ORDINANCE NO. 1400

AN ORDINANCE APPROVING ENVIRONMENTAL ASSESSMENT NO. 702 (EA-702), SPECIFIC PLAN AMENDMENT NO. 06-1, AND ZONE TEXT AMENDMENT NO. 06-04 TO MODIFY BUILDING HEIGHT RESTRICTIONS WITHIN THE DOWNTOWN SPECIFIC PLAN AREA.

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

SECTION 1 The City Council finds and declares that

- A On March 6, 2006, the City of El Segundo filed an application for an Environmental Assessment (EA-702), Specific Plan Amendment (SPA 06-01), and Zone Text Amendment (ZTA 06-04) to modify the building height restrictions within the Downtown Specific Plan,
- B The application was reviewed by the City's Planning and Building Safety Department for, in part, consistency with the General Plan, as required by Government Code § 65454 which states that no specific plan may be amended unless the amendment is consistent with the general plan, and conforms with the El Segundo Municipal Code ("ESMC").
- In addition, the City reviewed the project's environmental impacts under the California Environmental Quality Act (Public Resources Code §§ 21000, et seq, "CEQA"), the regulations promulgated thereunder (14 Cal Code of Regulations §§15000, et seq., the "CEQA Guidelines"), and the City's Environmental Guidelines (City Council Resolution No 3805, adopted March 16, 1993),
- D The Planning and Building Safety Department completed its review and scheduled the public hearing regarding the application before the Planning Commission for September 14, 2006,
- On September 14, 2006, the Planning Commission held a public hearing to receive public testimony and other evidence regarding the applications including, without limitation, information provided to the Planning Commission by City staff, public testimony, the applicants/property owners and their representatives,
- F On September 14, 2006, the Planning Commission adopted Resolution No 2610 recommending City Council approval of Environmental Assessment No EA-702, Specific Plan Amendment No 06-01, and Zone Text Amendment No 06-04.
- G On September 19, 2006, the City Council held a public hearing and

ORDINANCE NO. 1400 AN ORDINANCE APPROVING ENVIRONMENTAL ASSESSMENT NO. 702 EA-702), SPECIFIC PLAN AMENDMENT NO. 06-1, AND ZONE TEXT AMENDMENT NO. 06-04 TO MODIFY BUILDING HEIGHT RESTRICTIONS WITHIN THE DOWNTOWN SPECIFIC PLAN AREA. The City Council of the City of El Segundo does ordain as follows SECTION 1 The City Council finds and declares that A On March 6, 2006, the City of El Segundo filed an application for an Environmental Assessment EA-702), Specific Plan Amendment SPA 06-01), and Zone Text Amendment ZTA 06-04) to modify the budding height restrictions within the Downtown Specific Plan, B The application was reviewed by the City's Planning and Building Safety Department for, in part, consistency with the General Plan, as required by Government Codé 65454 which states that no specific plan may be amended unless the amendment is consistent with the general plan, and conforms with the El Segundo Municipal Code ESMC") C In addition, the City reviewed the project's environmental impacts under the California Environmental Quality Act Public Resources Code 21000, et seq. CEQA"), the regulations promulgated thereunder 14 Cal Code of Regulations 15000, et seq., the CEQA Guidelines"), and the City's Environmental Guidelines City Council Resolution No 3805, adopted March 16, 1993) D The Planning and Budding Safety Department completed its review and scheduled the public hearing regarding the application before the Planning Commission for September 14, 2006, E On September 14, 2006, the Planning Commission held a public hearing to receive public testimony and other evidence regarding the applications including, without limitation, information provided to the Planning Commission by City staff, public testimony, the applicants/property owners and their representatives, F On September 14, 2006, the Planning Commission adopted Resolution No 2610 recommending City Council approval of Environmental Assessment No EA-702, Specific Plan Amendment No 06-01, and Zone Text Amendment No 06-04, G On September 19, 2006, the City Council held a public hearing and

considered the information provided by City staff and public testimony; closed the public hearing, introduced an Ordinance, and continued the item to the September 25, 2006 meeting,

- On September 25, 2006, the City Council held a meeting and considered the information provided by City staff, and re-introduced an Ordinance as amended,
- This Ordinance and its findings are made based upon the testimony and evidence presented to the Council at its September 19, 2006 hearing and September 25, 2006 meeting including, without limitation, the staff report submitted by the Planning and Building Safety Department

<u>SECTION 2</u> Factual Findings and Conclusions The City Council finds that the following facts exist

