



**AGENDA**  
**CITY OF EL SEGUNDO**  
PLANNING COMMISSION  
5:30 PM  
CITY COUNCIL CHAMBER  
350 MAIN STREET  
EL SEGUNDO, CA 90245  
FEBRUARY 13, 2025

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MEMBERS OF PLANNING COMMISSION

Vacant, Chairperson  
Kevin Maggay, Vice Chairperson  
Mark Christian  
Mario Inga  
Vacant

The Planning Commission, with certain statutory exceptions, can only take action upon properly posted and listed agenda items. Any writings or documents given to a majority of the Planning Commission, regarding any matter on this agenda, that the City received after issuing the agenda packet are available for public inspection in the Community Development Department, during normal business hours. Such documents may be posted on the City's website at [www.elsegundo.org](http://www.elsegundo.org) and additional copies will be available at the meeting.

Unless otherwise noted in the agenda, the public can only comment on city-related business that is within the jurisdiction of the Planning Commission and/or items listed on the agenda during the Public Communications portion of the Meeting. **Additionally, members of the public can comment on any Public Hearing item on the agenda during the Public Hearing portion of such item.** The time limit for comments is five (5) minutes per person. Before speaking to the Planning Commission, please fill out a speaker card located in the Chamber Lobby. It is not required to provide personal information in order to speak, except to the extent necessary to be called upon, properly record your name in meeting minutes and to provide contact information for later staff follow-up, if appropriate. Please respect the time limits.

**REASONABLE ACCOMMODATIONS:** *In compliance with the Americans with Disabilities Act and Government Code Section 54953(g), the City Council has adopted a reasonable accommodation policy to swiftly resolve accommodation requests. The policy can also be found on the City's website at <https://www.elsegundo.org/government/departments/city-clerk>. Please contact the City Clerk's Office at (310) 524-2308 to make an accommodation request or to obtain a copy of the policy.*

**CALL TO ORDER/ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**PUBLIC COMMUNICATION – (Related to City Business Only – 5-minute limit per person, 30-minute limit total)** *Individuals who have received value of \$50 or more to communicate to the **Planning Commission** on behalf of another, and employees speaking on behalf of their employer, must so identify themselves prior to addressing the **Planning Commission**. Failure to do so shall be a misdemeanor and punishable by a fine of \$250. While all comments are welcome, the Brown Act does not allow action on any item not on the agenda.*

**A. CONSENT**

1. **Approve January 23, 2025 Planning Commission Meeting Minutes.**

Recommendation - Approve January 23, 2025 Planning Commission Meeting Minutes.

**B. PUBLIC HEARINGS**

2. **Ordinance Amending El Segundo Municipal Code ("ESMC") Title 15 Chapter 15 (Off-Street Parking and Loading) to Update the Parking Requirements for Residential Uses**

Recommendation -

1. Adopt Resolution No. 2954, recommending City Council adopt an Ordinance amending the ESMC parking requirements for residential uses.

3. **Ordinance Amending El Segundo Municipal Code (ESMC) Title 15 Chapter 34 (Cultural Development) Regarding Requirement to Provide Artwork or Pay In-Lieu Fee**

Recommendation -

1. Adopt Resolution No.2961, recommending City Council adopt an Ordinance amending ESMC Chapter 15-34 (Cultural Development).
2. Alternatively, discuss and take other action related to this item.

**C. NEW BUSINESS**

4. **Election of Planning Commission Chair and Vice Chair for Calendar Year 2025**

Recommendation -

**D. UNFINISHED BUSINESS**

**E. REPORTS – COMMUNITY DEVELOPMENT DIRECTOR**

**F. REPORTS - COMMISSIONERS**

**G. REPORTS – CITY ATTORNEY**

**ADJOURNMENT**

POSTED:

DATE: February 7, 2025

TIME: 4:00 P.M.

BY: Jazmin Farias, Assistant Planner



**MINUTES OF THE  
EL SEGUNDO PLANNING COMMISSION  
Regularly Scheduled Meeting**

**January 23, 2025**

**CALL TO ORDER**

Chair Hoeschler called the meeting to order at 5:30 p.m.

**ROLL CALL**

Present: Chair Hoeschler  
Present: Vice Chair Maggay  
Present: Commissioner Inga  
Present: Commissioner Christian

Also present: Michael Allen, AICP, Community Development Director  
Also present: Eduardo Schonborn, AICP, Planning Manager  
Also present: Joaquin Vazquez, City Attorney  
Also present: Paul Samaras, AICP, Principal Planner  
Also present: Jazmin Farias, Assistant Planner  
Also present: Jillian Glickman, Consultant from RSG Inc.  
Also present: Jim Simon, Consultant from RSG Inc.

**PLEDGE OF ALLEGIANCE**

Chair Hoeschler led the pledge.

**PUBLIC/WRITTEN COMMUNICATIONS**

None.

**A. CONSENT**

**1. Approval of Planning Commission Meeting Minutes:**

- December 12, 2024
- January 9, 2025

**MOTION:** Approve the minutes.

**Moved by Commissioner Inga, second by Commissioner Christian.**

**Motion carried, 4-0, by the following vote:**

**Ayes:** Hoeschler, Maggay, Inga, and Christian

## **B. NEW PUBLIC HEARINGS**

None.

## **C. NEW BUSINESS**

### **2. Affordable Housing Strategic Plan Study Session**

Community Development Director Michael Allen introduced Jim Simon and Jillian Glickman from RSG consultants who are providing on-call housing consulting services to the city. Michael informed the Commission that RSG is collaborating with staff to support affordable housing in alignment with the goals outlined in the Council-adopted 2022 Affordable Housing Strategic Plan. Jim and Jillian proceeded to lead the study session in which they presented potential funding opportunities identified to date to help subsidize the costs of affordable housing development and presented considerations for the development of an affordable housing local preference policy to further support the City's housing objectives.

- Vice Chair Maggay inquired if the city is required to obtain additional revenue. Jim advised that the city is not required to do so but it is necessary if the city wants to partake in SCAG and HCD programs they are qualified for. Michael added that the ripple effect of positive benefits that can come out of a continuous stream result in a lot of other things we can do to reach HCD requirements.
- Commissioners asked staff to clarify what displacement risk is. Jillian explained that when new development comes in price of housing rises which limits the ability for tenants within a certain unit to mobilize and move to a different unit because rent is rising which causes tenants to move outside the city for rent that is comparable to what they were paying before.
- Commissioner Christian inquired why El Segundo is considered to have a low estimated renter displacement risk. Jim stated that based on the research there is a proportionately much smaller portion of the city's population that would be impacted by displacement due to the demographics of the community. Michael added that based on the data that was pulled essentially in El Segundo it is possible for renters in the city to find other expensive housing in the same price range and this could always change based on the development cycle that is being used. Commissioner Christian added that the formula seems complicated because it is only being focused on renter displacement due to new development because the city is constrained on how much new development is out there.
- Jim explained that the urban displacement project data comes from social economic data, real estate market data and development trends and activities. They take this data and identify areas that are more susceptible to displacement and less susceptible to displacement. He added that he will provide a summary of that data and share it with staff so that it can be

passed down to the Commissioners.

