



AGENDA
CITY OF EL SEGUNDO
PLANNING COMMISSION
5:30 PM
COUNCIL CHAMBER
350 MAIN STREET
EL SEGUNDO, CA 90245
MAY 22, 2025

MEMBERS OF PLANNING COMMISSION

Kevin Maggay, Chairperson
Mario Inga, Vice Chairperson
Mark Christian
Melissa McCaverty
Steve Taylor

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 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 April 24, 2025 Planning Commission Meeting Minutes**

Recommendation -

1. Approve April 24, 2025 Planning Commission Meeting Minutes.
2. Alternatively, discuss and take other action related to this item.

2. **Administrative Use Permit to Allow the Sale of Beer and Wine for On-site and Off-site Consumption at a New Wine Bar operating at 203 West Grand Avenue (Environmental Assessment No. EA-1385 and Administrative Use Permit 25-02).**

Recommendation -

1. Receive and file Community Development Director approval of Environmental Assessment No. EA-1385 and Administrative Use Permit No. AUP 25-02.
2. Find that the project is exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to 14 California Code of Regulations § 15303 as a Class 3 categorical exemption (New Construction or Conversion of Small Structures).
3. Alternatively, discuss and take other action related to this item.

B. PUBLIC HEARINGS

C. NEW BUSINESS

3. **Selection of a Planning Commissioner to Serve as a Member of an Ad-Hoc Committee for Future LA County Special Events**

Recommendation -

1. Select a Planning Commissioner to serve on a forthcoming Ad-hoc Committee regarding future regional special events in Los Angeles

County.

D. UNFINISHED BUSINESS

4. Study Session on Incubator and Innovative Start-up Uses within the Smoky Hollow Specific Plan Area.

Recommendation -

1. Receive and file a presentation and provide direction on a potential Smoky Hollow Specific Plan amendment to the permitted uses, development standards, and definitions related to incubator and innovative start-up uses.
2. Alternatively, discuss and take other action related to this item.

E. REPORTS – COMMUNITY DEVELOPMENT DIRECTOR

F. REPORTS - COMMISSIONERS

G. REPORTS – CITY ATTORNEY

ADJOURNMENT

POSTED:

DATE: May 16, 2025

TIME: 4:00 P.M.

BY: Jazmin Farias, Assistant Planner



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

April 24, 2025

CALL TO ORDER

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

ROLL CALL

Present: Chair Maggay
Present: Vice Chair Inga
Present: Commissioner Christian
Present: Commissioner McCaverty
Present: Commissioner Taylor

Also present: Michael Allen, AICP, Community Development Director
Also present: Eduardo Schonborn, AICP, Planning Manager
Also present: Joaquin Vazquez, City Attorney
Also present: Maria Baldenegro, Assistant Planner
Also present: Jazmin Farias, Assistant Planner
Also present: Agnes Ho, Administrative Analyst
Also present: Jillian Glickman, Senior Analyst (RSG Consultant)
Also present: Jim Simon, Principal (RSG Consultant)

PLEDGE OF ALLEGIANCE

Chair Maggay led the pledge.

PUBLIC/WRITTEN COMMUNICATIONS

None.

A. CONSENT

Chair Maggay pulled Consent Item A2.

1. Approval of Planning Commission Meeting Minutes:

- April 10, 2025

MOTION: Approve the minutes.

Moved by Vice Chair Inga, second by Commissioner McCaverty.

Motion carried, 5-0, by the following vote:

Ayes: Maggay, Inga, Christian, McCaverty, and Taylor

2. Administrative Use Permit to Allow the Sale of Beer and Wine for On-site Consumption at an Existing Restaurant operating at 747 N Douglas Street. (Environmental Assessment No. EA-1383, and Administrative Use Permit No. AUP 25-01).

Assistant Planner Maria Baldenegro presented a brief staff report regarding a request to allow the sale of beer and wine for on-site consumption (Type 41 ABC License) to both indoor and outdoor dining areas at the existing restaurant ("The Second Wind"). Maria advised that the applicant representative was present to answer any questions.

- Commissioner Christian inquired what the alcohol license density is for that area. Maria advised that the area does not have a high density of alcohol licenses and they are regulated by ABC; currently no moratoriums exist in that area.

Chair Maggay opened public communications.

- Applicant Representative, Liliger Damaso took the podium and expressed that the applicant is looking to offer this alcohol service as an ancillary amenity to the restaurant.

Chair Maggay closed public communications.

MOTION: Receive and File the Community Development Director's approval of Environmental Assessment No. EA-1383 and Administrative Use Permit No. AUP 25-01.

Moved by Vice Chair Inga, second by Commissioner Taylor.

Motion carried, 5-0, by the following vote:

Ayes: Maggay, Inga, Christian, McCaverty, and Taylor

B. NEW PUBLIC HEARINGS

None.

C. NEW BUSINESS

Chair Maggay stated that the items under new business will be re-ordered; New Business Item C4 will be presented first.

4. Consideration of a Live/Work Preference Policy for New Affordable Housing Projects in the City of El Segundo. (Environmental Assessment No. EA-

1389)

Community Development Director Michael Allen introduced Administrative Analyst Agnes Ho who provided a brief recap of the Housing Element with regards to the implementation of the Affordable Housing Strategic Plan. She highlighted that the Housing Element consists of ten policies, programs, and funding strategies. One of the policies that the City prioritized is the live work preference policy with the goal of giving priority to individuals and families who already live or work in El Segundo. Agnes explained that this would be built through affordable housing agreements such as Development Agreements or Density Bonus Agreements. She added that the ultimate objective is to mitigate displacement and gentrification impacts resulting from development activities. Michael and Agnes re-introduced RSG consultants Jim Simon and Jillian Glickman who led the presentation regarding the development and implementation of these programs.

Jillian and Jim's presentation provided an overview of the proposed live work preference policy for new affordable housing units in the city.

- Commissioner discussion ensued regarding how the program will be ongoing or how the maintenance of an active list will be kept, how applicant priority would be implemented, and what would constitute an education or job training program.
- Consultant Jillian had the following responses to commission discussion:
 - On an ongoing basis those vacant units would need to be monitored to ensure that the preference is being applied at the percentage that the policy establishes. She clarified that the policy itself does not address the specific implementation of that provision. the policy is written it establishes a lottery process in which there is a tiered priority of the preferences listed. She added that additional priority would be given to employment personnel such as public safety personnel, teachers, and employees; however, the policy does not go into the implementation of the lottery system.
 - Michael added that direction from Planning Commission was initial lease up and plus; and it was informed then that implementation would have to be addressed in the future when and if a development with affordable housing is received as it is complex and could involve asking City Council for additional staff to manage this or for it to be delegated to the developer.
 - Jillian advised that anybody who is receiving any employment specific training and it is considered best practice to include it as most policies they looked at did include the additional provision. Jim added that it would intel workforce development type training activities or programs, like partnerships with the county or with the state who offer these programs via private companies.
- Commissioner discussion ensued regarding how affordable ownership

would work if implemented as part of the policy.

- Consultant Jillian had the following responses to commission discussion:
 - If there were to be affordable ownership units for sale, then a percentage of the for-sale units would provide preference to individuals who live or work in the city. If resold the idea is for it to be continuously implemented for that unit.
 - Michael added that it is uncommon for for-sale affordable projects to go forward as they generally do not pencil.
- Commissioners provided consensus to not include affordable ownership as part of the policy.
- Commissioner discussion ensued to determine the need to define the types of public safety personnel who would receive additional priority and if doing so would create conflict for the city.
- City Attorney Joaquin Vazquez indicated that potentially there would be. He added that the approach of less is more is preferred as it would capture all the categories presented.
- Commissioners provided consensus to merge roman numeral II.B.i and B.ii.
- Commissioners provided consensus to remove roman numeral II.B.iii.
- Commissioner discussion ensued to determine if the policy will keep or remove roman numeral II.B.ii.1 which would give first preference to a specific employment type.
- Joaquin and Commissioner McCaverty advised that if roman numeral II.B.ii.1 will be kept it should read “first preference” and not additional preference.
- Commissioners Christian, Taylor, Vice Chair Inga, and Chair Maggay would like to have a first preference option. The first priority preference would be given to residents and individuals listed under roman numeral II.B.ii.1a, b, and c. Commissioners directed staff to ensure that specifying employers would not go against the Fair Employment Housing Act.
- Commissioner McCaverty would like to eliminate the option for first preference and just offer live/work.
- Commissioners provided consensus to present both options to City Council.
- Commissioners provided consensus to implement the lifespan component over initial lease up component for the units.