Affected properties are located with the boundaries of the Downtown Specific Plan (DSP) area. The Downtown Specific Plan area encompasses the properties located on the 100 through 500 blocks of Main Street, the 100 through 200 blocks of Richmond Street, the west side of the 300 block of Richmond Street, a portion of the east side of the 300 block of Richmond Street, the lots fronting the 100 and 200 blocks of West Grand Avenue from Concord Street to Main Street, and a portion of the 100 block of East Grand Avenue from Main Street to the alley west of Standard Street

- A The General Plan Land Use designation for this area is Downtown Specific Plan.
- B The Downtown Specific Plan includes the following Districts Main Street District, Main Street Transitional District, North Richmond Street District, Richmond Street District, Grand Avenue District, and West Grand Avenue Transitional District
- C The land uses permitted in the Downtown Specific Plan include a variety of commercial uses, residential uses above the first floor, and recreational uses
- D Surrounding land uses in the area generally consist of multi-family residential dwellings to the north, the west and to the east, offices and industrial uses to the east, and industrial uses to the south. The surrounding area is a fully developed urban environment.
- E The proposed amendment to the Downtown Specific Plan (DSP) would require a 25-foot setback from the front property line for the portion of the building exceeding 30 feet in height

considered the information provided by City staff and public testimony;

closed the public hearing, introduced an Ordinance, and continued the item to the September 25, 2006 meeting, H On September 25, 2006, the City Council held a meeting and considered the information provided by City staff, and re-introduced an Ordinance as amended.

I This Ordinance and its findings are made based upon the testimony and evidence presented to the Council at its September 19, 2006 hearing and September 25, 2006 meeting including, without limitation, the staff report submitted by the Planning and Building Safety Department SECTION 2 Factual Findings and Conclusions The City Council finds that the

following facts exist

Affected properties are located with the boundaries of the Downtown Specific Plan DSP) area The Downtown Specific Plan area encompasses the properties located on the 100 through 500 blocks of Main Street, the 100 through 200 blocks of Richmond Street, the west side of the 300 block of Richmond Street, a portion of the east side of the 300 block of Richmond Street, the lots fronting the 100 and 200 blocks of West Grand Avenue from Concord Street to Main Street, and a portion of the 100 block of East Grand Avenue from Main Street to the alley west of Standard Street

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B The Downtown Specific Plan includes the following Districts Main Street District, Main Street Transitional District, North Richmond Street District, Richmond Street District, Grand Avenue District, and West Grand Avenue Transitional District

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require a 25-foot setback from the front property line for the portion of the building exceeding 30 feet in height

SECTION 3 General Plan Findings As required under Government Code § 65454 the proposed amendment of the Downtown Specific Plan is consistent with the City's General Plan as follows

The El Segundo General Plan land use designation is Downtown Specific Plan. This designation is intended for neighborhood serving commercial and residential uses.

- The amendment to the Downtown Specific Plan is consistent with several Α General Plan Goals, Objectives and Policies related to Land Use and Economic Development Specifically, the amendment is consistent with Land Use Element Goals, Objectives and Policies that include Goal LU1, Objective LU1-4, Goal LU4, Objective LU4-2 1 and Objective LU4-2 6, in that amending the DSP to restrict building heights and number of stories will further the goal of maintaining a "small town" atmosphere, will maintain the City's Downtown as integral to the City's appearance and function, will provide a stable tax base for the City through development of new commercial uses, revitalize and upgrade commercial areas, making them a part of a viable, attractive, and people-oriented commercial district with consideration to aesthetic architectural improvements, zoning and shopper amenities, and maintain and encourage low-scale architectural profile and pedestrian-oriented features in the Downtown area, consistent with existing structures
- B The amendment to the Downtown Specific Plan is consistent with the Economic Development Element Goals, Objectives and Policies Specifically, the amendment is consistent with Goal ED3, Objective ED3-1, Policy ED3-1, Policy ED3-1, and Policy ED3-1, in that the amended Downtown Specific Plan will strive to preserve and improve the business environment and image of Downtown El Segundo, create an economically viable and stable Downtown area that uniquely contributes to El Segundo's commercial options through development standards that facilitate the revitalization of underdeveloped property in the Downtown area, preserve the Downtown area's economic viability, and encourages the revitalization efforts that improve the appearance of the Downtown area business

<u>SECTION 4</u>· Zone Text Amendment Findings Based on the factual findings of this Ordinance, the proposed Zone Text Amendment is necessary to carry out the proposed project in order to modify the building height limits in the Downtown Specific Plan Chapter VI Development Standards

<u>SECTION 5</u> Environmental Assessment Because of the facts set forth in Section 2, the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Categorical Exemption 15305 (Class 5 – Minor Alterations in Land Use Limitations)

3

SECTION 3 General Plan Findings As required under Government Code 65454 the proposed amendment of the Downtown Specific Plan is consistent with the City's General Plan as follows