- Chair Hoeschler inquired if RSG recommends for the city to take on the role of managing affordable housing units or if it is best to select a management company for that role. Jim stated that for a city of this size and the amount of units it would have he does not believe taking on that role would be a good use of the city's resources.
- Chair Hoeschler inquired how people find out if they are eligible or a candidate for affordable housing. Jim advised that if you bring on an affordable housing developer for a 100% affordable housing development, they will out that out there and they will have events like fairs to invite people to submit applications. He added that when the city engages with other affordable housing developers those are the types of things that are embedded into any affordable housing agreement which spells out what that marketing plan is going to be and how it is going to be fair; often they recommend the use of a lottery system.
- Commissioner Christian inquired if there is a system that gives priority to certain kinds of workers like teachers, police, fire fighters, city employees as those are the type of groups of people he thinks of first that he would like to see live here. Vice Chair Maggay chimed in and added that he would like to have tiers of employment depending on what they do for the city and location of employment as he prefers to have people that live and work in the city to reduce vehicle miles traveled. He would like to see tiers of their employment and their housing and what they do as a job. Jim advised that they have worked with cities that are redeveloping their property and because the land is theirs, they have some special ability to target teachers for example. He assured the commissioners that there are some opportunities to do that.
- Commissioner Christian inquired if there is technology that can help administer the managing of these applications and a way to push out notifications so that a new department does not have to be created. Jim said that there is but he thinks the bigger issue is that when someone applies for that list how much information is going to be requested upfront and how often will that information be maintained as it can fluctuate. The burden is updating the information and it really depends on the amount of units being administered. It comes down to how much the city wants to spend on administration to justify that work.

**Vice Chair Hoeschler invited the public to share comments regarding the study session. Further communication came from the public.**

- Resident John Pickhaver stated that he was present on behalf of Sea Change who cares a lot about affordable housing. He shared that when he was looking for information regarding rent cost based on his current situation the next closest one was \$700 more than what he pays now. He referenced page 8 of the staff report which included a community survey that included a question that asked what areas the community would like

to see new housing in. He pointed out that the staff report leaves out the highest selected answer which was housing East of Pacific Coast Highway (PCH). Although there was only one option for East of PCH while the other four options were all West of PCH in the survey he thinks it would be interesting to break that down and if staff were to parcel out spots East of PCH would that continue to rank higher than those. He is not sure why this information was left out but is aware that the scope is limited and is asking that whatever power the Commission has to make a recommendation to just engage the community more on this issue and see if they can expand the scope because there is a lot of work going into this right now and it is all being pushed to one side of the city which seems impossible to hit. Lastly, he reiterated that he was present at the meeting to remind the Commissioners that there are residents who wish to see housing East of PCH and wants to encourage them to see if the scope can be enlarged to look at all the options.

**Vice Chair Hoeschler invited the public to share comments regarding the study session. Further communication came from the public. Further communication came from the Commission.**

- Chair Hoeschler inquired if the housing type property they recommend for affordable housing almost always a rental unit versus a for sale unit. Jim stated that they would not say recommending because his business partner feels the same way as they know we need to create community wealth and ownership is a key element to that. He added that unfortunately there are a few subsidies for ownership affordable housing as it is extremely difficult to do, and it is specifically difficult to that at the lowest income levels as you would need HOA's to take care of common area maintenance and that might be all they can afford to pay.
- Chair Hoeschler inquired if the developers that create these types of projects are typically very much in the affordable housing space or can a regular market rate developer become an expert at this with proper guidance. Jim shared that up until three years ago it was much more the domain of affordable housing developers and when market rate construction started to slow down as market rate projects became more infeasible, he has seen many market rate affordable apartment developers want to participate. He has advised them that they need to find a partner, a property manager, and an investor.
- Vice Chair Maggay inquired what the typical minimum number of units to apply if they do 15%. Jim shared that the minimum project size for affordable housing development you typically see is in the range of 50 to 100 units.
- Vice Chair Maggay inquired if RSG has examples of reoccurring revenue generating programs and if the \$5 million dollars the city has be able to be the starting point for that. Jim stated that for the most part they have a few options such as a trust fund which would require some sort of tax

mechanism or some other voluntary ongoing contribution of people's general funds. Another option would be a tax increase, he added that some states started exploring that on a regional basis. A third option is what they call a commercial linkage or an inclusionary housing in lieu fee; however, both options require for development to keep happening to generate those dollars. Another option would be sort of a community benefit approach where you do a development agreement, and you negotiate a community benefit.

- Vice Chair Maggay stated that 15% is a good number and he would like the units to target preferred renters.
- Commissioner Christian stated that he would like to see a longer time limit or a way to continue to cycle through. Jim stated that it is something that can be embedded in a development agreement and the administrative burden is placed on them. Michael added that that is all part of the development agreement negotiations. He provided the example of Culver City which has 12 to 15 staff members including part-timers that administer, audit, monitor, and they also engage in development agreement where the burden is on the developer.
- Chair Hoeschler inquired how these units are subsidized and what encourages a developer to give up some market rate units in order to do affordable units. Jim stated that the study session has mostly covered 100% of affordable projects but if we are talking about projects that are a mix of that there is state law that says they can do that, and it is called density bonus; the motivation is more units gets more income.
- Chair Hoeschler stated that it is hard to understand how to increase density in this town when you are landlocked and that he understands East of PCH is not zoned for residential but finds it hard to have this conversation without talking about East of PCH and wonders why the staff report did not address that community input. Michael stated that he was not here when that survey occurred so he cannot speak of the methodology or validity or invalidity of the survey. He added that he is not agnostic towards the fact that there are several opinions on where housing should be built and clarified that the Affordable Housing Strategic Plan does not address where to build housing rather it is a guide for us to develop policy so that when housing is built regardless of where it is at there is a policy in place to facilitate the production of affordable housing. One of the goals identified was a focus area program and when developing the strategic plan or at least finalizing the document we could only do so where housing is currently permitted today. He can only imagine that naturally that conversation will happen, and it needs to happen at a time when land use is being updated and housing is a land use. Michael also reminded the Commissioners that a land use element update is coming down the pipeline and that would be the adequate time to address where to build housing as that project would have public hearings, study sessions and workshops for the public to provide feedback in person.
- Commissioner Inga provided consensus regarding the 15% threshold.

**MOTION:** Receive and file study session.

**D. UNFINISHED BUSINESS**

None.

**E. REPORTS – COMMUNITY DEVELOPMENT DIRECTOR OR DESIGNEE**

- Michael provided an update regarding the Land Use Element update and shared that the selection of the consulting team will occur in the second City Council meeting in February.
- Planning Manager Eduardo Schonborn reminded the Commissioners to complete the 700 form and informed them that the fines for not completing them will be going to them individually and no longer the city.

**F. REPORTS – PLANNING COMMISSIONERS**

- Chair Hoeschler shared that he will be stepping down from the Planning Commission as his wife and him will be moving to San Luis Obispo and stated that this would be his last meeting.
- Commissioners and staff thanked Chair Hoeschler for his service, congratulated him, and wished him well.

**G. REPORTS – CITY ATTORNEY**

City Attorney Joaquin Vazquez thanked Chair Hoeschler for his service and wished him well.

**ADJOURNMENT** — the meeting adjourned at 7:22 p.m.  
The next meeting is scheduled for February 13, 2025, at 5:30 p.m.

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Michael Allen, Community Development Director

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Jay Hoeschler, Planning Commission Chair



## **Planning Commission Agenda Statement**

**Meeting Date:** February 13, 2025

**Agenda Heading:** PUBLIC HEARINGS

**Item Number:** B.2

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### **TITLE:**

Ordinance Amending El Segundo Municipal Code ("ESMC") Title 15 Chapter 15 (Off-Street Parking and Loading) to Update the Parking Requirements for Residential Uses

### **RECOMMENDATION:**

1. Adopt Resolution No. 2954, recommending City Council adopt an Ordinance amending the ESCMC parking requirements for residential uses.