Chair Maggay opened public communications.

- None

Chair Maggay closed public communications.

MOTION: Adopt Resolution No. 2964, recommending City Council adopt a live/work preference policy for new city assisted affordable housing projects in the City of El Segundo with the proposed agreed-upon options discussed during

deliberation.

Moved by Vice Chair Inga, second by Commissioner Taylor.

Motion carried, 5-0, by the following vote:

Ayes: Maggay, Inga, Christian, McCaverty, and Taylor

3. Open Meeting and Ethics Primer.

City Attorney Joaquin Vazquez lead the presentation with regards to components of the AB 1234 training topics such as general ethical principles, The Brown Act, and personal financial gain by public servants.

MOTION: No action required by the Planning Commission.

D. UNFINISHED BUSINESS

None.

E. REPORTS – COMMUNITY DEVELOPMENT DIRECTOR OR DESIGNEE

Planning Manager Eduardo Schonborn informed the Commissioners that the emails have been fixed and reminded them to reply to the attendance email.

F. REPORTS – PLANNING COMMISSIONERS

Commissioner McCaverty wished a happy belated birthday to Vice Chair Inga and reminded the community that the roads will be blocked off Saturday morning because of the PTA Run4Education event.

G. REPORTS – CITY ATTORNEY

None.

ADJOURNMENT — the meeting adjourned at 7:58 p.m.
The next meeting is scheduled for May 8, 2025 at 5:30 p.m.

Michael Allen, Community Development Director

Kevin Maggay, Planning Commission Chair



Planning Commission Agenda Statement

Meeting Date: May 22, 2025

Agenda Heading: CONSENT

Item Number: A.2

TITLE:

Administrative Use Permit to Allow the Sale of Beer and Wine for On-site and Off-site Consumption at a New Wine Bar operating at 203 West Grand Avenue (Environmental Assessment No. EA-1385 and Administrative Use Permit 25-02).

RECOMMENDATION:

1. Receive and file Community Development Director approval of Environmental Assessment No. EA-1385 and Administrative Use Permit No. AUP 25-02.
2. Find that the project is exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to 14 California Code of Regulations § 15303 as a Class 3 categorical exemption (New Construction or Conversion of Small Structures).
3. Alternatively, discuss and take other action related to this item.

FISCAL IMPACT:

None.

BACKGROUND:

On March 28, 2025, an application was submitted for an Administrative Use Permit (AUP) for a new wine bar and artisan food shop (Barsha) at 203 West Grand Avenue. The proposal includes a 1,113 square foot wine bar within an existing three-tenant commercial building and involves a Type 42 ABC License, allowing the sale of beer and wine for onsite and offsite consumption. The proposed use features a retail wine shop, a tasting room, and for pairings with alcoholic beverages. The application was deemed complete on April 3, 2025, and circulated to other City Departments, including Police, Fire, and Building Safety, with no concerns reported.

After considering the request, on May 16, 2025, the Community Development Director approved the Administrative Use Permit Revision, allowing the sale of beer and wine for

consumption on or off the premises (Type 42 ABC License) at a 1,113 square foot new wine bar located at 203 West Grand Avenue.

DISCUSSION:

Quasi-Judicial Action

In the event the Planning Commission desires to review the Director's approval of the Administrative Use Permit (AUP), the Planning Commission acts in its quasi-judicial capacity (*i.e., applying established standards to applications to determine specific rights under existing law*). Before an AUP may be granted, the Director of the Commission must find the following findings are met as required by ESMC § 15-22-5:

1. *There is compatibility of the particular use on the particular site in relation to other existing and potential uses within the general area in which the use is proposed to be located.*
2. *The proposed use is consistent and compatible with the purpose of the zone in which the site is located.*
3. *The proposed location and use and the conditions under which the use would be operated or maintained to not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.*
4. *Potential impacts that could be generated by the proposed use, such as noise, smoke, dust, fumes, vibration, odors, traffic, and hazards have been recognized and compensated for.*

As summarized below, the Director found that the proposed facility satisfied these findings and thus granted the AUP.

Administrative Use Permit

The Director has determined that the findings listed above can be made to support approval of the AUP, allowing the sale of beer and wine for consumption on or off the premises at a 1,113 square-foot new wine bar, retail sales of alcohol and serving of specialty foods. The subject property is located in the Downtown Specific Plan (DSP) zone, specifically the Richmond Street District, where bars are subject to an AUP. The project is situated in an environment that allows for more flexibility with a broader mixture of commercial uses, including breweries and tasting rooms, entertainment, professional, medical, and dental offices. The new wine bar is in a commercial area and is in proper relation to adjacent commercial uses within this area. Any subject modifications to the floor plan and area where alcohol will be served and consumed are subject to review and approval by the Community Development Director.

The approval also includes conditions that protect the city and surrounding uses from potential negative impacts, such as a condition that ensures the establishment conducts retail sales of alcohol and serves foods with the onsite consumption of alcoholic beverages. These conditions, findings, and approval, and environmental assessment are provided in the attached approval letter. The Director concluded that the project is appropriate for the location and will not operate in a way that will create unwanted impacts. Therefore, staff recommend that the Planning Commission receive and file the Director's approval. In the alternative, any Planning Commissioner may request that this permit be discussed, and a decision be made by the Planning Commission instead of "receive and file."

Environmental Review

The project is categorically exempt from the requirements of the California Environmental Quality Act ("CEQA") as a Class 3 Categorical Exemption (New Construction or Conversion of Small Structures) because the proposed project consists of the conversion of an existing small structure that does not exceed 2,500 square feet in floor area; from one use to another where only minor modifications are made to the exterior of the structure.

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:

Jazmin Farias, Planning Technician

REVIEWED BY:

Eduardo Schonborn, AICP, Planning Manager

APPROVED BY:

Michael Allen, AICP, Community Development Director

ATTACHED SUPPORTING DOCUMENTS:

1. EA-1385 AUP Approval Letter

2. Barsha Floor Plan



City of El Segundo

Planning Division

May 16, 2025

Barsha, Inc c/o Jennifer Marca
917 North Sepulveda Boulevard
Manhattan Beach, CA 90266

Subject: Environmental Assessment No. EA-1385 and Administrative Use Permit
No. AUP 25-02
Address: 203 West Grand Avenue, El Segundo, CA 90245

Dear Jennifer Marca:

Your request for an Administrative Use Permit (AUP) for a new wine bar and artisan food shop (Barsha) that includes the sale of beer and wine for consumption on or off the premises (Type 42 ABC License) is APPROVED in accordance with the El Segundo Municipal Code § 15-22-3, and subject to the conditions of approval contained in the attached Exhibit B. The approved AUP allows the sale of beer and wine for consumption on or off the premises at a 1,113 square foot new wine bar located in an existing three tenant commercial building located at 203 West Grand Avenue. The establishment includes a retail wine shop, a tasting room, and will serve food such as charcuterie boards, salads, and sandwiches. Exhibit A contains a full description of the project, environmental determination, and findings in support of the AUP application approval.

This determination is scheduled to be "receive and file" by Planning Commission at the May 22, 2025, meeting. Any Planning Commissioner may request that this permit be discussed, and a decision be made by Planning Commission instead of "receive and file."

Should you have any questions, please contact Assistant Planner Jazmin Farias at (310) 524-2342, or via email at jfarias@elsegundo.org.

Prepared by:

Eduardo Schonborn, AICP
Planning Manager

Approved by:

Michael Allen, AICP
Community Development Director

Exhibit A
Environmental Determination and Required Findings

Environmental Assessment 1385:

After considering the facts and findings below, the Director finds this project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to 14 California Code of Regulations §15303 as a Class 3 categorical exemption (New Construction or Conversion of Small Structures) because the proposed project consists of the conversion of an existing small structure that does not exceed 2,500 square feet in floor area; from one use to another where only minor modifications are made to the exterior of the structure.

Administrative Use Permit 25-02:

As required by El Segundo Municipal Code § 15-22-3, the following are the facts in support of each finding for this decision:

Finding 1:

There is compatibility of the particular use on the particular site in relationship to other existing and potential uses within the general area in which the use is proposed to be located.

Facts in Support of Finding 1:

The project is located within the Downtown Specific Plan (DSP) zone, specifically the Richmond Street District, where bars are subject to an Administrative Use Permit. The project is situated in an environment that allows for more flexibility with a broader mixture of commercial uses including breweries and tasting rooms, entertainment, professional, medical, and dental offices. The new wine bar is in a commercial area and is in proper relation to commercial adjacent uses within this area. Further, the proposed use includes the pairing and serving of foods with alcoholic beverages, which provides a unique distinction from an alcohol-only establishment.

