requiring such a high threshold for compliance that it effectively stalls any reinvestment in the City, which may only exacerbate the affordable housing crisis; and
  - Since inclusionary housing is underwritten by an applicant's profitability of market rate units, lower cost housing markets can be more difficult to finance such housing.

Weighing all of these factors, it is recommended that an inclusionary housing policy be considered that would generally require a lower percentage of affordable units citywide, with the exception of the Gateway District where there may be enough new housing that a higher percentage of inclusionary is warranted. And while the percentage of inclusionary housing may be lower than other Los Angeles County cities, it is recommended that all future housing, with a few exceptions, be subject to this requirement, even if it means requiring developers to pay an in-lieu fee.

Figure 5: Housing Market Conditions Relative to Inclusionary Requirement, Ranked by Housing Cost

City	Median Home Price Cost	Poverty Rate	Inclusionary Requirement
<b>South Gate (Recommended)</b>	<b>\$495,000</b>	<b>18.8%</b>	<b>8% - 12%</b>
Avalon	\$535,000	16.2%	20%
Duarte (suspended)	\$620,000	11.2%	15%
Agoura Hills	\$650,000	5.0%	15%
Claremont	\$680,000	8.3%	15%
Whittier (suspended)	\$477,000 - \$703,000	10.8%	7.5% - 12%
Glendale <sup>4</sup>	\$475,000 - \$1,185,000	14.9%	15%
Burbank	\$823,000 - \$1,000,000	10.8%	15%
Pasadena	\$713,000 - \$1,598,000	15.7%	20%
Rancho Palos Verdes	\$1,368,000	4.2%	5% - 10%
West Hollywood	\$1,446,000 - \$4,125,000	13%	7.5% - 12%
Santa Monica	\$1,813,000 - \$4,685,000	10.4%	25%
Calabasas	\$2,380,000	7.3%	50%

By law, cities imposing an inclusionary housing requirement must offer at least one alternative to building the units on-site. Among the 12 cities with such ordinances on the books already, most cities offer the option of paying an in-lieu fee (which the city then retains in an affordable housing trust fund for investment in future affordable housing projects, off-site construction, and acquisition and conversion of existing market rate units). In-lieu fees are a common alternative, with the exception being Avalon, which does not offer builders the alternative to pay a fee for fulfilling their ordinance.

The table below summarizes what alternatives to on-site production are available to applicants among the 12 cities in Los Angeles County.

<sup>4</sup> No inclusionary requirement for ownership housing.

Figure 6: Inclusionary Housing Compliance Alternatives to Onsite Production among Los Angeles County Cities

City	In-Lieu Fees	Off-Site Construction	Acquisition and Rehabilitation of Existing Units
Agoura Hills	✓	✓	✓
Avalon	No	✓	✓
Burbank	✓	✓	✓
Calabasas	✓	✓	✓
Claremont	✓	✓	No
Duarte (suspended)	✓	No	No
Glendale	✓	✓	✓
Pasadena	✓	✓	✓
Rancho Palos Verdes	✓	✓	No
Santa Monica	✓	✓	No
West Hollywood	✓	✓	No
Whittier (suspended)	✓	✓	No

Since identifying housing sites in South Gate may be very challenging, it is recommended that the ordinance provide maximum flexibility with these and other means for compliance.

#### Elements of the Proposed Ordinance

The proposed inclusionary housing ordinance sets forth two standards of inclusionary requirements depending on where in the City the project is located and offers alternatives to fulfillment on-site. This is due to the fact that a significant amount of new residential units may be developed in the soon-to-be adopted Gateway District Specific Plan area relative to the fact no residential uses exist in the area presently and its close proximity to transit (the proposed West Santa Ana Branch transit stop).

- On-Site Inclusionary Requirements: The table below summarize the proposed requirements of the ordinance, which would generally apply to all residential and mixed use projects in the City:

Figure 7: Inclusionary Production Requirements Proposed

Location	Rental Projects	Ownership Projects
Gateway District Specific Plan Area	12% including 6% affordable to Very Low Income Households	12% affordable to Moderate Income Households
Elsewhere in the City	8% including 4% affordable to Very Low Income Households	10% affordable to Moderate Income Households
Projects Less than 6 Units	Fee Only	Fee Only

These recommended inclusionary requirements are based on the three following factors:

- 1) A review of other LA County cities with an inclusionary requirement.
- 2) A desire to avoid HCD review by requiring more than 15 percent inclusionary production.
- 3) The need to not deter housing production in light of the fact that a developer of housing in South Gate must generally be able to build units for the same cost of construction elsewhere in LA County.

On this last point, the construction cost for housing in LA County is generally the same for similar product types, but for additional impact fees that some cities may charge. At the same time, housing prices and rents are definitely not the same, which is one important reason why developers find it feasible to build in built out areas closer to the coast where they can charge more for housing, than built out areas in the Gateway Cities.

This is not a situation unique to South Gate, but by adding a new requirement onto developers that may already find it relatively difficult to build non-subsidized, market rate and affordable housing, South Gate's land use policies should reasonably adapt by proposing relatively low inclusionary housing requirements, at least initially while other cities around South Gate have avoided this entirely.

Thus, staff is recommending an 8 percent inclusionary requirement on rental housing, with at least 4 percent affordable to very low income households (households earning 60 percent of County median income) and 10 percent for ownership housing, all of which would be for moderate income households (who are generally able to purchase affordable housing without subsidies).

Staff is recommending that the City establish a slightly higher percentage (10 percent) of inclusionary housing on ownership projects so that more South Gate residents have access to purchasing homes, as the vast majority of residents cannot currently afford to purchase a median priced home in the City today. All inclusionary ownership units would be affordable to moderate income households (households earning

less than 120 percent of the County median income, adjusted for household size), which is a higher level of affordability than what is proposed for rental projects and therefore more units can be made affordable in these projects. Further, the 10 percent requirement would allow the city to collect a reasonable amount of in-lieu fees comparable to other projects in the LA area. Generally, in lieu fees among LA County cities average around \$20,000 per unit.

In the Gateway District, the construction of a West Santa Ana Branch (WSAB) transit stop and the amount of anticipated redevelopment of this area from industrial to residential are expected to allow for a higher level of affordability. This is because state law affords developers incentives for building more housing, including affordable housing, near transit areas and the area generally lacks any affordable housing unlike the rest of the City. Therefore, a higher 12 percent requirement for rental and ownership housing in the Gateway District area is proposed.

- Alternatives to On-Site Production: The Government Code requires that cities must provide at least one alternative to on-site production to comply with an inclusionary ordinance.

Recognizing that on-site production in a dense city may be challenging, the proposed inclusionary housing ordinance allows applicants to produce the units off-site (elsewhere in the City), donate land, pay in-lieu fees, convert market rate units to affordable housing, and extend covenants of at-risk affordable housing in the City. In all of these alternatives, the Community Development Director could have the discretion to review the applicant's affordable housing plan to ensure not only that the alternative provides an acceptable amount of affordable housing, but do so in such a way so as to not concentrate this in any single part of the City.

