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**CALIFORNIA COASTAL COMMISSION**

South Coast Area Office  
200 Oceangate, 10th Floor  
Long Beach, CA 90802-4302  
(562) 590-5071

RECORD PACKET COPY



July 16, 1998

TO: Commissioners and Interested Persons

FROM: Deborah Lee, South Coast District Director  
Pam Emerson, Los Angeles County Area Supervisor  
Jim Ryan, Coastal Program Analyst

SUBJECT: Minor Amendment Request No. 1-98 to the City of El Segundo Certified Local Program (for Commission concurrence at the August 11-14, 1998 meeting in Huntington Beach)

Amendment Description

The City of El Segundo has requested to amend its certified Local Coastal Program (LCP) to allow the waiver of public hearing requirements for certain minor developments, pursuant to Public Resources Code Section 30624.9.

Section 30624.9 of the Coastal Act states:

(a) For purposes of this section, "minor development" means a development which a local government determines satisfies all of the following requirements:

(1) Is consistent with the certified local coastal program, as defined in Section 30108.6.

(2) Requires no discretionary approvals other than a coastal development permit.

(3) Has no adverse effect either individually or cumulatively on coastal resources or public access to the shoreline or along the coast.

(b) After certification of its local coastal program, a local government may waive the requirement for a public hearing on a coastal development permit application for a minor development only if both of the following occur:

(1) Notice that a public hearing shall be held upon request by any person is provided to all persons who would otherwise be required to be notified of a public hearing as well as any other persons known to be interested in receiving notice.

(2) No request for public hearing is received by the local government within 15 working days from the date of sending the notice pursuant to paragraph (1).

(c) The notice provided pursuant to subdivision (b) shall include a statement that failure by a person to request a public hearing may result in the loss of that person's ability to appeal to the commission any action taken by a local government on a coastal development permit application.

The City's submittal satisfies all of the above described requirements. The proposed LCP amendment only affects the permit procedures contained in the certified LCP, specifically Section 20.92.040.A and Section 20.92.065 of the El Segundo Municipal Code. The proposed amendment does not affect other sections of the LCP, particularly issue identification (Section III) or the Specific Plan (Section IV). The amendment does not change the kind, location, intensity or density of uses or modify resource protection measures for any area or property within the Coastal Zone.

The proposed change to the certified LCP is contained in Ordinance No. 1286. The Planning Commission adopted Resolution No. 2402 recommending approval of the proposed LCP amendment to the City Council on October 8, 1997. The City Council adopted Ordinance No. 1286 on March 17, 1998 approving a public hearing waiver amendment to the LCP.