Finding 2:

The proposed use is consistent and compatible with the purpose of the Zone in which the site is located.

Facts in Support of Finding 2:

The property is in the Downtown Specific Plan (DSP) zone specifically the Richmond Street District, where the purpose and intent are to support a vibrant Downtown with places for people to live, work, and play while providing the opportunity for a mix of commercial services. The new wine bar will operate under a Type 42 ABC License, which allows for the sale of beer and wine for consumption on or off the premises where sold, food service is not required, and distilled spirits are not permitted on the premises, and minors are not allowed to enter and remain. Further, the bar will provide amenities in conjunction with the serving of beer and

wine, such as a small retail wine shop, tasting room, and will serve food such as charcuterie boards, salads, and sandwiches. This is consistent with the Downtown Specific Plan (DSP) zone specifically the Richmond Street District as it fosters an eclectic mixed-use environment and provides an additional service to residents, local employees, the surrounding area, and visitors to the city. The bar will improve the business environment by providing a dining and lounge opportunity while offering a small retail component. The proposed wine bar will be visible to both drivers and pedestrians along Grand Avenue and Richmond Avenue which increases the City's ability to attract business. Further, the "Old Town" design of the existing commercial building where the wine bar is going to be located will not be altered and it will continue to enhance the historic Downtown character. The new wine bar will continue to provide an attractive and accessible destination for residents and visitors and incomes to stay, shop, and relax.

Finding 3:

The proposed location and use, and the conditions under which the use would be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.

Facts in Support of Finding 3:

The sale of alcohol will be solely indoors as the wine bar is not proposing an outdoor dining area. Alcohol sales for on-site and off-site consumption are limited to Tuesday through Sunday, 11:00 A.M. to 9:00 P.M. and will be closed on Monday. Food must be available for the indoor 1,113 square foot dining area during the hour's alcohol is sold. Furthermore, several conditions of approval are imposed onto the operations of the wine bar to prevent potential impacts onto the neighboring uses. With the conditions of approval, the use will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.

Finding 4:

The on-site sale and on-site consumption of beer and wine will not create any new impacts that would not be normally associated with the operation of a bar. The hours of operation for dining and alcohol sales are limited to Tuesday through Sunday, 11:00 A.M. to 9:00 P.M. and will be closed on Monday which minimizes impacts on surrounding uses.

In compliance with the requirements of the City of El Segundo and the State of California Department of Alcoholic Beverage Control the bar is subject to County Health Department regulations that address and monitor impacts of fumes and odors.

The existing commercial building has operated without dedicated on-site parking for over 17 years and is legal nonconforming with regards to parking requirements. While the proposed project involves a change of use from retail store to small wine shop and tasting room, the Downtown Specific Plan allows existing uses within buildings of up to 10,000 square feet to convert to any other permitted use without requiring additional on-site parking. Furthermore, the applicant is not proposing

any increase in the floor area dedicated to indoor alcohol consumption, food service, or outdoor dining, and therefore, the project does not trigger additional parking requirements.

Finding 5:

The State Department of Alcohol Beverage Control has issued or will issue a license to sell alcohol to the applicant.

Facts in Support of Finding 5:

The city expects the Applicant will obtain the necessary approvals from the State of California Department of Alcoholic Beverage Control (Type 42 ABC License) for the sale of beer and wine for consumption on or off the premises. In the event the Applicant does not receive such approval by May 22, 2026 the City's approval will be null (Condition No. 13).

Exhibit B
CONDITIONS OF APPROVAL

The Director of Community Development Department approved an Administrative Use Permit (AUP) for a new 1,113 square foot wine bar and artisan food shop (Barsha) that includes the sale of beer and wine for consumption on or off the premises (Type 42 ABC License). In addition to all applicable provisions of the El Segundo Municipal Code (“ESMC”), Jennifer Marca representing Barsha, Inc (“Applicant”) and any successor-in-interest agrees to comply with the following provisions as conditions for the City of El Segundo’s approval of Administrative Use Permit No. AUP 25-02 (“Project Conditions”):

Planning

1. This approval authorizes the wine bar located at 203 West Grand Avenue (Barsha) to operate under a State of California Department of Alcoholic Beverage Control Type 42 (On-Sale Beer and Wine – Public Premises) license.
2. The wine bar alcohol service and dining hours are limited to Tuesday through Sunday, 11:00 A.M. to 9:00 P.M. and will be closed on Monday. Any change to the hours is subject to review and approval by the Community Development Director.
3. Food must be available for the indoor 1,113 square foot dining area during the hours listed above.
4. In accordance with the plans submitted on April 3, 2025, the wine bar shall consist of one tenant space within an existing commercial building described as follows:

Tenant Space (203 West Grand Avenue):

A 1,113 square-foot tenant space located on the west side of a single-story commercial building. Tenant space 203 includes a 552 square foot bar seating/lounge area for on-site dining and consumption of beer and wine, 215 square foot kitchen and bar back area, 175 square foot retail area, and 171 square foot storage area.

5. Any subsequent modification to the approved project (including the approved floor plan areas where alcohol will be served and consumed) shall be to the Community Development Director for approval or a determination regarding the need for Planning Commission review of the proposed modification.
6. The Community Development Department and the Police Department must be notified of any change of ownership of the approved use in writing within 10 days of the completion of the change of ownership. A change in project ownership may be caused to schedule a hearing before the Planning Commission regarding the status of the administrative use permit.
7. No entertainment or dancing is permitted without prior approval pursuant to Title 4, Chapter 8 of the ESMC.

8. The wine bar operations including any entertainment must comply with ESMC §§7-2 regulating noise and vibration.
9. No amplified sound is permitted without prior approval pursuant to Title 4, Chapter 8 of the ESMC.
10. If complaints are received regarding excessive noise, parking availability, lighting, building access, or other nuisances associated with the sale of beer and wine the City may, in its discretion, take action to review the Administrative Use Permit and add conditions or revoke the permit.
11. There shall be no exterior advertising of any kind or type indicating the availability of specific alcoholic beverage products.
12. The applicant shall obtain and maintain all licenses and comply with all regulations of the Alcoholic Beverage Control (ABC) Act (Business & Professions Code Section 23300) and the regulations promulgated by the Board, including the regulations set forth in 4 Cal. Code of Regs. §§55, *et seq.*
13. The applicant shall obtain the necessary approvals from the State of California Department of Alcoholic Beverage Control (ABC) for the expansion of the service area of beer and wine for onsite consumption. If the Applicant does not receive such approval by May 22, 2026 the City's approval will be null.
14. All employees serving beer and wine to patrons must enroll in and complete a certified training program approved by the State Department of Alcoholic Beverage Control (ABC) for the responsible sales of alcohol. The training must be offered to new employees on not less than a quarterly basis.
15. The licensee must have readily identified personnel to monitor and control the behavior of customers inside the building premises. Staff must monitor activity outside in the parking lot and any adjacent property under the establishment's control to ensure the areas are generally free of people.
16. The Applicant agrees to indemnify and hold the City harmless from and against any claim, action, damages, costs (including, without limitation, attorney fees), injuries, or liability, arising from the City's approval of Environmental Assessment No. EA-1385 or Administrative Use Permit No. AUP 25-02. Should the City be named in any suit, or should any claim be brought against it by suit or otherwise, whether the same be groundless or not, arising out of the City approval of Environmental Assessment No. EA-1385 or Administrative Use Permit No. AUP 25-02, the Applicant agrees to defend the City (at the City's request and with counsel satisfactory to the City) and will indemnify the City for any judgment rendered against it or any sums paid out in settlement or otherwise. For purposes of this section, "the City" includes the City of El Segundo's elected officials, appointed officials, officers, and employees.

17. Jennifer Marca representing Barsha, Inc shall acknowledge receipt and acceptance of the project conditions by executing the acknowledgement below.

Building and Safety

18. The project shall comply with the 2022 (or most current) California Building Standards Codes and City of El Segundo Amendments.
19. All Building and Safety Division comments on Planning Division discretionary reviews are preliminary. A complete code review will be done at the time of permit application.
20. Building and Safety requires all new commercial submittals to include all trades during the initial review sequence (Architectural, Structural, Mechanical, Electrical, Plumbing, Grading, LID, Geotechnical Review, Etc).
21. A change of use will trigger new building review- must comply with current code requirement for a new structure. Fire sprinklers may be required.