Also, as noted in the table above, projects less than 6 units would not be required to produce inclusionary housing on-site and instead would be charged the in-lieu fee that would be collected by the Community Development Department and deposited into an affordable housing trust fund.

- Exemptions: The inclusionary housing ordinance provides three types of applications that would not be subject to the inclusionary housing requirement. These include most projects where an existing single unit is being replaced due to demolition or destruction, many types of 100 percent affordable housing projects, and accessory dwelling units.
- Standards: Inclusionary units should be constructed to the same standard and spread throughout a project. Units should remain affordable for a period of 45 to 55 years depending whether it is an ownership or rental project, and this affordability requirement should be secured by a recorded affordable housing agreement that is recorded on the property and would be binding on successive owners of the property.
- Procedures: Applicants should be required to prepare and submit an inclusionary housing plan that establishes the plan for fulfilling the inclusionary housing ordinance. No discretionary approvals, as well as the any building permits, would be issued until the applicant has submitted an inclusionary housing plan. The form and content of the inclusionary housing plan would be established if the ordinance is approved and becomes effective.

An affordable housing agreement would be prepared and recorded against the property where the allocated units would be constructed prior of the issuance of a certificate of occupancy.

### Implementation of the Ordinance

Implementation of the ordinance would be contingent upon its approval by the Planning Commission and City Council, and would entail subsequent actions by the Community Development Department, including:

1. Preparation of a Resolution setting Housing In-Lieu Fees: As mentioned earlier, it is recommended that an in-lieu fee option for conformance be included within the inclusionary housing ordinance. As proposed, the housing in-lieu fee would be charged to applicants of projects less than six units, as well as to applicants of larger projects that seek this alternative to on-site construction. The fee schedule would be established by resolution of the City Council, similar to other fees charged by the City. An in-lieu fee schedule would be presented to the City Council after the ordinance is effective.
2. Preparation of implementing policies and standard agreements. In order to make processing applications for inclusionary housing as straightforward as possible, we would prepare an inclusionary housing plan and agreement for applicants to use in submittal of their projects to the City.

**BACKGROUND:** The process leading up to the preparation of the proposed Inclusionary Housing Ordinance began initially with the City Council's adoption of the City's Economic Development Strategy ("Strategy") in June 2018. At the time, the Strategy highlighted that approximately 66 percent of South Gate renters were spending more than 30 percent of their income on housing, and most residents could not afford to purchase a home in the City, despite relatively affordable home prices relative to other Los Angeles County communities. The Strategy established two goals to maintain a supply of affordable housing and partner with developers to ensure the production of such housing would become a reality.

As the City Council is aware, while South Gate and other Gateway cities are considered built out, the demand for housing and particularly housing that is affordable to a community with a median household income of approximately \$54,000, is a key priority. Redevelopment opportunities stemming from the implementation of the Tweedy Boulevard, Hollydale, and (soon) Gateway District Specific Plans would allow for additional housing to be developed in the City, but the City does not have requirements that future housing in these and other areas of the City be restricted to households earning less than 120 percent of the County median income, which for a family of four is \$92,750 a year in 2020, as well as those households at very low income levels, which for a family of four is \$56,300 a year in 2020.

*Figure 8: South Gate Median Household Income Relative to LA County Affordable Income Limits*

South Gate (4 Person Household)	LA County Affordable Housing Income Limits (4 Person Household, 2020)		
Median Household Income	Very Low Income	Low Income	Moderate Income
\$50,931 (2019)	\$56,300	\$90,100	\$92,750

While it is not possible to make existing housing stock affordable to most South Gate residents, what the City can do is shape its housing policies to ensure that future housing supply includes more affordable housing units and that such units would remain affordable with long term recorded covenants.

This information became the policy foundation for discussions with the City Council beginning in the Fall of 2019 when staff began the preparation of an inclusionary housing ordinance. Specific actions involving the creation of this policy included the following:

- November 11, 2019: City Council Study Session on the need for an inclusionary housing policy
- February 4, 2020: Planning Commission briefing
- March 11, 2020: Public workshop at City Hall

In each of these discussions, inclusionary housing was presented as one, but not the only, affordable housing initiative of the City. South Gate has 321 existing income restricted housing units for seniors and families. In addition to these units, approximately 400 eligible households receive Section 8 Housing Choice Voucher program administered by the City's Housing Authority to keep otherwise market rate units affordable at 30 percent of their adjusted gross income. The Housing Authority also manages a HOME improvement loan program to provide financing to homeowners to make repairs to homes they own. Three affordable housing projects are planned in the City as well: the 60 unit PATH Villas project, a proposed 14 unit mixed income Habitat for Humanity townhome project on the 9000 block of Long Beach Boulevard, and a future affordable housing project on the recently acquired property at 13050 Paramount Boulevard.

While no small measures for a city without a source of ongoing funding for subsidizing housing, more paths for increasing affordable supply are necessary. With the opportunity presented by the three Specific Plans and increasing interest from developers attracted to the City's location and proximity to job centers and future transit, the proposed inclusionary housing ordinance establishes an important milestone in securing a more equitable future for South Gate residents to purchase homes and remain in the City while accommodating the growth anticipated.

### Next Steps

Adoption of the inclusionary housing ordinance requires actions by both the Planning Commission and City Council. The tentative dates for these activities are noted in the schedule below.



*Figure 9: Inclusionary Housing Ordinance Schedule*

Task	Action
July 28	Report on Feasibility Study Findings
August 18	Planning Commission Reviews Ordinance (Noticed Public Hearing) and makes recommendation to City Council
September 8	City Council Reviews Ordinance- Intro (Noticed Public Hearing)
September 22	City Council Adopts Ordinance
September 22	City Council Adopts In-Lieu Fee Schedule by Resolution
October 23	Ordinance Effective

Once the ordinance is adopted, we will work on the necessary implementation policies to enact the ordinance, including preparation of a resolution setting the initial housing in-lieu fee and the creation of templates for the inclusionary housing plan and inclusionary housing agreements to assist applicants evaluate and process inclusionary housing applications in the Community Development Department.

