

The logo of the City of El Segundo, featuring a circular seal with a building and the text "CITY OF EL SEGUNDO" around the perimeter.

CITY OF
EL SEGUNDO

Code Amendment State Law Compliance

EA 1378 & ZTA 24-03

February 4, 2025

Background

- In September 2024, the State enacted new laws affecting the following areas:
 1. Residential development right-of-way dedications and impact fees
 2. Accessory dwelling unit (ADU) standards and fees
 3. Public notification requirements for certain ordinances
- The new legislation went into effect in January 2025

Summary of legislation/ordinance

AB 2533

- Legalization of unpermitted ADUs and JADUs built before 2020
- Development impact fee exemption

SB 1211

- In conjunction with ADU construction, allows removal of uncovered parking spaces without replacement
- Increases number of detached ADUs permitted on properties with existing multi-family structures from 2 to 8, but not more than the existing units
- The ordinance also removes owner occupancy requirement for ADUs (SB 477)

Summary of legislation/ordinance

SB 1211

- Establishes four specific types of attached and detached ADUs that:
 - receive streamlined ministerial processing
 - are exempt from local development standards, except for
 - specific standards in the law (GC Section 66323)

Summary of legislation/ordinance

AB 3177

- Prohibits housing development dedications for road widening*
- Defines the terms housing development, land dedication, roadway, and transit priority area.
- The ordinance also clarifies dedications are required only on projects subject to a Site Plan Review.

Summary of legislation/ordinance

AB 2904

- Requires a public notice period of 20 days for ordinances affecting permitted uses

SB 937

- Requires development impact fee collection for certain residential developments at the time of Certificate of Occupancy or Final inspection, not before.

Conclusion

- The above amendments bring the ESMC into compliance with current State Law
- The amendments are consistent with the Housing Element (Program 9), in that they remove regulatory constraints and facilitate housing construction
- The amendments are exempt from CEQA review, because they consist only of minor revisions to existing zoning regulations and related procedures

Recommendation

1. Conduct a public hearing
2. Introduce and waive first reading of the proposed ordinance
3. Schedule a second reading for February 18, 2025



Summary of legislation/ordinance

SB 1211

1. Single-family attached (w/in existing space, max 150-s.f. addition, and no separate exterior access)
2. Single-family detached (up to 800 s.f., 4-foot setbacks, and R-1 height)
3. Multi-family attached (within existing non-livable spaces)
4. Multi-family detached (4-foot setbacks and R-1 height)

AB 3177 (Dedications)

- For housing development projects, the City may only require a dedication in the following circumstances:
 1. If both of the following conditions are met:
 - a. The housing development is not located in a transit priority area.
 - b. The housing development has street frontage of 500 feet or more.
 2. Discretionarily impose a land dedication as a condition on a specific housing project for traffic safety features if the City finds that the land dedication is necessary to preserve the health, safety, and welfare of the public, including pedestrians, cyclists, and children.
 3. Impose a land dedication requirement to construct public improvements, including, but not limited to, sidewalk and sewer improvements.

SB 937 (Fees)

A. The director of community development or the director of public works will collect impact fees at the following times, except as otherwise specified in Government Code section 66007:

1. Unless authorized under separate agreement or condition of approval, fees for nonresidential development will be collected at the time the City issues a grading permit, building permit, final inspection, or certificate of occupancy, whichever occurs first.
2. Fees for residential development will be collected at the time the City approves a final inspection or issues a certificate of occupancy for each dwelling unit in the development.
3. Notwithstanding (1) and (2) above, utility service connection fees will be collected at the time an application for service is received.