Fire

22. The adopted edition of the California Code of Regulations, Title 24, Parts 1 through 12, and the El Segundo Municipal Code shall apply at the time the architectural plans are submitted for construction permits.
23. The permanent building address shall be provided and either internally or externally lit during hours of darkness. The address shall be clearly visible from the street fronting the property and comply with California Fire Code Section 505.1 for size and color.
24. Prior to building final, the building shall be provided with a Knox Lock key box located no more than seven feet above the finished surfaced and near the main entrance door.

Police

25. The following type of live entertainment is prohibited: topless entertainment, adult oriented fashion shows, and other entertainment as regulated by the El Segundo Municipal Code.
26. Licensee(s) shall not require an admission charge or a cover charge for general admittance. There shall be no requirement to purchase a minimum number of drinks.
27. Persons who appear obviously intoxicated shall not be admitted into the licensed premises.
28. Aisles and hallways shall be kept clear in order to allow patrons to move freely about the licensed premises.

29. The quarterly gross sales of alcoholic beverages shall not exceed the gross sales of food during the same period. The licensee shall, at all times, maintain records which reflect separately the gross sale of food and the gross sales of alcoholic beverages of the licensed business. Said records shall be kept no less frequently than on a quarterly basis and shall be made available to Alcohol Beverage Control on demand.
30. No booth or group seating shall be installed which completely prohibits observation of the occupants.
31. The wine bar operator shall retain full control of all events with the subject premises. No premises may be sublet to an independent promoter for any purpose.
32. All patrons who appear under the age of 30 shall not be served or allowed to consume alcoholic beverage unless they provide proof of age by providing one of the following forms of identification:
 - a. Valid driver's license.
 - b. Valid State identification card.
 - c. Valid passport.
 - d. Current military identification.
 - e. U.S. Government immigrant identification card.

A sign indicating this policy shall be prominently posted in a place that is clearly visible to patrons.

All forms of out-of-state identification shall be checked by the authorized representative of the owner of the licensed premises in the Driver's License Guide. Upon presentment to the authorized representative of the owner of the licensed premises, the patron's form of identification shall be removed from the patron's wallet or any plastic holder and inspected for any alterations through a close visual inspection and/or use of a flashlight or "Retro-reflective viewer" or other electronic device as approved by the Police Department.

33. Patrons who appear obviously intoxicated shall not be served any alcoholic beverages.
34. There shall be no promotions encouraging intoxication or drinking contests or advertisements indicating "Buy one drink, get one free," "Two for the price of one," "All you can drink for ...," or similar language. *Condition added by the*
35. The licensee(s) or an employee of the licensee(s) will be always present in any patio and outdoor accessory area when alcoholic beverages are being served or consumed. An alternative is to have at least two (2) cameras monitoring the patio/outdoor accessory area and should be capable of distinguishing unauthorized persons in the patio and accessory area including underage persons consuming alcohol or alcohol being removed from the premises via the patio and accessory area. Monitoring of the cameras shall be in an active area where

employees are always present and can easily view these cameras. Cameras must be approved by the Police Department.

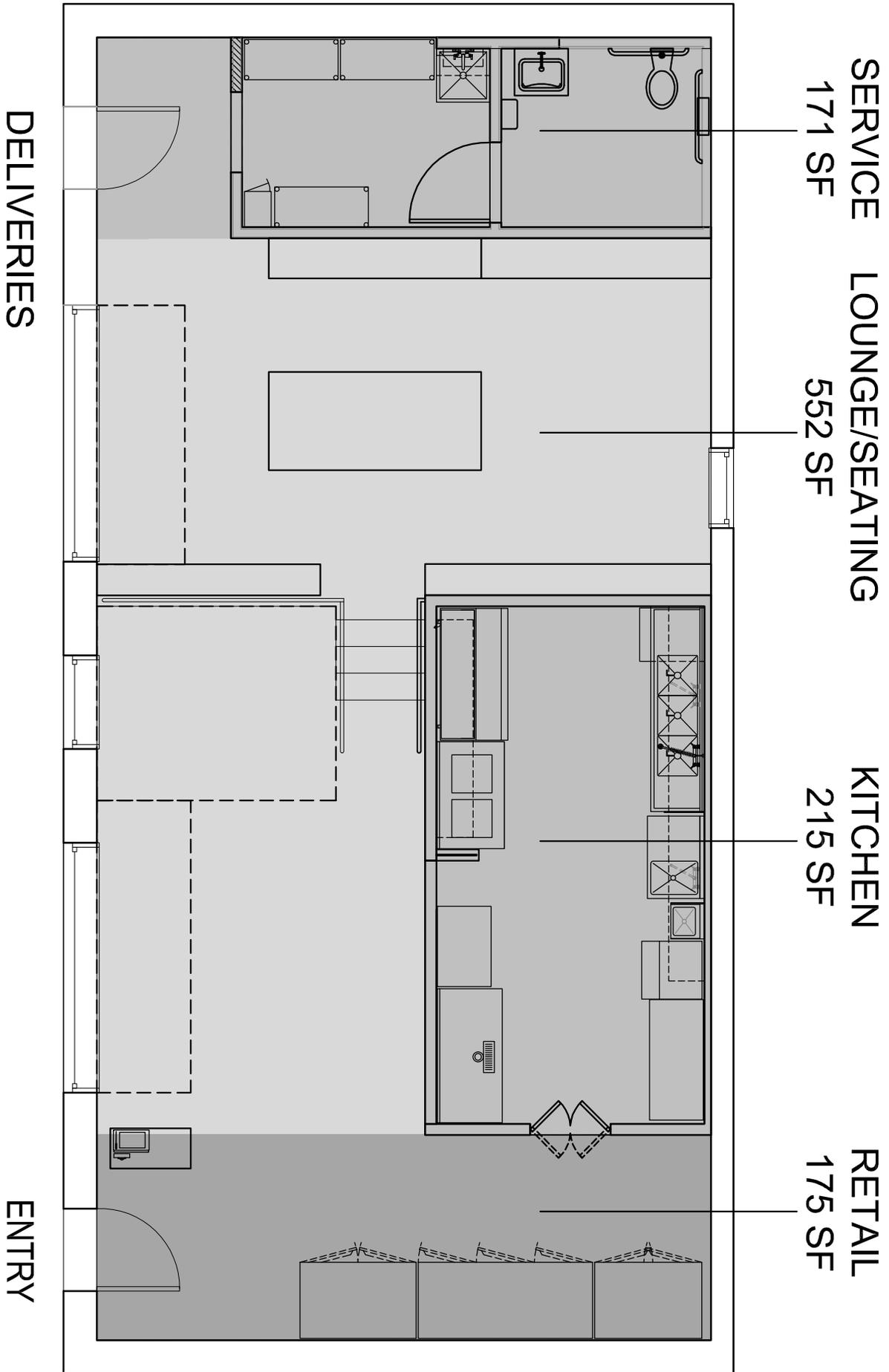
36. There shall be no "stacking" of drinks, i.e., more than one drink at a time, to a single patron.
37. When serving pitchers exceeding 25 ounces of an alcoholic beverage, all patrons receiving such pitcher, as well as all patrons who will be consuming all or any portion of such pitcher, shall present an ID to the server if they appear to be under the age of 30, if not previously checked at the entrance to the licensed premises.
38. Except for wine bottles, oversized containers or pitchers containing in excess of 25 ounces of an alcoholic beverage shall not be sold to a single patron for their sole consumption.
39. The sale of alcoholic beverages for consumption off the premises is strictly prohibited.
40. Employees and contract security personnel shall not consume any alcoholic beverages during their work shift.
41. A file containing the names and dates of employment of every person who serves alcoholic beverages for consumption by patrons on the licensed premises and every manager, which file shall also include a copy of each person's certificate of completion of the Department of Alcohol Beverage Control L.E.A.D. course (Licensee Education on Alcohol and Drugs). Upon request, said file shall be made available for review to representative of the Police Department. New employees will have 60 days from date of employment to obtain L.E.A.D. certification, or a police department approved alternative training course meeting the objectives of L.E.A.D. training.
42. There shall be a Designated Driver Program, that provides an incentive to the person not drinking alcoholic beverages, who is in a group of three or more, to be the designated driver for that group of patrons.
43. There shall be a taxi or ride sharing ride program where the establishment will offer to call a ride for patrons when it seems appropriate.
44. Except in case of emergency, the licensee shall not permit its patrons to enter or exit the licensed premises through any entrance/exit other than the primary entrance/exit, excluding entrances/exits to/from patio areas. Steps shall be taken by the licensee to discourage unauthorized exiting such as special locking devices or staff at the doors.
45. Any patron who (1) fights or challenges another person to fight, (2) maliciously and willfully disturbs another person by loud or unreasoned noise, or (3) uses offensive words which are inherently likely to provoke an immediate violent reaction shall be removed from the premises.