### **FISCAL IMPACT:**

None.

### **BACKGROUND:**

Program 9 of the 2021-2029 Housing Element identifies amendments to the ESCMC covering 12 different topics that aim to facilitate construction of housing in El Segundo by removing regulatory constraints. Eleven of these amendments were completed in 2024 and the remaining amendment relates to parking requirements for residential uses. Program 9 of the Housing Element specifically states the following regarding the subject amendment:

"The City currently requires two parking spaces plus one guest parking space per [three] unit[s], regardless of unit size. The City will revise its parking standards to a sliding scale based on unit size, similar to the recently approved Pacific Coast Commons project which achieved 83 units per acre."

The parking requirements adopted as part of the Pacific Coast Commons Specific Plan (PCCSP) are presented in Table No. 1 below.

**Table No. 1: Pacific Coast Commons Specific Plan Parking Requirements**

Unit Size / Number of Bedrooms	Parking Rate
Studio	1 space
One Bedroom	1.5 spaces
Two Bedrooms	2 spaces
Guest Parking	1/3 space per unit

On August 8, 2024, the Planning Commission held a study session to review potential options for a zone text amendment consistent with Program 9 of the Housing Element. During the meeting, the Planning Commission considered the current parking requirements in the ESMC, in Specific Plans and Overlays in the City, the requirements of other cities, and the Institute of Transportation Engineers (ITE) manual, summarized in the Discussion below.

**DISCUSSION:**

A comparison of the various parking requirements considered is presented in Table No. 2 below.

**Table No. 2: Parking Rate Comparison**

	Current ESMC	Pacific Coast Commons (PCC)	Downtown Specific Plan	Housing and Mixed-Use Overlays	Other Cities (10)	ITE Manual
<b>Resident Parking</b>	2 spaces	Studio: 1 space 1-bed: 1.5 spaces 2-bed: 2 spaces	Studio: 1 space 1-bed: 1 space 2-bed: 2 spaces 3-bed: 2 spaces	Studio: 1 space 1-bed: 1 space 2-bed: 2 spaces 3-bed: 3 spaces	2 spaces*	1 space per bedroom or 1.7 per unit
<b>Guest Parking</b>	1 space per 3 units	1/3 space per unit	0	0	1/8 - 1 space per unit	N/A

\* Long Beach was the only city surveyed with a per bedroom requirement. Culver City has no minimum parking requirements.

**Environmental Assessment No. EA 1367**  
**Zone Text Amendment - Residential Parking Requirements**  
**February 13, 2025**  
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During the Planning Commission study session, the Commission reached consensus that amending the current parking requirements to a sliding scale based on the number of bedrooms would be appropriate for multiple-family uses. Thus, the Planning Commission directed staff to incorporate the PCC Specific Plan parking requirement into the draft ordinance for all multiple-family residential uses. In addition, the Commission directed staff to consider and address tandem parking for multiple-family uses. In response to the Commission's direction, staff reviewed the City's tandem parking regulations and surveyed the regulations of other nearby cities. The current tandem parking regulations in the City are summarized in Table No. 3 below.

**Table No. 3: Current City Tandem Parking Regulations**

Use	Maximum Percentage of Spaces	Maximum Depth	Special Conditions
Single- and two-family residential	100	2 spaces	Tandem Spaces must be assigned to the same unit
Multi-family residential	Prohibited	N/A	N/A
Mixed-Use w/residential*	20	2 spaces	Includes vehicle lifts
PCC Specific Plan	20	2 spaces	
Mixed-Use Overlay*	20	2 spaces	The overlay refers to ESMC Chapter 15-15, which is silent on mixed-use projects
Housing Overlay	Prohibited	N/A	The overlay refers to ESMC Chapter 15-15, which prohibits multi-family tandem
Downtown Specific Plan	100	40 feet (2 spaces)	

\*On October 17, 2024, the Director made Administrative Determination No. AD 24-01, which determined residential uses in a mixed-use development be treated as nonresidential uses. This ensures the consistent application of development standards, including those for tandem parking, for the entire development.

In addition, to the tandem parking regulations in the City's municipal code and specific plans, staff surveyed tandem parking regulations for residential uses in nearby cities. The regulations vary widely from city to city, ranging from complete prohibition to allowing between 20 and 100 percent of required parking spaces to be tandem.

**Environmental Assessment No. EA 1367**  
**Zone Text Amendment - Residential Parking Requirements**  
**February 13, 2025**  
**Page 4 of 5**

In El Segundo, tandem parking for multiple-family uses is only permitted in mixed-use development projects pursuant to Administrative Determination AD 24-01, which allows up to 20 percent of the required spaces to be tandem. Similarly, staff recommends allowing up to 20 percent of required resident parking spaces for multiple-family residential uses to be tandem as part of the proposed zone text amendment. Staff believes a 20 percent limit is reasonable for the following reasons:

1. It provides flexibility in site planning and parking design and, thus, facilitates the construction of multiple-family housing.
2. It is consistent with the standard for mixed-use and nonresidential developments. Consistency results in uniform applicability and standardizes regulations.
3. It is a limited step to test the functionality of tandem parking in multiple-family residential developments, while avoiding significant unanticipated consequences.

Staff also recommends that the maximum depth of tandem parking be limited to two spaces, and that tandem spaces be assigned to the same unit. These conditions are consistent with provisions that apply to other uses and will help mitigate potential negative impacts, such as non-use of tandem spaces and parking spillover onto the public right-of-way.

**CITY STRATEGIC PLAN COMPLIANCE:**

Goal 5: Champion Economic Development and Fiscal Sustainability

Strategy D: Implement community planning, land use, and enforcement policies that encourage growth while preserving El Segundo's quality of life and small-town character.

**PREPARED BY:**

Paul Samaras, AICP, Principal Planner

**REVIEWED BY:**

Eduardo Schonborn, AICP, Planning Manager

**APPROVED BY:**

Michael Allen, AICP, Community Development Director

**ATTACHED SUPPORTING DOCUMENTS:**

1. Planning Commission Resolution No. 2954
2. Planning Commission Resolution No. 2954 Exhibit A - Draft Ordinance
3. Planning Commission Meeting Minutes Dated August 8, 2024

**Environmental Assessment No. EA 1367**  
**Zone Text Amendment - Residential Parking Requirements**  
**February 13, 2025**  
**Page 5 of 5**

**RESOLUTION NO. 2954**

**A RESOLUTION OF THE EL SEGUNDO PLANNING COMMISSION  
RECOMMENDING CITY COUNCIL FIND ZONE TEXT AMENDMENT NO.  
24-02 EXEMPT FROM FURTHER ENVIRONMENTAL REVIEW AND  
ADOPT AND APPROVE AN ORDINANCE AMENDING EL SEGUNDO  
MUNICIPAL CODE (“ESMC”) TITLE 15 TO IMPLEMENT HOUSING  
ELEMENT PROGRAM 9 TO UPDATE THE PARKING REQUIREMENTS  
FOR RESIDENTIAL DEVELOPMENT**

**(ENVIRONMENTAL ASSESSMENT NO. 1367 AND ZONE TEXT  
AMENDMENT NO. 24-02)**

The Planning Commission of the City of El Segundo does resolve as follows:

SECTION 1: The Planning Commission finds and declares as follows:

- A. On November 15, 2022, the City Council adopted the 2021-2029 Housing Element of the El Segundo General Plan;
- B. Program 9 of the 2021-2029 Housing Element calls for the revision of multifamily-residential parking requirements to help remove a constraint on additional housing development;
- C. On August 8, 2024, the Planning Commission held a study session on Housing Element Program 9 and the multifamily residential parking requirements. During the study session, the Planning Commission gave staff direction to draft an ordinance amending the multifamily residential parking requirements to a sliding scale based on the number of bedrooms per unit and to allow the use of tandem parking spaces.
- D. The Community Development Department prepared a draft ordinance amending ESMC Title 15, Chapter 15 implementing Program 9 of the 2021-2029 Housing Element to update the parking requirements for residential uses, and scheduled a public hearing before the Planning Commission for February 13, 2025;
- E. On February 13, 2025, the Planning Commission held a public hearing to receive public testimony and other evidence regarding the draft ordinance including, without limitation, information provided to the Planning Commission by city staff; and adopted Resolution No. 2954 recommending that the City Council approve this Ordinance;
- F. This Resolution and its findings are made based upon the evidence presented to the Commission at its February 13, 2025, hearing including, without limitation, the staff report submitted by the Community Development Department and the totality of the evidence in the administrative record.

