AGENDA
EL SEGUNDO CITY COUNCIL
COUNCIL CHAMBERS - 350 Main Street

The City Council, 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 City Council regarding any matter on this agenda that the City received after issuing the agenda packet, are available for public inspection in the City Clerk’s office during normal business hours. Such Documents may also be posted on the City’s website at www.elsegundo.org and additional copies will be available at the City Council meeting.

Unless otherwise noted in the Agenda, the Public can only comment on City-related business that is within the jurisdiction of the City Council and/or items listed on the Agenda during the Public Communications portions of the Meeting. Additionally, 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 City Council, please come to the podium and state: Your name and residence and the organization you represent, if desired. Please respect the time limits.

Members of the Public may place items on the Agenda by submitting a Written Request to the City Clerk or City Manager’s Office at least six days prior to the City Council Meeting (by 2:00 p.m. the prior Tuesday). The request must include a brief general description of the business to be transacted or discussed at the meeting. Playing of video tapes or use of visual aids may be permitted during meetings if they are submitted to the City Clerk two (2) working days prior to the meeting and they do not exceed five (5) minutes in length.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact City Clerk, 524-2305. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, DECEMBER 15, 2009 – 5:00 P.M.

5:00 P.M. SESSION CANCELLED – NO ITEMS OF BUSINESS

(REGULAR MEETING TO BE ADJOURNED TO 7:00 P.M.)
5:00 P.M. SESSION

CALL TO ORDER

ROLL CALL

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 City Council on behalf of another, and employees speaking on behalf of their employer, must so identify themselves prior to addressing the City Council. Failure to do so shall be a misdemeanor and punishable by a fine of $250.

SPECIAL ORDER OF BUSINESS:

CLOSED SESSION:
The City Council may move into a closed session pursuant to applicable law, including the Brown Act (Government Code Section §54960, et seq.) for the purposes of conferring with the City’s Real Property Negotiator; and/or conferring with the City Attorney on potential and/or existing litigation; and/or discussing matters covered under Government Code Section §54957 (Personnel); and/or conferring with the City’s Labor Negotiators; as follows:

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Gov’t Code §54956.9(a) -0- matter

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Government Code §54956.9(b): -0- potential case (no further public statement is required at this time); Initiation of litigation pursuant to Government Code §54956.9(c): -0- matter.

DISCUSSION OF PERSONNEL MATTERS (Gov’t Code §54957): - 0- matters

CONFERENCE WITH CITY’S LABOR NEGOTIATOR (Gov’t Code §54957.6): - 0- matters

CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Gov’t Code §54956.8): - 0- matters

SPECIAL MATTERS: - 0- matter
AGENDA
EL SEGUNDO CITY COUNCIL
COUNCIL CHAMBERS - 350 Main Street

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REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, DECEMBER 15, 2009 - 7:00 P.M.

Next Resolution # 4636
Next Ordinance # 1439

7:00 P.M. SESSION

CALL TO ORDER

INVOCATION – Pastor Monica Moreland, Hilltop Community Church of Christ

PLEDGE OF ALLEGIANCE – Council Member Carl Jacobson
PRESENTATIONS

a. Commendation on behalf of the sponsors, supporters and volunteers of the El Segundo Community Christmas Dinner to be held at 1:00 p.m. on Christmas Day at the Joslyn Center at Recreation & Parks.

ROLL CALL

PUBLIC COMMUNICATIONS – (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 City Council on behalf of another, and employees speaking on behalf of their employer, must so identify themselves prior to addressing the City Council. 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 Council to take action on any item not on the agenda. The Council will respond to comments after Public Communications is closed.

A. PROCEDURAL MOTIONS

Consideration of a motion to read all ordinances and resolutions on the Agenda by title only.

Recommendation – Approval.

B. SPECIAL ORDERS OF BUSINESS (PUBLIC HEARING)

1. Consideration and possible action regarding (Public Hearing) the proposed exchange of FY 2010/11 Community Development Block Grant (CDBG) funds totaling approximately $77,871 with another CDBG participating city within the Los Angeles Urban County. (Fiscal Impact: $77,871)

Recommendation – (1) Open public hearing and take testimony; (2) Close public hearing and discuss item; (3) Authorize staff to proceed with identifying an interested participating city to begin negotiations for the exchange of FY 2010/11 CDBG funds, establish an exchange rate, and return to the City Council with a resolution authorizing the exchange of CDBG funds with another City; (4) Authorize the City Manager to execute the contracts, as to form approved by the City Attorney, with the Los Angeles County Community Development Commission, and with all sub-recipients receiving CDBG funds; (5) Alternatively, discuss and take other possible action related to this item.

C. UNFINISHED BUSINESS
D. REPORTS OF COMMITTEES, COMMISSIONS AND BOARDS

2. Consideration and possible action regarding the positions on the Committees, Commissions and Boards ("CCBs") that will expire in the year 2010. (Fiscal Impact: None)

Recommendation – (1) Direct staff to open the recruitment process for the positions on the CCBs, as listed; (2) Alternatively, discuss and take other action related to this item.

E. CONSENT AGENDA

All items listed are to be adopted by one motion without discussion and passed unanimously. If a call for discussion of an item is made, the item(s) will be considered individually under the next heading of business.

3. Warrant Numbers 2574959 to 2575144 on Register No. 5 in the total amount of $702,047.77 and Wire Transfers from 11/20/09 through 12/03/09 in the total amount of $635,162.58.

Recommendation – Approve Warrant Demand Register and authorize staff to release. Ratify: Payroll and Employee Benefit checks; checks released early due to contracts or agreement; emergency disbursements and/or adjustments; and wire transfers.

4. Regular City Council Meeting Minutes of December 1, 2009.

Recommendation – Approval.

5. Consideration and possible action to approve a Fire Department Mutual Apparatus and Equipment Loan Agreement between the cities of El Segundo, Redondo Beach, Hermosa Beach, and Manhattan Beach. (Fiscal Impact: None)

Recommendation – (1) Approve and authorize the Fire Department Mutual Apparatus and Equipment Loan Agreement; (2) Authorize the Mayor to sign the Agreement; (3) Alternatively, discuss and take other action related to this item.

6. Consideration and possible action regarding a 2-year approval to waive fees for fifteen (15) City co-sponsored annual Special Events, in which the City provides support services and/or facilities at no cost to the organizing group. (Fiscal Impact: None)

Recommendations – (1) Approve the fee waiver request for the total amount of $45,100; (2) Alternatively, discuss and take other action related to this item.
7. Consideration and possible action to adopt Ordinance No. 1437, a Water Efficient Landscape Ordinance for the City of El Segundo. (Fiscal Impact: None)
   Recommendation – (1) Waive Second reading, and adopt Ordinance No. 1437; (2) Alternatively, discuss and take other possible related action to this item.

8. Consideration and possible action regarding the acceptance of the installation of a storm drain and infiltration structure on Maple Avenue near Nash Street – Project No. PW 09-12. (Fiscal Impact: $20,410.00)
   Recommendation – (1) Accept the work as complete; (2) Authorize the City Clerk to file a Notice of Completion in the County Recorder's Office; (3) Alternatively, discuss and take other possible related action to this item.

9. Consideration and possible action regarding authorizing the recording of the Notice of Completion and authorizing the City Manager to accept completion of work for 98 homes related to the City's Residential Sound Insulation Program's Groups 32 (Project No. RSI 09-09), 33 (RSI 09-10), 34 (RSI 09-04) and 35 (RSI 09-08). (Final Contract Amounts: $2,654,213.83)
   Recommendation – (1) Authorize the City Clerk to file the City's Planning and Building Safety Director's Notices of Completion in the County Recorder's Office; (2) Authorize the City Manager, or designee, to close out Project Nos. RSI 09-09; RSI 09-10, RSI 09-04 and RSI 09-08; (3) Alternatively discuss and take other action related to this item.

CALL ITEMS FROM CONSENT AGENDA

F. NEW BUSINESS

10. Consideration and possible direction to Planning and Building Safety staff to review and to prepare municipal code amendments to the existing off-street parking and loading requirements in El Segundo Municipal Code (ESMC) Chapter 15-15. (Fiscal Impact: None)
   Recommendation – (1) Receive staff presentation; (2) Direct staff regarding proceeding with further analysis and development of municipal code amendments to ESMC Chapter 15-15 regarding off-street parking and loading requirements; (3) Alternatively, discuss and take other actions related to this item.
11. Consideration and possible action to (1) place an initiative on the ballot for the previously called April 13, 2010 municipal election to amend the City’s business license tax regulations to (i) increase the tax amount annually based upon the ten-year average of the consumer price index and (ii) reduce from a 50% credit to a 40% credit the amount that businesses can reduce their annual business license tax based upon the annual sales/use tax they generate for the City. (Fiscal Impact: Projected approximate $680,000 for FY 2010-11 and approximate $250,000 to $300,000 additional per year increase to the City’s business license tax in subsequent fiscal years for which the City collects an estimated $9,000,000 annually.)

Recommendation – (1) Adopt Resolution placing an initiative on the ballot amending business license tax regulations; (2) Determine whether the Council will appoint itself or members thereof to draft the arguments and rebuttal arguments in favor of the tax measures; (3) Consider Adopting a Resolution directing the City Attorney to prepare an impartial analysis for the two ballot initiatives; (4) Alternatively, discuss and take other actions related to this item.

G. REPORTS – CITY MANAGER

H. REPORTS – CITY ATTORNEY

I. REPORTS – CITY CLERK

J. REPORTS – CITY TREASURER

K. REPORTS – CITY COUNCIL MEMBERS

Council Member Brann –

Council Member Fisher –

Council Member Jacobson –
Mayor Pro Tem Busch –

Mayor McDowell –

12. Consideration and possible action to adopt a resolution urging the State Legislature to repeal the designation of Serpentine - a source of asbestos - as the State's Rock. (Fiscal Impact: None)

Recommendation – (1) Adopt the attached resolution; (2) Alternatively, discuss and take other action related to this item.

13. Consideration and possible action regarding the annual request of Mr. S. Claus for variances from the Municipal Code.

Recommendations – (1) Approval of a Conditional Use Permit and waiver of regulations in ESMC Section 15-23-4; (2) The use of air rights and waiver of the Santa Monica Radial 160 R procedure (FAA should be contacted); (3) Grant a free business license for a non-profit organization (ESMC 4-1-7); (4) Waiver of ESMC 8-4-11B (Driveway Permits Required) and ESMC 8-5-11 (Parking on Grades); (5) Waiver of the Noise Ordinance to permit the sound of bells (ESMC 7-2-3); (6) Waiver of the Trespass Ordinance (ESMC 7-6-3) including 6-5-11 dealing with trespassing animals; (7) Waiver of the ordinance on Animal Regulations (ESMC 6-2-1)

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MEMORIALS –

CLOSED SESSION

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REPORT OF ACTION TAKEN IN CLOSED SESSION (if required)

ADJOURNMENT

POSTED:

DATE: 12-10-09
TIME: 10:30 a.m.
NAME: [Signature]

9 009
WHEREAS, The El Segundo Community Christmas Dinner was conceived by El Segundo resident Bill Coffman in 1983; Bill solicited the help of local businesses, residents and organizations to fund, cook and serve a traditional Christmas dinner that brought people together to share the holiday spirit; and

WHEREAS, The El Segundo Community Christmas Dinner has become a hometown tradition that has served the community for 26 years. The last 21 Christmas dinners have been served at the Joslyn Center; and

WHEREAS, The Annual Christmas Dinner will be provided this season with the assistance of the El Segundo Rotary and the generous donations of food and preparation by the Hacienda Hotel, floral arrangements provided by Natural Simplicity and the time and effort of a resident volunteer Linda Shepard along with a host of friends; and

WHEREAS, The El Segundo Community Christmas Dinner will be held at 1:00 p.m. on December 25th at the Recreation & Parks Department’s Joslyn Center, for the benefit of all those in the community who wish to participate in fellowship and share in some Christmas cheer.

NOW, THEREFORE, on this 15th day of December, 2009, the Mayor and Members of the City Council of the City of El Segundo, California, do hereby commend and thank all sponsors, supporters and volunteers, for their unselfish community service in keeping this hometown holiday tradition alive in El Segundo.
AGENDA DESCRIPTION:

Consideration and possible action regarding (Public Hearing) the proposed exchange of FY 2010/11 Community Development Block Grant (CDBG) funds totaling approximately $77,871 with another CDBG participating city within the Los Angeles Urban County. (Fiscal Impact: $77,871).

RECOMMENDED COUNCIL ACTION:

1. Open public hearing and take testimony;
2. Close public hearing and discuss item;
3. Authorize staff to proceed with identifying an interested participating city to begin negotiations for the exchange of FY 2010/11 CDBG funds, establish an exchange rate, and return to the City Council with a resolution authorizing the exchange of CDBG funds with another City; and/or,
4. Authorize the City Manager to execute the contracts, as to form approved by the City Attorney, with the Los Angeles County Community Development Commission, and with all sub-recipients receiving CDBG funds; and/or,
5. Alternatively, discuss and take other possible action related to this item.

ATTACHED SUPPORTING DOCUMENTS:

None.

FISCAL IMPACT:

Amount Budgeted: $86,523 Total CDBG FY 2010/11 ($8,652 CDBG Administration; $77,871 CDBG Exchange)
Account Number(s): CDBG Fund - Program Administration 111-400-2779-6206

ORIGINATED BY: Kimberly Christensen, AICP, Planning Manager
REVIEWED BY: Greg Carpenter, Director of Planning and Building Safety
APPROVED BY: Jack Wayt, City Manager

BACKGROUND AND DISCUSSION:

Each year, Community Development Block Grant (CDBG) funds are allocated to cities by the Federal Housing and Urban Development Department (HUD) and administered through the Los Angeles County Community Development Commission (CDC). Participating cities receive funding based upon the total number of cities participating in the County's program, and a City's commitment to provide housing, economic, social service, and community development opportunities that principally benefit persons of low and moderate income levels.
Since 1986, the City of El Segundo has annually participated in the Los Angeles Urban County’s CDBG Program. In order to continue its participation in the upcoming 2010-2011 program year, which begins on July 1, 2010, and ends on June 30, 2011, the City of El Segundo must prepare and submit its proposed CDBG action plan and/or project descriptions to the Los Angeles County Community Development Commission by February 1, 2010, for review and approval.

Pursuant to Federal requirements, notice of this public hearing was posted in public buildings within the City. Federal requirements also mandate that as part of the hearing, the Council and public be informed of the range of eligible housing and community development activities that may be funded under the CDBG program. Interested persons may obtain a copy of the Federal eligibility guidelines, available at the City of El Segundo’s Department of Planning and Building Safety, during regular business hours.

**Proposed CDBG Projects and Budgets**

The proposed 2010-2011 CDBG allocation for the City of El Segundo is approximately $86,523. This is a planning estimate only; the Los Angeles County Community Development Commission (CDC) will not receive the final appropriation from HUD until Spring 2010. The City’s final CDBG allocation may be more or less than the planning estimate. Generally, however, the final allocation is within 10% of the estimate provided. There will be little or no change in CDBG funding levels from last year. Of the $86,523, 10% or $8,652 will used for the FY 2010/11 administration of the CDBG Program, leaving $77,871 for CDBG programming.

**Proposed CDBG Action Plan for 2010-2011**

Participating cities within the Los Angeles Urban County CDBG Program are eligible to exchange or “sell” CDBG monies among each other. Typically, cities that purchase CDBG funds “buy” the CDBG funds using unrestricted General Funds. CDBG funds often sell at a discount because of the regulatory burden assumed by the purchaser. The current rate that cities acquire CDBG funds range from $0.50 to $0.60 per CDBG dollar. Thus, if El Segundo is successful in exchanging FY 2010/2011 CDBG funds totaling $77,871, a potential yield of $38,935 ($0.50 per dollar) to $46,723 ($0.60 per dollar) may be available in unrestricted General Funds. In 2004 and 2006 the City of El Segundo completed an exchange of funds with the cities of San Fernando and the County of Los Angeles, respectively.

In the past, the City of El Segundo used proceeds from the exchange of CDBG funds to support three public service projects: Home Delivered Meals, Senior In-Home Care and Juvenile Diversion. For FY 2009-2010, the budget for the public service projects totaled $68,350 (Home Delivered Meals - $28,800 [plus approximately $10,000 in donations], Senior In-Home Care - $25,550 and Juvenile Diversion - $14,000). Exchanging CDBG funds will generate more than half of the revenue necessary to support the continuation of the City’s three public service projects. Thus, an exchange of CDBG Funds is an effective revenue mechanism to supplement the General Fund contribution. However, exchanging funds is contingent upon other participating cities interested in transacting an exchange.
Alternatively, if the City cannot identify another CDBG participating city interested in exchanging CDBG funds, it is recommended that CDBG funds support the continuation of the installation of handicapped access concrete ramps throughout the City. With the recent success of the CDBG-funded installation of the 68 handicapped-access concrete ramps project, and with an additional 30 curbs remaining that require replacement, staff proposes allocating $77,871 of its FY 2010-2011 CDBG funds towards this project should exchanging CDBG funds not be feasible.