**ATTACHMENT:** Draft Inclusionary Housing Ordinance



ORDINANCE NO. \_\_\_\_\_

**CITY OF SOUTH GATE  
LOS ANGELES COUNTY, CALIFORNIA**

**ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH GATE,  
CALIFORNIA IMPLEMENTING INCLUSIONARY HOUSING**

**THE CITY COUNCIL OF THE CITY OF SOUTH GATE, CALIFORNIA, DOES HEREBY  
ORDAIN AS FOLLOWS:**

**SECTION 1.** Amend the City of South Gate Municipal Code by implementing the provision of this Title 11, Division II in its entirety with the following new provisions to read and provide as follows:

**“11.29 INCLUSIONARY HOUSING**

**Section:**

- 11.29.010 Determinations.
- 11.29.020 Purpose.
- 11.29.030 Definitions.
- 11.29.040 Applicability.
- 11.29.050 Inclusionary Requirements.
- 11.29.060 Relationship to Density Bonus Provisions.
- 11.29.070 Alternative Compliance.
- 11.29.080 Exemptions.
- 11.29.090 Takings Determination.
- 11.29.100 Establishment, Payment, and Use of the Housing In-Lieu Fees.
- 11.29.110 Inclusionary Unit Development Standards.
- 11.29.120 Affordable Housing Incentives.
- 11.29.130 Inclusionary Housing Plan and Housing Agreement.
- 11.29.140 Administration.
- 11.29.150 Annual Review.
- 11.29.160 Affordable Housing Trust Funds.
- 11.29.170 Administrative Fees.

**11.29.010 Determinations.**

The City of South Gate declares that the provision of housing in a suitable living environment for all residents is a priority of the highest order and is consistent with State, regional and national policies. The goal of the City is to achieve a balanced community with housing available for persons of all

income levels. There exists within the City a shortage of housing that is affordable to households of lower and moderate incomes. Federal and State housing finance subsidy programs are not sufficient by themselves to satisfy these income housing needs. The City finds that the housing shortage for households of lower and moderate income is detrimental to the public health, safety and welfare and, further, that it is a public purpose of the City to seek assistance and cooperation from the private sector in making available an adequate supply of housing for persons of all economic segments of the community.

#### **11.29.020 Purpose.**

The purpose of this chapter is to enhance the public welfare and assure the compatibility between future housing development and the housing element of the City of South Gate general plan through increasing the production of housing units affordable to households of lower and moderate incomes. It is the purpose of this chapter to meet the City's general plan goals to expand the supply of housing available to lower and moderate-income households.

#### **11.29.030 Definitions.**

- A. "Affordability agreement" means a legally binding agreement between an applicant and the Housing Authority to ensure continued affordability of allocated units is maintained in accordance with this chapter.
- B. "Affordable rent" means the maximum monthly rent an owner may charge for an allocated unit in accordance with subdivision (b) of Section 50053 of the California Health and Safety Code, less the appropriate allowance for utilities.
- C. "Allocated (inclusionary) unit" means a newly constructed "for-rent" or "for-sale" dwelling unit which is: (1) provided (or caused to be provided) by an applicant under the provisions of this chapter; (2) to be made available and occupied by a household of lower or moderate income, as required under the provisions of this chapter; (3) subject to occupancy and affordable rent or sales price controls for a period of not less than 55 years; (4) compatible with the design of other units in the residential housing development of which it is part in terms of exterior appearance, materials and quality finish; and (5) a similar unit type and bedroom mix to the overall residential development.
- D. "Community care facility" means a facility, place or building which is maintained and operated, subject to licensing by the California Department of Social Services, to provide nonmedical residential care, which may include home finding and other services, for children and/or adults, including: the physically handicapped; mentally impaired, mentally disordered, or incompetent; developmentally disabled; court wards and dependents; neglected or emotionally disturbed children; the addicted; the aged. Community care facility includes a continuing care and retirement community.
- E. "Development standard" means a site or construction condition, including, but not limited to, height limits, required setbacks, maximum floor area ratio, onsite open-space requirement, or

required parking that applies to a residential development pursuant to any ordinance, General Plan, Specific Plan, charter, or other local condition, law, policy, resolution, or regulation.

- F. "Gateway District" means the area encompassed by the Gateway District Specific Plan as identified by the South Gate General Plan.
- G. "Health care facility" means a facility, place or building other than a hospital which is maintained and operated as a residence for patients and to provide long-term medical care. Includes nursing homes, intermediate care facilities, extended care facilities, hospice homes, and similar facilities which are licensed by the California State Department of Health Services, and defined in Health and Safety Code, Section 1200, et seq. May include a lab, radiology, pharmacy, rehabilitation, and other similar services as accessory uses.
- H. "Housing Authority of the City of South Gate" or "Housing Authority" means the not-for-profit public entity, responsible for ensuring adequate, decent, safe and sanitary housing for qualified people with limited income within South Gate consistent with federal, state and local laws and which is involved in administering programs designed to develop affordable housing, provide federal rental subsidy, and various other programs to benefit South Gate residents with limited income.
- I. "Housing in-lieu fee" means a fee paid by an applicant as an alternative to providing an allocated unit or a fraction of an allocated unit.
- J. "Income (household), low" means a household whose gross income does not exceed 80 percent of the area median income for the County of Los Angeles, adjusted for family size, as published and periodically updated by the State Department of Housing and Community Development pursuant to Section 50079.5 of the California Health and Safety Code.
- K. "Income (household), very low" means a household whose gross income does not exceed 50 percent of the area median income for the County of Los Angeles, adjusted for family size, as published and periodically updated by the State Department of Housing and Community Development pursuant to Section 50105 of the California Health and Safety Code.
- L. "Lower income household" is a general term which refers to households whose gross income falls under the categories of very low or low income as those terms are defined in this Section.
- M. "Moderate income household" means a household whose gross income does not exceed 120 percent of the area median income for the County of Los Angeles, adjusted for family size, as published and periodically updated by the State Department of Housing and Community Development pursuant to Sections 50079.5 and 50052.5 of the California Health and Safety Code.
- N. "Residential development" means a project containing at least one residential unit, including mixed use developments. For the purposes of this chapter, "residential development" also includes projects defined in California Government Code Section 65915(i), including a

subdivision or Common Interest Development, as defined in Section 4100 of the California Civil Code, approved by a City and consists of residential units or unimproved residential lots and either a project to substantially rehabilitate and convert an existing commercial building to residential use or the substantial rehabilitation of an existing multifamily dwelling, as defined in subdivision (d) of California Government Code Section 65863.4, where the result of the rehabilitation would be a net increase in available residential units.

- O. "Review authority" means the individual or official City body which has the responsibility and authority to review, and approve or disapprove, applications for land use entitlements.
- P. "Single room occupancy facility" is a residential building including units with living space with a minimum floor area of 150 square feet and a maximum of 400 square feet restricted to occupancy by no more than two persons. Kitchen and bathroom facilities may be wholly or partially included in each living space or may be fully shared.

**11.29.040 Applicability.**

The inclusionary requirements of this chapter apply to all residential developments within the City, including the residential component of mixed-use developments.