SECTION 2: *Factual Findings and Conclusions.* The Planning Commission finds that adopting the proposed Ordinance would result in the following:

- A. Amend ESMC § 15-15-5(J) to establish a maximum percentage of tandem spaces for multiple-family residential and mixed-use residential developments;
- B. Amend ESMC § 15-15-6 revising the minimum parking requirement for multiple-family dwellings to a sliding scale based on the number of bedrooms.

SECTION 3: *General Plan Findings.* As required under Government Code § 65860, the ESMC amendments proposed by the Ordinance are consistent with the El Segundo General Plan as follows:

- A. The proposed Ordinance is consistent with Program 9 of the General Plan Housing Element in that it would remove governmental and other constraints to facilitate the development of multiple-family residential uses.
- B. The proposed Ordinance is consistent with the General Plan Housing Element in that the amendments contribute to improving the existing jobs-housing balance in the City and provide opportunities for new housing construction in a variety of locations and a variety of densities.
- C. The proposed Ordinance is consistent with the General Plan Housing Element in that the amendments provide sufficient new, affordable housing opportunities in the City to meet the needs of groups with special requirements, including the needs of lower and moderate- income households.
- D. The proposed Ordinance is consistent with the General Plan Housing Element in that the amendments remove governmental constraints to diversify available housing opportunities, including ownership and rental, fair-market, and assisted, in conformance with open housing policies and free of discriminatory practices.

SECTION 4: *Zone Text Amendment Findings.* In accordance with ESMC Chapter 15-27 (Amendments), and based on the findings set forth above, the proposed Ordinance is consistent with and necessary to carry out the purpose of the ESMC as follows:

- A. The proposed Ordinance is consistent with the General Plan in that the amendments would implement the goals, policies, and programs of the Housing Element. Implementation of the Housing Element would preserve the existing housing stock and encourage construction of new residential units, including affordable housing, without affecting the character of existing single-family residential neighborhoods.
- B. The proposed Ordinance is necessary to serve the public health, safety, and general welfare in that it would implement the Housing Element Update, which

includes programs, goals, and policies that help to maintain and improve the existing housing stock in the City. The proposed amendments would facilitate the development of additional housing in the community, which contribute to improving the existing jobs-housing balance and facilitates the development of housing that is affordable to households of various income levels and thus will provide equal housing opportunities to all segments of the community.

SECTION 5: *Environmental Assessment.* Based on the facts set forth in Section 2, the Planning Commission finds that the zone text amendment is exempt from further review under the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines § 15061(b)(3)), because it consists only of minor revisions to existing zoning regulations and related procedures and does not have the potential for causing a significant effect on the environment.

SECTION 6: *Recommendations.* The Planning Commission recommends that the City Council adopt the Ordinance attached as Exhibit “A.”

SECTION 7: *Reliance on Record.* Each and every one of the findings and determination in this Resolution are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the project. The findings and determinations constitute the independent findings and determinations of the Planning Commission in all respects and are fully and completely supported by substantial evidence in the record as a whole.

SECTION 8: *Limitations.* The Planning Commission’s analysis and evaluation of the project is based on information available at the time of the decision. It is inevitable that in evaluating a project that absolute and perfect knowledge of all possible aspects of the project will not exist. In all instances, best efforts have been made to form accurate assumptions.

SECTION 9: This Resolution will remain effective unless and until superseded by a subsequent resolution.

SECTION 10: The Commission secretary is directed to mail a copy of this Resolution to any person requesting a copy.

PASSED AND ADOPTED this 13<sup>th</sup> day of February 2025.

\_\_\_\_\_  
Kevin Maggay, Vice Chairperson  
City of El Segundo Planning Commission

ATTEST:

\_\_\_\_\_  
Michael Allen, Secretary and  
Community Development Director

Maggay -  
Inga -  
Christian -

APPROVED AS TO FORM:  
Mark D. Hensley, City Attorney

By: \_\_\_\_\_  
Joaquin Vazquez, Assistant City Attorney

**EXHIBIT “A”  
PC RESOLUTION NO. 2954**

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

**AN ORDINANCE AMENDING EL SEGUNDO MUNICIPAL CODE  
 (“ESMC”) TITLE 15 CHAPTER 15 (OFF-STREET PARKING AND  
 LOADING) TO UPDATE THE PARKING REQUIREMENTS FOR  
 MULTIPLE-FAMILY RESIDENTIAL USES**

**(ENVIRONMENTAL ASSESSMENT NO. 1367 AND ZONE TEXT  
 AMENDMENT NO. 24-02)**

The City Council of the city of El Segundo does ordain as follows:

SECTION 1: The Council finds and declares as follows:

- A. On November 15, 2022, the City Council adopted the 2021-2029 Housing Element of the El Segundo General Plan;
- B. Program 9 (Code Amendments) of the Housing Element calls for amendments to the El Segundo Municipal Code (“ESMC”) to remove constraints on and to facilitate the construction of housing. Specifically, Program 9 calls for amending the current parking requirements for multiple-family residential uses to a sliding scale based on unit size;
- C. The Community Development Department prepared a draft ordinance amending ESMC Title 15, Chapter 15 implementing Program 9 of the 2021-2029 Housing Element to update the parking requirements for multiple-family residential uses, and scheduled a public hearing before the Planning Commission for February 13, 2025;
- D. On February 13, 2025, the Planning Commission held a public hearing to receive public testimony and other evidence regarding the draft ordinance including, without limitation, information provided to the Planning Commission by city staff; and adopted Resolution No. 2954 recommending that the City Council approve this Ordinance;
- E. On March 4, 2025, the City Council held a public hearing and considered the information provided by City staff and public testimony regarding this Ordinance; and

- F. This Ordinance and its findings are made based upon the entire administrative record including, without limitation, testimony and evidence presented to the City Council at its March 4, 2025, hearing and the staff report submitted by the Community Development Department.

SECTION 2: *Factual Findings and Conclusions.* The City Council finds that adopting the proposed Ordinance would result in the following:

- A. Amend ESMC § 15-15-5(J) to establish a maximum percentage of tandem spaces for multiple-family residential and mixed-use residential developments;
- B. Amend ESMC § 15-15-6 revising the minimum parking requirement for multiple-family dwellings to a sliding scale based on the number of bedrooms.

