

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044
County Clerk
County of: Los Angeles
12400 Imperial Hwy
Norwalk CA 90650

From: (Public Agency): City of Norwalk
12700 Norwalk Boulevard
Norwalk, CA 90650
(Address)

Project Title: Ordinance No. 24-1755 and Zoning Text Amendment No. 2024-05

Project Applicant: City of Norwalk

Project Location - Specific:
Citywide

Project Location - City: Norwalk Project Location - County: Los Angeles

Description of Nature, Purpose and Beneficiaries of Project:
The proposed project involves amendments to the City of Norwalk's existing Density Bonus Ordinance (Norwalk Municipal Code Section 17.04.235) and to various sections of Chapter 17 of the NMC and the definition of family all to conform with the State Density Bonus Law outlined in Government Code Sections 65915 through 65918.

Name of Public Agency Approving Project: City of Norwalk

Name of Person or Agency Carrying Out Project: Alex Hamilton, Interim Community Development Director

- Exempt Status: (check one):
[] Ministerial (Sec. 21080(b)(1); 15268);
[] Declared Emergency (Sec. 21080(b)(3); 15269(a));
[] Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
[X] Categorical Exemption. State type and section number: § 15061(b) Common Sense Exemption
[] Statutory Exemptions. State code number:

Reasons why project is exempt:
See attached.

Lead Agency
Contact Person: Alex Hamilton Area Code/Telephone/Extension: (562) 929-5744

If filed by applicant:
1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: [Signature] Date: December 4, 2024 Title: Interim Community Development Director

Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code. Date Received for filing at OPR:
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

THIS NOTICE WAS POSTED
ON December 04 2024
UNTIL January 03 2025



Revised 2011

REGISTRAR - RECORDER/COUNTY CLERK

Dean C. Logan, Registrar - Recorder/County Clerk
Electronically signed by TODD TRAN

Density Bonus Ordinance and Definition of Family Update CEQA Exemption Technical Memorandum

City of Norwalk

Prepared for:

The City of Norwalk

Contact: Alex Hamilton Interim Director
Community Development Department
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Prepared by:

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November 2024

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1. Introduction

1.1 PURPOSE

This Technical Memorandum shall serve as an evaluation of the proposed updates to the City of Norwalk's Density Bonus Ordinance (proposed project) and presents: 1) the findings from the CEQA compliance review, as described below; and 2) the recommendations concerning the appropriate CEQA compliance documentation.

1.2 STATUTORY AUTHORITY AND REQUIREMENTS

Once it is determined that an activity is a project subject to CEQA, the City must then determine whether the project is exempt from CEQA. State CEQA Guidelines Section 15061(b) outlines how a project may be exempt as follows:

A project is exempt from CEQA if:

- 1) The project is exempt by statute (see, e.g. Article 18, commencing with Section 15260).
- 2) The project is exempt pursuant to a categorical exemption (see Article 19, commencing with Section 15300), and the application of that categorical exemption is not barred by one of the exceptions set forth in Section 15300.2.
- 3) The activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.
- 4) The project will be rejected or disapproved by a public agency. (See Section 15270(b)).
- 5) The project is exempt pursuant to the provisions of Article 12.5 of Chapter 3.

2. Project Description

2.1 REGIONAL LOCATION

The City of Norwalk is in the southeast portion of Los Angeles County approximately 17 miles southeast of downtown Los Angeles. The City is bordered by the cities of Bellflower and Downey to the west, Santa Fe Springs to the north and east, and Cerritos and Artesia to the south. Regional access to the City is provided by a number of freeways including Interstate 605 (I-605), Interstate 5 (I-5), Interstate 105 (I-105), and U.S. Route 91 (US-91).

2.2 PROPOSED PROJECT

2.2.1 Project Background

California Government Code Sections 65915 through 65918 provide regulations regarding density bonuses that already apply to the City of Norwalk. The purpose of State Density Bonus Law (SDBL) is to allow an applicant to potentially develop their property at density that is above the maximum otherwise allowed in the general plan land use designation or implementing zone district. The state law also allows an applicant to deviate from other development standards, such as parking, setbacks, building heights etc., which are referred to as “incentives” or “concessions”. The number of concessions is dependent upon the percentage of affordable housing included in the project. The City of Norwalk is seeking to update its existing Density Bonus Ordinance (Norwalk Municipal Code Section 17.04.235) to conform with recent changes to the State Density Bonus Law (SDBL) outlined in Government Code Sections 65915 through 65918 and required by the State of California Housing and Community Development Department (HCD). The following is a summary of the revisions proposed to the City’s Density Bonus Ordinance:

- Amendment of existing definitions and addition of new definitions (e.g., childcare facility) per the SDBL in Section 17.04.400(B).
- Removal of language that excludes allowing density bonuses in the R-1 Zone and any specific plan areas where an applicant provides either very-low income, low-income, moderate-income units, or a minimum of 35 senior housing units.
- Removal of the minimum of 35 senior housing units to be eligible for a density bonus.
- Elaboration of basic eligibility criteria to be granted for a density bonus per SDBL (e.g., 5% of total units are for very low-income households).
- Addition of provisions and requirements for replacement housing requirements per Government Code Section 65915(c)(3).
- Removal of text referencing discretionary review processes in compliance with SDBL.
- Amendments to update language on additional density allowances per SDBL

- Inclusion of additional information about bonuses, incentives, and concessions on incentive options and structure, as well as waivers and reductions.
- Addition of language that specifies that the number of waivers or reductions allowed in accordance with SDBL will not be limited by the City in accordance with Government Code Section 65915(e)(1).
- Amendments to include a reference to (1) adhere to the SDBL regarding fair housing requirements (i.e., mix, size, and quality of affordable units), and (2) additional parking requirements to Government Code Section 65917.2(c).
- Amendment to require the review timeline to be completed concurrently with the review process for land use permits and entitlements as set forth in the Norwalk Municipal Code.

The City is also updating the definition of family to read, "Family" means one or more persons living together as a single housekeeping unit in a single dwelling unit, with common access to and common use of all living, kitchen and eating areas within the dwelling unit.

3. Findings Concerning CEQA Exemption

3.1 SECTION 15061(B)(3): COMMON SENSE EXEMPTION

The proposed project is exempt as a "common sense" exemption under State CEQA Guidelines Section 15061(b)(3) because the project consists of local implementation of an updated definition of family, and existing state density bonus requirements consistent with the SDBL which would not have the potential to cause a significant physical effect on the environment. Since the SDBL applies regardless of whether the City adopts the provisions as part of the municipal code, it can be seen with certainty that there is no possibility that the proposed project would have a significant effect on the environment. Additionally, the updated definition of family is to implement the City's Housing Element program 3.6 and does not have a significant effect on the environment. Therefore, the proposed project is exempt from CEQA under the common sense exemption.

3.2 ANALYSIS IN SUPPORT OF FINDINGS

The proposed code update does not provide entitlements to any specific development projects and would not result in any direct or indirect physical change to the environment. The proposed project would encourage the provision of affordable housing within the City, consistent with state law and would allow for the definition of family to include unrelated persons. The proposed project does not involve changes to existing land use and zoning densities or development review process. The definition of family and SDBL applies to development in the City currently and the revisions to the municipal code are a formality needed to comply with HCD's request during the Housing Element update process. As the SDBL already applies, and the revisions are consistent with the SDBL as written, the proposed project is making no changes to the regulatory environment or allowable development process. Therefore, there is no potential for significant environmental impact.