46. An incident log shall be maintained at the licensed premises on a continual basis with at least one year of entries and be readily available for inspection by a police officer. The log is for recording any physical altercations, injuries, and objectionable conditions that constitute a nuisance occurring in, on, or at the licensed premises, including the immediately adjacent area that is owned, leased, or rented by the licensee. The log will indicate date, time, description of incident, and action taken. "Objectionable conditions that constitute a nuisance" means disturbance of the peace, public drunkenness, drinking in public, harassment of passersby, gambling, prostitution, loitering, public urination, lewd conduct, drug trafficking, or excessive loud noise.
47. The Chief of Police may require State of California licensed security guards to perform crowd control inside and outside of the establishment. The number of security guards and hours security shall be present shall be as determined by the Chief of Police and based upon the type of activities anticipated at the location or based upon prior history of activity at this establishment or other similar businesses.
- a. Security personnel required by the administrative use permit issued for the licensed premises shall be in a uniform or clothing which readily identifies them as a security person. They shall maintain order and enforce the establishment's no loitering policy, and shall take "reasonable steps" (as that term is defined in subparagraph (3) of Section 24200 of the California Business and Professions Code) to correct objectionable conditions that constitute a nuisance.
 - b. Contract security services, proprietary security personnel, or personnel assuming the functions typically associated with security shall be familiar with the establishment's written security policy and procedures by reviewing them and signing they have read and understood them. The signed acknowledgement shall be kept in a file relating to the security manual.
 - c. Prior to utilizing a contract security guard company, the establishment shall verify the security company has a current city business license.
48. The business owner shall install and maintain a closed-circuit television system capable of readily identifying facial features, and stature of all patrons entering the establishment. Cameras are to be color and record, including keeping a minimum 30-day library of events, which shall be available for downloading and inspection by the Police Department.
49. The owner or manager of the licensed premises shall notify the Chief of Police at least three (3) days in advance of a special promotion or special event scheduled at the licensed premises.
50. If an outside promoter is utilized for providing entertainment after midnight, the Chief of Police shall be notified at least three (3) days in advance of the promoter's name and proposed entertainment.

51. Lines to enter the establishment shall not encroach into any parking or driveway areas and are to be maintained in an orderly fashion. Persons are to not to loiter about the exterior of the facility.

These Conditions are binding upon Jennifer Marca representing Barsha, Inc, and all successors and assigns to the property at 203 West Grand Avenue, El Segundo, CA 90245 until superseded by another approval letter or rescinded.

Jennifer Marca, Applicant





Planning Commission Agenda Statement

Meeting Date: May 22, 2025

Agenda Heading: UNFINISHED BUSINESS

Item Number: D.4

TITLE:

Study Session on Incubator and Innovative Start-up Uses within the Smoky Hollow Specific Plan Area.

RECOMMENDATION:

1. Receive and file a presentation and provide direction on a potential Smoky Hollow Specific Plan amendment to the permitted uses, development standards, and definitions related to incubator and innovative start-up uses.
2. Alternatively, discuss and take other action related to this item.

FISCAL IMPACT:

None.

BACKGROUND:

In 2018, the City comprehensively updated the Smoky Hollow Specific Plan to enable new creative office and technology businesses to thrive. The Specific Plan development standards, permit processes, and infrastructure plans are intended to facilitate new development and adaptive reuse of properties. In 2023, the City amended the Specific Plan to streamline the Community Benefit Plan (CBP) review process, strengthen the development and design standards, and permit additional complementary uses in the area.

The current item is an additional step toward the same Specific Plan goal of attracting creative and cutting-edge businesses and making Smoky Hollow an economic engine for the City. The study session focuses on facilitating the establishment and growth of small-scale, technology start-up businesses. The term used for these businesses in this report is "Incubator and Innovative Start-up." A potential ordinance would amend the Specific Plan to establish a definition, a permit process, and modify the parking requirements for Incubator and Innovative Start-up uses.

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The discussion below describes some of the zoning barriers for Incubator and Innovative Start-ups, summarizes the Planning Commission's discussion during the previous study session on this topic, presents additional staff research and outreach on this topic, and outlines the framework for a potential Smoky Hollow Specific Plan amendment for consideration.

Figure No. 1 - Smoky Hollow Location Map



DISCUSSION:

Barriers for Start-ups

Since adoption of the Specific Plan, staff has interacted with several technology start-up businesses and has identified two regulatory barriers that discourage them from locating in Smoky Hollow: 1) the lack of a clear definition and permit process, and 2) the parking requirements for changes of use.

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Permitted Uses and Definitions

The Smoky Hollow Specific Plan permits the following uses that relate to start-up companies:

- Industrial, Heavy (CUP)
- Industrial, Light
- Research and Development
- Warehousing
- General Offices

These uses have specific definitions that are drafted narrowly to limit the range of business types that can operate in Smoky Hollow. The use of narrow definitions for permitted uses is very common in zoning regulations and is intended to prevent undesirable and incompatible uses in specific areas of a jurisdiction. This is generally the case in the El Segundo Municipal Code (ESMC) and in the City's specific plans.

One of the unintended consequences of this approach is that it does not take into account new use types that arise due to changes in the economy and business environment, or uses, like start-ups, that evolve and grow after their initial establishment. As a result, the current narrow approach to regulating uses has excluded desirable and beneficial uses, because they don't completely match the city's current definitions of permitted uses. Start-ups are particularly at risk of being excluded, because they typically involve new technology, business types, which grow and evolve fast. City staff is generally flexible and makes frequent use of the Specific Plan's provisions, such as administrative determinations to accommodate new uses. However, a more comprehensive solution is necessary to attract start-ups and meet the specific plan's goal of becoming an incubator of creative and high-technology businesses.

Parking Requirements for Changes of Use

The second barrier for start-ups is the Smoky Hollow Specific Plan (SHSP) parking requirements. The SHSP is unique in the City, because it has a single parking rate requirement for all the permitted uses. The required parking rate is 1 space per 400 gross square feet (g.s.f.) of floor area, which is a relatively low parking rate particularly for office uses. This single rate is a built-in incentive in the specific plan to allow for the easy change from one use to another. However, the specific plan requires existing buildings that do not meet the minimum requirement to fully comply with the parking requirement in conjunction with a change of use. Due to the lack of available parking off-site and the high cost of the Smoky Hollow parking in-lieu fee (See Attachment No. 1), which is currently \$32,264 per space, complying with this parking requirement can be challenging, especially for start-up companies that begin at a small scale and with limited resources.

Planning Commission Study Session

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On September 12, 2024, staff presented some initial research on this topic to the Planning Commission at a study session. During the study session, the Planning Commission considered and gave input on the following topics:

1. A draft definition for Incubator and Innovative Start-up uses. During the discussion, the Planning Commission expressed support for staff's approach to define these uses more broadly, but to establish some parameters for desirable industry types, the use of raw and/or hazardous materials, and the scale of any manufacturing activity.
2. A permit process. The Planning Commission considered whether these uses should be permitted by right, through a Temporary Use Permit (TUP), or another discretionary permit, such as an Administrative Use Permit, or a Conditional Use Permit (CUP). The Planning Commission expressed support for streamlining the permit process as much as feasible and avoiding the use of CUPs, which can be time-consuming and costly. The Commission further stated that TUPs should not be used, because they are temporary in nature and do not provide certainty to potential businesses. Finally, the Commission also encouraged staff to use the Administrative Determination (AD) process, which provides the most flexibility when considering new use types.
3. Parking and other standards. The Planning Commission considered and did not oppose staff's suggestion to exempt or require reduced parking for Incubator and Innovative Start-up uses.

Real Estate Solutions for Startups Roundtable

On March 26, 2025, Community Development staff attended a "roundtable" meeting hosted by Mayor Pimentel, Council member Boyles, and the City's Economic Development team. The meeting was attended by local real estate professionals, property owners, developers, and technology start-up company executives. At the meeting, staff presented a draft definition for Incubator and Innovative Start-up uses and potential amendments to the Smoky Hollow Specific Plan to remove barriers and attract more start-up companies to Smoky Hollow. The feedback received from the Roundtable as it relates to Smoky Hollow can be summarized as follows:

- Definition. Keep the definition short and focus on desirable industry types that already have a presence and talent concentration in the area.
- Permit process. Streamline and reduce steps in the zoning/permit process. The feedback regarding the AUP process was mixed, with some participants in favor of permitting start-ups by right and other participants open to an AUP process, provided it is efficient.
- Environmental Review. Streamline the California Environmental Quality Act (CEQA) review process to the extent possible.
- Parking. Start-ups tend to grow fast. Initially, a parking exemption or reduction

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can be beneficial. However, as companies grow, parking supply can become a constraint.