#### Procedures

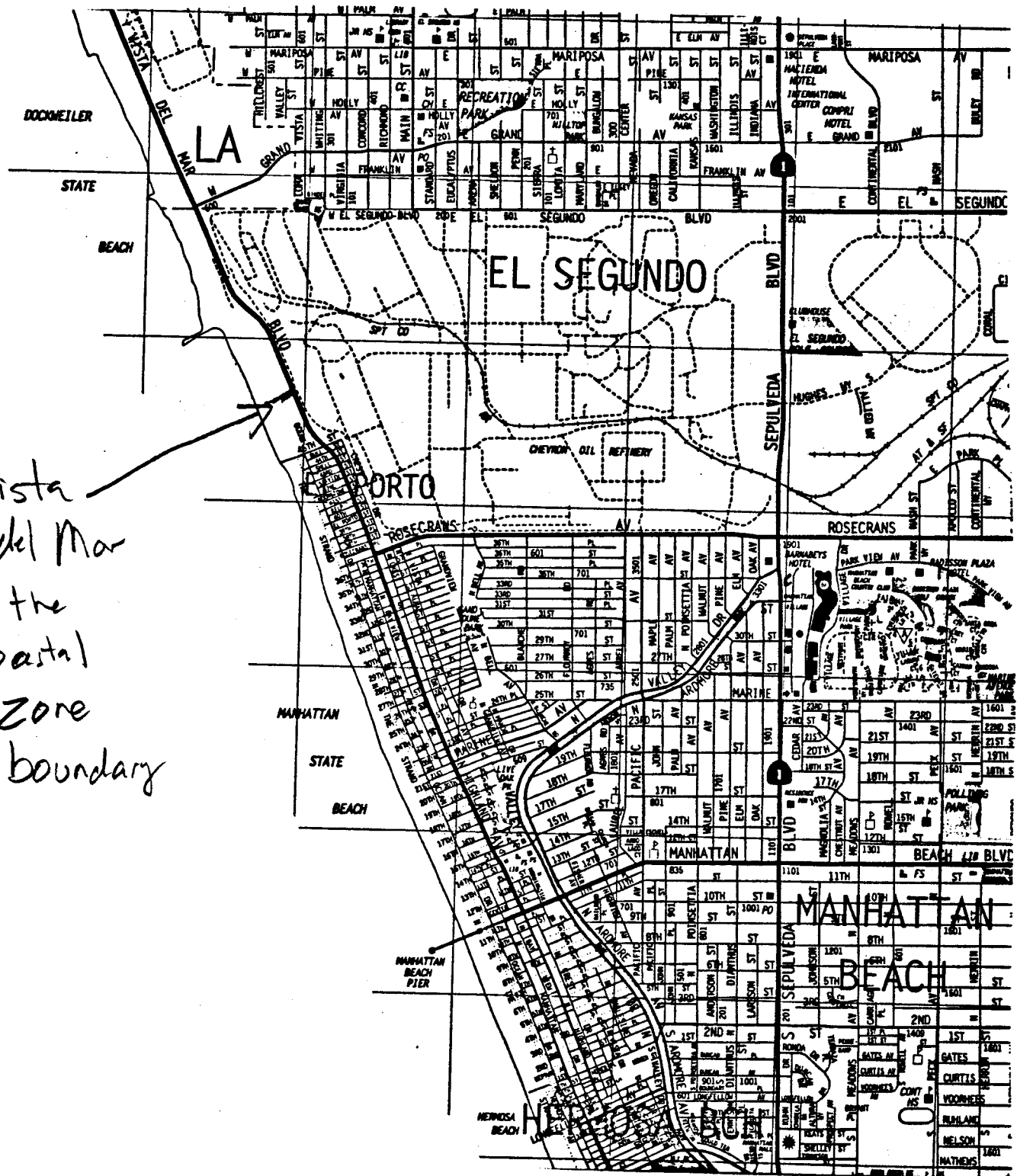
Pursuant to Section 30514(c) of the Coastal Act and Section 13554(a) of the California Code of Regulations, the Executive Director has determined that the proposed amendment is "minor" in nature. Section 13554(a) of the California Code of Regulations defines a minor LCP amendment as changes in wording which make the use as designated in the zoning ordinances, zoning district maps or other implementing actions more specific and which do not change the kind, location, intensity, or density of use and is consistent with the certified LCP.

The proposed LCP amendment is consistent with the certified LCP, makes the zoning regulations more specific, and does not change the kind, location, intensity, or density of use. Therefore, the Executive Director has determined that the City of El Segundo LCP Amendment No. 1-98 is a minor amendment.

The proposed LCP amendment will become effective after report to the Commission of any written objections received within ten working days of the mailing of notice unless one-third of the appointed members of the Commission request that the LCP amendment be processed and heard as a "major" LCP amendment pursuant to Section 13555 of the California Code of Regulations.