Thus, the proposed alternate FY 2010-2011 CDBG projects and budgets are:

<table>
<thead>
<tr>
<th>CDBG Project</th>
<th>Source of Funds</th>
<th>Total Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>American with Disabilities Act (ADA)</td>
<td>$77,871 (CDBG) + $7,500 (prior year, unallocated CDBG Funds) =</td>
<td>$85,371</td>
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<tr>
<td>Handicapped Access Concrete Ramps</td>
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CDBG Program Administration (maximum 10%)

$2,163 (CDBG)* + $6,489 (CDBG) + $10,548 (GF)** = $19,200

*Part of City’s FY 2009-2010 Adopted Budget

**Appropriation to be approved during City’s 2010-2011 budget cycle
AGENDA DESCRIPTION:
Consideration and possible action regarding the positions on the Committees, Commissions and Boards ("CCBs") that will expire in the year 2010. (Fiscal Impact: None)

RECOMMENDED COUNCIL ACTION:
1. Direct staff to open the recruitment process for the positions on the CCBs, as listed;
2. Alternatively, discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
- CCB Background Information and Listing of the year 2010 vacancies on Committees, Commission and Boards

FISCAL IMPACT: Included in Adopted Budget
- Amount Budgeted: $ None
- Additional Appropriation: N/A
- Account Number(s):

ORIGINATED BY: Mishia Jennings, Executive Assistant
REVIEWED BY:
APPROVED BY: Jack Wayt, City Manager

BACKGROUND AND DISCUSSION:
Pursuant to Government Code §54972, attached is the Local Appointment List of the positions on Committee, Commissions and Boards that will expire in the year 2010, as well as background information on all CCBs.

Application forms, the anticipated vacancies in the year 2010 and the background information list are posted on the City’s website at www.elsegundo.org or may be obtained from the Council Office at City Hall or, upon request, will be mailed to interested persons.

To apply to any CCB, potential candidates should contact City Hall at 310-524-2302, for an application. The deadline for filing applications is 48 hours prior to the posted interview date. Interviews of candidates are set by the City Council when a sufficient number of candidates have applied to a position.
CITY OF EL SEGUNDO
LOCAL APPOINTMENTS LIST
(COMMISSIONS, COMMITTEES, AND BOARDS)
Positions to Open in Year 2010 Posted pursuant to Govt Code § 54972
TO APPLY, CONTACT CITY HALL ADMINISTRATION, 310-524-2302

TERM EXPIRES/OPENINGS:

MAY
RECREATION & PARKS COMMISSION: (4 Yr Term – No Term Limit - All Residents)

Colleen Glynn-Rich (re-apptd 6/20/06 to 3rd full 4-yr term) 05/30/10

JUNE
ENVIRONMENTAL COMMITTEE: (4 Yr Term – No Term Limit – 2 Residents/2 Business Person/1ESUSD)

Eric Alegria (apptd to partial two year term 7/15/08) 06/30/10

LIBRARY BOARD OF TRUSTEES: (3Yr Term – Max. 2 Term Limit - All Residents)

Kathleen Coonan (re-apptd 7/17/07 to 2nd full 3-yr term) 06/30/10
John Morrill (apptd 7/17/07 to 1st full 3-yr term) 06/30/10

PLANNING COMMISSION: (4 Yr Term – No Term Limitation) (All Residents)

Brenda Newman (apptd 3/03/09 to partial term) 06/30/10

SENIOR CITIZEN HOUSING CORPORATION BOARD:
(4 Yr Term – No Term Limit - All Residents)

Paula Rotolo (re-apptd 9/16/06 to 3rd full 4-yr term) 06/30/10

OCTOBER
EL SEGUNDO COMMUNITY CABLE ADVISORY COMMITTEE: (4 Yr Term – No Term Limit - All Residents)

Brian Mitchell (re-apptd 9/19/06 to 2nd full 4-yr term) 10/31/10

NOVEMBER
CAPITAL IMPROVEMENT PROGRAM ADVISORY COMMITTEE: (4 Yr Term – No Term Limit – 2 Business/3 Residents)

Crista Binder (apptd 9/19/06 to 1st 4-yr term) 11/30/10

The ECONOMIC DEVELOPMENT ADVISORY COUNCIL does not have term expirations, but from time to time, due to resignations of members, candidates will be asked to apply.

THIS LIST IS TO REMAIN POSTED ALL YEAR -- DO NOT REMOVE
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<td>106 STATE GAS TAX FUND</td>
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<tr>
<td>703 EXPENDABLE TRUST FUND - OTHER</td>
<td>9,256.56</td>
<td></td>
<td></td>
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<tr>
<td>708 OUTSIDE SERVICES TRUST</td>
<td>2,420.00</td>
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<tr>
<td><strong>TOTAL WARRANTS</strong></td>
<td><strong>722,047.77</strong></td>
<td></td>
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</tr>
</tbody>
</table>

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

Information on actual expenditures is available in the Director of Administrative Services office in the City of El Segundo.

I certify as to the accuracy of the Demands and the availability of fund for payment thereof.

For Approval: Regular checks held for City council authorization to release.

CODES:

R = Computer generated checks for all non-emergency/curricular payments for materials, supplies and services in support of City Operations

For Restitution:

A = Payroll and Employee Benefit checks

B - F = Computer generated Early Release disbursements and/or adjustments approved by the City Manager. Such as: payments for utility services, petty cash and employee travel expense reimbursements, various refunds, contract employee services consistent with current contractual agreements, instances where prompt payment discounts can be obtained or late payment penalties can be avoided or when a situation arises that the City Manager approves.

H = Handwritten Early Release disbursements and/or adjustments approved by the City Manager.

FINANCE DIRECTOR  CITY MANAGER
DATE: 12/7/09  DATE:

VOID CHECKS DUE TO ALIGNMENT: N/A

VOID CHECKS DUE TO INCORRECT CHECK DATE:

VOID CHECKS DUE TO COMPUTER SOFTWARE ERROR:

NOTES:
CITY OF EL SEGUNDO
PAYMENTS BY WIRE TRANSFER
11/20/09 THROUGH 12/03/09

<table>
<thead>
<tr>
<th>Date</th>
<th>Payee</th>
<th>Amount</th>
<th>Description</th>
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</thead>
<tbody>
<tr>
<td>11/20/09</td>
<td>La Salle</td>
<td>43,725.00</td>
<td>ABAG</td>
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<tr>
<td>11/25/09</td>
<td>Health Comp</td>
<td>3,583.13</td>
<td>Weekly claims</td>
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<tr>
<td>11/25/09</td>
<td>Employment Development</td>
<td>66,601.23</td>
<td>State Taxes</td>
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<tr>
<td>11/25/09</td>
<td>IRS</td>
<td>249,706.42</td>
<td>Federal Taxes</td>
</tr>
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<td>11/27/09</td>
<td>State of CA EFT</td>
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<td>11/27/09</td>
<td>Nationwide EFT</td>
<td>33,251.35</td>
<td>457 payment</td>
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<td>11/27/09</td>
<td>UB</td>
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<td>457 payment Vantagepoint</td>
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<td>12/2/09</td>
<td>Lane Donovan Golf Pte</td>
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<td>Payroll Transfer</td>
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<td>12/3/09</td>
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<td>12/3/09</td>
<td>IRS</td>
<td>113,473.14</td>
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<tr>
<td>12/3/09</td>
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<td>11/20-12/03/09</td>
<td>Workers Comp Activity</td>
<td>21,789.95</td>
<td>SCRMA checks issued</td>
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DATE OF RATIFICATION: 12/15/09
TOTAL PAYMENTS BY WIRE: 635,162.58

Certified as to the accuracy of the wire transfers by:

Deputy City Treasurer
Date: 12/3/09

Director of Finance
Date: 12/7/09

City Manager
Date: 12/8/09

Information on actual expenditures is available in the City Treasurer's Office of the City of El Segundo.
REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, DECEMBER 1, 2009 – 5:00 P.M.

5:00 P.M. SESSION CANCELLED – NO ITEMS OF BUSINESS

(REGULAR MEETING TO BE ADJOURNED TO 7:00 P.M.)

5:00 P.M. SESSION

CALL TO ORDER

ROLL CALL

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 City Council on behalf of another, and employees speaking on behalf of their employer, must so identify themselves prior to addressing the City Council. Failure to do so shall be a misdemeanor and punishable by a fine of $250.

SPECIAL ORDER OF BUSINESS:

CLOSED SESSION:
The City Council may move into a closed session pursuant to applicable law, including the Brown Act (Government Code Section §54960, et seq.) for the purposes of conferring with the City’s Real Property Negotiator; and/or conferring with the City Attorney on potential and/or existing litigation; and/or discussing matters covered under Government Code Section §54957 (Personnel); and/or conferring with the City’s Labor Negotiators; as follows:

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Gov’t Code §54956.9(a) -0- matter

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Government Code §54956.9(b): -0- potential case (no further public statement is required at this time); Initiation of litigation pursuant to Government Code §54956.9(c): -0- matter.

DISCUSSION OF PERSONNEL MATTERS (Gov’t Code §54957): - 0- matters
9
CONFERENCE WITH CITY’S LABOR NEGOTIATOR (Gov’t Code §54957.6): - 0-matters

CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Gov’t Code §54956.8): - 0-matters

SPECIAL MATTERS: - 0- matter
REGULAR MEETING OF THE EL SEGUNDO CITY COUNCIL
TUESDAY, DECEMBER 1, 2009 - 7:00 P.M.

7:00 P.M. SESSION

CALL TO ORDER – Mayor McDowell at 7:00 p.m.

INVOCATION – Pastor John Svendsen, First Baptist Church

PLEDGE OF ALLEGIANCE – Council Member Bill Fisher

PRESENTATIONS

a. Council Member Brann presented a Proclamation to announce Candy Cane Lane, December 12, 2009 through December 23, 2009.

b. Council Member Jacobson presented a Commendation for Maurice O’Brien as RSVP of the Year.

c. Mayor McDowell presented a Proclamation to announce December 13, 2009 as the 46th Annual El Segundo Holiday Parade.

ROLL CALL

Mayor McDowell - Present
Mayor Pro Tem Busch - Present
Council Member Brann - Present
Council Member Fisher - Present
Council Member Jacobson - Present

PUBLIC COMMUNICATIONS – (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 City Council on behalf of another, and employees speaking on behalf of their employer, must so identify themselves prior to addressing the City Council. 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 Council to take action on any item not on the agenda. The Council will respond to comments after Public Communications is closed.

Denise Dedesquali, Board Member for Work Investment Board (WIB), made a presentation regarding WIB activities and programs, and the quarter summary.

Michael Mead, US TOW; addressed item number 13 on the Consent Agenda, spoke regarding the award of the RFP for towing.
Nancy Peters, Resident; introduced the new Relay for Life partner Amanda Manning, and announced the planning the event for June 14, 2010.

Amanda Manning, American Cancer Society, spoke regarding the Relay for Life Event.

Jeremy Landcaster, Washington Plaza Homeowners Association; spoke regarding parking permits for a limited area around his complex.

Liz Garnholtz, Resident; spoke regarding the discussion on consolidating the Fire Department with the County of Los Angeles.

A. PROCEDURAL MOTIONS

Consideration of a motion to read all ordinances and resolutions on the Agenda by title only.

MOTION by Council Member Jacobson, SECONDED by Council Member Brann to read all ordinances and resolutions on the Agenda by title only. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

B. SPECIAL ORDERS OF BUSINESS (PUBLIC HEARING)

1. Consideration and possible action to waive the first reading and introduce a Water Efficient Landscape Ordinance for the City of El Segundo. (Fiscal Impact: None)

Greg Carpenter, Director of Planning and Building Safety, gave a presentation.

Toni Reina, Continental Development Corporation, spoke regarding their concerns with the restrictions of the ordinance.

MOTION by Council Member Jacobson, SECONDED by Mayor Pro Tem Busch to close the public hearing. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

Mark Hensley, City Attorney, read by title only:

ORDINANCE NO. 1437

AN ORDINANCE AMENDING EL SEGUNDO MUNICIPAL CODE CHAPTER 10-2, ENTITLED “WATER CONSERVATION IN LANDSCAPING,” IN ITS ENTIRETY IN ACCORDANCE WITH GOVERNMENT CODE § 65595(C).

Mayor McDowell introduced the ordinance.


C. UNFINISHED BUSINESS
D. REPORTS OF COMMITTEES, COMMISSIONS AND BOARDS

E. CONSENT AGENDA
All items listed are to be adopted by one motion without discussion and passed unanimously. If a call for discussion of an item is made, the item(s) will be considered individually under the next heading of business.

2. Approved Warrant Numbers 2574720 to 2574958 on Register No. 4 in the total amount of $1,350,950.82 and Wire Transfers from 11/05/09 through 11/19/09 in the total amount of $2,195,721.65. Authorized staff to release. Ratified: Payroll and Employee Benefit checks; checks released early due to contracts or agreement; emergency disbursements and/or adjustments; and wire transfers.

3. Approved Regular City Council Meeting Minutes of November 17, 2009 and Special City Council Meeting of November 12, 2009.

4. Authorized the City Manager to execute Standard Public Works Contract No. 4026 in the amount of $721,403, in a form approved by the City Attorney, to Pacific Hydrotech Corporation for the Seismic Strengthening of the 3.1 Million Gallon Water Reservoir located at 400 Lomita Street. Amend Contact No. 3742 with Tetra Tech, Inc. for additional services for materials testing and special inspection services ($17,541) and add a 10% contingency and authorize the Public Works Director to use this contingency in the event that change orders are necessary – Project No. PW 09-13 (Fiscal Impact: $738,944.00)

5. Approved the request from the Young Americans Workshop Committee to allow banners to be hung over Main Street at no cost. (Fiscal Impact: $178)

6. Adopted Resolution No. 4635 approving the El Segundo Sewer System Management Plan. (SSMP) (Fiscal Impact: None)

7. Received and filed report without objecting to modify an existing Alcoholic Beverage Control (ABC) license for on-site sale and on-site consumption of alcohol (Type 41 – On-Sale Beer and Wine) at an existing restaurant located at 720 Allied Way, Suite D, EA No. 851 and AUP No. 09-09. Applicant: The Veggie Grill (Fiscal Impact: N/A)

8. Approved the purchase of the Vermeer 1200LX brush chipper for the Parks Maintenance Division. (Fiscal Impact: $33,824.15)

9. Authorized the City Manager to execute a renewal to the City's agreement with TruGreen LandCare, in a form approved by the City Attorney, for landscape maintenance services. (Fiscal Impact: $150,095)
10. Approved the rental fee waiver request for the amount of $3,850 from "El Segundo Broadway in the Park" to host a week-long professional theater performance in July 2010 at Recreation Parks' Softball Field.

11. Waived second reading and adopted Ordinance No. 1436 to amend Title 4, Chapter 11 regulating motion picture, radio, and television production within the City of El Segundo. (Fiscal Impact: None)

12. Authorized the City Manager to execute standard Public Works Contract No. 4027 to General Lighting and Electric, Inc., in the amount of $11,910 for the installation of new lighting poles and conduits at Joslyn Center (339 Sheldon Street). Project No.: PW 09-14. (Fiscal Impact: 13,000.00)

13. PULLED FOR DISCUSSION BY MAYOR MCDOWELL.

14. Authorized the City Manager to execute standard Public Works Contract No. 4028, in the amount of $212,856.95, to the lowest responsible bidder, Silvia Construction, Inc., for the rehabilitation of Mariposa Avenue from Sepulveda Boulevard to Nash Street. Project No.: PW 09-01, Federal Project No.: LAES681 (Fiscal Impact: $234,000.00)

15. Approved request from Big West Construction Corporation to substitute the door supplier listed in their Bid related to Group 38 (26 homes) of the City's Residential Sound Insulation Program. (Project No. RSI 09-19)

16. Adopted Resolution No. 4634 opposing proposed Metropolitan Transportation Authority plans to construct a rail transit operations and maintenance facility for the Crenshaw Transit Corridor Project within the City of El Segundo. (Fiscal Impact: None) Authorized the City Manager, or designee, to take appropriate action to oppose the proposed project.

MOTION by Council Member Fisher, SECONDED by Council Member Jacobson to approve Consent Agenda items 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15 and 16. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0. Mayor Pro Tem Busch Not-Participating on item number 11 due to a possible conflict of interest regarding his employer.

CALL ITEMS FROM CONSENT AGENDA

13. Consideration and possible action on awarding RFP No. #09-17 (Police Towing and Storage Services) to Manhattan Beach Towing as the City's primary tow contractor and authorize the City Council to execute a four-year agreement in a form approved by the City Attorney with three one-year term extensions, for a maximum total contract length of seven years. (Fiscal Impact: None.)
MOTION by Mayor Pro Tem Busch, SECONDED by Council Member Fisher to authorize the City Manager to execute a four-year Contract No. 4029, in a form approved by the City Attorney, to Manhattan Beach Towing as the City's primary tow contractor, RFP No. #09-17 (Police Towing and Storage Services), with three one year term extensions, for a maximum total contract length of seven years. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

F. NEW BUSINESS

17. Consideration and possible action to request a survey from the Consolidated Fire Protection District of Los Angeles County to determine the feasibility of the Consolidated Fire Protection District of Los Angeles County (District) providing fire protection and related services to the City of El Segundo (City). The survey is intended to be used as a tool to educate the City Council and City staff on the operational and financial impacts on the City if the City were to elect to contract with the District for fire protection and related services instead of maintaining its own municipal fire department. (Fiscal Impact: $18,000 Refunded from Economic Uncertainty Fund, Fire Station #2 Designation)

Kevin Smith, Fire Chief, gave a report.