**11.29.050 Inclusionary Requirements.**

- A. Except those development projects complying with this chapter in an alternative manner consistent with Section 11.29.100 below, all residential or mixed use development projects shall be subject to the following inclusionary requirements:
  - 1. For-rent residential development projects shall provide at least 8% of the total number of new dwelling units as affordable to low income households or at least 4% of the total number of new dwelling units as affordable to very low income households.
  - 2. For-sale residential development projects shall provide at least 10% of the total number of new dwelling units as affordable to moderate income households.
- B. Notwithstanding the inclusionary requirements of subsection A above, all residential or mixed use development projects located in the Gateway District shall be subject to the following inclusionary requirements:
  - 1. For-rent residential development projects shall provide at least 12% of the total number of new dwelling units as affordable to low income households or at least 6% of the total number of new dwelling units as affordable to very low income households.
  - 2. For-sale residential development projects shall provide at least 12% of the total number of new dwelling units as affordable to moderate income households.
- C. Fractional units that may result from the application of these requirements will be addressed as follows:

1. For a fractional unit requirement of less than 0.5, the applicant will pay a fractional housing in-lieu fee.
  2. For a fractional unit requirement of 0.5 and above, the fraction will be rounded up to the next larger integer and treated as a whole unit.
- D. Residential or mixed-use development projects with six or fewer units shall pay a housing in-lieu fee as noted in Section 11.29.100.
- E. If a proposed residential development project would result in the elimination of existing deed restricted affordable housing units, the affordable units must be replaced on a one-for-one basis with equally affordable deed restricted units with a new affordable housing agreement recorded that results in resetting and making consistent the duration of affordability consistent with the requirements of this Section.
- F. An applicant proposing to provide on-site allocated units consistent with the inclusionary requirements of this section, is entitled to receive one incentive or concession, as outlined in Section 11.31.050 of the City's Density Bonus ordinance, or other benefits as negotiated with the City.

**11.29.060 Relationship to Density Bonus Provisions.**

An applicant proposing allocated units consistent with this Chapter 11.29 which also applies for a density bonus consistent with Chapter 11.31 of this code, may count units affordable to lower or moderate-income households toward both requirements. Additional units allowed by the density bonus shall not be included in the total project units when determining the proportion of required allocated units in a residential development.

**11.29.070 Alternative Compliance.**

Alternatives to provision of on-site allocated units or payment of the housing in-lieu fee in accordance with Section 11.29.100 include provision of allocated units off-site, directly by applicant or through an agreement with a third party, dedication or conveyance of land, conversion of market rate units to affordable, preservation of at-risk housing, use of inclusionary credits, or other innovative approaches. All alternative compliance measures must produce at least the same number and affordability of units that would have been provided on-site, and are subject to review and approval by the Director of Community Development.

- A. **Allocated Units Provided Off-Site.** An applicant may provide (or may cause a third party to provide) allocated units off-site ("off-site units").
1. Allocated units provided off-site must be located in the same general area of the City as the unallocated units of the development as determined by the Director of Community Development, unless the Director of Community Development makes a determination that

locating the off-site units in a different area of the City would better serve the General Plan housing goals of the City.

2. As part of the application submittal materials, if the applicant itself will provide the allocated units off-site, the applicant shall submit evidence that the applicant owns, or has an irrevocable option to purchase, the site where the off-site allocated units are proposed to be located; alternatively, if applicant enters into an agreement with a third party to provide the allocated units off-site, then the applicant shall cause such third party to submit evidence that the third party owns, or has an irrevocable option to purchase, the site where the off-site allocated units are proposed to be located.
- B. Land Dedication or Conveyance Alternative. An applicant may offer to dedicate or convey land to the Housing Authority, situated on-site or off-site.
1. Land offered under this section must be within the City's boundaries and must be designated for a general plan land use which allows multifamily units.
  2. The applicant shall provide an analysis which demonstrates that the land offered is suitable for affordable housing development in terms of size; location; general plan land use designation; availability of sewer, water and transit services; absence of toxics; absence of environmental constraints; site characteristics and surroundings. Staff will recommend to the review authority whether the dedication should be accepted.
  3. The applicant shall also submit evidence that the applicant owns, or has an irrevocable option to purchase, the site proposed for dedication or conveyance.
  4. Land conveyed under this section shall be used for the development of affordable housing for households of lower income.
  5. Land shall be identified and offered for dedication or conveyance at the time of development application submittal. If the offer is accepted by the review authority, the land must be donated to the Housing Authority no later than the date of approval of the final subdivision map, parcel map or housing development application, and must have all the permits and approvals, other than building permits, necessary for development with the required number of affordable units.
- C. Impaction Determination. Each site proposed to be dedicated or conveyed to the City for construction of affordable units or proposed for one or more off-site allocated units shall be evaluated as to whether the placement of such units will overly impact an area with lower income units. If the site is within 1,000 feet of one or more existing or approved developments in which more than 50 percent of the units are, or will be, restricted to occupancy by households of lower incomes, impaction shall be found. The review authority may override a determination of impaction by making findings that local schools, services and adjacent uses will not be negatively impacted by the construction of allocated or affordable units at the proposed site.



- D. **Conversion of Market Rate Units to Affordable.** An applicant may propose to convert existing market rate units to affordable units in an amount equal to or greater than the required on-site inclusionary housing requirement, including any needed rehabilitation to ensure compliance with building, health and safety standards.
- E. **Preservation of At-Risk Housing.** An applicant may offer to purchase long term affordability covenants on an existing deed restricted affordable housing project at imminent risk of contract termination and conversion to market rate housing.
- F. **Credit for Additional Affordable Units.** If an applicant completes construction on a site of a greater number of affordable units than required by this chapter, the additional units may be credited towards meeting the requirements of this chapter for a future project. The applicant may use credits in a future project or transfer the credits in writing to another developer. Credits will only be counted toward required affordable units with the same bedroom count, the same tenure (rental or ownership), and required affordability targets. The credits must be used within 10 years of issuance. Projects which have received a density bonus or which receive a government subsidy in any form, financial or other, shall not be eligible for credits.
- G. **Innovation Encouraged.** Innovative alternatives to providing affordable housing not outlined in this chapter shall be evaluated by staff and considered on a case-by-case basis. Substitute programs shall be permitted providing, at the recommendation of staff and determination of the review authority that the objectives of the inclusionary housing ordinance are being met with the alternate proposal.

#### **11.29.080 Exemptions.**

The following residential developments are exempt from the inclusionary requirements (Section 11.29.050) of this chapter:

- A. The construction of a dwelling unit to replace a previously existing dwelling unit situated on the same lot if the previous dwelling was demolished or destroyed within five years of the date the building permit application for the replacement unit is submitted to the Community Development Department.
- B. The construction of homeless shelters, community care facilities, health care facilities, single room occupancy units and units which, under agreement with the City or a City agency, are only available for occupancy by lower or moderate income households at affordable rents or affordable sales prices for a period of not less than 55 years.
- C. The construction of accessory dwelling units.

#### **11.29.090 Takings Determination.**

- A. **Determination of a taking of property without just compensation.** In accordance with the procedures provided by this section, an applicant may request a determination as to whether the requirements of this chapter, taken together with density bonuses and any concessions or other

incentives available under Chapter 11.31, would constitute a taking of property without just compensation under the California or Federal Constitutions.