SECTION 3: *General Plan Findings.* As required under Government Code § 65860, the ESMC amendments proposed by the Ordinance are consistent with the El Segundo General Plan as follows:

- A. The proposed Ordinance is consistent with Program 9 of the General Plan Housing Element in that it would remove governmental and other constraints to facilitate the development of multiple-family residential uses.
- B. The proposed Ordinance is consistent with the General Plan Housing Element in that the amendments contribute to improving the existing jobs-housing balance in the City and provide opportunities for new housing construction in a variety of locations and a variety of densities.
- C. The proposed Ordinance is consistent with the General Plan Housing Element in that the amendments provide sufficient new, affordable housing opportunities in the City to meet the needs of groups with special requirements, including the needs of lower and moderate- income households.
- D. The proposed Ordinance is consistent with the General Plan Housing Element in that the amendments remove governmental constraints to diversify available housing opportunities, including ownership and rental, fair-market, and assisted, in conformance with open housing policies and free of discriminatory practices.

SECTION 4: *Zone Text Amendment Findings.* In accordance with ESMC Chapter 15-27 (Amendments), and based on the findings set forth above, the proposed Ordinance is consistent with and necessary to carry out the purpose of the ESMC as follows:

- A. The proposed Ordinance is consistent with the General Plan in that the amendments would implement the goals, policies, and programs of the Housing Element. Implementation of the Housing Element would preserve the existing housing stock and encourage construction of new residential units, including affordable housing, without affecting the character of existing single-family residential neighborhoods.
- B. The proposed Ordinance is necessary to serve the public health, safety, and general welfare in that it would implement the Housing Element Update, which includes programs, goals, and policies that help to maintain and improve the existing housing stock in the City. The proposed amendments would facilitate the development of additional housing in the community, which contribute to improving the existing jobs-housing balance and facilitates the development of housing that is affordable to households of various income levels and thus will provide equal housing opportunities to all segments of the community.

**SECTION 5: *Environmental Assessment.*** Based on the facts set forth in Section 2, the City Council finds that the zone text amendment is exempt from further review under the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines § 15061(b)(3)), because it consists only of minor revisions to existing zoning regulations and related procedures and does not have the potential for causing a significant effect on the environment.

**SECTION 6:** El Segundo Municipal Code (“ESMC”) § 15-15-5(J) (Tandem Spaces) is amended as follows:

J. Tandem Spaces: All tandem parking spaces, where allowed, must be clearly outlined on the surface of the parking facility.

**TANDEM SPACES PERMITTED**

<b>Use</b>	<b>Maximum Percentage of Required Spaces<sup>3</sup></b>	<b>Maximum Percentage of Required Spaces in Smoky Hollow</b>	<b>Maximum Depth</b>
Single- and two-family residential	100	n/a	2 spaces <sup>1</sup>
Multiple-family residential	Prohibited <sup>2</sup> <u>20</u>	n/a	n/a <u>2 spaces<sup>1</sup></u>
<u>Mixed-use</u>	<u>20</u>	<u>n/a</u>	<u>2 spaces</u>
Retail and services	Prohibited	30	2 spaces
Industrial	20	85	2 spaces
Office	20	85	2 spaces
Restaurant	Prohibited	10	2 spaces

Notes:

1. Tandem spaces for ~~single- and two-family dwellings~~ residential uses must be assigned to the same unit.
2. Tandem parking ~~is permitted~~ for multiple-family residential developments involving density bonuses may exceed the above limits, pursuant to Government Code section 65915.
3. Parking provided in excess of the required number may be tandem in configuration.

The Director may approve adjustments to the required number and standards for tandem parking spaces as provided in Chapters 22 and 23 of this title, subject to conditions. The conditions may include recording of a covenant agreement, requiring a parking attendant, requiring valet service, and other operational conditions. The Director may also approve tandem parking in excess of the above limits for permitted temporary uses and/or special events.

**SECTION 7:** ESMC Subsection (A) of § 15-15-6 (Automobile spaces required) is amended as follows:

**A. Automobile Spaces Required**

Use	Number Of Parking Spaces Required
	* * *
Residential uses:	
	* * *
Accessory dwelling units	<del>Refer to chapter 4, article E of this title</del> <u>None</u>
<del>Caretaker units</del>	<del>1 space for each unit</del>
Live/work units	2 spaces for each unit plus 1 space per 350 square feet of commercial/work area
Lodging houses, rooming houses, and guesthouses	1 space for each guestroom
Multiple-family dwellings	<del>2 spaces per unit, plus 1 visitor space for every 3 units (3 – 5 units = 1 visitor space, 6 – 8 units = 2 visitor spaces, etc.)</del> <u>1 space for studio units</u> <u>1.5 spaces for 1-bedroom units</u> <u>2 spaces for 2-bedroom units or larger</u> <u>1/3 guest space per unit</u>
Single-family and two-family dwellings	2 spaces for each unit and 1 additional space for dwelling units exceeding 3,500 square feet of gross floor area
	* * *

SECTION 8: Construction. This Ordinance must be broadly construed to achieve the purposes stated in this Ordinance. It is the City Council's intent that the provisions of this Ordinance be interpreted or implemented by the City and others in a manner that facilitates the purposes set forth in this Ordinance.

SECTION 9: Enforceability. Repeal of any provision of the ESMC does not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before this Ordinance's effective date. Any such repealed part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

SECTION 10: Validity of Previous Code Sections. If this entire Ordinance or its application is deemed invalid by a court of competent jurisdiction, any repeal or amendment of the ESMC or other city ordinance by this Ordinance will be rendered void and cause such previous ESMC provision or other the city ordinance to remain in full force and effect for all purposes.

SECTION 11: Severability. If any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Ordinance are severable.

SECTION 12: Recordation. The City Clerk, or designee, is directed to certify the passage and adoption of this Ordinance; cause it to be entered into the City of El Segundo's book of original ordinances; make a note of the passage and adoption in the records of this meeting; and, within 15 days after the passage and adoption of this Ordinance, cause it to be published or posted in accordance with California law.

SECTION 13: This Ordinance will go into effect and be in full force and effect 30 days after its passage and adoption.

PASSED AND ADOPTED this \_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Chris Pimentel, Mayor

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Mark D. Hensley, City Attorney

ATTEST:

STATE OF CALIFORNIA        )  
COUNTY OF LOS ANGELES    )     SS  
CITY OF EL SEGUNDO         )

I, Susan Truax, City Clerk of the City of El Segundo, California, do hereby certify that the whole number of members of the City Council of said City is five; that the foregoing Ordinance No. \_\_\_\_\_ was duly introduced by said City Council at a regular meeting held on the \_\_\_ day of \_\_\_\_\_ 2025, and was duly passed and adopted by said City Council, approved and signed by the Mayor, and attested to by the City Clerk, all at a regular meeting of said Council held on the \_\_\_ day of \_\_\_\_\_, 2025, and the same was so passed and adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Susan Truax, City Clerk



**MINUTES OF THE  
EL SEGUNDO PLANNING COMMISSION  
Regularly Scheduled Meeting**

**August 8, 2024**

**A. Call to Order**

Chair Keldorf called the meeting to order at 5:33 p.m.

**B. Pledge of Allegiance**

Chair Keldorf led the pledge.

**C. Roll Call**

Present: Chair Keldorf  
Present: Vice Chair Hoeschler  
Present: Commissioner Christian  
Absent: Commissioner Inga  
Absent: Commissioner Maggay

Also present: Michael Allen, AICP, Community Development Director  
Also present: Eduardo Schonborn, AICP, Planning Manager  
Also present: Joaquin Vazquez, City Attorney  
Also present: Paul Samaras, AICP, Principal Planner  
Also present: Venus Wesson, Senior administrative Specialist

**D. Public Communications**

None.