MOTION by Council Member Fisher, SECONDED by Council Member Brann to authorize the City Manager to sign and forward a letter on behalf of the El Segundo City Council to the County of Los Angeles Board of Supervisors requesting a proposal from the Consolidated Fire Protection District of Los Angeles County to provide fire protection and related services to the City of El Segundo. Authorized the City Manager to execute Agreement No. 4030, in a form approved by the City Attorney, with the Consolidated Fire Protection District, to prepare a report relating to Fire Protection, Paramedic, and Incidental Services. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

18. Consideration and possible action to (1) place an initiative on the ballot for the previously called April 13, 2010 municipal election to amend the City's utility user tax ("UUT") regulations (El Segundo Municipal Code ("ESMC") Chapter 3-7) to update the language in regulations with regard to maintaining the City's revenues from the UUT tax based upon technological changes in communications methods; and (2) place an initiative on the ballot for the previously called April 13, 2010 municipal election to amend the City's business license tax regulations to (i) increase the tax amount annually based upon the ten-year average of percentage increase in public safety costs incurred by cities in California (ESMC Title 4), and (ii) reduce from a 50% credit to a 25% credit, over a three year period, the amount that businesses can reduce their annual business license tax based upon the annual sales/use tax they generate for the City. (Fiscal Impact: Projected approximate 6% per year increase to the City's business license tax for which the City collects an estimated $9,000,000 annually.)
MOTION by Mayor Pro Tem Busch, SECONDED by Council Member Jacobson to adopt Resolution No. 4636 placing an initiative on the ballot amending utility user tax regulations. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

MOTION by Council Member Jacobson, SECONDED by Council Member Fisher to adopt Resolution No. 4637 directing the City Attorney to prepare an impartial analysis for Ballot Initiative M. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

MOTION by Council Member Brann, SECONDED by Council Member Jacobson to appointed Mayor McDowell to draft the argument and rebuttal argument in favor of the tax measures and all five Council Members to sign the argument. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

MOTION by Mayor Pro Tem Busch, SECONDED by Council Member Brann to adopt a Resolution placing an initiative on the ballot amending business license tax regulations using the Public Safety Index and directing Mayor Pro Tem Busch to draft the argument and rebuttal arguments in favor of the tax measure. MOTION FAILED BY THE FOLLOWING VOICE VOTE: AYES: BUSCH, BRANN, FISHER NOES: MCDOWELL AND JACOBSON 3/2

19. Consideration and possible direction to Planning and Building Safety staff to review and to prepare municipal code amendments to the existing off-street parking and loading requirements in El Segundo Municipal Code (ESMC) Chapter 15-15. (Fiscal Impact: None)

Continued to December 15, 2009 meeting due to the length of the presentation.

G. REPORTS – CITY MANAGER

H. REPORTS – CITY ATTORNEY

I. REPORTS – CITY CLERK

20. Consideration and possible action regarding Council consensus to cancel the January 5, 2010 City Council Meeting. (Fiscal Impact: None)

MOTION by Mayor Pro Tem McDowell, SECONDED by Mayor Pro Tem Busch to approve cancellation of the January 5, 2010 City Council Meeting. MOTION PASSED BY UNANIMOUS VOICE VOTE. 5/0

J. REPORTS – CITY TREASURER - NONE

K. REPORTS – CITY COUNCIL MEMBERS

Council Member Brann – Spoke regarding the signal at Mariposa and Douglas.

Council Member Fisher – NONE
Council Member Jacobson – NONE

Mayor Pro Tem Busch – Expressed his disappointment regarding Council’s action on the Business License Tax initiative actions.

Mayor McDowell – Spoke regarding his decision on the Business License Tax initiative.

PUBLIC COMMUNICATIONS – (Related to City Business Only – 5 minute limit per person, 30 minute limit total) Individuals who have receive value of $50 or more to communicate to the City Council on behalf of another, and employees speaking on behalf of their employer, must so identify themselves prior to addressing the City Council. 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 Council to take action on any item not on the agenda. The Council will respond to comments after Public Communications is closed.

Jack Kenton, resident; spoke regarding stop signs being blocked by trees and trucks.

MEMORIALS – NONE

CLOSED SESSION – NONE

REPORT OF ACTION TAKEN IN CLOSED SESSION (if required)

ADJOURNMENT AT 9:38 P.M.

Cindy Mortesen, City Clerk
AGENDA DESCRIPTION:
Consideration and possible action to approve a Fire Department Mutual Apparatus and Equipment Loan Agreement between the cities of El Segundo, Redondo Beach, Hermosa Beach, and Manhattan Beach. (Fiscal Impact: None)

RECOMMENDED COUNCIL ACTION:
1. Approve and authorize the Fire Department Mutual Apparatus and Equipment Loan Agreement;
2. Authorize the Mayor to sign the Agreement; and
3. Alternatively, discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
Fire Department Mutual Apparatus and Equipment Loan Agreement

FISCAL IMPACT: None

Amount Budgeted: n/a
Additional Appropriation: n/a
Account Number(s): n/a

ORIGINATED BY: Kevin S. Smith, Fire Chief
REVIEWED BY: Kevin S. Smith, Fire Chief
APPROVED BY: Jack Wayt, City Manager

BACKGROUND AND DISCUSSION:
The fire service is expected to deliver emergency response services 24 hours a day 365 days a year. In order to accomplish this mission we maintain a constant state of readiness, in part by maintaining a front line of emergency response apparatus. These are backed up by a second line or reserve emergency response apparatus which are placed into front line service when other apparatus is out of service or there is an extended emergency requiring the department to staff up. At times, unexpected events occur that lead to a fire department not having enough apparatus available to serve the needs of the community. Therefore, the South Bay Fire Chief’s Association has determined that there is a need to have an agreement between the fire departments to loan apparatus and equipment to a department in need. The Operations Section of the South Bay Fire Chiefs Association drafted an agreement that would meet such a need and limit potential liabilities. The El Segundo Fire Department has participated in this apparatus and equipment loan agreement since 2004. There have been multiple occasions where the El Segundo Fire Department has been loaned fire apparatus from a neighboring agency in order to enable us to maintain services in our city. The South Bay Fire Chiefs recommend adoption of this new five year agreement.
FIRE DEPARTMENT MUTUAL APPARATUS AND EQUIPMENT LOAN AGREEMENT

This Agreement is entered into on January 1, 2010 between the cities of El Segundo, Hermosa Beach, Manhattan Beach and Redondo Beach (hereinafter individually “Party” and collectively, the “Parties”) each of which is a municipal corporation and a general law or (in the case of Redondo Beach) a charter City formed under the provisions of the Constitution of the State of California.

RECITALS

A. Each of the Parties provides fire suppression services to its residents and maintains an inventory of equipment for the purposes of doing so.
B. From time to time an agency may have essential apparatus and equipment which requires repair or maintenance and thus have equipment temporarily unavailable for Deployment.
C. Other Parties (“Lending Party”) may have equipment which is redundant or otherwise unnecessary for immediate deployment in their own jurisdiction. which could, at the sole discretion of such a party’s fire chief, be made available for loan to a Party in need (“Borrowing Party”).
D. The purpose of this Agreement is to facilitate such a loan arrangement between Parties hereto.

AGREEMENT

1. Definitions. Unless the contrary is stated or clearly appears from the context, the following definitions govern the construction of the words and phrases used in the Agreement.

“Borrower” means a Party using or possessing apparatus and/or equipment from Lender.

“Lender” means a Party lending apparatus and/or equipment to a Borrower.

2. Loan of Equipment. With the consent of the Lender’s fire chief any Party may lend to any other Party fire suppression equipment pursuant to the terms and conditions of this Agreement and such other terms and conditions, not inconsistent with this Agreement as the Lender’s fire chief deems appropriate. In the event that the Lender experiences emergency conditions necessitating return of loaned apparatus and/or equipment, both parties will work to return the apparatus/equipment and to secure an acceptable replacement for the Borrower from one of the other Parties.

3. Orientation/Training. If the Apparatus and/or equipment are the same as that used and possessed by the Borrower, the Lender will provide an orientation of unique characteristics to a trainer from the Borrower to enable safe operation of the loaned apparatus or equipment. If the Borrower does not use the same type of apparatus or equipment, the Borrower will supply a trainer to be trained in the safe use of the equipment by the Lender’s representative. In any case the Borrower’s trainer is
responsible and must ensure that Borrower’s personnel are trained in the proper and safe operation of the loaned apparatus or equipment.

4. **Care and condition of Apparatus/Equipment.** The Borrower must ensure at its expense that the apparatus/equipment is routinely maintained and returned to the Lender in the same or better condition that it was received in.

5. **Term of Agreement:** This Agreement is effective on the date signed by all parties for a term of five (5) calendar years and may be mutually renewed by the Parties’ fire chiefs every five (5) years thereafter unless terminated pursuant to the terms of this agreement. At each renewal and not less than sixty (60) days prior to the date of expiration, all parties shall meet to discuss Agreement updates and necessary content modifications.

6. **Termination.** Any party may terminate its participation in the Agreement at any time with twenty-four (24) hour written notice to all other Parties. Provided, however, that no Party may terminate this Agreement while it is either a Borrower or Lender.

7. **Indemnification.**

   A. Each Party releases every other Party to the Agreement from all liability to itself, its officials, officers, employees, agents, and volunteers (collectively, “Party”), for any claim, damage, or demands for personal injury, death, or property damage, arising from or related to this Agreement. Each Party bears sole responsibility for any loss with the following exception: any Borrower agrees to indemnify and hold the Lender harmless from and against any claim, action, damages, costs (including, without limitation, attorney’s fees), injuries, or liability, arising out of the Borrower’s use or possession of the apparatus or equipment. Should the Lender 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 Borrower’s use or possession of Lender’s apparatus or equipment, Borrower will defend Lender (at Lender’s request and with counsel satisfactory to Lender) and will indemnify Lender for any judgment rendered against it or any sums paid out in settlement or otherwise.

   B. It is expressly understood and agreed that the foregoing provisions will survive termination of the agreement.

   C. The requirements as to the types and limits of insurance coverage to be maintained by the Parties are not intended to, and will not, in any manner limit or qualify the liabilities and obligations otherwise assumed by the Parties pursuant to this Agreement, including, without limitation, to the provisions concerning indemnification.

8. **Insurance.** Any Borrower must have liability insurance with an insurance company admitted to do business in California with policy limits of not less than $2,000,000. The Lender must be named as additional insured on said policy and be entitled to at least thirty days advance written notice of the cancellation of said policy. The Borrower must
provide written proof of insurance before delivery of any equipment to be borrowed. With the consent of the Lender, the Borrower may substitute self-insurance for the policy requirements of this section.

9. **Modification.** This Agreement constitutes the entire agreement between the Parties and supersedes any other agreements, oral or written. No promises, other than those included in this Agreement, shall be valid. This Agreement may be modified only by a written agreement executed by all the Parties.

10. **Assignment.** The Parties understand that their status as public entities are primary inducements for each to enter into this Agreement. For this reason, the Parties agree that they will not assign or transfer any portion of or interest in the Agreement. Any attempt to assign or transfer any portion of this Agreement will be void.

11. **Notices.** All notices required by this agreement must be in writing and given to the Parties at the following addresses.

   **CITY OF EL SEGUNDO**
   El Segundo Fire Department
   314 Main Street
   El Segundo, CA 90245

   **CITY OF REDONDO BEACH**
   Redondo Beach Fire Department
   401 So. Broadway
   Redondo Beach, CA 90277

   **CITY OF MANHATTAN BEACH**
   City Clerk
   1400 Highland Ave.
   Manhattan Beach, CA 90266

   **CITY OF HERMOSA BEACH**
   Hermosa Beach Fire Department
   540 Pier Avenue
   Hermosa Beach, CA 90254

12. **California Law.** This Agreement shall be construed in accordance with the laws of the State of California. Any action commenced arising from this Agreement shall be filed in the appropriate branch of the Los Angeles County Municipal or Superior Court.

13. **Interpretation.** This Agreement shall be interpreted as though prepared by all Parties.

14. **Preservation of Agreement.** Should any provision of this Agreement be found invalid or unenforceable, the decision shall affect only the provision interpreted, and all remaining provisions shall remain enforceable provided that the remaining valid terms advance the purposes of this Agreement.

15. **Entire Agreement.** This Agreement supersedes any and all other agreements, either oral or in writing, between the Parties with respect to the subject matter herein. Each Party to this Agreement acknowledges that representations by any Party not embodied herein, and any other agreements, statements or promises concerning the subject matter of this Agreement, not contained in the Agreement are not valid and binding. Any modification of this Agreement will be effective only if it is in writing and signed by the Parties. Any issue with respect to the interpretation or construction of this Agreement is to be resolved
without resorting to the presumption that ambiguities should be construed against the drafter.

16. Facsimile signatures. The Parties agree that agreements ancillary to this Agreement, and related documents to be entered into in connection with this Agreement will be considered signed when the signature of a party is delivered by facsimile transmission. Such facsimile signature will be treated in all respects as having the same effect as an original signature.

17. Counterparts. This Agreement may be executed in any number or counterparts, each of which will be an original, but all of which together will constitute one instrument executed on the same date.
IN WITNESS THEREOF, the parties hereto have executed this agreement on the day and year first shown above.

CITY OF EL SEGUNDO

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:
City Attorney

By: ____________________________

CITY OF MANHATTAN BEACH

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:
City Attorney

By: ____________________________

CITY OF REDONDO BEACH

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:
City Attorney

By: ____________________________

CITY OF HERMOSA BEACH

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:
City Attorney

By: ____________________________
AGENDA DESCRIPTION:

Consideration and possible action regarding a 2-year approval to waive fees for fifteen (15) City co-sponsored annual Special Events, in which the City provides support services and/or facilities at no cost to the organizing group.
(Fiscal Impact: None)

RECOMMENDED COUNCIL ACTION:

(1) Approve the fee waiver request for the total amount of $45,100.
(2) Alternatively, discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:

ATTACHMENT #1: Annual Special Events Support Calendar
ATTACHMENT #2: Annual Special Events Support Matrix

FISCAL IMPACT: None

Amount Budgeted: $45,100
Additional Appropriation: N/A
Account Number(s):

ORIGINATED BY: Jeff Van Fossen, Acting Recreation Superintendent
REVIEWED BY: Bob Cummings, Recreation & Parks Director
APPROVED BY: Jack Wayt, City Manager

BACKGROUND AND DISCUSSION:

Staff has identified fifteen (15) annual Special Events held within the City that the City has provided support services and/or fee waivers for use of City facilities or fields. Each of the events identified by Staff are annual events that have been graciously supported by the City Council for many years.

The Annual Special Events Support Calendar (Attachment #1) shows a breakdown of these events, the groups that host each event, and the time of year in which they are hosted.

The Annual Special Events Support Matrix (Attachment #2) shows a detailed breakdown of the costs associated with each of these events.

Four (4) City Departments are routinely involved in the support of these events; Police, Fire, Public Works, and Recreation & Parks. Police Department support is often in the form of officers for crowd and traffic control. Fire Department support is often for Fire Marshall approval. Public Works Department support ranges from administration of street banners and
the waiving of fees for this service to Streets Division street closure postings and barricade drop-off. Recreation & Parks Department support ranges from administration and processing of the Special Event Permits and coordination of the events with event organizers to the Parks Division assistance with equipment delivery (tables, chairs, Showmobile, event signage, etc.), event set-up and event breakdown. In addition, the Recreation & Parks Department facilitates the facility and/or field rentals and the fee waiver requests associated with those requests, along with any necessary City staffing needed for the events.

Many of these events have become a tradition in El Segundo over the past several years and they have become a part of El Segundo’s unique culture. Events such as these are part of what makes the City of El Segundo a desirable community to live, work and play. Upon approval, Staff would re-evaluate the list of “pre-approved” Special Events for the year 2012 and return to City Council with an updated list of Special Events for fee waiver consideration.
ANNUAL SPECIAL EVENTS SUPPORT CALENDAR
AND FEE WAIVER REQUEST

• February
  o Opening Day Parade  El Segundo Little League
  o Tasting Bee  El Segundo Girl Scout Neighborhood

• March
  o Run for Education  El Segundo P.T.A.
  o Arbor Day Celebration  Tree Musketeers

• June
  o Relay for Life  American Cancer Society
  o Promotional Dance  El Segundo Middle School

• July
  o Soap Box Derby  El Segundo Boy Scout Association

• August
  o Movie in the Park  El Segundo Rotary
  o Main Street Car Show  El Segundo Police Officer’s Association

• September
  o Richmond Street Fair  El Segundo Kiwanis Club
  o Pancake Breakfast  El Segundo Police and Fire Associations
  o Homecoming Parade  El Segundo High School

• December
  o Holiday Parade  El Segundo Chamber of Commerce
  o Candy Cane Lane  Residents of E. Acacia Avenue
  o Senior Holiday Craft Fair  El Segundo Senior Citizens Club
CITY OF EL SEGUNDO - RECREATION AND PARKS DEPARTMENT
"El Segundo's Backyard"