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B The amendment to the Downtown Specific Plan is consistent with the Economic Development Element Goals, Objectives and Policies Specifically, the amendment is consistent with Goal ED3, Objective ED3-1, Policy ED3-1 1, Policy ED3-1 2, and Policy ED3-1.3, in that the amended Downtown Specific Plan will strive to preserve and improve the business environment and image of Downtown El Segundo, create an economically viable and stable Downtown area that uniquely contributes to El Segundo's commercial options through development standards that facilitate the revitalization of underdeveloped property in the Downtown area, present a clear and consistent image of the Downtown area, preserve the Downtown area's economic viability, and encourages the revitalization efforts that improve the appearance of the Downtown area business

SECTION 4- Zone Text Amendment Findings Based on the factual findings of this Ordinance, the proposed Zone Text Amendment is necessary to carry out the proposed project in order to modify the building height limits in the Downtown Specific Plan Chapter VI Development Standards

SECTION 5 Environmental Assessment Because of the facts set forth in Section 2, the project is categorically exempt from the requirements of the California Environmental Quality Act CEQA) pursuant to Categorical Exemption 15305 Class 5 Minor Alterations in Land Use Limitations)

SECTION 6 Approvals The City Council approves Specific Plan Amendment No 06-01 and Zone Text Amendment No 06-04 Accordingly, this Ordinance amends the DSP in the manner set forth in attached Exhibit "A" which is incorporated by reference Text to be inserted into the DSP is indicated in Underline type, text to be deleted is set forth in strike-through type

<u>SECTION 7</u> 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 8 Limitations The City Council's analysis and evaluation of the project is based on the best information currently available. It is inevitable that in evaluating a project that absolute and perfect knowledge of all possible aspects of the project will not exist. One of the major limitations on analysis of the project is the City Council's lack of knowledge of future events. In all instances, best efforts have been made to form accurate assumptions. Somewhat related to this are the limitations on the City's ability to solve what are in effect regional, state, and national problems and issues. The City must work within the political framework within which it exists and with the limitations inherent in that framework.

<u>SECTION 9</u> Repeal or amendment of any provision of the ESMC will 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

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

SECTION 11 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 fifteen (15) days after the passage and adoption of this Ordinance, cause it to be published or posted in accordance with California law

SECTION 6 Approvals The City Council approves Specific Plan Amendment No 06-01 and Zone Text Amendment No 06-04 Accordingly, this Ordinance amends the DSP in the manner set forth in attached Exhibit A" which is incorporated by reference Text to be inserted into the DSP is indicated m Underline type, text to be deleted is set forth m strike-through type SECTION 7 If any part of this Ordinance or its application is deemed invalid by a 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 8 Limitations The City Council's analysis and evaluation of the project is based on the best information currently available It is inevitable that in project that absolute and perfect knowledge of all possible aspects of the project will not exist One of the major limitations on analysis of the project is the City Council's lack of knowledge of future events In all instances, best efforts have been made to form accurate assumptions Somewhat related to this are the limitations on the City's ability to solve what are in effect regional, state, and national problems and issues The City must work within the political framework within which it exists and with the limitations inherent in that framework SECTION 9 Repeal or amendment of any provision of the ESMC will 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 If this entire Ordinance or its application is deemed invalid by a court of competent jurisdiction, any repeal of the ESMC or other the city ordinance by this Ordinance will be rendered void and cause such ESMC provision or other the city ordinance to remain in full force and effect for all purposes. SECTION 11 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 fifteen 15) days after the passage and adoption of this Ordinance, cause it to be published or posted in accordance with California law

SECTION 12. This Ordinance will become effective on the thirty-first (31st) day following its passage and adoption

PASSED AND ADOPTED this 3rd day of 0ctober , 2006
Kelly McDowell, Meyor
ATTEST:
STATE OF CALIFORNIA) COUNTY OF LOS ANGELES) SS CITY OF EL SEGUNDO)
Cindy Mortesen, City Clerk of the City of El Segundo, California, do hereby certify that ne whole number of members of the City Council of said City is five, that the foregoing ordinance No 1400 was duly introduced by said City Council at a regular meeting eld on the 19th day of September , 2006, and was duly passed and dopted 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 3rd day of October , 2006, and the same was so passed and adopted by the collowing vote
YES Busch, Boulgarides, Fisher
IOES McDowell
BSENT None
ABSTAIN None OT PARTICIPATING: Jacobson Citty Dominum Cindy Mortesen, City Clerk
APPROVED AS TO FORM Mark D Hensley, City Atterney
By Karl H Berger Assistant City Attorney
\Planning & Building Safety\PROJECTS\701-725\EA-702\Council Mtg 100306\20061003/EA-702 CC Ord doc