1. If an inclusionary housing plan is subject to the approval of the Director of Community Development, the applicant may request the director to make a takings determination within fifteen days of the decision by the director to approve or disapprove the inclusionary housing agreement. The developer may appeal the director's takings determination to the City Council within fifteen calendar days after the date of the decision in compliance with Chapter 11.50.
  2. If an inclusionary housing plan is subject to the approval of the City Council, the developer may request the City Council to make a takings determination at the time it acts to approve or disapprove the inclusionary housing agreement.
- B. Presumption of Facts. In making the taking recommendation or determination, the director or City Council, as appropriate, shall presume each of the following facts:
1. Application of the inclusionary housing plan to the project; and
  2. Application and utilization of all density bonuses and incentives available under state and local law; and
  3. Utilization of the most cost-efficient product type for the inclusionary units that would meet the standards of this chapter; and
  4. The reasonable availability of external funding.
- C. Modifications to Reduce Obligations. If it is determined that the application of the provisions of this chapter would be a taking, the inclusionary housing plan shall be modified to reduce the obligations in the inclusionary housing component to the extent, and only to the extent necessary, to avoid a taking. If it is determined that no taking would occur though application of this chapter to the residential project, the requirements of this chapter shall remain applicable.

**11.29.100 Establishment, Payment, and Use of the Housing In-Lieu Fees.**

- A. Residential development projects shall be assessed a housing in-lieu fee as an alternative to provision of on-site allocated units in accordance with Section 11.29.050.
- B. The City Council, by resolution, shall establish the amounts and calculation of the housing in-lieu fee. The fee for a for-rent unit shall be paid no later than prior to the final inspection for each unit in a residential project; payment for a for-sale unit shall be no later than the close of escrow or one-year following the final inspection, whichever is sooner. The fee for rental and for-sale units shall be adjusted annually in July based on the annual percentage change in corresponding month in the Bureau of Labor Statistics Long Angeles/Long Beach/Anaheim Consumer Price Index – All Urban Consumers (CPI-U).



- C. Except as otherwise provided in this Chapter 11.29, all housing in-lieu fees paid under this chapter shall be paid to the City and shall be used by the City's Housing Authority only for the development of housing situated within the City limits that is affordable to households of lower and moderate incomes, including, but not limited to, the acquisition of property, costs of construction, including costs associated with planning, administration and design, as well as actual building or installation costs, and program administration. Housing assisted with housing in-lieu fees shall be subject to a minimum 55-year affordability agreement with the Housing Authority encumbering the site where the assisted housing is situated.

#### **11.29.110 Inclusionary Unit Development Standards.**

- A. All inclusionary units shall be:
1. Reasonably dispersed throughout the residential project;
  2. Proportional, in number of bedrooms, and location, to the market rate units;
  3. Comparable to the market rate units included in the residential project in terms of size, design, materials, finished quality, and appearance; and
  4. Permitted the same access to project amenities and recreational facilities, as are market rate units.
- B. Timing of Construction. All inclusionary units in a project shall be constructed concurrent with, or before the construction of the market rate units. If the city approves a phased project, a proportional share of the required inclusionary units shall be provided within each phase of the residential project.
- C. Accessory dwelling units shall not be counted towards meeting a project's inclusionary requirements.
- D. Units for Sale.
1. Time Limit for Inclusionary Restrictions. A unit for sale shall be restricted to the target income level group at the applicable affordable housing cost for a minimum of forty-five (45) years.
  2. Certification of Purchasers. The applicant and all subsequent owners of an inclusionary unit offered for sale shall certify, in form and content acceptable to the City, the income of the purchaser.
  3. Resale Price Control. In order to maintain the availability of inclusionary units required by this chapter, the resale price of an owner occupied inclusionary unit shall be limited to the lesser of the fair market value of the unit as established by a licensed real estate agent based upon three comparable properties or the restricted resale price. For these purposes, the restricted resale price shall be the greater of either the applicable affordable housing cost or

an amount equal to the sum of: a) the purchase price, b) an amount equal to ten percent of any increase in the applicable affordable housing cost since the previous sale of the unit, c) The adjusted amount of any capital improvements for which a building permit has been issued by the City and a certification of occupancy or similar final certification has been filed, or other improvements which adds assessed value to the unit, d) any applicable transaction fee charged by a real estate professional, and e) if the occupant has allowed the unit to deteriorate due to deferred maintenance, the restricted retail price shall be discounted in an amount equal to the costs necessary to bring the unit into conformity with the City Municipal Code.

4. **Inheritance of Inclusionary Units.** Upon the death of an owner of an owner-occupied inclusionary unit, title in the property may transfer to the surviving joint tenant without respect to the income-eligibility of the household. Upon the death of a sole owner or of all owners of an inclusionary unit and the inheritance of the property by one or more nonincome eligible children or stepchildren of the deceased, the property shall be sold to an income eligible household within one year of the time when the deceased's estate is settled. Inheritance of an inclusionary unit by any other nonincome eligible person or persons shall require the sale of the property to an income eligible person as soon as is feasible, but not more than one hundred eighty days after the deceased's estate is settled.
5. **Forfeiture.** If an inclusionary unit for sale is sold for an amount in excess of the resale price controls required by this section, the buyer and the seller shall be jointly and severally liable to the city for the entire purchase price of the unit. Recovered funds shall be deposited into the affordable housing trust funds. Notwithstanding the foregoing, it shall be within the discretion of the city manager to allow the buyer and seller one hundred eighty days to cure any violation of the resale price controls.

#### D. Rental Units.

1. **Time Limit for Inclusionary Restrictions.** A rental unit shall remain restricted to the target income level group at the applicable affordable housing cost for fifty-five years.
2. **Certification of Renters.** The owner of any rental inclusionary units shall certify to the director, on a form provided by the city, the income of the tenant at the time of the initial rental and annually thereafter.
3. **Forfeiture.** Any lessor who leases an inclusionary unit in violation of this chapter shall be required to forfeit to the city all money so obtained. Recovered funds shall be deposited into the affordable housing trust fund.
4. The director may require the execution and recording of whatever documents are necessary or helpful to ensure enforcement of this section; including but not limited to: promissory notes, deeds of trust, resale restrictions, rights of first refusal, options to purchase, and/or other documents, which shall be recorded against all inclusionary units.

**E. General Prohibitions.**

1. No person shall sell or rent an inclusionary unit at a price or rent in excess of the applicable affordable housing cost placed on the unit in accordance with this chapter.
2. No person shall sell or rent an inclusionary unit to a person or persons that do not meet the income restrictions placed on the unit in accordance with this chapter.
3. No person shall provide false or materially incomplete information to the city or to a seller or lessor of an inclusionary unit to obtain occupancy of housing for which that person is not eligible.