ANNUAL SPECIAL EVENTS SUPPORT MATRIX
AND FEE WAIVER REQUEST

<table>
<thead>
<tr>
<th>EVENT</th>
<th>SPONSORED BY</th>
<th>POLICE</th>
<th>FIRE</th>
<th>PUBLIC WORKS</th>
<th>RECREATION &amp; PARKS</th>
<th>TOTAL</th>
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<tbody>
<tr>
<td>1 Opening Day Parade</td>
<td>El Segundo Little League</td>
<td>$ 2,100</td>
<td>$</td>
<td>$</td>
<td>$</td>
<td>$ 2,100</td>
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<tr>
<td>2 Tasting Bee</td>
<td>El Segundo Girl Scouts Neighborhood</td>
<td>$</td>
<td>$</td>
<td>$</td>
<td>$ 500</td>
<td>$ 500</td>
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<tr>
<td>3 Run for Education</td>
<td>El Segundo P.T.A.</td>
<td>$ 2,900</td>
<td>$</td>
<td>$ 1,100</td>
<td>$</td>
<td>$ 3,900</td>
</tr>
<tr>
<td>4 Arbor Day</td>
<td>Tree Musketeers</td>
<td>$ 1,500</td>
<td>$</td>
<td>$ 700</td>
<td>$ 700</td>
<td>$ 2,900</td>
</tr>
<tr>
<td>5 Relay for Life</td>
<td>American Cancer Society</td>
<td>$ 4,400</td>
<td>$</td>
<td>$ 900</td>
<td>$ 1,500</td>
<td>$ 6,800</td>
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<tr>
<td>6 Promotional Dance</td>
<td>El Segundo Middle School</td>
<td>$</td>
<td>$</td>
<td>$</td>
<td>$ 500</td>
<td>$ 500</td>
</tr>
<tr>
<td>7 Soap Box Derby</td>
<td>El Segundo Boy Scouts Association</td>
<td>$ 2,100</td>
<td>$</td>
<td>$ 300</td>
<td>$</td>
<td>$ 2,400</td>
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<td>8 Movie in the Park</td>
<td>El Segundo Rotary Club</td>
<td>$ 3,500</td>
<td>$</td>
<td>$ 300</td>
<td>$</td>
<td>$ 3,800</td>
</tr>
<tr>
<td>9 Main Street Car Show</td>
<td>El Segundo Police Officers Association</td>
<td>$</td>
<td>$</td>
<td>$ 1,200</td>
<td>$ 700</td>
<td>$ 1,900</td>
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<tr>
<td>10 Richmond Street Fair</td>
<td>El Segundo Kiwanis Club</td>
<td>$</td>
<td>$ 600</td>
<td>$ 1,100</td>
<td>$ 800</td>
<td>$ 2,500</td>
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<tr>
<td>11 Pancake Breakfast</td>
<td>El Segundo Police &amp; Fire Association</td>
<td>$</td>
<td>$</td>
<td>$</td>
<td>$ 500</td>
<td>$ 500</td>
</tr>
<tr>
<td>12 Homecoming Parade</td>
<td>El Segundo High School</td>
<td>$ 3,900</td>
<td>$</td>
<td>$ 300</td>
<td>$</td>
<td>$ 4,200</td>
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<tr>
<td>13 Holiday Parade</td>
<td>El Segundo Chamber of Commerce</td>
<td>$ 5,800</td>
<td>$</td>
<td>$ 5,100</td>
<td>$ 1,100</td>
<td>$ 12,000</td>
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<td>14 Candy Cane Lane</td>
<td>Residents of S. Acacia Avenue</td>
<td>$</td>
<td>$</td>
<td>$ 300</td>
<td>$ 500</td>
<td>$ 800</td>
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<tr>
<td>15 Senior Holiday Craft Fair</td>
<td>El Segundo Senior Citizens Club</td>
<td>$</td>
<td>$</td>
<td>$</td>
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<td>$ 300</td>
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<tr>
<td><strong>TOTALS</strong></td>
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<td>$ 600</td>
<td>$12,300</td>
<td>$ 7,100</td>
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AGENDA DESCRIPTION:
Consideration and possible action to adopt Ordinance No. 1437, a Water Efficient Landscape Ordinance for the City of El Segundo. (Fiscal Impact: None)

RECOMMENDED COUNCIL ACTION:
1. Waive Second reading, and adopt Ordinance No. 1437; and/or
2. Alternatively, discuss and take other possible related action to this item.

ATTACHED SUPPORTING DOCUMENTS:
1. Ordinance No. 1437

FISCAL IMPACT: None

<table>
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<tr>
<th>Amount Budgeted:</th>
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<tbody>
<tr>
<td>Additional Appropriation:</td>
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</tr>
<tr>
<td>Account Number(s):</td>
<td>N/A</td>
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</table>

ORIGINATED BY: Kimberly Christensen, AICP, Planning Manager
REVIEWED BY: Greg Carpenter, Director Planning and Building Safety
APPROVED BY: Jack Wayt, City Manager

BACKGROUND AND DISCUSSION:

1. Background

On December 1, 2009, the City Council introduced and had first reading of Ordinance No. 1437. If adopted, the Ordinance would amend ESMC Chapter 10-2 entitled “Water Conservation In Landscaping” in its entirety in accordance with Government Code § 65595(C). The Ordinance is presented for second reading and adoption. If adopted without change, the regulations will become effective in 30 days.
ORDINANCE NO. 1437

AN ORDINANCE AMENDING EL SEGUNDO MUNICIPAL CODE
CHAPTER 10-2, ENTITLED "WATER CONSERVATION IN
LANDSCAPING," IN ITS ENTIRETY IN ACCORDANCE WITH
GOVERNMENT CODE § 65595(C).

The City Council does ordain as follows:

SECTION 1: Chapter 10-2 of the El Segundo Municipal Code ("ESMC"), entitled
"Water Conservation in Landscaping," is amended in its entirety to read as
follows:

"Chapter 2

WATER CONSERVATION IN LANDSCAPING

10-2-1: PURPOSE
10-2-2: DEFINITIONS
10-2-3: APPLICATION OF POLICIES
10-2-4: SUBMITTAL REQUIREMENTS
10-2-5: LANDSCAPING DESIGN REQUIREMENTS
10-2-6: WATER FEATURES
10-2-7: LANDSCAPE MAINTENANCE
10-2-8: MODEL HOME LANDSCAPING
10-2-9: VERIFICATION OF COMPLIANCE
10-2-10: PENALTIES FOR VIOLATION AND ENFORCEMENT

10-2-1: PURPOSE:

This Chapter is adopted in accordance with Government Code § 65595(c) for
the purpose of complying with California law and promoting water
conservation. This Chapter may be referred to as the “Water Conservation In
Landscaping Standards.” The Water Conservation In Landscaping Standards
are intended to promote water conservation while allowing the maximum
possible flexibility in designing healthy, attractive, and cost effective water
efficient landscapes.

10-2-2: DEFINITIONS:

Unless the contrary is stated or clearly appears from the context, the following
definitions govern the construction of the words and phrases used in this
chapter. Words and phrases not defined by this chapter have the meanings
stated in the Water Conservation in Landscaping Act (Government Code §§
65591, et seq.); regulations promulgating the Water Conservation in
Landscaping Act; this Code; and any successor statutes or regulations.
BACKFLOW PREVENTION DEVICE: means a safety device used to prevent pollution or contamination of the potable water supply due to the reverse flow of water from the irrigation system.

CERTIFICATE OF COMPLETION: means the document that certifies that the landscape design plan, irrigation scheduling parameters and landscape project has been installed per the approved Landscape Documentation Package. An irrigation audit report must also be included to obtain the final certificate of completion for the project.

CERTIFIED IRRIGATION DESIGNER: means a person certified to design irrigation systems by an accredited academic institution a professional trade organization or other program such as the US Environmental Protection Agency’s WaterSense irrigation designer certification program and Irrigation Association’s Certified Irrigation Designer program.

CHECK VALVE: or “anti-drain valve” means a valve located under a sprinkler head, or other location in the irrigation system, to hold water in the system to prevent drainage from sprinkler heads when the sprinkler is off.

CLIMATE ZONE: Plant species as described in the Sunset Western Climate Zone System for the City of El Segundo (Zone No. 24).

DESIGNER: A person qualified to practice landscape architecture and/or irrigation design.

Drip Irrigation: means any non-spray low volume irrigation system utilizing emission devices with a flow rate measured in gallons per hour. Low volume irrigation systems are specifically designed to apply small volumes of water slowly at or near the root zone of plants.

ECOLOGICAL RESTORATION PROJECT: means a project where the site is intentionally altered to establish a defined, indigenous, historic ecosystem.

EMITTER: means a drip irrigation emission device that delivers water slowly from the system to the soil.

ETo: means Reference Evapotranspiration which is the approximation of water loss expressed in inches per year from a field of 4-to-7-inch-tall cool season grass that is not water stressed.

FLOW RATE: means the rate at which water flows through pipes, valves and emission devices, measured in gallons per minute, gallons per hour, or cubic feet per second.
"Guidelines" or the "City of El Segundo Land Development Provisions for Landscaping and the Guidelines for Implementation of Water Efficient Landscape" means regulations separately adopted by City Council resolution, and incorporated by reference into this chapter, providing specific regulations for water conservation.

HARDSCAPES: means any durable material (pervious and non-pervious).

HYDROZONE: means a portion of the landscaped area having plants with similar water needs. A hydrozone may be irrigated or non-irrigated.

INfiltration RATE: means the rate of water entry into the soil expressed as a depth of water per unit of time (e.g., inches per hour).

INVASIVE PLANT SPECIES: means species of plants not historically found in California that spread outside cultivated areas and can damage environmental or economic resources. Invasive species may be regulated by county agricultural agencies as noxious species. "Noxious weeds" means any weed designated by the Weed Control Regulations in the Weed Control Act and identified on a Regional District noxious weed control list. Lists of invasive plants are maintained at the California Invasive Plant Inventory and USDA invasive and noxious weeds database.

IRRIGATION AUDIT: means an in-depth evaluation of the performance of an irrigation system conducted by a Certified Landscape Irrigation Auditor. An irrigation audit includes, but is not limited to: inspection, system tune-up, system test with distribution uniformity or emission uniformity, reporting overspray or runoff that causes overland flow, and preparation of an irrigation schedule.

IRRIGATION SYSTEM: A complete connection of system components, including the water distribution network and the necessary irrigation equipment and downstream from the backflow prevention device.

LANDSCAPE ARCHITECT: means a person who holds a license to practice landscape architecture in the state of California Business and Professions Code, Section 5615.

LANDSCAPE AREA: means all the planting areas, turf areas, and water features in a landscape design plan subject to the Maximum Applied Water Allowance calculation. The landscape area does not include footprints of buildings or structures, sidewalks, driveways, parking lots, decks, patios, gravel or stone walks, other pervious or
non-pervious hardscapes, and other non-irrigated areas designated for non-development (e.g., open spaces and existing native vegetation).

LANDSCAPE DOCUMENTATION PACKAGE: means the documents required to be provided to the City for review and approval of landscape design projects, as described in the Implementation procedures of this Water Conservation In Landscaping Standards.

LANDSCAPE PROJECT: means total area of landscape in a project as defined in “landscape area” for the purposes of this Chapter, meeting requirements of this Water Efficient Chapter.

LATERAL LINE: means the water delivery pipeline that supplies water to the emitters or sprinklers from the valve.

LOCAL WATER PURVEYOR: means any entity, including a public agency, city, county, or private water company that provides retail water service.

LOW VOLUME IRRIGATION: means the application of irrigation water at low pressure through a system of tubing or lateral lines and low-volume emitters such as drip, drip lines, and bubblers. Low volume irrigation systems are specifically designed to apply small volumes of water slowly at or near the root zone of plants.

MODEL HOME: means a facility used exclusively for the promotion and sale of homes similar to the model.

MULCH: means any organic material such as leaves, bark, straw, compost, or inorganic mineral materials such as rocks, gravel, and decomposed granite left loose and applied to the soil surface for the beneficial purposes of reducing evaporation, suppressing weeds, moderating soil temperature, and preventing soil erosion.

NEW CONSTRUCTION: means, for the purposes of this chapter, a new building with a landscape or other new landscape such as a park, playground, or greenbelt without an associated building.

OVERSPRAY: means the irrigation water which is delivered beyond the target area.

PERMIT: means an authorizing document issued by local agencies for new construction or rehabilitated landscape.

PERVIOUS: means any surface or material that allows the passage of water through the material and into the underlying soil.
PLANTING AREA: The parcel area less building pad, driveway, patio, deck, walkway and parking area. "Planting area" includes water bodies (i.e., fountains, ponds, lakes) and natural areas.

PLANTING PLAN: A planting plan shall identify location, spacing, numbers, container planting sizes of all plant materials including common and botanical names.

PRECIPITATION RATE: means the rate of application of water measured in inches per hour.

RAIN SENSOR: or "rain sensing shutoff device" means a component which automatically suspends an irrigation event when it rains.

RECYCLED WATER: "reclaimed water", or "treated sewage effluent water" means treated or recycled waste water of a quality suitable for non-potable uses such as landscape irrigation and water features. This water is not intended for human consumption.

REHABILITATED LANDSCAPE: Any landscaping project greater or equal to 2,500 square feet that requires a permit, plan check, or design review, and the planting area in which fifty percent (50%) of existing landscape materials are replaced or modified within any twelve (12) month period. Examples include a change of plants or ground cover, and grading modifications within any twelve (12) month period.

RUNOFF: means water which is not absorbed by the soil or landscape to which it is applied and flows from the landscape area. For example, runoff may result from water that is applied at too great a rate (application rate exceeds infiltration rate) or when there is a slope.

SOIL TEXTURE: means the classification of soil based on its percentage of sand, silt, and clay.

SPECIAL LANDSCAPE AREA: (SLA) means an area of the landscape dedicated solely to edible plants, areas irrigated with recycled water, water features using recycled water and areas dedicated to active play such as parks, sports fields, golf courses, and where turf provides a playing surface.

SPRINKLER HEAD: means a device which delivers water through a nozzle.

TURF: Means a ground cover surface of mowed grass. Annual bluegrass, Kentucky bluegrass, perennial ryegrass, Red fescue, and tall fescue are cool grasses. (Minimize cool season turf).
Bermudagrass, Kikuyugrass, Seashore Paspalum, St. Augustinegrass, Zoysiagrass, and Buffalo grass are warm-season grass.

VALVE: means a device used to control the flow of water in the irrigation system.

WATER BUDGET CALCULATION: means the Maximum annual Applied Water Allowance calculated using this formula:

\[
\text{MAWA} = (\text{ETo}) (0.62) [0.7 \times \text{LA} + 0.3 \times \text{SLA}]
\]

MAWA = Maximum Applied Water Allowance (maximum gallons per year available for the project).
Eto = Reference Evapotranspiration (33.0 inches per year for the City of El Segundo).
0.7 = ET Adjustment Factor (as designated by the state of California).
LA = Landscape Area (square feet, including SLA)
0.62 = Conversion Factor (inches to gallons)
SLA = Special Landscape Area (square feet)
0.3 = The additional ET Adjustment Factor for the Special Landscape Area

WATER FEATURE: means a design element where open water performs an aesthetic or recreational function. Water features include ponds, lakes, waterfalls, fountains, artificial streams, spas, and swimming pools (where water is artificially supplied). The surface area of water features is included in the high water use hydrozone of the landscape area. Constructed wetlands used for on-site wastewater treatment or stormwater best management practices that are not irrigated and used solely for water treatment or stormwater retention are not water features and, therefore, are not subject to the water budget calculation.

10-2-3: APPLICATION OF POLICIES:

A. Applicability. This chapter applies to new industrial, commercial, office and institutional developments; to public and private parks and other public recreational areas; to multi-family (3 or more units) residential and planned unit development common areas; to model home complexes; and to City road medians and corridors.

B. Nonapplicability: This chapter is not applicable to:

1. Cemeteries.
2. Registered historical sites.

3. Ecological restoration projects that do not require a permanent irrigation system.

4. Mined-land reclamation projects that do not require a permanent irrigation system.

5. Any project with a landscaped area less than two thousand five hundred (2,500) square feet, unless the Director of Recreation and Parks determines that substantial compliance with the purpose of this Chapter requires that a landscape plan be submitted.

6. Any project or planting area that utilizes one hundred percent (100%) reclaimed water.

C. Exemptions. The City Manager, or designee, may authorize exemptions to any of the design and improvement standards in this Chapter. Such exemptions may be granted if the City Manager, or designee, finds that the proposed design or improvement is in substantial compliance with the purpose and intent of this Chapter.

10-2-4: SUBMITTAL REQUIREMENTS:

Applicants must submit the following:

A. A Landscape Documentation Package for review and approval.

B. The Landscape Documentation Package must include a certification by an appropriately licensed professional stating that the landscape design and water use calculations were prepared by or under the supervision of the licensed professional and are certified to comply with the Water Conservation in Landscaping Act.

C. The Landscape Documentation Package must be prepared in accordance with the Guidelines and this chapter. Such plans must be submitted and approved before the City issues building permits to comply with this Chapter.

D. Landscaping must be designed to be irrigated at not more than 0.7 of the reference evapotranspiration (ETo) and cannot exceed the MAWA.

E. Before the City issues a building permit, a landscape plan
application must be submitted and reviewed in accordance with this Chapter. Applications for landscape plan approval must be filed by the owner of the affected property or his agent, or by a public entity to which the provisions of the Chapter apply, on forms furnished by the Director of Planning and Building Safety.

F. No landscape plan application can be approved unless the Director of Planning and Building Safety finds that the plan compliments the design of the project, is consistent with the provisions of this Chapter; compatible with adjacent existing or future public landscaped areas, and with the elevations and appearances with existing structures located upon lots within the immediate vicinity of the lot which is the subject of such application.

10-2-5: LANDSCAPING DESIGN REQUIREMENTS:

A. Landscape Documentation Plan: Each landscape plan must include the following elements including, without limitation, the following:

1. Landscaping Design Plan: The planting plan must identify location, spacing, numbers, container sizes of all plant materials including common and botanical names, drawn on project base sheets in a clear and legible fashion in accordance with the policies established to implement the provisions of this Chapter.

2. Where possible, landscaping should be installed in the fall, in order to establish plant materials when they will benefit most from winter rains.

3. Selection of water conserving plants and turf species for the El Segundo Climate Zone (based on the Sunset Western Climate Zone System which takes into account temperature, humidity, elevation, terrain, latitude, and varying degrees of continental and marine influence on local climate).

4. Recognize the horticultural attributes of plants (i.e., mature plant size, invasive surface roots) to minimize damage to property or infrastructure (e.g., buildings sidewalks, and power lines).

5. Selection of plants based on disease and pest resistance.
6. Lawns are limited to not more than 25% of the landscape area, and may not be used in areas less than 5 feet wide.

7. Turf is discouraged on slopes greater than 25% where the toe of the slope is adjacent to an impermeable hardscape and where 25% means 1 foot of vertical elevation change for every 4 feet of horizontal length (rise divided by run x 100 = slope percent).