**E. Written Communications (other than what is included in Agenda packets)**

None.

**F. Consent Calendar**

**1. Approval of Planning Commission Meeting Minutes:**

- June 27, 2024

**MOTION:** Approve the minutes.

**Moved by Vice Chair Hoeschler, second by Commissioner Christian.  
Motion carried, 3-0, by the following vote:**

**Ayes:** Keldorf, Hoeschler, Christian

### **G. Continued Business—Public Hearing**

None.

### **H. New Public Hearings**

#### **2. Presentation and Study Session on a Potential Amendment to the City's Parking Requirements for Residential Uses. (PS)**

Principal Planner Paul Samaras presented and led the study session regarding Housing Element Program 9 which calls for an amendment to the El Segundo Municipal Code (ESMC) Title 15 parking requirements for residential uses. In the session Paul presented options for amending ESMC parking requirements for multi-family residential uses.

- Chair Keldorf inquired what area (zone) this amendment would affect. Paul stated that specifically it would affect the R-3 multi-Family zone only.
- Chair Keldorf inquired what would occur or be required for 3-unit sites? Paul stated that we would need to decide what we want to do; for example in the Pacific Coast Commons (PCC) plan 2 spaces was the max required.
- Vice Chair Hoeschler inquired if the state is requiring the city do make these changes or is it up to the city. Paul stated that the state and the city is requiring itself to transition to a sliding scale as it is in the Housing Element; a city goal.
- Chair Keldorf shared that she was surprised with the survey data as she was anticipating other cities to have a lower parking requirement than what our current zoning code requires. She thinks this may have some community push back.
- Community Development Director Michael Allen shared that the premise of why this is being explored now is because HCD challenged the city with state legislation. In which the city needs to remove barriers to housing production. The number one cost contributor to housing production or any development is parking, and it is a very common strategy that the state accepts for cities to use. Ultimately, the state is looking to see if the city is making an active effort to reduce the cost for constructing housing and one of those factors is parking.
- Commissioner Christian asked how the city came to the sliding scale template we are analyzing and for PCC. Paul stated that for PCC project the developer produced the parking demand study and hired someone to look at similar developments to study parking and assess. The parking demand study was reviewed by a city consultant, and they concluded that even less parking was required for the development they were

proposing. However, based on the feedback and concerns received by the community the city came to an agreement with the developer to do the rate of one space per studio, one and a half per one bedroom, and two spaces for two bedrooms. The idea was to be more conservative.

- Michael explained what International Traffic Engineers Manual (ITE) is and how it is implemented in studies.
- Commissioner Christian inquired if we have a sense of where other cities are landing when it comes down to this update and is there an advantage to El Segundo being first or early movers in adopting this scale versus another one. Paul stated that we don't know where each city is in the implementation of their housing element and we don't know if every city that we surveyed has that action item in their housing element as other cities may have chosen other ways to achieve the state goal. The advantage would be that we would be the first to incentivize more housing development in the city and be more competitive in respects to making it cheaper to build more housing in the city.
- Chair Keldorf stated that she like the scale but her cautionary tail would be in positioning it up to Council and community using PCC as the standard for something that is significantly less dense because panic might ensue. Paul stated that perhaps staff can look at smaller developments the city has approved like 10 unit condominium projects amongst others that are similar to what we might see in the R-3.
- Michael asked if there is an appetite to allow for other modes of transportation and commitments to other types of transportation to subsidize required parking. Vice Chair Hoeschler advised that being close to transit is a thing, he would imagine that there is an appetite.
- Commissioners suggested for staff to study post covid trends pertaining to parking trends. In the near future they would like to analyze a parking scale for commercial uses; Paul stated that in the near future it is something that perhaps can be investigated.
- Chair Keldorf inquired if we can investigate tandem parking for R-3 zone. Paul stated that it is something we can look into. Vice Chair Hoeschler added that it is a good idea as we offer different configuration alternatives.

#### **I. New Business**

None.

#### **J. Report from Community Development Director or designee**

Staff welcomed Commissioner Christian.

#### **K. Report from City Attorney's Office**

Joaquin Vazquez welcomed Commissioner Christian.

**L. Planning Commissioners' Comments**

Commissioners welcomed Commissioner Christian.

**M. Adjournment**—the meeting adjourned at 6:37 p.m.

The next meeting is scheduled for August 22, 2024 at 5:30 pm.



Michael Allen, Community Development Director



Michelle Keldorf, Planning Commission Chair



## Planning Commission Agenda Statement

Meeting Date: February 13, 2025

Agenda Heading: PUBLIC HEARINGS

Item Number: B.3

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### TITLE:

Ordinance Amending El Segundo Municipal Code (ESMC) Title 15 Chapter 34 (Cultural Development) Regarding Requirement to Provide Artwork or Pay In-Lieu Fee

### RECOMMENDATION:

1. Adopt Resolution No.2961, recommending City Council adopt an Ordinance amending ESMC Chapter 15-34 (Cultural Development).
2. Alternatively, discuss and take other action related to this item.

### FISCAL IMPACT:

None

### BACKGROUND:

The City of El Segundo ("City") established an art in public places fee through the City Council's adoption of Ordinance No. 1594 on November 19, 2019. The City's Cultural Development Program (CDP) applies to commercial or industrial development projects where the project cost exceeds \$2 million. Residential development projects are exempt from the CDP. For a development subject to this fee, the developer has the option to install artwork onsite equal to 1% of the project's construction cost or contribute an equivalent dollar amount as an in-lieu fee to the CDP.

At the November 19, 2024, City Council Meeting, the City Council directed staff to return with an analysis of the CDP funding and information on similar programs in surrounding municipalities.

On January 21, 2025, staff presented to the City Council a comprehensive analysis of the CDP funding, along with information on similar programs implemented in surrounding municipalities. The City Council directed staff to (1) update the ordinance to include the ability to split funds between projects, (2) cap the CDP fee at \$1,000,000,

## **ZTA - Cultural Development**

**February 13, 2025**

**Page 2 of 3**

and (3) update the timing of when in-lieu fee payments are made.

### **DISCUSSION:**

#### Proposed Modifications to the Cultural Development Program

In accordance with City Council direction at the January 21, 2025, City Council meeting, the following aspects of the program have been raised for further deliberation to be considered:

- ESMC 15-34-3A: introduced a cap for the maximum fee contribution of \$1,000,000.
- ESMC 15-34-3E: provided an option to provide the combination of on-onsite art and pay the difference in fee.
- ESMC 15-34-4B: permitting the deferral in timing of in-lieu payment to final inspection or issuance of Certificate of Occupancy.

The proposed amendments do not modify the original purpose of the Cultural Development Program. Rather, the amendments are intended to provide greater flexibility to developers when programming the funds or electing to provide public art.

### **CITY STRATEGIC PLAN COMPLIANCE:**

Goal 5: Champion Economic Development and Fiscal Sustainability

Strategy C: Implement strategic initiatives to attract new businesses and foster business to business networking and collaboration to retain and grow existing businesses.

Strategy D: Implement community planning, land use, and enforcement policies that encourage growth while preserving El Segundo's quality of life and small-town character.