**F. Principal Residency Requirement.**

1. The owner or lessee of an inclusionary unit shall reside in the unit for at least ten out of every twelve months unless actively serving in the United States military. Notwithstanding this requirement, an owner or lessee may live elsewhere for a period up to six months every five years on account of hardships; including, but not limited to, medical reasons, the need to assist family member in crisis or medical need, and relocation for employment purposes.
2. No owner or lessee of an inclusionary unit shall lease or sublease, as applicable, an inclusionary unit without the prior permission of the director.

**11.29.120 Affordable Housing Incentives.**

An applicant may request the City provide regulatory, procedural or financial incentives, including but not limited to a density bonus or modified development standards, in exchange for providing on-site inclusionary units as required by this chapter. The request for incentives shall be included as part of the project application materials, and shall be subject to review and approval by the Director of Community Development.

**11.29.130 Inclusionary Housing Plan and Housing Agreement.**

- A. The applicant shall comply with the following requirements at the times and in compliance with the standards and procedures in the city's regulations for the implementation of this chapter.
  1. **Inclusionary Housing Plan.** An applicant shall submit an inclusionary housing plan, in a form specified by the Director of Community Development, detailing how the provisions of this chapter will be implemented for the proposed project. If the inclusionary housing plan includes alternatives to on-site units, then the inclusionary housing plan shall be subject to the review and approval of the City Council. All other inclusionary housing plans shall be subject to the approval of the Director of Community Development, subject to appeal to the City Council. Any such appeal shall be filed within fifteen days of the Director's decision.
  2. **Inclusionary Housing Agreement.** An applicant shall execute and cause to be recorded an inclusionary housing agreement. The inclusionary housing agreement shall be a legally

binding agreement between the applicant and the city, in a form and substance satisfactory to the director and the city attorney, and containing those provisions necessary to ensure that the requirements of this chapter are satisfied, whether through the provision of inclusionary units or through an approved alternative method. Once the residential development including allocated units has received its final discretionary approval, the applicant shall file an application, including payment of any processing and monitoring fees, with the Community Development Department for approval and finalization of the affordability agreement.

- B. A project providing allocated units consistent with this chapter and affordable units consistent with the provisions of the density bonus and other developer incentives chapter of this code may enter into a single affordability agreement.
- C. Discretionary Approvals. No discretionary approval shall be issued for a project subject to this chapter until the applicant has submitted an inclusionary housing plan.
- D. Issuance of Building Permit. No building permit shall be issued for a project subject to this chapter unless the Director of Community Development has approved the inclusionary housing plan, and any required inclusionary housing agreement has been recorded encumbering the project site.
- E. Issuance of Certificate of Occupancy. A certificate of occupancy shall not be issued for a project subject to this chapter unless the approved inclusionary housing plan has been fully implemented.

**11.29.140 Administration.**

- A. The City Council, by resolution, may from time to time adopt procedures, policies, rules and requirements, including the adoption of processing and administrative fees, to implement, administer, and/or enforce the provisions of this chapter.
- B. The Director of the Community Development or designee is authorized to determine the number of dwelling units contained within a particular residential development, if a determination is needed to resolve a disagreement. When a question arises regarding the meaning, or requires an interpretation of any provision of this chapter to any specific circumstances or situation, the Director of Community Development is authorized to render a decision thereon in writing.
- C. The Housing Authority shall keep on file and available for public review a copy of the current income schedules and utility allowances.

**11.29.150 Annual Review.**

At least once each calendar year, the Community Development Department shall prepare a report on the effectiveness of the inclusionary housing ordinance, both citywide and within the Gateway District, which shall include the following:

- A. By income category, the total number of on-site inclusionary units issued building permits during the time period covered by the report.
- B. By income category, the total number of off-site inclusionary units issued building permits during the time period covered by the report.
- C. The amount of acreage by land use category dedicated to the Housing Authority as an alternative to fulfill an inclusionary requirement during the time period covered by the report.
- D. By income category, the total number of inclusionary units converted from market rate during the time period covered by the report.
- E. By income category, the total number of affordable units preserved as an alternative to fulfill an inclusionary requirement during the time period covered by the report.
- F. By income category, the total number of additional inclusionary units issued building permits during the time period covered by the report, as well as those issued building permits in the preceding 9 years.
- G. The amount of any housing in-lieu fees collected.
- H. Any recommendations with regard to changes or revisions to the adopted program to improve its effectiveness and/or administration.

**11.29.160 Affordable Housing Trust Funds.**

Housing in-lieu fees collected by the City pursuant to this ordinance shall be deposited into an affordable housing trust fund maintained by the City for use in the site acquisition, development, rehabilitation, or preservation of affordable housing, either directly by the City or in partnership with the Housing Authority or third party affordable housing developers.

**11.29.170 Administrative Fees.**

The council may by resolution establish reasonable fees and deposits for the administration of this chapter.”

**SECTION 2.** The Council finds that the proposed Inclusionary Housing Ordinance is exempt from the provisions of the California Environmental Quality Act (CEQA) under section 15061(b)(3) and 15378 in that there is no possibility that the implementation of this ordinance may have significant effects on the environment, and that no further environmental review is required.

**SECTION 3.** If any section, subsection, sentence, clause, phrase or word of this ordinance is for any reason held to be invalid and/or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

**SECTION 4.** This ordinance shall take effect on the 31st day following its adoption.

**ORDINANCE NO. \_\_\_\_\_**

**APPROVED AND ADOPTED** this \_\_th day of June 2020.

**CITY OF SOUTH GATE:**

\_\_\_\_\_  
Maria Davila, Mayor

**ATTEST:**

\_\_\_\_\_  
Carmen Avalos, City Clerk  
(SEAL)

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Raul F. Salinas, City Attorney