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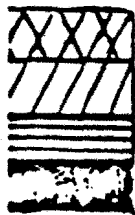
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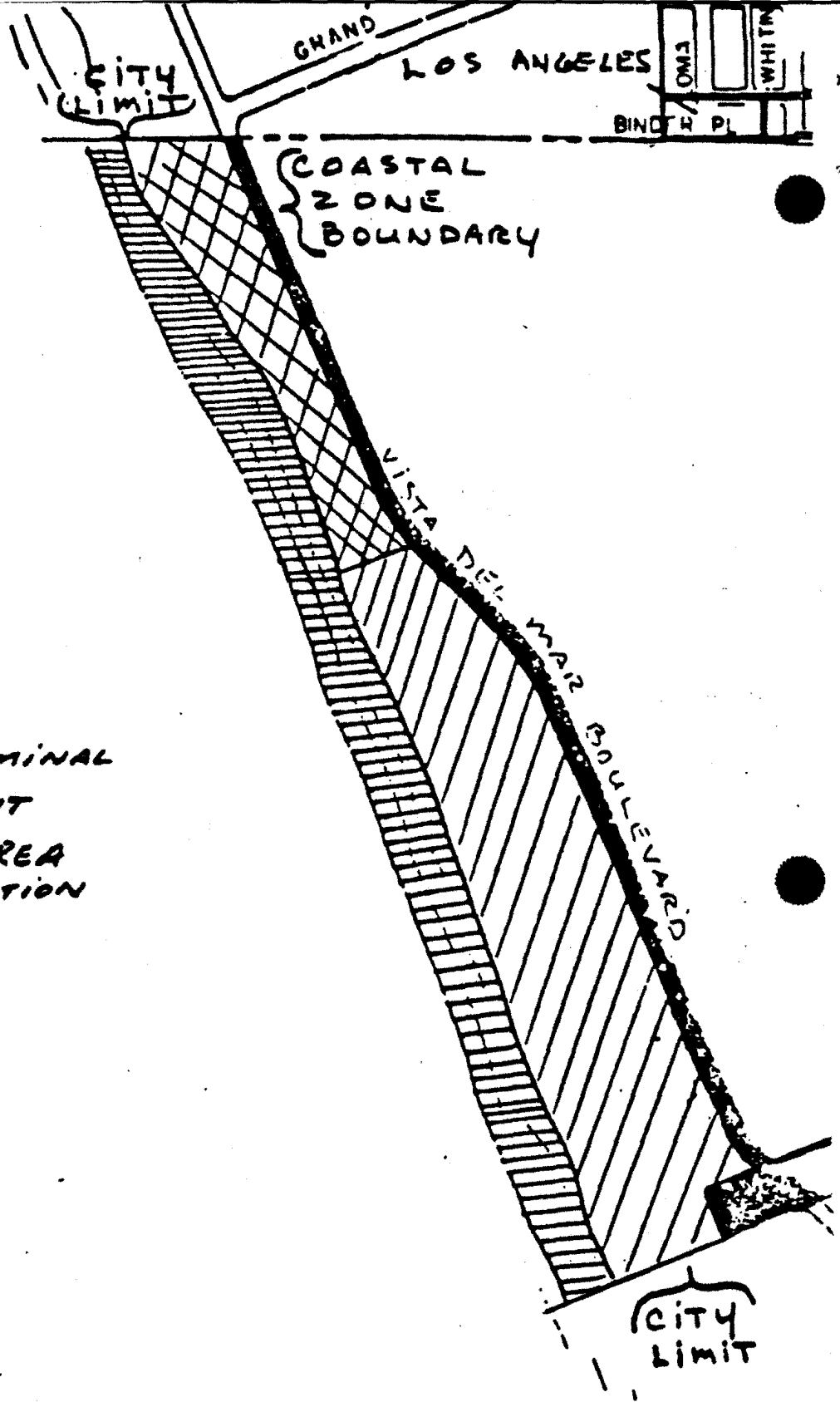
El Segundo 1-98  
Exhibit A  
1 of 2

9. APPENDIX

PROPOSED  
LAND USE  
DESIGNATIONS



MARINE TERMINAL  
POWER PLANT  
SHORELINE AREA  
SERVICE STATION



COASTAL ZONE  
SPECIFIC PLAN MAP  
CITY OF EL SEGUNDO

EL Segundo 1-98  
Exhibit A  
2 of 2



# City of El Segundo

RECEIVED  
JUN 17 1998

CALIFORNIA  
COASTAL COMMISSION

15 June 1998

Mr. Jim Ryan  
California Coastal Commission  
South Coast Area Office  
200 Oceangate, Suite 1000  
Long Beach, CA 90802-4302

Re: Application for Minor Amendment to City of El Segundo Local Coastal Program

Dear Mr. Ryan:

Please accept the enclosed material as our application for a minor amendment to the City of El Segundo Certified Local Coastal Program (LCP). The purpose of the amendment is to incorporate the waiver of public hearing requirements into the City's LCP, pursuant to Public Resources Code Sec. 30624.9. The amendment was prepared in consultation with staff of the California Coastal Commission to ensure that the public hearing wavier regulations would meet the requirements of the California Coastal Act.