- **Parking.** Consider eliminating parking requirements and allowing the market to manage it. Start-up businesses may begin operations with a low employee count, but their operations and employee count tend to grow fast. As a result, it is difficult to estimate their parking needs and a potential parking requirement as the business evolves.
- **Heavy Industrial/manufacturing.** Allow a reasonable proportion of the Start-up business space to be used for heavy industrial/manufacturing purposes, but avoid noxious and polluting activities.

Fire and Environmental Safety Regulation

In response to a discussion regarding hazardous materials at the Planning Commission study session and the Roundtable meeting, staff consulted with the Fire Department regarding hazardous materials regulations. Generally, Fire regulations have limits on the permitted quantities of hazardous materials, but they depend on multiple factors, including the types of materials, a building's construction features, the existence of fire sprinkler systems, the manner of materials isolation and/or separation, etc. As a result, there is no single rule that determines the allowed quantity of permitted hazardous materials. However, there is a threshold for the minimum reportable quantity. Once the threshold is reached, a business has to submit inventories, business plans, and other documentation to the Fire Department's Environmental Safety Division to obtain a permit, and then it is subject to routine inspections. The reportable quantities are:

1. 500 pounds or more of a solid
2. 55 gallons or more of a liquid
3. 200 cubic feet or more of a compressed gas

Based on Fire Department staff, state regulations require routine inspections every three years. However, the Fire Department conducts its inspections at a frequency of every one and a half years. During those inspections, Fire Department staff identify compliance issues and ensure businesses take corrective actions to properly store and handle the hazardous materials.

CEQA Review

The CEQA environmental review process considers the storage, management, and/or disposal of hazardous materials. However, the CEQA process is triggered only when a project involves an application for a discretionary permit, such as a Site Plan Review (SPR) or a Community Benefit Plan (CBP), and when it exceeds certain size thresholds. An SPR application is triggered only when a project involves new construction or an addition of 50,000 square feet of commercial or industrial space, as stated in El Segundo Municipal Code (ESMC) Chapter 15-25. A CBP application is triggered when

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a new construction or addition exceeds the permitted Floor Area Ratio (FAR), the permitted height, or other substantial exceptions to development standards, as stated in Smoky Hollow Specific Plan Chapter 4. Properties and buildings in Smoky Hollow are relatively small, and Start-up companies moving to the area typically lease existing buildings without substantial new construction or additions. As a result, companies storing or managing hazardous materials are only subject to the Fire Department review process described above, and CEQA review is not a barrier for the Start-up companies considered in this report.

Smoky Hollow Use Definitions

After the Planning Commission's first study session, staff revisited the definitions of Research and Development, Light Industrial, and Heavy Industrial uses in the Smoky Hollow Specific Plan. The reason these definitions are important is that Light Industrial and R&D uses are permitted by right in the Specific Plan, whereas Heavy Industrial uses are subject to a CUP. The definitions are listed below:

1. Light Industrial. A use engaged in the manufacture, predominately from previously prepared materials, of finished products or parts.
2. Research and Development (R&D). Establishments engaged in study, testing, design, analysis and experimental development and testing of products, processes or services.
3. Heavy Industrial. The manufacturing, compounding, processing, assembling or testing of large heavy items or materials in bulk.

At the September study session, staff and the Commission expressed a concern that Incubator and Innovative Start-ups using any raw materials would be automatically subject to a CUP. However, based on the Light Industrial definition above, Light Industrial uses may use some raw materials, provided that they predominantly use previously prepared materials in their operation. Therefore, Incubator and Innovative Start-ups with a Light Industrial component may use limited raw materials without being subject to a CUP. In addition, the Research and Development definition does not refer to either raw or previously prepared materials. Therefore, Incubator and Innovative Start-up uses with a Research and Development component are not specifically limited in the types of materials they can use. Further, the Heavy Industrial definition does not specifically refer to the use of raw or previously prepared materials. Instead, it refers to the size and quantity of the items or materials produced. Therefore, Incubator and Innovative Start-ups may produce large heavy items or materials in limited numbers without being subject to a CUP. In conclusion, staff believes it is possible to craft a definition for Incubator and Innovative Start-ups that involves limited use of raw materials and manufacturing of limited numbers of items or materials.

Framework for a Potential Ordinance

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Definition for Incubator and Innovative Start-up uses

Based on the Planning Commission's previous direction and the additional research presented above, staff has prepared a revised definition for consideration:

"General Definition:

An establishment specifically designed to nurture the growth and development of innovative, early-stage (start-up) businesses. These facilities are intended to support small visionary start-ups with large aspirations, fostering an environment where innovation thrives and supporting growth during their initial stages. These establishments facilitate a variety of activities aimed at generating new and improved products and services.

Permitted activities and facilities

Activities within Incubator and Innovative Start-up uses take various forms, such as design, research, development, testing, prototyping, scaling up, and/or manufacturing; and the outcomes can range from products, inventions, patents, and/or knowledge. The facilities involved may include R&D labs, offices, warehouses, and manufacturing equipment as part of the overall use.

Permitted Industry Types

Incubator and Innovative start-up uses may encompass businesses in industries such as aerospace & defense, energy, national security-related software and hardware technology, life sciences (biotechnology, pharmaceuticals, food, agriculture, and the environment), and other research, development, and innovation fields.

Operational/development characteristics

These uses generally have an initially low employee count and workspace needs, but have the potential to expand quickly and affect the area's on-street parking availability. These uses generally do not contribute to nuisance factors, such as noise, vibration, glare, heat, dust, humidity, odor or any type of air or waste pollution that may potentially be hazardous beyond the site's property lines. *Incubator and innovative start-up* uses are not intended to:

1. manufacture mass quantities of physical products, or
2. use large quantities of raw and/or hazardous materials."

The above definition is intentionally broad and includes various activities and facilities that may be combined into a single business operation, as well as various desirable industry types and would, thus, encourage more Start-ups to choose Smoky Hollow. In addition, the definition includes operational characteristics that can be used to exclude those uses that would have potential negative impacts.

Proposed Permit Process

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Staff proposes permitting these uses by right in the two primary zoning districts, Smoky Hollow East (SH-E) and Smoky Hollow West (SH-E), provided the use of raw materials and manufacturing activity is limited. One of the potential issues to work out would be to define the limitations on the permitted amounts of raw materials and manufacturing volume. This could be done through an ordinance and part of the Specific Plan's standards or through a flexible policy that can be modified easily if needed.

Parking Requirements

Staff had previously considered and suggested to the Planning Commission an exemption from the "change-of-use" parking requirements for Incubator and Innovative Start-ups. This suggestion was based on the understanding that Incubator and Innovative Start-ups are generally small, non-intensive operations with a low employee count. The Roundtable meeting feedback and other feedback from property owners and start-up businesses suggests that while Incubator and Innovative Start-ups may start small, they tend to grow fast naturally. So, any parking policy or amendment should take into account the potential growth of these businesses.

Alternative Parking Approaches:

- Maintain the parking requirement for changes-of-use. Incubator and Innovative Start-ups tend to grow fast and generate a parking demand, so it would be reasonable to require off-street parking for them.
- Offer a discounted rate for the Parking In-lieu Fee. To incentivize Incubator and Innovative Start-ups to locate in Smoky Hollow, the City could discount the parking in-lieu fee. This would incentivize new businesses to locate in Smoky Hollow, while ensuring they contribute toward construction of more on-street parking to meet the additional parking demand they generate.
- Offer an exemption from or reduction in the change-of-use parking requirement if the business commits to voluntarily implement specific Transportation Demand Management (TDM) measures identified in ESMC Chapter 15-16. These measures are programs, facilities, or amenities provided on private property that reduce the parking demand generated by the businesses or users of a site. These measures are typically required for new buildings that meet certain size thresholds, and as the building size grows, additional measures are required. Examples of these measures include: providing rideshare and public transit information to employees, reserving parking spaces for carpool or vanpool vehicles, providing bicycle facilities, showers, or lockers, etc. More information regarding these TDM measures can be found in Attachment No. 2 - ESMC Chapter 15-16 (Developer Transportation Demand Management).