8. Turf or grass must be a water-conserving species;

9. The planting of high water use plants is limited to non-turf landscape area. The remaining landscape must be planted with low and moderate water use plant materials;

10. Plants having similar water requirements should be grouped together in distinct hydrozones.

11. Consider the solar orientation for plant placement to maximize summer shade and winter solar gain.

B. Irrigation System Design Criteria: The irrigation plan must identify all components of the irrigation system drawn on project base sheets in a clear and legible fashion in accordance with the policies established to implement the provisions of this Chapter. The following Design Irrigation Elements must be included:

1. Irrigation systems must utilize recycled water if such lines are readily available adjacent to the site.

2. Irrigation system must identify potable or recycled water supply sources for meter.

3. A dedicated water meter is required on all landscapes over 5,000 square feet.

4. All irrigation systems must be designed to avoid runoff, overspray, low-head drainage, and other similar conditions where water flows off-site or on to paved areas.

5. Spray irrigation shall be separated from paved surfaces by landscape treatment that is not spray irrigated.

6. Spray irrigation shall not be used in medians and other narrow planting areas (five feet or less). Narrow areas
less than eight feet wide must be irrigated with subsurface or low volume irrigation.

7. Plants that require different amounts of water or plants that are located in separate hydrozones must be irrigated by a separate irrigation circuit.

8. Irrigation equipment should include a time controller that includes multiple programming capability, rain sensing devices, anti drain check valves, pressure regulation where PSI exceeds 80, and matched precipitation spray heads on each spray irrigation valve.

9. Weather-based or other sensor based self-adjusting irrigation controllers must be provided.

10. Rain sensors must be installed for each irrigation controller.

11. Automatic sprinkler timer must be programmed to water in the early morning or late hours during the day.

12. Where feasible, trees shall be placed on separate valves from shrubs, groundcovers and turf.

13. The estimated water use calculations for the project must be identified. The water use calculations must be certified by the landscape professional that it meets the Water Conservation in Landscaping Act requirements and bear the signature of the landscape professional as required by Business and Professions Code § 5615.

C. The following Soil management report or specifications must be included:

1. Soil conditioning notes should be included. The soil notes may include a description of: soil texture, water holding capacity, infiltration rate, PH, total soluble salts, sodium, percentage of organic material, and implementation of recommended amendments to the soil. The recommended amendments for the soil must be appropriate for the plants selected.

2. A minimum two (2) inch layer of mulch must be applied on all exposed soil surfaces of planting areas except in turf areas, creeping or rooting ground covers, or direct seeding applications where mulch is contraindicated.
One and one-half inches of mulch is acceptable for areas of ground cover planted from flats.

3. Stabilizing mulching products must be used on slopes.

4. A grading design plan must be included if significant changes are proposed for the project. The grading plan must be prepared to minimize soil erosion, runoff, and water waste. The grading plan must show storm water retention improvements, if applicable. The grading and drainage patterns must show that the landscape irrigation and normal rainfall remains within the property and does not drain to non-permeable hardscape surface finishes. The grading plan must be certified stating that the project complies with the chapter for the efficient use of water in the grading design plan and must bear the signature of a licensed professional as authorized by State law.

10-2-6: WATER FEATURES:

Decorative water features such as pools, ponds, and waterfalls used in landscaped areas must incorporate recycling of water, and must use recycled water where it is feasible, cost effective, and meets health standards.

10-2-7: LANDSCAPE MAINTENANCE:

The property owner must permanently and continuously maintain landscaping and irrigation in a neat, clean and healthy condition, including removal of litter, proper pruning, mowing of lawns, weeds, fertilizing, and watering; and replacement of diseased and/or dead plants and malfunctioning or missing irrigation system components.

The water purveyor will monitor the annual water use at each project site and may require that corrections be made if water consumption substantially exceeds the average yearly water use for landscaping areas.

10-2-8: MODEL HOME LANDSCAPING:

For each subdivision with model homes, the developer must submit a landscape plan and install landscaping for each model home, incorporating the policies of this Chapter and including:

A. Signs identifying elements of the water-conserving landscape and irrigation system design placed around the model.

B. Literature describing water conserving landscapes to be available to individuals touring the model.
10-2-9: VERIFICATION OF COMPLIANCE:

A. Landscape Certificate of Completion. Upon completion of the installation of the landscaping, the landscape architect, irrigation designer, contractor, or owner must certify that the landscape complies with all policies of this Chapter. A Certificate of Completion must be obtained from the City. City staff must verify through the inspection process that all equipment, sprinklers and plant species installed conform to the approved Landscape Documentation Package plans for the project. Certification must be accomplished by completion of a landscape certificate on a form approved by the Planning and Building Safety Director. Additionally, a certified landscape auditor must perform a landscape irrigation audit to obtain final certificate of occupancy. The landscape irrigation audit and landscape certificate for the landscape and irrigation system must be reviewed and approved by the Building Official before final certificate of occupancy is issued. Failure to submit a complete and accurate landscape certificate will delay final approval of the project and/or discontinue water service.

B. The following items must be submitted for review to request a Certificate of Compliance:

2. Final soils information.
3. Irrigation scheduling parameters.
4. Irrigation Audit Report.
5. Maintenance schedules.

C. The verification of compliance of the landscape installation with approved plans must be obtained through the certificate of completion in conjunction with a Certificate of Occupancy.

D. The certificate of completion must be accompanied by an irrigation audit that contains the following:

1. Operation pressure of the irrigation system.
2. Distribution uniformity of overhead irrigation.
3. Precipitation rate of overhead irrigation.
4. Report of any overspray or broken irrigation equipment

E. Irrigation schedule including:

1. Plant establishment irrigation schedule.

2. Regular irrigation schedule by month including: plant type, root depth, soil type, slope factor, shade factor, irrigation interval (days per week), irrigation day, gallons per minute for each valve, precipitation rate, distribution uniformity and monthly estimated water use calculations.

F. An irrigation maintenance schedule timeline must be attached to the certificate of completion that includes:

1. Routine inspections, adjustment and repairs to the irrigation system, aerating and dethatching turf areas, replenishing mulch, fertilizing, pruning and weeding.

2. A final inspection must be performed by City staff to verify compliance. The final building permit approval will not be complete until the landscape inspection is approved.

3. A certified landscape auditor must perform a landscape irrigation audit to obtain Certificate of Occupancy.

4. Irrigation of all landscaped areas must be conducted in a manner conforming to the rules and requirements, and will be subject to penalties and incentives for water conservation and water waste prevention as determined and implemented by the local water purveyor and the City.

10-2-10: PENALTIES FOR VIOLATION AND ENFORCEMENT:

A. It is unlawful for any person to violate, to cause, or to maintain a violation of this Chapter.

B. It is unlawful to any person to remove or cause removal of water-conserving irrigation valves or equipment contrary to the provisions of this Chapter."

SECTION 2: CALIFORNIA ENVIRONMENTAL QUALITY ACT EXEMPTION.
This ordinance is exempt from review under the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., "CEQA") and CEQA
regulations (14 California Code of Regulations §§ 15000, et seq.) because it establishes rules and procedures to permit operation of existing facilities; minor temporary use of land; ensure maintenance, restoration and protection of the environment; and regulate normal operations of facilities for public gatherings. This Ordinance, therefore, is categorically exempt from further CEQA review under Cal. Code Regs. Title 14, §§ 15301, 15304(e), 15308, and 15323.

SECTION 3: PUBLIC NOTIFICATION. The City Manager, or designee, is directed to provide public notification regarding the regulations set forth in this ordinance through any reasonable means including, without limitation, newspaper publications, flyers contained within the City’s utility bills, and advertising on the City’s cable channel.

SECTION 4: SAVINGS CLAUSE. Repeal of any provision of the ESMC or any other regulation by this Ordinance does not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before, this Ordinance’s effective date. Any such repealed part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

SECTION 5: SEVERABILITY. If any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the city council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Ordinance are severable.

SECTION 6: VALIDITY OF PREVIOUS CODE SECTIONS. If this the entire Ordinance or its application is deemed invalid by a court of competent jurisdiction, any repeal of the ESMC or other regulation by this Ordinance will be rendered void and cause such ESMC provision or other regulation to remain in full force and effect for all purposes.

SECTION 7: The City Clerk must certify as to the adoption of this ordinance and shall cause the summary thereof to be published within fifteen calendar (15) days of the adoption and post a certified copy of this ordinance, including the vote for and against the same, in the office of the City Clerk, in accordance with Government Code § 36993, for the City of El Segundo.
PASSED AND ADOPTED this _____ day of ______, 2009.

______________________________
Kelly McDowell, Mayor

ATTEST:

______________________________
Cindy Mortesen, City Clerk

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

By: ___________________________
Karl H. Berger, Assistant City Attorney
AGENDA DESCRIPTION:
Consideration and possible action regarding the acceptance of the installation of a storm drain and infiltration structure on Maple Avenue near Nash Street – Project No. PW 09-12 (Fiscal Impact: $20,410.00)

RECOMMENDED COUNCIL ACTION:
Recommendation – (1) Accept the work as complete; (2) Authorize the City Clerk to file a Notice of Completion in the County Recorder’s Office; and (3) Alternatively, discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
Notice of Completion

FISCAL IMPACT: Included in Adopted Budget

Amount Budgeted: $40,000.00
Additional Appropriation: No
Account Number(s): 301-400-8203-8959

ORIGINATED BY: Dan Garcia, Assistant City Engineer
REVIEWED BY: Dana Greenwood, Public Works Director
APPROVED BY: Jack Wayt, City Manager

BACKGROUND AND DISCUSSION:
On October 20, 2009 City Council awarded Guerrero Backhoe Service, Inc. a contract for $20,410.00 to install a storm drain and infiltration structure on Maple Avenue near Nash Street. On December 7, 2009, staff inspected the completed project and recommends accepting the project as complete. A notice of completion will be filed with the Los Angeles County Recorder’s Office if the City Council concurs.
NOTICE OF COMPLETION OF CONSTRUCTION PROJECT

Project Name: Maple at Nash Storm Drain Installation
Project No.: PW 09-12

Notice is hereby given pursuant to State of California Civil Code Section 3093 et seq that:

1. The undersigned is an officer of the owner of the interest stated below in the property hereinafter described.

2. The full name of the owner is: City of El Segundo

3. The full address of the owner is: City Hall, 350 Main Street, El Segundo, CA, 90245

4. The nature of the interest of the owner is: Public Street

5. A work of improvement on the property hereinafter described was field reviewed by the City Engineer on December 7, 2009. The work done was: Maple at Nash Storm Drain Installation.

6. On December 15, 2009, City Council of the City of El Segundo accepted the work of this contract as being complete and directed the recording of this Notice of Completion in the Office of the County Recorder.

7. The name of the Contractor for such work of improvement was: Guerrero Backhoe Service, Inc.

8. The property on which said work of improvement was completed is in the City of El Segundo, County of Los Angeles, State of California, and is described as follows: Public Street.

9. The street address of said property is: north side of Maple Avenue just 120 feet west of the beginning of curve (BC).

Dated: ____________________________  
Dana Greenwood  
Public Works Director

VERIFICATION

I, the undersigned, say: I am the Public Works Director of the City El Segundo, the declarant of the foregoing Notice of Completion; I have read said Notice of Completion and know the contents thereof; the same is true of my own knowledge.

I declare under penalty of perjury the foregoing is true and correct.

Executed on ______________, 2009 at El Segundo, California.

Dana Greenwood  
Public Works Director
AGENDA DESCRIPTION:

Consideration and possible action regarding authorizing the recording of the Notice of Completion and authorizing the City Manager to accept completion of work for 98 homes related to the City's Residential Sound Insulation Program's Groups 32 (Project No. RSI 09-09), 33 (RSI 09-10), 34 (RSI 09-04) and 35 (RSI 09-08).

(Final Contract Amounts: $2,654,213.83)

RECOMMENDED COUNCIL ACTION:

1. Authorize the City Clerk to file the City's Planning and Building Safety Director's Notices of Completion in the County Recorder's Office;

2. Authorize the City Manager, or designee, to close out Project Nos. RSI 09-09; RSI 09-10, RSI 09-04 and RSI 09-08 and/or

3. Alternatively discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:

List of homes included in Groups 32, 33, 34 and 35
Planning and Building Safety Director's Notices of Completion

FISCAL IMPACT: Included in Adopted Budget

Amounts Budgeted: $2,982,154
Additional Appropriation: N/A
Account Number(s): 116-400-0000-8960

ORIGINATED BY: James S. O'Neil, Program Manager

REVIEWED BY: Greg Carpenter, Director of Planning and Building Safety

APPROVED BY: Jack Wayt, City Manager

BACKGROUND AND DISCUSSION:

These projects are part of the City's Residential Sound Insulation (RSI) Program financed by federal grants from the Federal Aviation Administration (FAA) and the settlement agreement with Los Angeles World Airports (LAWA).

The RSI Program offers modifications to owners of qualifying residential property in the City of El Segundo that reduce interior sound levels of noise generated by air traffic from neighboring Los Angeles International Airport (LAX).

At its meeting on May 20, 2009 the City Council awarded construction contracts to Professional Building Contractors, Inc. (PBC) for construction for 46 home, comprised of Groups 34 (23 Homes) and 35 (23 Homes).
At its meeting on June 2, 2009 the City Council awarded construction contracts to Professional Building Contractors, Inc. (PBC) for construction for an additional 52 homes, comprised of Groups 32 (24 Homes) and 33 (28 Homes).

The work has now been completed and the final contract amounts are as follows:

- $788,934.09 for Group 32
- $572,139.74 for Group 33
- $668,759.00 for Group 34
- $624,381.00 for Group 35
NOTICE OF COMPLETION OF CONSTRUCTION PROJECT

Project Name: Residential Sound Insulation Program – Group 32
Project No.: RSI 09-09

Notice is hereby given pursuant to State of California Civil Code Section 3093 et seq that:

1. The undersigned is an officer of the owner of interest stated below in the property hereinafter described.
2. The project owner’s name is: City of El Segundo
3. The full addresses of the project are: attached as Exhibit A and incorporated by reference
4. The nature of the interest of the owner is:
5. A work of improvement on the property hereinafter described was field reviewed by City representatives on: see attached Exhibit A
6. The work done was: Residential Sound Insulation Program Improvements
7. On December 15, 2009, City Council of the City of El Segundo accepted the work of this contract as being complete and directed the recording of this Notice of Completion in the Office of the County Recorder.
8. The name of the Contractor for such work of improvement was: Professional Building Contractors, Inc.
9. The property on which said work of improvement was completed is in the City of El Segundo, County of Los Angeles, State of California, and is described as follows: Private Residence(s) listed in Exhibit A
10. The street address of said properties are: set forth in Exhibit A

Dated: ______________________

Greg Carpenter
Planning and Building Safety Director

VERIFICATION

I, the undersigned, say: I am the Director of Planning and Building Safety of the City El Segundo, the declarant of the foregoing Notice of Completion; I have read said Notice of Completion and know the contents thereof; the same is true of my own knowledge.

I declare under penalty of perjury the foregoing is true and correct.

Executed on ______________________ at El Segundo, California.

Greg Carpenter
Planning and Building Safety Director

Notice of Completion
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<tr>
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<th>Project Address</th>
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<td>32.01</td>
<td>509 East Walnut Avenue</td>
</tr>
<tr>
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<td>511 East Walnut Avenue</td>
</tr>
<tr>
<td>32.03</td>
<td>513 East Walnut Avenue</td>
</tr>
<tr>
<td>32.04</td>
<td>812 McCarthy Ct.</td>
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<tr>
<td>32.06</td>
<td>1017 E. Acacia Ave.</td>
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<td>310 W. Oak Ave.</td>
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<td>32.08</td>
<td>854 Hillcrest Street</td>
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<td>32.09</td>
<td>123 W. Sycamore</td>
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<tr>
<td>32.10</td>
<td>516 W. Acacia Ave.</td>
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<tr>
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<td>851 Hillcrest Street</td>
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<tr>
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<td>920 Dune Street</td>
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<td>901 Loma Vista</td>
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<td>705 Redwood Ave.</td>
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</table>
NOTICE OF COMPLETION OF CONSTRUCTION PROJECT

Project Name: Residential Sound Insulation Program – Group 33
Project No.: RSI 09-10

Notice is hereby given pursuant to State of California Civil Code Section 3093 et seq that:

1. The undersigned is an officer of the owner of interest stated below in the property hereinafter described.
2. The project owner’s name is: City of El Segundo
3. The full addresses of the project are: attached as Exhibit A and incorporated by reference
4. The nature of the interest of the owner is:
5. A work of improvement on the property hereinafter described was field reviewed by City representatives on: see attached Exhibit A
6. The work done was: Residential Sound Insulation Program Improvements
7. On December 15, 2009, City Council of the City of El Segundo accepted the work of this contract as being complete and directed the recording of this Notice of Completion in the Office of the County Recorder.
8. The name of the Contractor for such work of improvement was: Professional Building Contractors, Inc.
9. The property on which said work of improvement was completed is in the City of El Segundo, County of Los Angeles, State of California, and is described as follows: Private Residence(s) listed in Exhibit A
10. The street address of said properties are: set forth in Exhibit A

Dated: ____________________________

Greg Carpenter
Planning and Building Safety Director

VERIFICATION

I, the undersigned, say: I am the Director of Planning and Building Safety of the City El Segundo, the declarant of the foregoing Notice of Completion; I have read said Notice of Completion and know the contents thereof; the same is true of my own knowledge.

I declare under penalty of perjury the foregoing is true and correct.

Executed on __________________________ at El Segundo, California.