Pursuant to Section 13552 of the Coastal Act Regulations, the following information has been prepared for the application:

- (A). In order to insure the maximum participation possible in the LCP amendment process, the City published a one-eighth page Notice of Public Hearing (Exhibit 1) in the El Segundo Herald, a newspaper of general circulations, prior to the Planning Commission public workshop and hearings on amendments to the General Plan, Zoning Code, and Local Coastal Program. Additionally, the notice was posted throught City Hall. The public hearing waiver was one of 13 amendments which were discussed. The Planning Commission adopted Resolution No. 2402, recommending approval of the proposed LCP amendment to the City Council on October 8, 1997.

El Segundo 1-98  
Exhibit B  
1 of 3

Planning and Building Safety Department  
350 Main Street, El Segundo, California 90245-0989  
Phone (310) 322-4670 FAX (310) 322-4167

**Elected Officials:**

Mika Gordon,  
Mayor  
Sandra Jacobs,  
Mayor Pro Tem  
Nancy Wernick,  
Councilmember  
John G. Gaines,  
Councilmember  
Kathy McDowell,  
Councilmember  
Cindy Mortesen,  
City Clerk  
Susan Cooper,  
City Treasurer

**Appointed Officials:**

James W. Morrison,  
City Manager  
Mark D. Hersley,  
City Attorney

**Department Directors:**

James Hansen,  
Economic Development  
Junice Kramer,  
Finance  
Don Gilbert,  
Acting Fire  
Robert Hyland,  
Human Resources  
Barbara Pearson,  
Library  
Bret B. Bernard,  
Planning & Building Safety  
Timothy Grimmond,  
Police  
Edward Schrader,  
Public Works  
James Faulk,  
Recreation & Parks

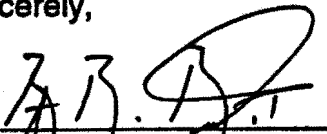
The City published another one-eighth page Notice of Public Hearing (Exhibit 2) in the El Segundo Herald, prior to the City Council public hearings on same amendments to the General Plan Zoning Code, and Local Coastal Program. Additionally, the notice was posted through City Hall. The City Council adopted Ordinance No. 1286 (Exhibit 3) on March 17, 1998, approving the public hearing waiver amendment to the LCP.

There were no members of the public, organizations, or agencies who appeared at any of the Planning Commission or City Council public hearings to comment on the proposed LCP amendment. Nor were there any other written comments received during the LCP amendment process from the public, organizations, or agencies. Attached are the minutes from the August 14, 1997, Planning Commission public hearing (Exhibit 4), which contains the only discussion of the LCP amendment which took place during the public hearing process. Therefore, there are no other comments to enclose with this application.

- (B) Sections No.s 28 and 29 of Ordinance No. 1286 contain the text which was amended in the City of El Segundo Municipal Code (ESMC). These sections are part of Chapter 20.92 (Exhibit 5) of the ESMC, which is considered as part of the LCP.
- (C) The proposed LCP amendment only affects the permit procedures contained in the certified LCP, specifically Section 20.92.040 A. and Section 20.92.065 of the ESMC. The proposed amendment does not affect other sections of the LCP, particularly issue identification (Section III) or the Specific Plan (Section IV). The amendment does not change the kind, location, intensity or density of uses or modify resource protection measures for any area or property within the Coastal Zone.
- (D) The analysis required by Section 14511 of the Coastal Act Regulations would not appear to apply to the proposed public hearing waiver amendment. The City's existing LCP includes the land use element component required by the Coastal Act and the by virtue of the LCP's certification in 1980, the LCP is presumed to be in conformance with the policies of the Coastal Act. The proposed amendment would provide an alternative method for approval of Coastal Development Permits consistent with provisions also contained in the Coastal Act.
- (E) A Negative Declaration of Environmental Impacts (contained within City Council Ordinance No. 1286), pursuant to the California Environmental Quality Act (CEQA) was adopted by the City Council on March 17, 1998. Enclosed is the Draft Initial Study/Negative Declaration which was prepared for the proposed LCP amendment (Exhibit 6) and the Notice of Determination and Department of Fish and Game Certificate of Fee Exemption (Exhibit 7) filed with the Los Angeles County Recorder on May 12, 1998.
- (F) There are no additional zoning measures required to carry out the amendment to the LCP.