# RIO HONDO CONFLUENCE AREA PROJECT

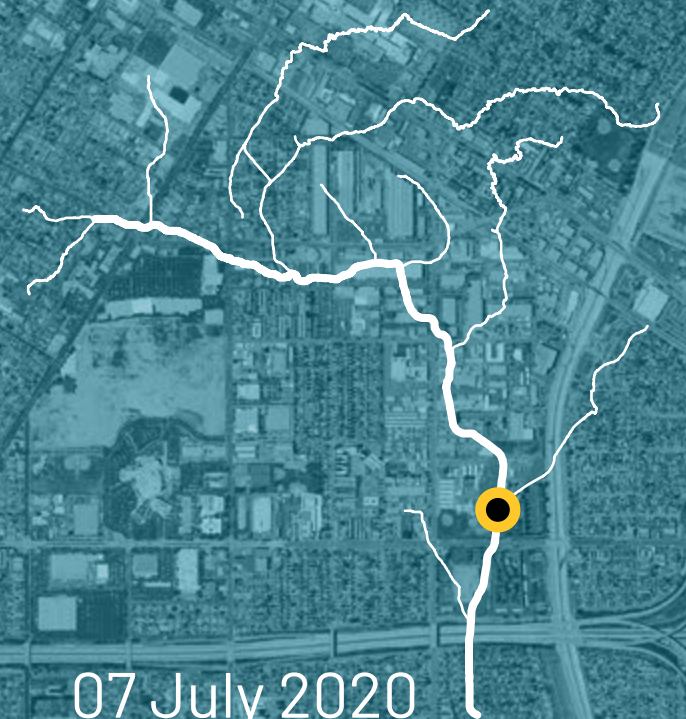
## FINAL PRESENTATION



**OLIN**  
Gehry Partners, LLP

Geosyntec

MAGNUSSON  
KLEMENCIC  
ASSOCIATES



07 July 2020



RIO HONDO CONFLUENCE AREA PROJECT

COMPLETED



BASELINE SURVEY



1000  
PEOPLE

RECONTACT  
SURVEY



500  
PEOPLE

ONLINE  
COMMUNITY



50  
PEOPLE

SEPTEMBER

OCTOBER

NOVEMBER

DECEMBER

JANUARY

FEBRUARY

MARCH





DRAFT

RIO HONDO CONFLUENCE AREA PROJECT

12 OPPORTUNITY AREAS

118 ACRES ADDED PARK SPACE

SOUTH GATE

DOWNEY

LYNWOOD

BLUE PARK

WATER EDUCATION CENTER

IMPERIAL WETLANDS

SELA BRIDGE PARK

LYNWOOD CONNECTOR

SOUTHERN AVENUE CONNECTOR

LA RIVER PLATFORM PARK

RIO HONDO PLATFORM PARK

S GARFIELD TRANSMISSION ROW PARK

N IMPERIAL TRANSMISSION ROW PARK

S IMPERIAL TRANSMISSION ROW PARK

CONFLUENCE POINT PARK





## RIO HONDO CONFLUENCE AREA PROJECT

# EXISTING

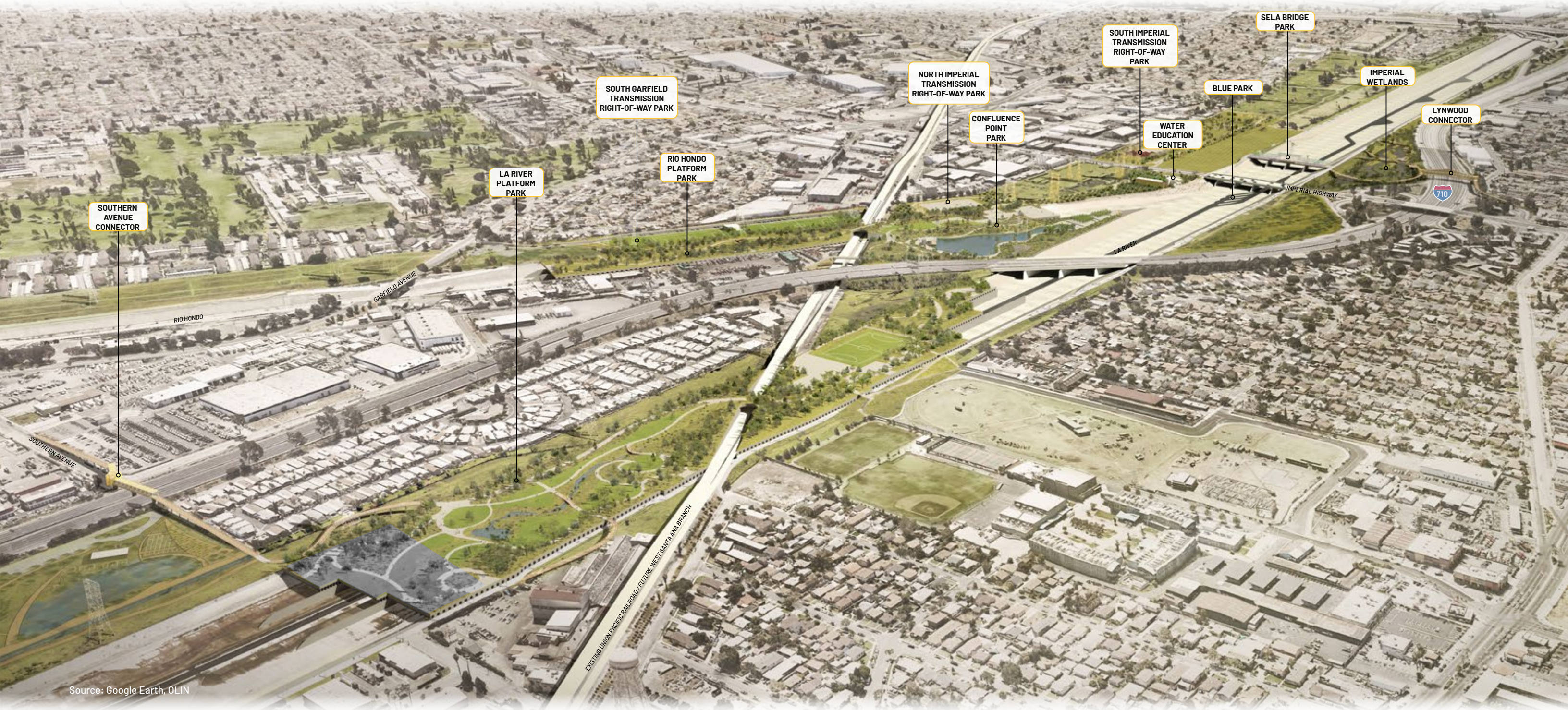


Source: Google Earth



RIO HONDO CONFLUENCE AREA PROJECT

12 PROPOSED PROJECTS







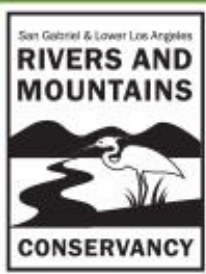


## SELA Cultural Center

The DPET items for the SELA Cultural Center project are based on the following items:

- Demographics were pulled from policy map in a 5-mile radius snapshot based on the American Community Survey 2013-2017 data.
- The 5-mile radius area includes 288 census tracts.
- This cities and neighborhoods include South Gate, Lynwood, Downey, Compton, Bell, Bell Gardens, Cudahy, Paramount, Bellflower, Maywood, Huntington Park, Watts, and North Long Beach.
- Looking at these communities, 84% of the area's ethnicity is Hispanic/Latino.
- For race, 56% of the area is White, 31% is "some other race", and 7% are Black. However, when the ethnicity question is overlaid onto the race question, some people identify as White Hispanic/Latino and some do not. However due to the frequency of people identifying as Hispanic/Latino in the census and ACS, in the recruitment process, ethnicity was the primary determinant to create a demographically representative respondent pool. It is worth noting that the DPET did not phrase the race and ethnicity question in the same way as the census question (the census language and options can be controversial).
- Please note that the RHCAP catchment area was smaller (2-miles) so the demographics captured in that respondent pool were unique to that study.
- Generally speaking, the LA River Master Plan and Rio Hondo Area Confluence Project are also both based on American Community Survey data as it is more recent than 2010 Census data. Each map is sourced with the data year in the lower corner.