Greg Carpenter
Planning and Building Safety Director

Notice of Completion
## Exhibit A

City of El Segundo  
Residential Sound Insulation Program  

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<tr>
<td>33.28</td>
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</table>
NOTICE OF COMPLETION OF CONSTRUCTION PROJECT

Project Name: Residential Sound Insulation Program – Group 34
Project No.: RSI 09-04

Notice is hereby given pursuant to State of California Civil Code Section 3093 et seq that:

1. The undersigned is an officer of the owner of interest stated below in the property hereinafter described.
2. The project owner’s name is: City of El Segundo
3. The full addresses of the project are: attached as Exhibit A and incorporated by reference
4. The nature of the interest of the owner is:
5. A work of improvement on the property hereinafter described was field reviewed by City representatives on: see attached Exhibit A
6. The work done was: Residential Sound Insulation Program Improvements
7. On December 15, 2009, City Council of the City of El Segundo accepted the work of this contract as being complete and directed the recording of this Notice of Completion in the Office of the County Recorder.
8. The name of the Contractor for such work of improvement was: Professional Building Contractors, Inc.
9. The property on which said work of improvement was completed is in the City of El Segundo, County of Los Angeles, State of California, and is described as follows: Private Residence(s) listed in Exhibit A
10. The street address of said properties are: set forth in Exhibit A

Dated: ____________________________

Greg Carpenter
Planning and Building Safety Director

VERIFICATION

I, the undersigned, say: I am the Director of Planning and Building Safety of the City El Segundo, the declarant of the foregoing Notice of Completion; I have read said Notice of Completion and know the contents thereof; the same is true of my own knowledge.

I declare under penalty of perjury the foregoing is true and correct.

Executed on ____________________________ at El Segundo, California.

Greg Carpenter
Planning and Building Safety Director
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<th>RSI Number</th>
<th>Project Address</th>
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<tr>
<td>34.01</td>
<td>201 E. Walnut Avenue, Front</td>
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<tr>
<td>34.02</td>
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<tr>
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<td>1204 E. Walnut Ave.</td>
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<td>930 Cypress St.</td>
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<td>521 E. Walnut Ave.</td>
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<td>861 Maryland St.</td>
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<td>34.07</td>
<td>532 W. Sycamore Ave.</td>
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<td>860 Bungalow Dr.</td>
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<td>917 E. Walnut Ave.</td>
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<td>821 McCarthy Ct.</td>
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<tr>
<td>34.23</td>
<td>922 Main Street, #8</td>
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</table>
NOTICE OF COMPLETION OF CONSTRUCTION PROJECT

Project Name: Residential Sound Insulation Program – Group 35
Project No.: RSI 09-08

Notice is hereby given pursuant to State of California Civil Code Section 3093 et seq that:

1. The undersigned is an officer of the owner of interest stated below in the property hereinafter described.

2. The project owner's name is: City of El Segundo

3. The full addresses of the project are: attached as Exhibit A and incorporated by reference

4. The nature of the interest of the owner is:

5. A work of improvement on the property hereinafter described was field reviewed by City representatives on: see attached Exhibit A

6. The work done was: Residential Sound Insulation Program Improvements

7. On December 15, 2009, City Council of the City of El Segundo accepted the work of this contract as being complete and directed the recording of this Notice of Completion in the Office of the County Recorder.

8. The name of the Contractor for such work of improvement was: Professional Building Contractors, Inc.

9. The property on which said work of improvement was completed is in the City of El Segundo, County of Los Angeles, State of California, and is described as follows: Private Residence(s) listed in Exhibit A

10. The street address of said properties are: set forth in Exhibit A

Dated: ________________     Greg Carpenter
Planning and Building Safety Director

VERIFICATION

I, the undersigned, say: I am the Director of Planning and Building Safety of the City El Segundo, the declarant of the foregoing Notice of Completion; I have read said Notice of Completion and know the contents thereof; the same is true of my own knowledge.

I declare under penalty of perjury the foregoing is true and correct.

Executed on ________________ at El Segundo, California.

Greg Carpenter
Planning and Building Safety Director
## Exhibit A

### City of El Segundo
Residential Sound Insulation Program

<table>
<thead>
<tr>
<th>RSI Number</th>
<th>Project Address</th>
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</thead>
<tbody>
<tr>
<td>35.01</td>
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AGENDA DESCRIPTION:
Consideration and possible direction to Planning and Building Safety staff to review and to prepare municipal code amendments to the existing off-street parking and loading requirements in El Segundo Municipal Code (ESMC) Chapter 15-15. (Fiscal Impact: None)

RECOMMENDED COUNCIL ACTION:
1. Receive staff presentation;
2. Direct staff regarding proceeding with further analysis and development of municipal code amendments to ESMC Chapter 15-15 regarding off-street parking and loading requirements; and/or
3. Alternatively, discuss and take other actions related to this item.

ATTACHED SUPPORTING DOCUMENTS:
1. City Council staff report dated April 3, 2007
2. Planning Commission Powerpoint presentation, dated November 12, 2009
3. Summary information on parking and loading standards research
5. Zoning Code Interpretations Pertaining To Off-Street Parking and Loading Requirements.

FISCAL IMPACT: None
Amount Budgeted: N/A
Additional Appropriation: N/A
Account Number(s): N/A

ORIGINATED BY: Kimberly Christensen, AICP, Planning Manager
REVIEWED BY: Greg Carpenter, Planning and Building Safety Director
APPROVED BY: Jack Wayt, City Manager

BACKGROUND AND DISCUSSION:

I. Background

The City’s existing off-street parking and loading requirements have not been comprehensively updated since the late 1990’s. More recently, in 2006, the City Council approved a code text amendment to address the use of vehicle lifts on residential properties in the Single-Family Residential (R-1) and Two-Family Residential (R-2) Zones. However, a comprehensive update to these regulations is needed: 1) to ensure the orderly development of property in the City; 2) to provide adequate design and quantity of parking and loading facilities; 3) to facilitate well
designed development projects; and 4) to reflect the changing physical design needs and legal requirements.

In April 2007, in response to a staff request, the City Council directed staff to initiate research for the purpose of comprehensively updating the City’s parking and loading regulations (see Attachment 1). The specific direction included: a) incorporating code interpretations of the parking requirements into the municipal code where appropriate; b) permitting alternative design options and flexibility for commercial and industrial parking design; c) reducing excessive loading requirements for large-scale commercial projects such as Plaza El Segundo and Corporate Campus; d) incorporating certain uses and standards that are not addressed in the City’s regulations; and e) revising residential parking dimensions and design to improve its functionality and to eliminate inadequate parking access. The project was subsequently put on hold because of a high level of development activity throughout 2007 and 2008.

In September 2009, staff resumed the project and incorporated the update of the City’s parking and loading regulations in the 2009-2010 Planning and Building Safety Work Program. As part of its efforts to date, staff surveyed the regulations of other cities and solicited input from the Planning and Building Safety Advisory Committee (on September 21, 2009) and the Planning Commission. Staff gave a Powerpoint presentation to the Planning Commission at its November 12, 2009 meeting (Attachment 2).

II. Analysis

Planning staff proposes to evaluate the ESMC Chapter 15-15 in its entirety. In addition to the direction received from the City Council, the proposed update has the following objectives:

A. **Improve the code organization and format.** This will include reordering and/or consolidating sections of the parking and loading regulations into a more logical sequence where appropriate, as well as incorporate more extensive use of diagrams and illustrations to supplement and clarify written text.

B. **Clarify and update existing code provisions.** This will include incorporating interpretations of the code requirements into the code itself, clarifying conflicting standards, and updating standards to reflect current city needs and planning practices.

C. **Incorporate new requirements regarding issues not addressed in the Code.** This will include requirements regarding the required number parking and loading spaces for uses not addressed currently and requirements relating to parking design (e.g. ramp design, stall striping). New requirements are intended to modernize the parking and loading standards for today’s needs and to ensure the functionality and accessibility of parking and loading facilities.

D. **Improve the code flexibility and grant staff more discretion in its application.** This includes making the standards more flexible (e.g. allowing narrower parking aisles when parking stalls are wider), and giving the Director more discretion to approve minor deviations from the code standards when justified.
E. Improve the predictability of code requirements for applicants and residents. Improvements to the code organization, clearer provisions, and additional provisions on issues not addressed currently will make the permitting and development process much more predictable and efficient for residents, developers, and staff.

The primary issues that are anticipated to be addressed include, but are not limited to, the following:

A. Required Number of Parking Spaces

Staff is considering adding a parking requirement for the minimum number of spaces for data centers, live/work uses, and other uses. Some of these uses currently require a parking demand study with Director and/or Planning Commission review and this would reduce the time and expense of such studies if a reasonable fixed standard could be established as a requirement. In addition, staff is proposing to modify the requirements for certain uses, such as food-to-go, small restaurants without seating, churches, and other uses. Finally, staff proposes to clarify and expand the definitions of certain use categories. The intent is to make the code more user-friendly and to provide clear precise standards where feasible while maintaining a process to allow flexibility for unique uses through a parking demand study.

B. Parking Development Standards

Residential parking spaces. Staff proposes to amend the residential parking standards to measure the required garage dimensions using the interior dimensions, to standardize the width residential parking spaces, while providing an exception for substandard lots. In addition, staff proposes to set a maximum size limit for garages on single family residential lots. The City currently has three different width requirements for residential parking spaces and no maximum size limit for residential garages.

Parking obstructions. The City does not have requirements regarding permitted parking obstructions. Staff proposes to include certain allowances for both commercial and residential parking (e.g. support posts or columns adjacent to each end of a parking stall and overhead storage above residential parking spaces). This will give developers/designers more flexibility in their parking area layout, while maintaining functional parking space dimensions.

Parking aisle width. Staff proposes a flexible standard for parking aisle width with a minimum of 22 feet. This standard will allow developers/designers flexibility especially on narrow parcels with significant space constraints. Narrower aisle widths in conjunction with wider parking stall widths would still maintain adequate aisle width for two-way traffic and sufficient maneuverability in and out of parking stalls.

Tandem parking spaces. Staff proposes to prohibit the use of tandem parking spaces on multiple-family residential properties, with the exception of development projects that qualify for density bonuses pursuant to California Government Code Chapter 4.3, § 65915 (Incentives for lower income housing development, childcare facilities). Currently, the City allows tandem spaces in all residential zones up to 100 percent of the
required spaces. Only 20 percent of required spaces can be tandem in the commercial and manufacturing zones (excluding Smoky Hollow).

**Bicycle spaces.** The City currently requires bicycle spaces for commercial/industrial buildings over 48,000 square feet in size at a very low ratio. No bicycle spaces are required for residential projects. Staff proposes to lower the size threshold at which bicycle spaces would be required, to increase the required ratio (number of spaces required), and to introduce bicycle space requirements for multiple-family residential projects over a certain size. This is intended to encourage use of alternative transportation and to make it a viable alternative by providing for more bicycle parking.

**Driveway ramp standards.** The City currently has no driveway ramp standards and staff is unable to direct developers with regard to safe and efficient design of ramps. Staff proposes to establish requirements for maximum ramp slope and ramp transitions.

C. **Loading Space Standards**

i) Staff proposes to revise the development standards for loading spaces so that the requirement is based on the uses involved rather than established by zoning districts.

ii) Staff proposes to create two additional types of loading spaces for passenger loading and small truck loading with reduced dimensions, while maintaining the existing type of large truck loading space.

iii) Staff proposes incorporating passenger loading requirements for specified uses, such as schools and daycare facilities.

iv) Staff proposes to require fewer large truck loading spaces by replacing a portion of the required spaces with small truck loading spaces for hotels, offices, institutional and some industrial uses that are not dependent on large truck loading, particularly for uses/buildings below 100,000 square feet in size.

v) **Mixed Use/Campus style projects.** Staff proposes to reduce the loading requirement for large scale projects where a common loading area/facility can be provided. Approval of such exceptions would be subject to the Director's discretion.

D. **Minor Exceptions – Director's Discretion.** Staff believes that the Planning and Building Safety Director should be given limited authority to grant minor exceptions from the parking and loading requirements when justified. Such authority would give staff flexibility to address minor design issues related to specific properties or types of uses. Decisions could be administered through the administrative determination and/or through the adjustment process.

**Number of parking spaces.** The Director would be allowed to grant minor reductions in the number of spaces required. As an example, reductions in the number of parking spaces may be needed for minor design constraints for sites with existing buildings and to accommodate compliance with Title 24 accessibility requirements for ADA accessible ramps, and passenger and van ADA accessible parking stall dimensions (e.g. providing
the required number of ADA accessible spaces may reduce the total number of on-site spaces by a stall or two).

Parking and loading standards. The Director would allow small deviations from required standards, such as the width of driveways, or the dimensions of parking or loading spaces. As an example, minor deviations of parking stall widths for a limited number of spaces may be needed for parking lot design or redesign on small lots. (e.g. a reduction of a couple of inches may be necessary for a few spaces such as for the last stall on the end of each parking aisle).

Non quantitative standards. The Director would allow deviations from standards, such as paving materials or parking lot striping colors.

A copy of ESMC Chapter 15-15 and the existing Municipal Code interpretations are attached for your reference (Attachments 4 and 5 respectively).

As mentioned previously, staff solicited input from the Planning and Building Safety Advisory Committee and the Planning Commission. They support making the development standards more flexible, granting staff some discretion for minor deviations from code standards, and restructuring loading requirements.

III. Conclusion and Recommendation

Planning and Building Safety staff recommends that the City Council direct staff to review and to prepare ordinances to amend the existing off-street parking and loading requirements in El Segundo Municipal Code (ESMC) Chapter 15-15. Should the City Council direct staff to make amendments to the Municipal Code, staff would: 1) prepare the necessary text amendments, 2) conduct the appropriate environmental review, and 3) schedule the matter for public hearings before the Planning Commission followed by the City Council.

P:\Planning & Building Safety\0 Planning - Old\PROJECTS (Planning)\751-775\EA-755\City Council 12012009\EA-755 Parking and loading CC SR.doc
Consideration and possible action to Planning and Building Safety staff to review and to prepare municipal code amendments to the existing off-street parking and loading requirements in El Segundo Municipal Code (ESMC) Chapter 15-15 (Fiscal Impact None)

RECOMMENDED COUNCIL ACTION.

1. Receive staff presentation,
2. Direct staff regarding proceeding with further analysis and development of municipal code amendments to ESMC Chapter 15-15 regarding off-street parking and loading requirements, and/or
3. Alternatively, discuss and take other actions related to this item

BACKGROUND & DISCUSSION:

The Planning and Building Safety Department requests Council direction to review the existing off-street parking and loading requirements in ESMC Chapter 15-15 comprehensively and to propose municipal code amendments to meet the current needs of residential, commercial, and industrial uses

(Continued on next page...)

ATTACHED SUPPORTING DOCUMENTS.

2. Zoning Code Interpretations Pertaining To Off-Street Parking and Loading Requirements

FISCAL IMPACT: None

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ORIGINATED BY:

Gary Chicots, Interim Director, Planning and Building Safety Department

REVIEWED BY:

Jeff Stewart, City Manager

DATE: 3-27-07

DATE: 4-6-07
BACKGROUND & DISCUSSION: (cont.)

The City’s existing off-street parking and loading requirements have not been reexamined since the late 1990’s. Some of the standards no longer meet the needs and operational characteristics of residential, commercial and industrial uses. For example, recent commercial office and retail projects, such as Plaza El Segundo at 850 S Sepulveda Boulevard and the Edge (part of the Corporate Campus site) at 850 N Nash Street, have shown that some of the existing off-street vehicle parking and loading requirements are not entirely appropriate for large-scale, campus-style developments. Also, existing standards for residential parking space configurations and accessibility are marginally functional.

Planning staff proposes to evaluate the ESMC Chapter 15-15 in its entirety. The primary issues that are anticipated to be addressed include but are not limited to the following:

- **Width and depth of parking stalls, vehicle backup dimensions, and aisle dimensions for commercial, industrial, and residential uses.** The intent is to provide flexibility for commercial parking structure design to address different lot configurations for greater ease of ingress and egress to parking stalls and to provide options for alternative width and depth of parking stalls and aisle dimensions to achieve equivalent ease of access. Additionally, the standards for width and depth of parking spaces and vehicle backup dimensions, both in garages and in unenclosed on-grade configurations, will be evaluated to ensure that they meet the needs of single-family and multiple-family residential uses.

- **Number and dimensional requirements of loading areas for commercial and industrial uses.** The intent is to provide adequate loading areas that are appropriate for the land uses on the properties rather than to structure requirements by zone.

- **Driveway ramp standards.** The intent is to develop standards for driveway ramp design particularly addressing functionality and safety including where driveway ramps and pedestrian sidewalks or walkways intersect.

- **Simplify and clarify code requirements.** The intent is to incorporate past interpretations into the code where applicable and to make the understanding of the requirements easier for the public.

- **Establish requirements for minimum number of spaces for new categories of land uses.** The intent is to modernize the standards where appropriate relating to different land uses by adding standardized requirements for the minimum number of spaces for new categories of land uses where industry standards exist for such use categories rather than to require parking demand studies. Changes to the number of required vehicle spaces for residential and/or general commercial office and/or retail uses are not anticipated at this time.

The Planning and Building Safety Department presented this information at the Planning Commission meeting of March 22, 2007 for their information and to discuss both the proposed issues to be analyzed and any additional areas that they would recommend be studied. The
BACKGROUND & DISCUSSION: (cont.)

Commission concurred that the parking and loading standards should be studied and evaluated. They did not recommend any specific additional areas for study, however they felt that parking and loading space dimensions and parking lot/parking structure design were especially important along with residential parking design. They also recommend that a comparison to other cities' regulations be included.

A copy of ESMC Chapter 15-15 and the existing adopted Zoning Code interpretations are attached for your reference.