#### **PREPARED BY:**

Eduardo Schonborn, AICP, Planning Manager

#### **REVIEWED BY:**

Eduardo Schonborn, AICP, Planning Manager

#### **APPROVED BY:**

Michael Allen, AICP, Community Development Director

### **ATTACHED SUPPORTING DOCUMENTS:**

1. Planning Commission Resolution No. 2961

**ZTA - Cultural Development**

**February 13, 2025**

**Page 3 of 3**

2. Planning Commission Resolution No. 2961 Exhibit A - Draft Ordinance

**RESOLUTION NO. 2961**

**A RESOLUTION OF THE EL SEGUNDO PLANNING COMMISSION  
RECOMMENDING CITY COUNCIL FIND ZONE TEXT AMENDMENT NO.  
25-01 EXEMPT FROM FURTHER ENVIRONMENTAL REVIEW AND  
ADOPT AND APPROVE AMENDING TITLE 15 (ZONING REGULATIONS)  
OF THE EL SEGUNDO MUNICIPAL CODE MODIFYING THE PUBLIC  
ART OR IN-LIEU FEE REQUIREMENT AND A CULTURAL  
DEVELOPMENT FUND**

**(ENVIRONMENTAL ASSESSMENT NO. 1367 AND ZONE TEXT  
AMENDMENT NO. 24-02)**

The Planning Commission of the City of El Segundo does resolve as follows:

SECTION 1: The Planning Commission finds and declares as follows:

- A. Courts have recognized a public art requirement as a lawful exercise of a city's traditional planning and zoning police power; such a requirement for either public art or in-lieu fees are not a development impact fee that is subject to the California Mitigation Fee Act, but instead is considered a development standard allowed by the City's zoning and police powers, provided the requirement is reasonably related to a constitutionally permissible public purpose (*Ehrlich v. City of Culver City* (1996) 12 Cal.4th 854; *Cal. Bldg. Industry Assn, v. City of San Jose* (2015) 61 Cal.4th 435);
- B. The City of El Segundo is 5.46 square miles and has distinct areas throughout the City that are zoned for commercial and industrial uses, including the Downtown area, Smoky Hollow, and the portion of the City east of Pacific Coast Highway. Because the City is surrounded by other cities (Manhattan Beach, Hawthorne), the Los Angeles International Airport and the Pacific Ocean, and because the City is almost entirely built out, existing opportunities to expand public art within the community are scarce;
- C. As commercial and industrial development and revitalization of the real property within the City continues, urbanization of the community results, and the need to develop new artistic and cultural resources to enhance the environment, image, and character of the City increases;
- D. Cultural and artistic resources enhance the quality of life for individuals living in, working in, and visiting the City; public art increases cultural awareness, stimulates imaginations and provokes creative dialog among community members;
- E. The development of artistic and cultural resources promotes the general welfare of the community, by preserving and improving the quality of the urban environment, increasing property values, and resulting in a positive economic

output;

- F. Artistic and cultural assets should be either provided or financed by those whose commercial and industrial development and revitalization increase the community's demand for cultural resources;
- G. The proposed public art requirement is a requirement of general application for voluntary development within the City, and the optional in-lieu fee will be used for providing artwork, cultural services, performing arts and arts events to the public, as described in this ordinance;
- H. On December 18, 2018, the City Council directed the Arts and Culture Advisory Committee and City staff to develop a Cultural Development Fund proposal for its consideration;
- L. The Planning Commission of the City of El Segundo held a noticed public hearing on October 10, 2019, to review and consider the staff report prepared for the project, receive public testimony, and review all correspondence received on the project; the Planning Commission reviewed and considered the proposed amendments, and adopted PC Resolution No. 2875 recommending the City Council adopt the ordinance; and
- I. On July 16, 2019, and November 5, 2019, the City Council, after giving notice thereof as required by law, held a public hearing concerning the proposed ordinance and carefully considered all pertinent testimony offered in the case, approved the Ordinance;
- J. At the November 19, 2024, City Council Meeting, the City Council directed staff to return to the City Council with an analysis of the CDP funding and information on similar programs in surrounding municipalities;
- K. At the City Council Meeting held on January 21, 2025, Staff conducted a comprehensive review of the CDP and received directives from the City Council to amend the ordinance including the ability to split the funds between projects, establish a fee cap of \$1,000,000, and update timing of the in-lieu fee payments.
- L. On February 13, 2025, the Planning Commission held a public hearing to receive public testimony and other evidence regarding the draft ordinance including, without limitation, information provided to the Planning Commission by city staff; and adopted Resolution No. 2961 recommending that the City Council approve this Ordinance;

M. This Resolution and its findings are made based upon the evidence presented to the Commission at its February 13, 2025, hearing including, without limitation, the staff report submitted by the Community Development Department and the totality of the evidence in the administrative record.

SECTION 2: General Plan and Zoning Consistency. The City Council finds as follows:

- A. The proposed ordinance is compatible with, and will not frustrate, the goals and policies of the City's General Plan. Furthermore, the proposed ordinance would directly advance Goal LU2 and Objectives LU2-1 and LU2-2, which seek to preserve and enhance the City's cultural resources. The proposed ordinance would also advance Objective LU2-3, which encourages the development of public programs and facilities that will meet the cultural needs of the City's various age, income and ethnic groups. The proposed ordinance is intended to require developers of industrial and commercial projects to either provide public art or pay a fee which will be used for public art and cultural activities. The proposed ordinance establishes a dedicated source of funding for projects and programs to meet and exceed the cultural needs of the City's residents.
  
- B. The proposed ordinance is consistent with the Zoning Code which recognizes works of art and establishes certain standards to distinguish them from commercial signs (ESMC § 15-18-3(H)).

SECTION 3: Environmental Assessment. Based upon the findings of fact set forth in Sections 1 and 2, the proposed zone text amendment is exempt from further environmental review under the California Environmental Quality Act (California Public Resources Code §§ 21000, *et seq.*, "CEQA") and CEQA Guidelines section 15061(b)(3), because it can be seen with certainty that there is no possibility that adoption of the proposed ordinance will have a significant effect on the environment.

SECTION 4: Recommendations. The Planning Commission recommends that the City Council adopt the Ordinance attached as Exhibit "A."

SECTION 5: Reliance on Record. Each and every one of the findings and determination in this Resolution are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the project. The findings and determinations constitute the independent findings and determinations of the Planning Commission in all respects and are fully and completely supported by substantial evidence in the record as a whole.

SECTION 6: Limitations. The Planning Commission's analysis and evaluation of the project is based on information available at the time of the decision. It is inevitable that in

evaluating a project that absolute and perfect knowledge of all possible aspects of the project will not exist. In all instances, best efforts have been made to form accurate assumptions.

SECTION 7: This Resolution will remain effective unless and until superseded by a subsequent resolution.

SECTION 8: The Commission secretary is directed to mail a copy of this Resolution to any person requesting a copy.

PASSED AND ADOPTED this 13<sup>th</sup> day of February 2025.