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SECTION 12- This Ordinance will become effective on the thirty-first 31st) day
following its passage and adoption
PASSED AND ADOPTED this 3rd day of October 20
Kelly Mcl~owell,
ATTEST:
STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
CITY OF EL SEGUNDO
I, Cindy Mortesen, 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 1400 was duly introduced by said City Council at a regular meeting
held on the 19th day of September 2006, and was duly passed and
adopted by said City Council, approved and signed by the Mayor, and attested to by
City Clerk, all at a regular meeting of said Council held on the 3rd day of October 2006, and the same was so passed and adopted by the
following vote
AYES Busch, Boulgarides, Fisher
NOES McDowell
ABSENT None
ABSTAIN None
NOT PARTICIPATING: Jacobson
C t-i0171(U~ Cindy M esen, City Clerk
APPROVED A d
Mark D Hens y, y hey
Ву
K<sup>I</sup> H Befger
Assistant City Attorn
P \Planning & Budding Safety\PROJECTS\701-725\EA-702\Councd Mtg 100306\20061Q0EA-702
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EXHIBIT "A"

DOWNTOWN SPECIFIC PLAN SUPPLEMENT

VI DEVELOPMENT STANDARDS

A. Main Street District – (300-400 Blocks Main Street)

- 7 Site Development Standards
 - c Height
 - iii) To the extent a building exceeds 30 feet in height, the front portion of the building that exceeds 30 feet in height must be setback 25 feet from the front property line.

B. Main Street Transitional District – (100- 200 & 500 Blocks Main Street)

- 7 Site Development Standards
 - c Height
 - iii) To the extent a building exceeds 30 feet in height, the front portion of the building that exceeds 30 feet in height must be setback 25 feet from the front property line

C. Richmond Street District – (100-200 Blocks Richmond Street)

- 7 Site Development Standards
 - c Height
 - iii) To the extent a building exceeds 30 feet in height, the front portion of the building that exceeds 30 feet in height must be setback 25 feet from the front property line

D. North Richmond Street District – (300 Block Richmond Street)

- 7 Site Development Standards
 - c Height
 - iii) To the extent a building exceeds 30 feet in height, the front portion of the building that exceeds 30 feet in height must be setback 25 feet from the front property line

E. Grand Avenue District – (300 Block east side Richmond Street – former- Ralph's market and adjacent lots)

- 7 Site Development Standards
 - c Height.

EXHIBIT A" DOWNTOWN SPECIFIC PLAN SUPPLEMENT VI DEVELOPMENT STANDARDS A. Main Street District-(300-400 Blocks Main Street) 7 Site Development Standardsc Height iii) To the extent a building exceeds 30 feet in height, the front portion of the budding that exceeds 30 feet in height must be setback 25 feet from the front property line. B. Main Street Transitional District 100-200 & 500 Blocks Main 7 Site Development Standardsc Height iii) To the extent a budding exceeds 30 feet in height, the front portion of the building that exceeds 30 feet m height must be setback 25 feet from the front property line C. Richmond Street District 100-200 Blocks Richmond Street) 7 Site Development Standardsc Height iii) To the extent a building exceeds 30 feet in height, the front portion of the budding that exceeds 30 feet m height must be setback 25 feet from the front property line D. North Richmond Street District 300 Block Richmond Street) 7 Site Development Standardsc Height iii) To the extent a building exceeds 30 feet in height, the front portion of the building that exceeds 30 feet in height must be setback 25 feet from the front property line E. Grand Avenue District 300 Block east side Richmond Street former- Ralph's market and adjacent lots) 7 Site Development Standardsc Height.

iv) To the extent a building exceeds 30 feet in height, the front portion of the building that exceeds 30 feet in height must be setback 25 feet from the front property line

F. WEST GRAND AVENUE TRANSITIONAL DISTRICT (NORTH 200 BLOCK OF WEST GRAND AVENUE BETWEEN CONCORD STREET AND THE ALLEY WEST OF RICHMOND STREET)

- 7 Site Development Standards
 - c Height
 - iii) To the extent a building exceeds 30 feet in height, the front portion of the building that exceeds 30 feet in height must be setback 25 feet from the front property line

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iv) To the extent a building exceeds 30 feet in height, the front portion of the budding that exceeds 30 feet in height must be setback 25 feet from the front property line

F. WEST GRAND AVENUE TRANSITIONAL DISTRICT NORTH 200

BLOCK OF WEST GRAND AVENUE BETWEEN CONCORD STREET AND

THE ALLEY WEST OF RICHMOND STREET)

7 Site Development Standards
c Height

iii) To the extent a building exceeds 30 feet in height, the front portion of the building that exceeds 30 feet in height must be setback 25 feet from the front property line

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