RECOMMENDATION AND FUTURE PROCESS

Planning and Building Safety staff recommends that the City Council direct staff to review and to prepare municipal code amendments to the existing off-street parking and loading requirements in El Segundo Municipal Code (ESMC) Chapter 15-15. Should the City Council direct staff formally to make amendments to the Municipal Code, staff would prepare the necessary text amendments and environmental review documents and schedule the matter for public hearings before the Planning Commission followed by the City Council. The entire process is anticipated to take approximately four months to complete.
City of El Segundo

Off-Street Parking and Loading Requirements
Update parking and loading standards to:

- Reflect changing circumstances
- Facilitate the development process
- Ensure the orderly development of properties
- Provide adequate parking and loading facilities (in quantity and design)
The City’s regulations have not been updated comprehensively since the 1990’s.

In response to a staff request, the City Council directed staff to amend the City’s parking and loading regulations to:

- Incorporate interpretations of the parking requirements into the municipal code where appropriate.
- Allow alternative design options and flexibility for commercial and industrial parking design.
City Council Direction

- Reduce excessive loading requirements for large-scale commercial projects such as Plaza El Segundo and Corporate Campus.
- Incorporate certain uses and standards that are not addressed in the City’s regulations.
- Revise residential parking dimensions and design to improve its functionality and to eliminate inadequate parking access.
Objectives

- Improve code organization
- Clarify and update existing provisions
- Incorporate new provisions on issues not addressed
- Make the code more flexible and grant staff more discretion in its application
- Facilitate predictability of code requirements for applicants/customers
Issue Areas

- Code Organization and Format
  - Logical sequence
  - Use of illustrations to enhance understandability of requirements

- Code Flexibility and Director Discretion
  - Minor variations from code standards (Adjustment process)
  - Shared parking/off-site parking
**Issue Areas**

- Code Parking and Loading Standards
  - Create flexible parking lot/structure design
  - Shared/joint-use loading areas
  - Incentives for alternative transportation
  - Parking stall, striping, and driveway dimensions
- Number of Spaces
  - Add/modify standards for uses not currently listed
Preliminary Recommendations
(5 major topic areas)

1. Required Number of Parking Spaces

- Live/Work uses. Include in the parking table and apply multiple family residential requirements with some adjustments (for increased visitor parking)

- Restaurant uses below 500 square feet without sit-down eating accommodations. Eliminate exemption from parking requirements. Apply the restaurant standard (1 space per 75 square feet) and a minimum of 3 spaces

- Food-to-go uses. Separate from the commercial/office category, maintain current requirement of 1 space per 300 square feet, and apply a 3 space minimum
Preliminary Recommendations

1. Required Number of Parking Spaces

- Data Center uses. Apply the standard established in recent data center parking studies (1 space per 3,500 square feet)

- Church uses. Rename church uses to "religious institutions/facilities" and place in the public assembly use category. Consider lowering the parking requirement to be consistent with assembly uses and other cities' codes

- Definitions. Create (or revise) definitions for use categories, such as 'commercial,' to include several specific examples of uses
2. Parking dimensions and other standards

- Residential parking spaces. Use interior dimensions to measure garage size and standardize the width for residential spaces (9 feet for standard lots and 8.5 feet for lots below 40 feet in width). Maximum garage size per unit. Set a maximum limit of four cars or 900 square feet per dwelling unit.

- Parking space obstructions. Allow obstructions (e.g. columns) within 4 feet from the end parking spaces. For obstructions above those permitted (e.g. walls), require spaces to be one foot wider on the side of the obstruction.
Sample Illustration of a Two-Car Garage

These areas are for required parking only.
Preliminary Recommendations

2. Parking dimensions and other standards

- Parking space obstructions. Allow vertical obstructions above the front end of spaces in residential garages (4.5 feet above ground and 3.5 from the front end)

- Parking aisle width. Create a graduated scale for parking aisle width in relation to stall width. Allow a one-foot reduction in the parking aisle width for every six-inch increase of parking stall width. Set a minimum 22-foot parking aisle width and a maximum of 25 feet.
2. Parking dimensions and other standards

- Tandem parking spaces. Reduce the maximum depth for tandem parking to three spaces

- Tandem parking spaces. If a valet service is provided tandem parking may exceed three spaces in depth

- Prohibit tandem parking for multiple-family residential (R-3) developments.

(Currently tandem parking is allowed in all residential zones)
Preliminary Recommendations

2. Parking dimensions and other standards

- Bicycle spaces, commercial. Set a 4-space minimum for projects up to 15,000 square feet. Require a minimum number of bicycle spaces equal to 5% of the required vehicle spaces for projects 15,000 square feet or above. (Currently, 4 spaces are required for projects up to 48,000 s.f. and 1 space for each additional 48,000 s.f.)

- Bicycle spaces, multiple family residential. Require a minimum number of bicycle spaces for projects with 6 or more units equal to 10% of the required vehicle parking spaces (Currently, no bicycle spaces are required for residential projects)
3. Loading space standards

- Create loading requirements based upon use, rather than zoning district

- Create two additional types of loading spaces for passenger loading (10’ x 20’) and small truck loading/deliveries (12’ x 25’), while maintaining the existing type of loading space (13’ x 50’) for large truck freight loading/deliveries

- Introduce passenger loading requirements for specified uses (e.g. school, daycare uses...
3. Loading space standards

Examples of loading space requirements:

a) Office – 1 small truck space for buildings or tenants up to 25,000 s.f.

2 small truck spaces for buildings or tenants 25,000 to 100,000 s.f.,

1 freight loading space for buildings 100,000 to 250,000 s.f., plus 1 additional freight loading space for every 100,000 s.f. thereafter, up to a maximum of 3 freight loading spaces (Currently, 2 freight loading spaces are required for buildings up to 100,000 s.f.).
Preliminary Recommendations

3. Loading space standards

Examples of loading space requirements:

b) Hotel and Institutional uses –

1 small truck space for buildings or tenants up to 15,000 sf.,

2 small truck spaces for buildings or tenants 25,000 to 100,000 sf., plus 1 freight loading space for each additional 100,000 sf. for buildings over 100,000 sf.

(Currently 3 freight spaces are required for hotel or institutional buildings 100,000 sf.)
Preliminary Recommendations

3. Loading space standards

Examples of loading space requirements:

c) Manufacturing –

1 small truck space minimum,

1 freight loading space for buildings or tenants 25,000 to 100,000 s.f.,

plus 1 freight loading space for each 100,000 sf for buildings over 100,000 s.f.

(Currently, 2 freight loading spaces are required for manufacturing buildings up to 100,000 s.f.)
Preliminary Recommendations

3. Loading space standards

Examples of loading space requirements:

d) Mixed use/campus style projects -

i. Loading requirements will be the combined total of the requirements for each building/tenant.

ii. If a common loading area/facility is provided, the number requirement may be reduced up to 25%, subject to Director review and approval.

iii. Additional reductions/exceptions may be granted through the existing Adjustment application process.
4. Vehicle ramp design standards

- Set a maximum ramp slope of 20%
- Require minimum 8-foot long transitions for ramps with more than a 6% slope
- Transition slope shall be no more than half of the ramp slope
- Ramp design may deviate from the standards subject to Planning and Building Safety Director approval
Preliminary Recommendations

DRIVEWAY SLOPE STANDARDS

Curb to property line distance or 5 ft whichever is greater MIN.

MAX. DRIVEWAY SLOPE - 15% in all zones except ROS, R1R, or R1, except 20% permitted for a maximum horizontal distance of 40 feet for residential uses.

MAX. DRIVEWAY SLOPE - 20% in ROS, R1R, and R1 zones.
5. Minor exceptions (Director level review and Adjustment process)

- Number of spaces. No more than 10% or 20 parking spaces (including compact and tandem), whichever is less (e.g. a commercial building requirement of 100 parking spaces can be reduced to 90 spaces)

- Deviation of up to ten percent from the required dimensions of parking or loading spaces, driveways, curb cuts, and parking aisles (e.g. reduction of loading space width from 10 feet to 9 feet)
5. Minor exceptions (Director level review and Adjustment process)

- Deviation of up to ten percent from the maximum front yard paving area, maximum light standard height, parking structure setbacks, minimum landscape areas and planter dimensions (e.g. a commercial development that requires 1,000 square feet of landscaping in the Vehicle Use Area could provide 900 square feet)

- Discretion on non quantitative standards, such as driveway paving materials (asphalt, concrete, stone, grasscrete) and parking lot striping colors
Preliminary Recommendations

- List of diagrams and figures

1. Parking space and parking aisle dimensions
2. Driveway and corner visibility
3. Residential parking back-up space
4. Truck turning radii
5. Loading space dimensions
6. Two-car garage layout and dimensions
7. Residential garage permitted encroachments
8. Commercial parking lot layout
9. Parking lot striping
Sample Illustration of Parking Lot Striping
Additional Topic Areas Being Considered

- Compact spaces
- Wheel stops
- Parking setbacks
- Parking clearance
- Parking lot slope
- Driveway/curb cut width
- Number/location of curb cuts
- Residential driveways
- Maximum paving in front yards
- Driveway paving material
- Parking lot lighting
- Parking structures
- Drive-thru standards
- Recreational vehicles
- Landscaping
- Parking lot screening
Additional Topic Areas being Considered

- Off-site parking
- Shared parking
- Criteria for administrative parking reductions
- Commercial vehicle parking in residential zones
- Transportation Demand Management
- Employee and customer parking
- Improvement thresholds for parking lot upgrades
- Parking location on properties
- Driveway visibility
- Electric vehicle recharge stations
- Definition of primary and accessory uses
- Pedestrian circulation
Tentative Schedule

- Present Information item to the City Council on December 1, 2009
- Draft Ordinance to the Planning Commission in January, 2010
- Draft Ordinance to the City Council in February, 2010
Discussion

- Comments on issues presented
- Additional issues
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<td>Parking space dimensions:</td>
<td>Most common dimensions are 8.5' x 18'. Some cities have longer spaces, up to 20 feet. Compact parking is not allowed in 3 cities. But of the cities that allow them, many allow narrower spaces. Parallel spaces range from 8-9 feet in width by 22-30 feet in length. All cities surveyed used interior dimensions to measure residential garage space. The dimensions ranged from 9-10 feet in width for single and 19-20.5 feet in width for double. Depth ranged from 18 to 20 feet.</td>
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<td>Loading Space size:</td>
<td>The loading space sizes range from 8.5 x 18 (passenger size) to 14 x 60 x 15. Some of the cities surveyed do not have size requirements. They determine the loading needs/requirements on a case by case basis.</td>
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<td>Other Standards</td>
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<td>Compact spaces:</td>
<td>Some of the cities surveyed do not allow compact spaces. Some cities allow up to 50% of residential spaces to be compact and up to 40% of nonresidential spaces to be compact. Some have a minimum number of spaces required to allow compact (10 spaces). In general, industrial uses were allowed to have a higher percentage of compact spaces than commercial uses. El Segundo does not allow them at all for retail uses.</td>
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<td>Commercial</td>
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<td>Tandem spaces:</td>
<td>Some cities require an attendant in conjunction with tandem spaces. Some require an Administrative Use Permit. Some cities allow tandem parking for employees only, which limits the</td>
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<td>Zone/Use allowed</td>
<td>Overall the percentage. Generally, the percentage of tandem spaces allowed ranges between 25 and 75% of nonresidential spaces and up to 50% of multi-family use spaces. Most cities surveyed allow tandem spaces up to 2 or 3 cars in depth, whereas El Segundo allows up to 4 cars.</td>
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<td>Wheelstops</td>
<td>Most cities require wheelstops or curbing (6&quot; x 6&quot;) at property lines, buildings, landscaping and walls. Wheelstops can be 2-3 feet inside a parking space.</td>
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<td>Motorcycle spaces:</td>
<td>No cities had parking requirements for motorcycles. Vehicle codes generally treat them as regular automobiles.</td>
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<td>Bicycle spaces:</td>
<td>Some cities have no provisions on bicycles. The cities that do have requirements, differentiate between multiple-family residential and commercial uses. In general, 4 bicycles was the minimum number for commercial uses over 15,000 sf. Multi-family uses required 1 bicycle space per 6 units or 10% of the required number of car spaces. Generally, the bicycle space dimensions were 2' x 5' or 6', with a 6' height clearance. Some cities require a 5-foot clearance from the parking area. Some cities require a percentage (25% or more) of bicycle spaces to be enclosed inside a building, and/or to be secured upright without the need for chains or owner provided locks.</td>
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<td><strong>Parking setback encroachment:</strong></td>
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<td>Some cities allow parking to encroach 50 to 100% into side and rear setbacks. In some cities, the parking has to be set back and or screened from the front. Some require at least a minimum amount of perimeter landscaping between parking and the front property line.</td>
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<td><strong>Parking space overhang:</strong></td>
<td>Most cities allow a 2-3 foot overhang (over landscaping), but that area cannot count towards required landscaping.</td>
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<td><strong>Parking vertical clearance:</strong></td>
<td>In most cities surveyed, the minimum clearance for residential uses is 6'8&quot; and for commercial 7 feet.</td>
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<td><strong>Parking horizontal clearance:</strong></td>
<td>Some cities require a clearance around parking spaces of 9 to 12 inches.</td>
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<td>------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Permitted vertical obstructions</td>
<td>Curbs up to 18-inches are allowed around a parking space in some cities.</td>
</tr>
<tr>
<td>Permitted horizontal obstructions (Commercial)</td>
<td>Obstructions (walls, columns...) are allowed adjacent to parking spaces 3 to 5 feet from either end of a space</td>
</tr>
<tr>
<td>Permitted obstructions (Residential)</td>
<td>For residential uses, cabinets or other obstructions are allowed in an area 4.5 feet above ground and 3.5 feet from the front of a space</td>
</tr>
<tr>
<td>Residential garage openings</td>
<td>For single car garages the minimum width was 7.5 to 9 feet and for double between 15.5 and 16 feet. In some commercial and multi-family parking structures, garage doors are restricted to a 20-foot maximum width. In Pasadena, the openings depend on the aisle width.</td>
</tr>
<tr>
<td>Covered parking</td>
<td>Some cities require 100% of residential spaces to be enclosed in a garage. Some require only 50% of multi-family residential spaces to be enclosed. Some require single or multi-family spaces to be covered only (either garage or carport).</td>
</tr>
<tr>
<td>Striping:</td>
<td>Some cities have no striping provisions. Some require single and others double striping. One city specifically requires white striping, and another city requires colors that contrast the pavement color. The typical required width is 4 inches. If double striping is used, each stripe is located 6 inches from the edge of the space (1 foot between stripes).</td>
</tr>
<tr>
<td>Single or double</td>
<td></td>
</tr>
<tr>
<td>Width</td>
<td></td>
</tr>
<tr>
<td>Length</td>
<td></td>
</tr>
<tr>
<td>Color</td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td></td>
</tr>
<tr>
<td>Vehicle ramps:</td>
<td>The maximum allowed slope is 15-20%. Some cities require transitions of a certain length and slope for ramps over a certain slope(e.g. 12.5%). Typically the transitions must be no more than 1/2 the slope of the main ramp (8%, 16%, then 8%). Few cities have ramp dimension requirements. One sets a minimum width of 14' for single and 20' for two-way traffic.</td>
</tr>
<tr>
<td>Slope</td>
<td></td>
</tr>
<tr>
<td>Dimensions:</td>
<td></td>
</tr>
<tr>
<td>Parking lot slope</td>
<td>Most cities have a 5% maximum slope for parking areas.</td>
</tr>
<tr>
<td>Standards</td>
<td>Summary / Total / Average</td>
</tr>
<tr>
<td>--------------------------------</td>
<td>------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td><strong>Commercial drive aisle width:</strong></td>
<td></td>
</tr>
<tr>
<td>0-degree</td>
<td>0-degree: 12 feet one-way and 18 feet 2-way</td>
</tr>
<tr>
<td>30-degree</td>
<td>30-degree: 12-14 feet one-way, and 18-20 feet 2-way</td>
</tr>
<tr>
<td>45-degree</td>
<td>45-degree: 12-16 feet 1-way and 16-20 feet 2-way</td>
</tr>
<tr>
<td>60-degree</td>
<td>60-degree: 13-16 feet 1-way, and 16-21 feet 2-way</td>
</tr>
<tr>
<td>75-degree</td>
<td>75-degree: 16-19 feet 1-way, and 22-27 feet 2-way</td>
</tr>
<tr>
<td>90-degree</td>
<td>90-degree: 24-27 feet</td>
</tr>
<tr>
<td><strong>Other</strong></td>
<td>Other: Some cities have a graduated aisle width, based on the width of the parking spaces served. For example, for 75-90 degree parking one city allows a deviation of 3 feet from aisle width for every increase of 1 foot in stall width.</td>
</tr>
<tr>
<td><strong>Residential drive aisle width</strong></td>
<td></td>
</tr>
<tr>
<td>0-degree</td>
<td>0-degree: 9-12 feet 1-way, and 18-25 feet 2-way</td>
</tr>
<tr>
<td>30-degree</td>
<td>30-degree: 10-13 feet 1-way, and 19.5-25 feet 2-way</td>
</tr>
<tr>
<td>45-degree</td>
<td>45-degree: 13-14 feet 1-way, and 18-25 feet 2-way</td>
</tr>
<tr>
<td>60-degree</td>
<td>60-degree: 16-17 feet 1-way, and 17-25 feet 2-way</td>
</tr>
<tr>
<td>75-degree</td>
<td>75-degree</td>
</tr>
<tr>
<td>90-degree</td>
<td>90-degree: 22-27</td>
</tr>
<tr>
<td><strong>Other</strong></td>
<td>Other: typically turning radius for single-family garages is 25 feet</td>
</tr>
<tr>
<td><strong>Parking stall depth:</strong></td>
<td></td>
</tr>
<tr>
<td>0-degree</td>
<td></td>
</tr>
<tr>
<td>0-30-degree</td>
<td></td>
</tr>
<tr>
<td>45-degree</td>
<td></td>
</tr>
<tr>
<td>60-degree</td>
<td></td>
</tr>
<tr>
<td>75-degree</td>
<td></td>
</tr>
<tr>
<td>90-degree</td>
<td></td>
</tr>
<tr>
<td>Standards</td>
<td>Summary / Total / Average</td>
</tr>
<tr>
<td>-------------------------------</td>
<td>--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Driveway (curb-cut) width:</td>
<td>The minimum width is typically based on the number of spaces or units served by the driveway. The residential minimum ranges from 8-10 feet, if the number of spaces is 4-20 depending on the city. If more parking spaces are served, then the driveway has to be 2-way (18-20 feet) or two 1-way driveways are required. For commercial uses, the width ranges between 10 and 12 feet for lots with less than 15-20 spaces. If there are more than 15-20 spaces, the driveway/curb cut has to be 20-25 feet depending on the city. Some cities grant the Director some discretion over the driveway width.</td>
</tr>
<tr>
<td>Minimum</td>
<td></td>
</tr>
<tr>
<td>Residential</td>
<td></td>
</tr>
<tr>
<td>Commercial</td>
<td></td>
</tr>
<tr>
<td>Maximum</td>
<td></td>
</tr>
<tr>
<td>Number of Curb cuts</td>
<td>The number is typically based on the lot frontage. Curb cuts in some cities have to be at least 5 feet from common lot lines. Curb cuts and driveways have to lead directly to required parking, and curb cuts not leading to parking, must be removed when there's new construction or additions. Staff is considering setting a minimum distance between driveways/curb cuts and a minimum distance from street corners.</td>
</tr>
<tr>
<td>Standards</td>
<td>Summary / Total / Average</td>
</tr>
<tr>
<td>-----------</td>
<td>---------------------------</td>
</tr>
<tr>
<td>Driveway length (Residential)</td>
<td>Some cities set a minimum driveway length/setback for garages that front on a street or alley.</td>
</tr>
<tr>
<td>Maximum paving in Residential front setbacks</td>
<td>One city set a 25% maximum, except when the minimum driveway width results in more paving</td>
</tr>
<tr>
<td>Driveway/paving material:</td>
<td>Most cities set minimum thickness for paving and base material. Typically, they require 2 inches of asphalt or 4 inches of Portland cement. Similar material is allowed subject to Director approval. Some cities require decorative and/or permeable paving, such as stone, brick, stamped colored concrete, grasscrete... Others set maximum or minimum percentage of decorative paving. One city requires all residential driveways to use a minimum of 15% decorative paving. Some cities require a landscaping or other physical barriers between the driveway and the adjacent walkway or building.</td>
</tr>
<tr>
<td>Lighting</td>
<td>Some cities set a maximum height for light fixtures. That height can be the height of the building or 18 feet, for example. Other cities use a graduated height requirement, which is tied to the distance from the property line. Others set a maximum height (12 feet) when the property is within 25' from residential property. Typically, lights are required to reflect away from adjacent properties or right of ways. The minimum parking lot illumination ranges from 1 to 3 footcandles.</td>
</tr>
</tbody>
</table>