Conclusion

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The City places an importance on attracting new businesses, as stated in Strategic Plan Goal No. 5 to "champion economic development and fiscal sustainability." The potential specific plan amendments discussed above would help address two important zoning barriers and would help incentivize Incubator and Innovative Start-ups uses to locate in Smoky Hollow. In addition, removing these barriers helps to specifically implement the first guiding principle and goal of the Smoky Hollow SP to make Smoky Hollow an incubator hub and creative center regionally and to attract creative and cutting-edge technology businesses to the area.

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. Attachment 1 - ESMC Chapter 15-33 (Parking In-lieu Fees)
2. Attachment 2 - ESMC Chapter 15-16 (Developer Transportation Demand Management))

CHAPTER 33

PARKING IN-LIEU FEES

SECTION:

15-33-1: Purpose

15-33-2: Parking In-Lieu Fee Areas

15-33-3: Payment

15-33-4: No Vested Rights

15-33-5: Director Approval Required

15-33-1: PURPOSE:

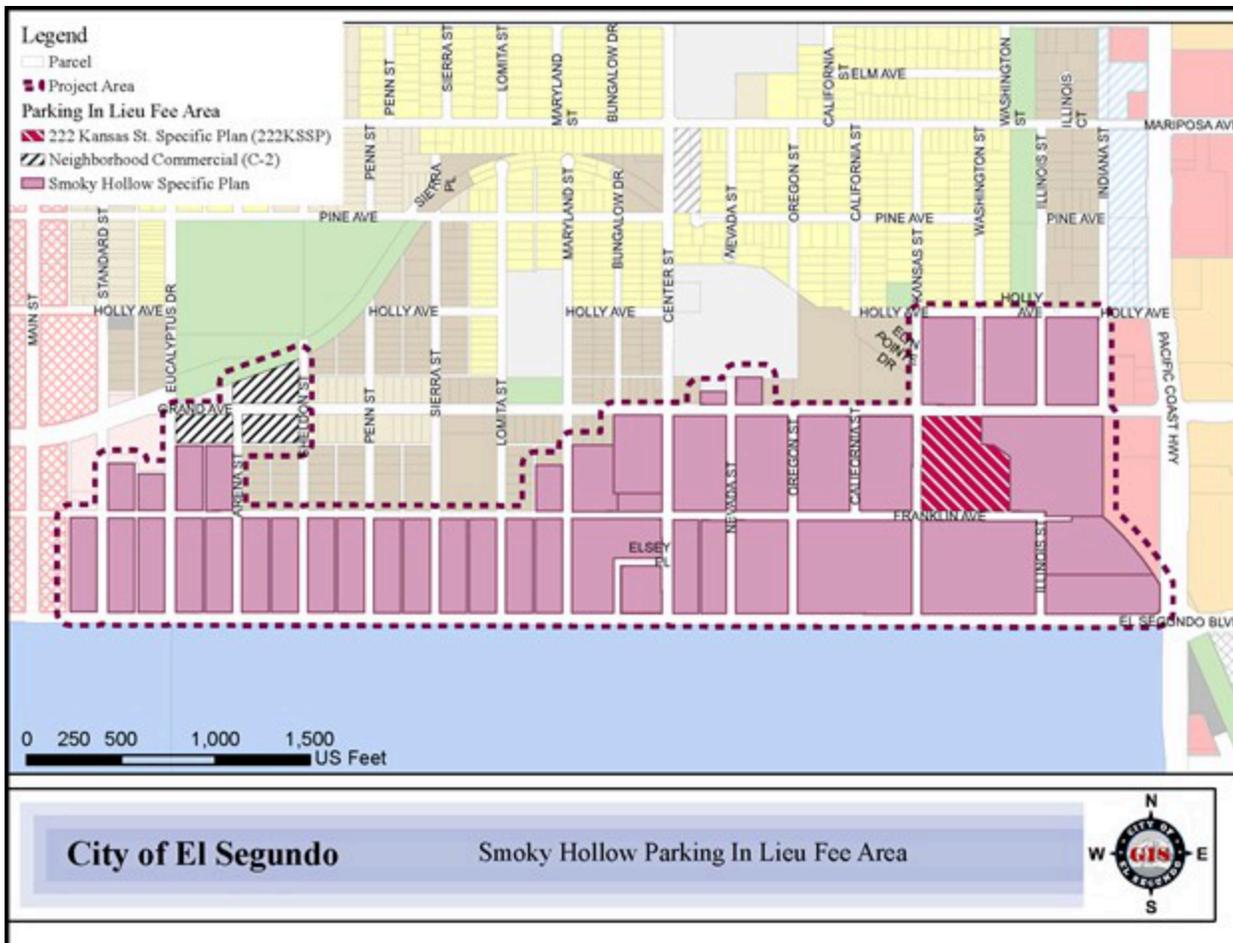
This chapter establishes fees in lieu of providing on-site parking spaces within designated parking in-lieu fee areas. (Ord. 1574, 10-2-2018)

15-33-2: PARKING IN-LIEU FEE AREAS:

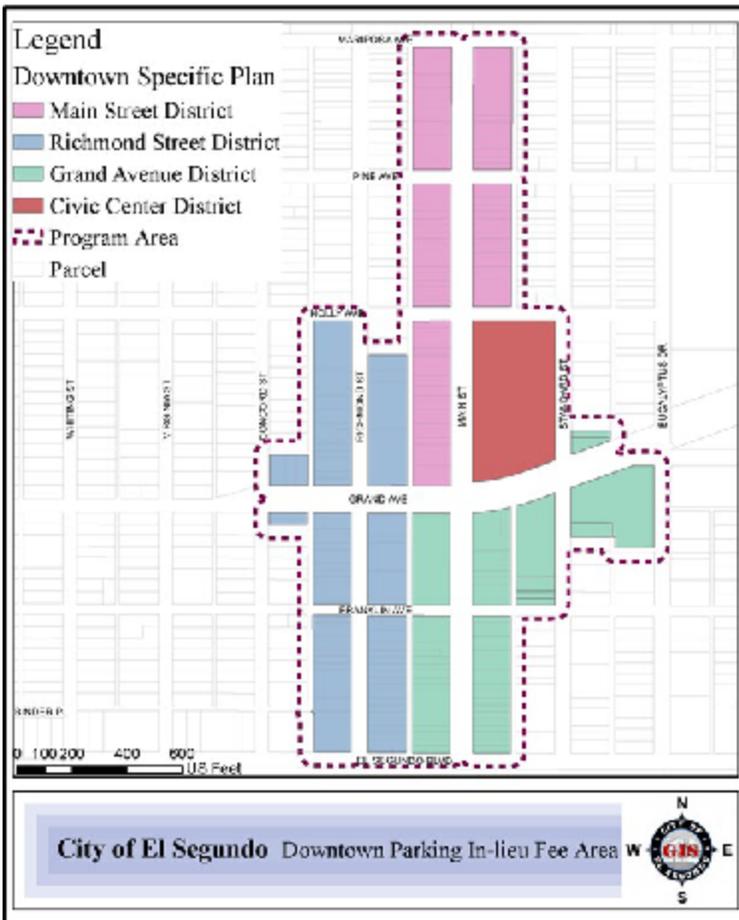
Any property owner of a property located within a parking in-lieu fee area identified below may pay parking in-lieu fees as established by the City Council, in lieu of providing required on-site parking spaces as outlined in section 15-15-6 of this title or applicable specific plans.

PARKING IN-LIEU FEE AREAS

A. Smoky Hollow Specific Plan area



B. Downtown Specific Plan area



(Ord. 1574, 10-2-2018; amd. Ord. 1661, 5-21-2024)

15-33-3: PAYMENT:

A. **Timing Of Payment:** The parking in-lieu fee must be paid before the City issues a Certificate of Occupancy for the project or formally approves the project when such project does not require a Certificate of Occupancy. In addition, the parking in-lieu fee may be paid over a period of time, as approved by City Council resolution.

B. **Use Of Funds:** Funds collected by the City from such payments must be deposited in a separate fund and may not be commingled with any other City fund. Monies from the In-Lieu Fund may only be used for acquiring, developing and maintaining additional on-street and off-street parking and parking facilities within or adjacent to the area where they are collected. Funds paid to the City for in-lieu parking are non-refundable.