\_\_\_\_\_  
Kevin Maggay, Vice Chairperson  
City of El Segundo Planning Commission

ATTEST:

\_\_\_\_\_  
Michael Allen, Secretary and  
Community Development Director

Maggay -  
Inga -  
Christian -

APPROVED AS TO FORM:  
Mark D. Hensley, City Attorney

By: \_\_\_\_\_  
Joaquin Vazquez, Assistant City Attorney

**DRAFT ORDINANCE NO.**

**AN ORDINANCE AMENDING TITLE 15 (ZONING REGULATIONS) OF THE EL SEGUNDO MUNICIPAL CODE ESTABLISHING A PUBLIC ART OR IN-LIEU FEE REQUIREMENT AND A CULTURAL DEVELOPMENT FUND**

The City Council of the City of El Segundo does ordain as follows:

**SECTION 1:** The City Council finds and declares as follows:

- A. Courts have recognized a public art requirement as a lawful exercise of a city's traditional planning and zoning police power; such a requirement for either public art or in-lieu fees are not a development impact fee that is subject to the California Mitigation Fee Act, but instead is considered a development standard allowed by the City's zoning and police powers, provided the requirement is reasonably related to a constitutionally permissible public purpose (*Ehrlich v. City of Culver City* (1996) 12 Cal.4th 854; *Cal. Bldg. Industry Assn, v. City of San Jose* (2015) 61 Cal.4th 435);
- B. The City of El Segundo is 5.46 square miles and has distinct areas throughout the City that are zoned for commercial and industrial uses, including the Downtown area, Smoky Hollow, and the portion of the City east of Pacific Coast Highway. Because the City is surrounded by other cities (Manhattan Beach, Hawthorne), the Los Angeles International Airport and the Pacific Ocean, and because the City is almost entirely built out, existing opportunities to expand public art within the community are scarce;
- C. As commercial and industrial development and revitalization of the real property within the City continues, urbanization of the community results, and the need to develop new artistic and cultural resources to enhance the environment, image, and character of the City increases;
- D. Cultural and artistic resources enhance the quality of life for individuals living in, working in, and visiting the City; public art increases cultural awareness, stimulates imaginations and provokes creative dialog among community members;
- E. The development of artistic and cultural resources promotes the general welfare of the community, by preserving and improving the quality of the urban environment, increasing property values, and resulting in a positive economic output;

- F. Artistic and cultural assets should be either provided or financed by those whose commercial and industrial development and revitalization increase the community's demand for cultural resources;
- G. The proposed public art requirement is a requirement of general application for voluntary development within the City, and the optional in-lieu fee will be used for providing artwork, cultural services, performing arts and arts events to the public, as described in this ordinance;
- H. On December 18, 2018, the City Council directed the Arts and Culture Advisory Committee and City staff to develop a Cultural Development Fund proposal for its consideration;
- L. The Planning Commission of the City of El Segundo held a noticed public hearing on October 10, 2019, to review and consider the staff report prepared for the project, receive public testimony, and review all correspondence received on the project; the Planning Commission reviewed and considered the proposed amendments, and adopted PC Resolution No. 2875 recommending the City Council adopt the ordinance; and
- I. On July 16, 2019, and November 5, 2019, the City Council, after giving notice thereof as required by law, held a public hearing concerning the proposed ordinance and carefully considered all pertinent testimony offered in the case, approved the Ordinance;
- J. At the November 19, 2024, City Council Meeting, the City Council directed staff to return to the City Council with an analysis of the CDP funding and information on similar programs in surrounding municipalities;
- K. At the City Council Meeting held on January 21, 2025, Staff conducted a comprehensive review of the CDP and received directives from the City Council to amend the ordinance including the ability to split the funds between projects, establish a fee cap of \$1,000,000, and update timing of the in-lieu fee payments.
- L. On February 13, 2025, the Planning Commission held a public hearing to receive public testimony and other evidence regarding the draft ordinance including, without limitation, information provided to the Planning Commission by city staff; and adopted Resolution No. 2961 recommending that the City Council approve this Ordinance;
- M. On March 4, 2025, the City Council held a public hearing and considered the information provided by City staff and public testimony regarding this

Ordinance; and

- N. This Ordinance and its findings are made based upon the entire administrative record including, without limitation, testimony and evidence presented to the City Council at its March 4, 2025, hearing and the staff report submitted by the Community Development Department.

SECTION 2: General Plan and Zoning Consistency. The City Council finds as follows:

- A. The proposed ordinance is compatible with, and will not frustrate, the goals and policies of the City's General Plan. Furthermore, the proposed ordinance would directly advance Goal LU2 and Objectives LU2-1 and LU2-2, which seek to preserve and enhance the City's cultural resources. The proposed ordinance would also advance Objective LU2-3, which encourages the development of public programs and facilities that will meet the cultural needs of the City's various age, income and ethnic groups. The proposed ordinance is intended to require developers of industrial and commercial projects to either provide public art or pay a fee which will be used for public art and cultural activities. The proposed ordinance establishes a dedicated source of funding for projects and programs to meet and exceed the cultural needs of the City's residents.
- B. The proposed ordinance is consistent with the Zoning Code which recognizes works of art and establishes certain standards to distinguish them from commercial signs (ESMC § 15-18-3(H)).

SECTION 3: Environmental Assessment. Based upon the findings of fact set forth in Sections 1 and 2, the proposed zone text amendment is exempt from further environmental review under the California Environmental Quality Act (California Public Resources Code §§ 21000, *et seq.*, "CEQA") and CEQA Guidelines section 15061(b)(3), because it can be seen with certainty that there is no possibility that adoption of the proposed ordinance will have a significant effect on the environment.

SECTION 4: ESMC Title 15 (Zoning Regulations) is amended to add the following chapter:

**Section 15-34-3. Requirement to Provide Artwork or Pay In-lieu Fee.**

- A. When a project is subject to this chapter, the applicant must either (a) commission or acquire and install new artwork in a location on or in the vicinity of the project site, with the appraised

value of such artwork and any direct expenses as described herein being equal to or exceeding one percent of the project cost; or (b) pay to the City an amount equal to one percent of the project cost: not to exceed \$1,000,000.

- E. The fee may be allocated between the provision of on-site art installations and the remittance of the remaining balance as an in-lieu fee.

**Section 15-34-4. Application and Approval Process.**

- C. ~~If a An applicant may elects to pay the in-lieu fee at any time prior to , no building permit certificate of occupancy or final inspection shall be issued until the total fee has been paid.~~

SECTION 5: CONSTRUCTION. This ordinance must be broadly construed in order to achieve the purposes stated in this ordinance. It is the City Council's intent that the provisions of this ordinance be interpreted or implemented by the City and others in a manner that facilitates the purposes set forth in this ordinance.

SECTION 6: ENFORCEABILITY. Repeal of any provision of the El Segundo Municipal Code does not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before this ordinance's effective date. Any such repealed part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this ordinance.

SECTION 7: VALIDITY OF PREVIOUS CODE SECTIONS. If this entire ordinance or its application is deemed invalid by a court of competent jurisdiction, any repeal or amendment of the ESMC or other city ordinance by this ordinance will be rendered void and cause such previous ESMC provision or other the city ordinance to remain in full force and effect for all purposes.

SECTION 8: SEVERABILITY. If any part of this ordinance or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this ordinance are severable.

SECTION 9: The City Clerk is directed to certify the passage and adoption of this ordinance; cause it to be entered into the City of El Segundo's book of

original ordinances; make a note of the passage and adoption in the records of this meeting; and, within 15 days after the passage and adoption of this ordinance, cause it to be published or posted in accordance with California law.

SECTION 10: This Ordinance will go into effect and be in full force and effect 30 days after its passage and adoption.

PASSED AND ADOPTED this \_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Chris Pimentel, Mayor

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Mark D. Hensley, City Attorney

ATTEST:

STATE OF CALIFORNIA        )  
COUNTY OF LOS ANGELES    )       SS  
CITY OF EL SEGUNDO         )

I, Susan Truax, City Clerk of the City of El Segundo, California, do hereby certify that the whole number of members of the City Council of said City is five; that the foregoing Ordinance No. \_\_\_\_\_ was duly introduced by said City Council at a regular meeting held on the \_\_\_ day of \_\_\_\_\_ 2025, and was duly passed and adopted by said City Council, approved and signed by the Mayor, and attested to by the City Clerk, all at a regular meeting of said Council held on the \_\_\_ day of \_\_\_\_\_, 2025, and the same was so passed and adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Susan Truax, City Clerk