If you have any questions, please call Assistant Planner Paul Garry, Senior Planner Laurie B. Jester, myself, or any Planning Division staff member at 322-4670 extension No.s 399, 212, or 211, respectively.

Sincerely,



**Bret B. Bernard, AICP**  
Director of Planning and Building Safety

- Exhibits:
1. Planning Commission Public Hearing Notice and Proof of Publication
  2. City Council Public Hearing Notice and Proof of Publication
  3. City Council Ordinance No. 1286
  4. Planning Commission Minutes, dated August 14, 1997
  5. Chapter 20.92 of the El Segundo Municipal Code
  6. Draft Initial Study/Negative Declaration
  7. Notice of Determination and Certificate of Fee Exemption

xc: Laurie B. Jester, Senior Planner  
Paul Garry, Assistant Planner

El Segundo 1-98  
Exhibit B  
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EXHIBIT 3

ORDINANCE NO. 1286

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EL SEGUNDO, CALIFORNIA, APPROVING ENVIRONMENTAL ASSESSMENT NO. EA-419, GENERAL PLAN AMENDMENT GPA 97-3, AND ZONE TEXT AMENDMENT ZTA 97-3, AMENDING THE EL SEGUNDO GENERAL PLAN, VARIOUS SECTIONS OF TITLE 20 (ZONING CODE) OF THE EL SEGUNDO MUNICIPAL CODE, AND THE LOCAL COASTAL PROGRAM. PETITIONED BY THE CITY OF EL SEGUNDO (CITYWIDE AMENDMENTS) AND HUGHES ELECTRONICS (TRANSFER OF DEVELOPMENT RIGHTS).**

**WHEREAS**, on December 1, 1992, the City of El Segundo adopted a General Plan for the years 1992-2010; and,

**WHEREAS**, on December 1, 1992, the City of El Segundo certified an Environmental Impact Report as a complete and adequate document in accordance with the authority and criteria contained in the California Environmental Quality Act and the City of El Segundo Guidelines for the implementation of the California Environmental Quality Act and adopted a Statement of Overriding Consideration; and,

**WHEREAS**, on November 16, 1993, the City Council did, pursuant to law, adopt a Negative Declaration of Environmental Impacts for the amendments to Title 19 (Subdivisions) and Title 20 (The Zoning Code) and a new Zoning Map, finding that there were no environmental impacts associated with the amendments that were not analyzed in the Master Environmental Impact Report certified by the City Council for the General Plan on December 1, 1992; and,

**WHEREAS**, on November 16, 1993, the City Council did, pursuant to law, adopt Ordinance No. 1212 adopting a new Title 19 (Subdivisions) and Title 20 (The Zoning Code) and a new Zoning Map; and,

**WHEREAS**, on November 5, 1996, the City Council considered and initiated a Quarterly Zoning Code (text and map) Amendment program similar to the Quarterly General Plan Amendment program already in place; and,

**WHEREAS**, on December 17, 1996, the City Council approved a list of proposed future General Plan Amendments, Zone Text Amendments and Zone Changes and directed Staff and the Planning Commission to initiate processing the proposed amendments; and,

**WHEREAS**, the City may amend all or part of an adopted General Plan to promote the public interest up to four times during any calendar year pursuant to Government Code Section 65358; and,

**WHEREAS**, General Plan Amendment GPA 97-3 is the third amendment processed and proposed for 1997; and,

**WHEREAS**, on February 16, 1996, Hughes Electronics submitted a General Plan Amendment application requesting approval of provisions for Transfer of Development Rights (TDR's); and

**WHEREAS**, on February 22 and 29 and March 7 and 14, 1996, the Planning Commission did hold two public workshops and two public hearings, respectively, duly advertised pursuant to law, on the proposed General Plan Amendments to allow provisions for TDR's, and notice of the hearings was given in the time, form and manner prescribed by law; and