C. **Written Agreement/Contract Required:** Notwithstanding any other provision of this chapter, payment of the parking in-lieu fee must be provided by means of a written contract with the City. The contract must meet requirements identified by City Council resolution and approved as to form by the City Attorney. (Ord. 1574, 10-2-2018)

15-33-4: NO VESTED RIGHTS:

Payment of a parking in-lieu fee does not provide or vest any property owner with a special right, privilege or interest of any kind in any parking facility that may result from the payment of the fee. The City retains sole discretion to decide when and how the fees will be spent in accordance with this chapter. The City retains sole discretion to determine where and when it will build parking, and the City is under no obligation to, and makes no such representation that it will, build parking in a location near the fee payer's property or that is advantageous to the fee payer. (Ord. 1574, 10-2-2018)

15-33-5: DIRECTOR APPROVAL REQUIRED:

Requests to pay parking in-lieu fees for more than 50 percent of the required parking spaces for a property or project as outlined in section 15-15-6 of this title or applicable specific plans must be approved by the Director at his or her discretion. The Director must consider potential impacts to the surrounding area when deciding whether to approve such a request. The Director's decision may be appealed to the Planning Commission pursuant to section 15-29-2 of this title. (Ord. 1574, 10-2-2018; amd. Ord. 1661, 5-21-2024)

CHAPTER 16

DEVELOPER TRANSPORTATION DEMAND MANAGEMENT (TDM)

SECTION:

15-16-1: Purpose

15-16-2: Applicability Of Requirements

15-16-3: Development Standards

15-16-4: Monitoring

15-16-5: Enforcement

15-16-1: PURPOSE:

The purpose of this chapter is to set forth requirements for major new developments to provide facilities that encourage and accommodate the use of ridesharing, transit, pedestrian, and bicycle commuting as alternatives to single occupant motor vehicle trips. A reduction in such trips can be expected to assist in reduced traffic congestion, air pollution and energy consumption impacts related to the new employment growth accommodated by new developments. (Ord. 1212, 11-16-1993)

15-16-2: APPLICABILITY OF REQUIREMENTS:

A. Prior Approval: Prior to approval of any development project, the applicant shall make the provision for, as a minimum, all of the following applicable transportation demand management and trip reduction measures.

B. Exceptions: This chapter shall not apply to projects for which a development application has been deemed "complete" by the city pursuant to California Government Code section 65943, or for which a notice of preparation for a DEIR has been circulated or for which an application for a building permit has been received, prior to the effective date hereof.

C. Increased Floor Space: The requirements shall also apply to any existing nonresidential use which proposes to increase its gross floor area by twenty five percent (25%) or more above the floor area existing on the effective date hereof, and which after expansion exceeds the minimum building size. This chapter shall then apply to the entire development. (Ord. 1212, 11-16-1993)

D. Existing Developments: Existing nonresidential developments regardless of size may voluntarily comply with the development standards and receive reductions in the total number of required parking spaces as provided in section 15-16-3 of this chapter, subject to the monitoring provisions in section 15-16-4 of this chapter.

E. Maintenance: All facilities and improvements constructed or otherwise required must be maintained in a state of good repair. (Ord. 1444, 8-3-2010)

15-16-3: DEVELOPMENT STANDARDS:

A. Twenty Five Thousand Square Feet: Nonresidential development of twenty five thousand (25,000) square feet or more and all projects within the urban mixed use zone must provide the following to the satisfaction of the director of community development: a bulletin board, display case or kiosk displaying transportation information located where the greatest number of employees are likely to see it. Information in the area must include, but is not limited to, the following:

1. Current maps, routes and schedules for public transit routes serving the site;
2. Telephone numbers for referrals on transportation information including numbers for the regional ridesharing agency and locate transit operators;
3. Ridesharing promotional material supplied by commuter oriented organizations;

4. Bicycle route and facility information including regional/local bicycle maps and bicycle safety information; and

5. A listing of facilities available for car poolers, vanpoolers, bicyclists, transit riders and pedestrians at the site.

B. Fifty Thousand Square Feet: Nonresidential development of fifty thousand (50,000) square feet or more must comply with subsection A of this section, and must provide all of the following measures to the satisfaction of the director of community development:

1. Preferential Parking: Not less than fifteen percent (15%) of employee parking areas must be designated as preferential parking and must be located as close as is practical to the employee entrance(s) without displacing handicapped and customer parking needs. This preferential car pool/vanpool parking area must be identified on the site plan upon application for building permit, to the satisfaction of the director of community development. A statement that preferential car pool/vanpool spaces for employees is available, and a description of the method for obtaining such spaces must be included on the required transportation information board. Projects may reduce the total number of required parking spaces by one vehicle space for every one space which is marked and reserved for preferential parking, up to a maximum of ten percent (10%), upon application to and approval by the director of community development.

2. HOV Loading Area: A safe and convenient zone must be provided in which high occupancy vehicles (vanpools and car pools) may deliver or board their passengers. This staging area must provide adequate space for passenger loading, unloading and waiting, which does not interfere with on site circulation patterns. When located within a parking structure, a minimum vertical interior clearance of seven feet two inches (7'2") or the minimum required by the California building code, whichever is greater, must be provided for the loading area in accessways to be used by such vehicles. Adequate turning radii and parking space dimensions must also be included in HOV loading areas.

3. Vanpool Access: Preferential parking spaces reserved for vanpools must be accessible to vanpool vehicles. When located within a parking structure, a minimum vertical interior clearance of seven feet two inches (7'2") or the minimum required by the California building code, whichever is greater, must be provided for those spaces and accessways to be used by such vehicles. Adequate turning radii and parking space dimensions must also be included in vanpool parking areas.

4. On Site Amenities Or Shuttle: In order to reduce the need for employees to drive personal vehicles for midday activities, the project must provide any one or more of the following measures which together must be sized to accommodate during the course of the business day at least twenty percent (20%) of the on site population:

a. On site amenities.

b. Guaranteed operation of a privately operated midday shuttle serving the project site for the life of the project.

A reduction in the total number of required parking spaces of up to one percent (1%) must be permitted, based on the extent of the amenities, upon application to and approval by the director of community development.

5. Bicycle Facilities: Bicycle racks or other secure bicycle parking spaces must be provided according to chapter 15, "Off Street Parking And Loading Spaces", of this title. A bicycle parking facility may also be a fully enclosed space or locker accessible only to the owner or operator of the bicycle, which protects the bike from inclement weather. Specific facilities and location (e.g., provision of racks, lockers, or locked room) must be provided to the satisfaction of the director of community development.

6. Shower And Lockers (Optional): Projects may provide shower and locker facilities for bicycle riders, motorcycle riders, and pedestrians. If these facilities are provided, the number of preferential parking spaces may be reduced by up to three percent (3%) and the total number of required spaces may be reduced up to one percent (1%) based on the extent of facilities, upon application to and approval by the director of community development.

7. Transit Support Facilities (Optional): Projects may provide facilities which will promote transit use. If transit facilities are provided, the number of preferential parking spaces may be reduced by up to five percent (5%), and the total number of required spaces may be reduced up to one percent (1%) for provision of bus

transit facilities, and up to two and one-half percent (2¹/₂%) for rail transit, upon application to and approval by the director of community development.

C. One Hundred Thousand Square Feet: Nonresidential development of one hundred thousand (100,000) square feet or more must comply with subsections A and B of this section, and must provide all of the following measures to the satisfaction of the city:

1. Sidewalks or other designated pathways following direct safe routes from the external pedestrian circulation system to each building in the development.

2. If determined necessary by the city to mitigate the project impact, bus stop improvements must be provided. The city will consult with the local bus service providers in determining appropriate improvements. When location of bus stops and/or planning building entrances, entrances must be designed to provide safe and efficient access to nearby transit stations/stops.

3. Safe and convenient access from the external circulation system to bicycle parking facilities on site. (Ord. 1444, 8-3-2010; amd. Ord. 1620, 11-17-2020; Ord. 1639, 9-20-2022)

15-16-4: MONITORING:

Physical facilities shall be verified through the city's existing development review process. Initial enforcement shall consist of verification during plan check and field inspection prior to release of utilities/certificate of occupancy (to ensure that preferential parking spaces are marked, lockers are installed, etc.). Subsequent enforcement shall be per established zoning code procedures. (Ord. 1212, 11-16-1993)

15-16-5: ENFORCEMENT:

The director of community development or his/her representative is hereby designated as the enforcing agent of this chapter and any amendments thereto pursuant to section 15-1-4 of this title. (Ord. 1444, 8-3-2010; amd. Ord. 1620, 11-17-2020; Ord. 1639, 9-20-2022)