For more information on the SELA Cultural Center, please visit <https://www.selaculturalcenter.org/>



# San Gabriel & Lower Los Angeles Rivers and Mountains Conservancy



## Reconvening the Lower LA River Revitalization Plan Working Group



# What is the State of the Lower LA River Revitalization Plan?

# Objectives

- Recap the outcomes of the Lower LA River Revitalization Plan
- Review the latest developments in implementing the LLAR signature projects and local projects
- Identify new and emerging issues in the LLAR
- Outline potential opportunities for continued progress and improvements



# Proposed Draft Agenda

- 1) Brief Recap of the Lower LA River Revitalization Plan
- 2) Review projects that have started or have been completed in the past two years (possibly about 8 projects)
- 2) Possible Breakout session to discussion issues and/or plans for the next 5 to 10 years
  - Plans (i.e Lower LA River Recreation and Park District)
  - Issues (i.e Gentrification, Anti-displacement)
- 3) Funding Opportunities
  - RMC Grant Program
  - State Parks
  - County RPOSD, Measure W

# Meeting Logistics

- Mid/late October
- Evenings: 3-5pm or 4-6pm
- 90 mins and 30 mins QA
- Consultants: MIG

# Questions

*Suely Saro*

RMC

Project Development Specialist

Email: [ssaro@rmc.ca.gov](mailto:ssaro@rmc.ca.gov)

## Planting Nature-Based Stormwater Solutions

**Date:** 8/28/20

**Contacts:** Sophie Parker ([sophie\\_parker@tnc.org](mailto:sophie_parker@tnc.org)) or John Randall ([jrandall@tnc.org](mailto:jrandall@tnc.org))

**The best projects (from a biodiversity perspective) would result in:**

- (1) Permeable lands covering 100% of the project footprint
- (2) The conversion of grass and herb cover to native species, especially native shrub and tree species, such that the resulting plant community would have continuous native shrub and tree cover (see definitions, below). Vegetation should cover at least 66% of the project footprint.
- (3) A project design that considers both the immediate results of conversion, and the outcome once all plantings have grown to maturity. The best projects would have 33% absolute cover of native vegetation when the project is complete, and 66% native vegetation cover once native tree and shrub cover reaches its maximum extent.
- (4) If the site design includes trees, at maturity, 50% of the project footprint would be covered by at least two layers of vegetation (i.e., native herbs under mature native trees).
- (5) If the site design aims to restore Coastal Sage Scrub or Chaparral, it should aim to have at least 66% cover of native shrubs across the project area at maturity
- (6) High plant species richness; optimally, at least one unique native plant species taxon would be introduced per square meter of permeable land within the project footprint
- (7) The best projects will insist upon the use of species that are native to the region to which they are being restored.
- (8) The best projects should attract native animal species by planting native plants and creating wildlife habitats. Project proponents should provide a list of plant species that will occur at the site once the project is complete, and search for information on the vertebrate and invertebrate animal species that are known to be associated with these plants. These online resources may serve as a starting place for invertebrate species:  
[https://cnps.org/wp-content/uploads/2018/03/Fremontia\\_Vol30-No3and4.pdf](https://cnps.org/wp-content/uploads/2018/03/Fremontia_Vol30-No3and4.pdf) ;  
<https://xerces.org/publications/plant-lists/pollinator-plants-california> ;

<https://xerces.org/publications/plant-lists/ppbi-california-southern-coast> . This online resource may be useful for vertebrates: <https://wildlife.ca.gov/Data/CWHR/Wildlife-Habitats>.

**The project proposal should include the following:**

- (1) An accounting of the **area** (in square ft. or square meters) within the project footprint that is **currently covered** by the following land cover categories. All lands should fall into one of these categories.
  - (a) buildings (including buildings with green roofs)
  - (b) roads
  - (c) other impermeable paved surfaces (such as parking lots, fountains or concrete-lined water features, artificial turf, impermeable art installations, and other impermeable surfaces)
  - (d) permeable pavement
  - (e) bare ground
  - (f) grass or herbs
  - (g) trees and shrubs
- (2) An accounting of how much area within the project footprint would be covered by each of these land cover categories immediately after the project is completed and all new project plantings are in place (in square ft. or square meters). All lands should fall into one of these categories.
  - (a) buildings (including buildings with green roofs)
  - (b) roads
  - (c) other impermeable paved surfaces (such as parking lots, fountains or concrete-lined water features, artificial turf, impermeable art installations, and other impermeable surfaces)
  - (d) permeable pavement
  - (e) bare ground
  - (f) grass or herbs
  - (g) trees and shrubs
- (3) A projection of how much area within the project footprint would be covered by **native grasses or herbs immediately after the project is completed** and all new project plantings are in place. This value should be provided in square ft. or square meters.
- (4) A projection of how much area within the project footprint would be covered by **native shrubs or trees immediately after the project is completed** and all new project plantings are in place. This value should be provided in square ft. or square meters.



- (5) A projection of how much area within the project footprint would be covered by **native grasses or herbs after plantings have grown to maturity (for example, after 15-25 years of growth)**. This value should be provided in square ft. or square meters. The time (in years) required for the native grasses or herbs to reach maturity should be provided.
- (6) A projection of how much area within the project footprint would be covered by **native shrubs or trees after plantings have grown to maturity (for example, after 15-25 years of growth)**. This value should be provided in square ft. or square meters. The time (in years) required for the native trees and shrubs to reach maturity should be provided.
- (7) A projection of how much area within the project footprint would have two layers of vegetation cover after plantings have grown to maturity. This value should be provided in square ft. or square meters.
- (8) A projection of how much area within the project footprint would have three or more layers of vegetation cover after plantings have grown to maturity. This value should be provided in square ft. or square meters.
- (9) A “plant palette” or list of native plant taxa to be planted within the project footprint, ideally with numbers of individuals of each taxon indicated in the proposal.
- (10) Information about the lands around the project area, and information about the distance from the project to the nearest parks and open space.

Definitions:

<http://vegetation.cnps.org/glossary>

**Absolute Cover:** The percentage of the ground covered by the vertical projection of the plant crowns of a species or defined set of plants (also known as the vertical projection of foliage of plants) as viewed from above. Small openings in the canopy and overlap are excluded (SRM 1989). The absolute cover of herbaceous plants includes any standing (attached to a living plant, and not lying on the ground) plant parts, whether alive or dead; this definition excludes litter and other separated plant material. The cover may include mosses, lichens, and recognizable cryptogamic crusts (Bartolome et al. 2007a).

**Plant Crown Cover (crown cover of an individual plant):** The area of ground covered by the crown of an individual plant

**Continuous:** Having greater than 66% absolute cover

**Intermittent:** Having 33% to 66% absolute cover

**Open:** Having less than 33% absolute cover

**Sparse:** Having less than 10% percent but at least 1% absolute cover