El Segundo 1-9  
Exhibit C  
1043



**SECTION 27.** Section 20.78.070 of Chapter 20.78, Title 20, of the El Segundo Municipal Code is amended to read as follows:

**20.78.070 NOTIFICATION AND PLANNING COMMISSION REVIEW.**

Copies of the findings and decision of the Director of Planning and Building Safety shall be mailed to each member of the Planning Commission and to the applicant. Written determinations on adjustments, made by the Director of Planning and Building Safety or his/her designated representative, shall be placed as receive and file items on the next available agenda of the Planning Commission. Any Planning Commissioner may request that an item be discussed and a decision on the application be made by the Planning Commission instead of received and filed. No decision of the Director of Planning and Building Safety is final until the decision is received and filed or acted upon by the Planning Commission or upheld on appeal.

**SECTION 28.** Section 20.92.040 A. of Chapter 20.92, Title 20, of the El Segundo Municipal Code is amended to read as follows:

- A. Jurisdiction. Upon receipt of an application for a CDP and prior to permit approval, the Planning Commission shall hold a public hearing in accordance with the regulations specified in this Chapter, except for minor developments pursuant to Section 20.92.065;

**SECTION 29.** Section 20.92.065 shall be added to Chapter 20.92, Title 20, of the El Segundo Municipal Code to read as follows:

**20.92.065 WAIVER OF PUBLIC HEARING.**

- A. A Planning Commission public hearing may be waived for minor developments which meet the following criteria:
1. The minor development is consistent with the City's certified Local Coastal Program, including the land use resource protection policies and the zoning standards; and,
  2. The minor development requires no discretionary approvals other than a Coastal Development Permit; and,
  3. The minor development has no adverse effect either individually or cumulatively on coastal resources or public access to the shoreline or along the coast.
- B. Additionally, the public hearing may be waived only if all of the following occur:
1. Notice that a public hearing shall be held upon written request by any person is provided to all persons who would otherwise be required to be notified of a public hearing, as provided by Section 20.92.050, as well as any other persons known to be interested in receiving notice;
  2. No request for a public hearing is received by the Department of Planning and Building Safety within 15 working days from the date of sending the notice pursuant to Section B.1, above; and,
  3. The notice provided in Section B.1, includes a statement that failure by a person to request in writing a public hearing may result in the loss of that person's ability to

appeal to the Coastal Commission any action taken by the City of El Segundo on a Coastal Development Permit application.

- C. The Director of Planning and Building Safety shall be authorized to grant approval of a CDP for minor developments. The Director's determination shall be placed as a receive and file item on the next available agenda of the Planning Commission.

**SECTION 30.** The Land Use designations of the Land Use Element are hereby changed to allow the Floor Area Ratio (FAR) to be exceeded for properties east of Sepulveda Boulevard with a Transfer of Development Right's (TDR) Plan. The corresponding changes to the Land Use Element as set forth in Exhibit A, attached hereto and incorporated herein by this reference, are also hereby approved.

**SECTION 31.** Land Use Element Policy LU 5-4.1 is hereby added to address permitting the Transfer of Development Rights (TDR's). The corresponding changes to the Land Use Element as set forth in Exhibit B, attached hereto and incorporated herein by this reference, are also hereby approved.

**SECTION 32.** This ordinance shall become effective at midnight on the thirtieth (30) day from and after the final passage and adoption hereof.

**SECTION 33.** The City Clerk shall certify to the passage and adoption of this ordinance; shall cause the same to be entered in the book of original ordinances of said City; shall make a note of the passage and adoption thereof in the records of the meeting at which the same is passed and adopted; and shall within 15 days after the passage or adoption thereof cause the same to be published or posted in accordance with the law.

PASSED, APPROVED AND ADOPTED this 17 day of March, 1998.

*Sandra Jacobs*

Sandra Jacobs, Mayor  
of the City of El Segundo,  
California

ATTESTED:

*Cindy Mortensen*  
Cindy Mortensen  
City Clerk (SEAL)

APPROVED AS TO FORM:

*Mark D. Hensley*  
Mark D. Hensley  
City Attorney

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El Segundo 1-98  
Exhibit C  
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