<p>| Setbacks | |
|----------|</p>
<table>
<thead>
<tr>
<th>Standards</th>
<th>Summary / Total / Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>Other</td>
<td>Parking structures typically can be built in side and rear yards. Cities have definitions for semi-subterranean structures. Semi-subterranean structures can typically project 3-4 feet above grade (to the top of finished floor above), but they must be screened. That includes any ventilation grills over 4 sf in area. In lieu of setbacks, the City of El Segundo has coverage standards. Subterranean structures can project 100% into side yards typically and in some cases all the way to the front property line, provided they are fully below grade. In some cities, commercial structures must have a landscape setback along street frontage and landscaping planters on upper levels. Some cities require architectural review of structures (detailed elevations, compatible with surroundings).</td>
</tr>
<tr>
<td>Parking structure standards:</td>
<td></td>
</tr>
<tr>
<td>Setbacks</td>
<td></td>
</tr>
<tr>
<td>Clearance</td>
<td></td>
</tr>
<tr>
<td>Projections</td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td></td>
</tr>
<tr>
<td>Drive-thru standards:</td>
<td>Typical minimum length is 100 feet, and the width can be as little as 9 feet.</td>
</tr>
<tr>
<td>Width</td>
<td></td>
</tr>
<tr>
<td>Length</td>
<td></td>
</tr>
<tr>
<td>Recreational Vehicles</td>
<td>Recreational vehicles are typically allowed to park in the front yard for 72 hours during a month. They are not allowed to park in required parking spaces. They can park in the side or rear long term, but they must be screened by a 6-foot wall typically. Some cities simply prohibit recreational vehicle parking on residential properties.</td>
</tr>
<tr>
<td>Parking exceptions</td>
<td></td>
</tr>
<tr>
<td>Director Level:</td>
<td>Tandem and compact parking, Attendant for tandem parking. Reduced parking for Joint/Shared parking. Design of entrances</td>
</tr>
<tr>
<td>Standards</td>
<td>Summary / Total / Average</td>
</tr>
<tr>
<td>----------------------------</td>
<td>------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Standard</td>
<td>and exits. Requirements for uses not listed. On-street loading.</td>
</tr>
<tr>
<td>Number</td>
<td>Paving materials. Driveway widths. Overall design and layout requirements. Lighting height. Landscaping requirements.</td>
</tr>
<tr>
<td>Landscaping</td>
<td>Minimum area: typically it is 5-10% of the parking area. In addition, cities require all unused portions of a lot to be landscaped. The amount of landscaping can also depend on the number of spaces in the parking lot. Some cities require a 5-foot planter along the perimeter of a property and as much as 10 feet along street frontages. The minimum width of planters ranges between 3 and 5 feet. Shades trees are required along street frontage at a rate of 1 tree per 20-25 feet of frontage. Additional trees are required within parking areas based on the parking lot area or the amount of landscaping provided. (For example, 1 tree per 3,000 sf of parking area, or 1 tree per 500 sf of landscaping provided). Some cities require a landscaped planter at the end of each parking aisle. Some allow a specific percentage of hardscape in the overall landscaping allowed in the parking area. Other cities do not have building perimeter landscaping (like El Segundo), except for one city that requires an 18-inch wide landscape planter between a driveway and a building edge.</td>
</tr>
<tr>
<td>Standards</td>
<td>Summary / Total / Average</td>
</tr>
<tr>
<td>---------------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Other</td>
<td></td>
</tr>
<tr>
<td>Parking lot screening</td>
<td>A 5' to 6.5-foot wall is typically required between a parking lot and adjacent residential properties. 36''-42'' walls or hedges are required along street frontages.</td>
</tr>
<tr>
<td>Off-site parking</td>
<td>Allowed within a distance of 300-1000 feet from subject site unless valet service is provided. Typically a covenant and/or a lease agreement is required. In some cases the request is approved administratively by the director.</td>
</tr>
<tr>
<td>Shared Parking</td>
<td>Allowed typically upon submittal of a parking study, or adequate information regarding the uses involved. The request may be approved administratively or with administrative use permit.</td>
</tr>
<tr>
<td>Criteria for Admin. Parking Reduction</td>
<td>Basic criteria include: the characteristics of the uses involved, parking studies, availability of public parking, availability and proximity of transit, and ADA requirements.</td>
</tr>
<tr>
<td>Commercial vehicle parking in Residential zones</td>
<td>Not addressed in most cities. One city limits commercial vehicle parking to one vehicle with maximum dimensions of 8' x 20' x 8'</td>
</tr>
<tr>
<td>Trip Reduction and Transportation Demand</td>
<td>Requirements are similar to El Segundo's requirements, but some cities include them in the parking section of their code.</td>
</tr>
<tr>
<td>Percentage of customer vs Employee parking</td>
<td>Only Pasadena had a such a provision. The purpose of the provision is to determine the maximum number of tandem spaces. It can also be used to determine employee parking for TDM purposes.</td>
</tr>
<tr>
<td>Two-car garage for residential additions</td>
<td>Most cities surveyed did not have such a provision in their parking code. Some cities set a threshold on the size of additions that trigger upgrading the garage/parking.</td>
</tr>
<tr>
<td>Location of parking</td>
<td>Some cities require parking to be set back or located in the rear portion of the property. Most prohibit backing up on to streets. One of the cities prohibits placing parking spaces within 10 feet of the street facing property line.</td>
</tr>
<tr>
<td>Standards</td>
<td>Summary / Total / Average</td>
</tr>
<tr>
<td>---------------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Shopping cart storage</td>
<td>Not addressed in most cities. One city gives the Director/ZA the discretion to determine the requirement (number and location).</td>
</tr>
<tr>
<td>Driveway Visibility</td>
<td>The visibility triangle ranges from 5' x 5' to 5' x 50'. However, one city specifies the height as well (between 2.5' and 7.0'). The El Segundo requirement is 10' x 10' with height between 2.5' and 12'</td>
</tr>
<tr>
<td>Electric recharge station</td>
<td>Two cities had provisions on this issue. One required a minimum of one charging station for developments over 15,000 sf, and additional charging stations can result in parking reductions, subject to Director approval. Another city requires 2 stations per 250 spaces. El Segundo does not have such provisions.</td>
</tr>
<tr>
<td>Primary vs accessory use</td>
<td>Some cities set limits on the extent/size of accessory uses in commercial buildings. For example, 10% office within an industrial building and 5% or 15,000 sf of retail space, whichever is less, in office buildings. Accessory uses that exceed these limits are required to provide parking at the higher ratio.</td>
</tr>
<tr>
<td>Mechanical lifts</td>
<td>One city allows mechanical lifts in all zones. El Segundo allows lifts w/CUP in the R-1 zone.</td>
</tr>
<tr>
<td>Pedestrian Circulation</td>
<td>One city requires walkways with direct access from the building to the public sidewalk. Projects with 100 or more spaces require crossing points (6' wide) outside vehilce use areas.</td>
</tr>
</tbody>
</table>
Chapter 15
OFF-STREET PARKING AND LOADING SPACES

15-15-1: PURPOSE:
The purpose of this Section is to provide for adequate off-street parking and loading standards, to assure that parking spaces shall be suitably maintained and available for the use of the occupants of the site and to mitigate associated on-street parking and traffic circulation problems throughout the City. (Ord. 1212, 11-16-1983)

15-15-2: GENERAL PROVISIONS:

A. Parking And Loading Required: No use or building shall be established, erected, enlarged or expanded unless on-site parking and loading facilities are provided and maintained as required by this Chapter.

B. Design: Parking facilities shall be designed so that a car within a facility will not have to enter a street to move from one location to any other location within the same facility.

C. Tire Stops: Bumpers or tire stops a minimum six inches (6") in height shall be provided in all parking lot areas abutting a building, structure, sidewalk, planting area, street or alley.

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

E. Exit: Parking facilities in nonresidential zones shall be designed in such a manner that any vehicle on the property will be able to maneuver as necessary so that it may exit from the property travelling in a forward direction. However, cars may exit onto an alley travelling in a reverse direction.

F. Access By Alley: Where vehicular access is provided by an alley, parking may intrude into the required rear yard; provided, however, the amount of setback intruded upon shall be replaced by increasing the other required yards on-site by an equivalent amount.

G. Fractional Spaces: Where the application of the following cumulative parking schedules results in a fractional space, then the fractions shall be rounded to the nearest whole number.

H. Guest Parking: No required guest parking space for any residential use shall be located, in whole or in part, in any required front yard or front two-thirds \((2/3)\) of any required side yard.

I. Maintenance And Compliance: No person, company or organization shall fail to maintain the facilities required to be provided by this Chapter, or by any applicable provision of prior laws, variance, use permit, or precise plan heretofore or hereafter granted by the Planning Commission or City Council. No required parking shall be utilized in any manner so as to make it unavailable for the occupants, their clients or visitors of a building or use during the hours such building or use is normally occupied. This meaning shall not be construed to prohibit security devices.

J. Waiting Spaces: Waiting spaces, where required, are to be located adjacent or near to the required loading spaces in order to accommodate trucks waiting for loading dock space.

K. Loading Spaces:
1. Design: Loading spaces shall be designed so they will not interfere with vehicular circulation.

2. Site Location: Loading spaces shall be sited to avoid views from public streets. (Ord. 1245, 2-6-1996)

L. Pavement And Surfacing: All permanent on-site parking, loading, vehicle storage and vehicle sales areas shall be paved with approved concrete or asphaltic concrete. On-site parking areas to be used for no longer than one year shall be surfaced and maintained with an impervious material acceptable to the Director of Community, Economic and Development Services so as to eliminate dust and mud. All on-site parking areas shall be graded and drained so as to dispose of all surface water in accordance with the Uniform Building Code.

M. Lighting: Any lights provided to illuminate any parking area or vehicle sales areas as permitted by this code shall be arranged so as to direct the light away from any premises upon which a residential dwelling unit is located. (Ord. 1245, 2-6-1996; amd. Ord. 1315, 1-18-2000)

15-15-3: PARKING SPACES REQUIRED:

The number of on site parking spaces required for the establishment of a building or use shall be provided and thereafter maintained at the following ratios; provided, however, that for any building or use enlarged or increased in capacity, additional parking facilities shall be required only for such enlargement or increase. Additional parking facilities need not be provided in R zones unless such enlargement or increase results in the addition of a dwelling unit. Unless stated otherwise, parking shall be based on net floor area as defined in section 15-1-6 of this title.

A. Residential Uses:

<table>
<thead>
<tr>
<th>Residential Use</th>
<th>Number Of Parking Spaces Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Single-family and two-family dwellings</td>
<td>2 spaces for each unit and 1 additional space for dwelling units exceeding 3,000 square feet of gross floor area</td>
</tr>
<tr>
<td>2. Condominiums, residential co-ops and multiple-family dwellings</td>
<td>2 spaces for each unit plus 2 visitor spaces for the first 5 dwelling units and 2 visitor spaces for each additional 3 units (e.g., 1-5 units = 2 visitor spaces, 6-8 units = 4, 9-11 units = 6, 12-14 units = 8, etc.)</td>
</tr>
<tr>
<td>3. Lodging houses, rooming houses, and guesthouses</td>
<td>1 space for each sleeping room</td>
</tr>
</tbody>
</table>

(Ord. 1279, 10-7-1997)

B. Nonresidential Uses:

<table>
<thead>
<tr>
<th>Nonresidential Uses</th>
<th>Number Of Parking Spaces Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Hospitals</td>
<td>1½ spaces for each bed</td>
</tr>
<tr>
<td>2. Hotels</td>
<td>1 space for each of the first 100 rooms; ¾ space for each of the next 100 rooms; and ¼ space for each room above 200 rooms</td>
</tr>
<tr>
<td>3. Motels, auto courts, bed and breakfast inns, motor lodges, and tourist courts</td>
<td>1 space for each sleeping unit</td>
</tr>
<tr>
<td>4. Seniors communities, rest homes, convalescent homes</td>
<td>1 space for each 2 beds</td>
</tr>
<tr>
<td>5. Offices, commercial, video arcade, and food to go uses</td>
<td>1 space for each 300 square feet for the first 25,000 square feet</td>
</tr>
<tr>
<td></td>
<td>1 space for each 350 square feet for the second 25,000 square feet</td>
</tr>
<tr>
<td></td>
<td>1 space for each 400 square feet for the area in excess of 50,000 square feet</td>
</tr>
</tbody>
</table>
| 6. Restaurants, drive-through restaurants, bars and cocktail lounges | 1 space for each 75 square feet, including outdoor dining areas if outdoor dining area exceeds 200 square feet or 20 percent of indoor...
<table>
<thead>
<tr>
<th>7. Manufacturing, research and development (includes office with on-site testing facilities)</th>
<th>dining area, whichever is less</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 space for each 500 square feet for the first 50,000 square feet</td>
<td>No parking is required for restaurants under 500 square feet which do not provide sit down eating accommodations</td>
</tr>
<tr>
<td>1 space for each 1,000 square feet for the area in excess of 50,000 square feet</td>
<td></td>
</tr>
</tbody>
</table>

| 8. Medical/dental offices and clinics | 1 space for each 200 square feet |

<table>
<thead>
<tr>
<th>9. Warehouses and storage buildings</th>
<th>1 space for each 1,000 square feet for the first 20,000 square feet</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 space for each 2,000 square feet for the second 20,000 square feet</td>
<td></td>
</tr>
<tr>
<td>1 space for each 4,000 square feet for the area in excess of 40,000 square feet</td>
<td></td>
</tr>
</tbody>
</table>

| 10. Automobile services, automobile repair garages, body shops, and service stations | 2 spaces for each service stall plus 2 spaces for office. Additionally, a parking plan must be submitted for automobile service uses that include limited automobile sales. The plan must demonstrate that the area for the display of automobiles for sale will not encroach into required setbacks, parking spaces, driveways, drive aisles, vehicle backup areas, landscaping, and any other required use areas as required by this code |

<table>
<thead>
<tr>
<th>11. Schools, private:</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Preschool, elementary through junior high level</td>
</tr>
<tr>
<td>b. High school level</td>
</tr>
<tr>
<td>c. Adult level, college, business and trade</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>12. Places of public assembly including, but not limited to, theaters, auditoriums, banquet facilities, meeting rooms, clubs, lodges and mortuaries:</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. With fixed seats</td>
</tr>
<tr>
<td>b. Without fixed seats</td>
</tr>
</tbody>
</table>

| 13. Churches | 1 space for every 4 seats¹ |

<table>
<thead>
<tr>
<th>14. Cafes:</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Which equal 20 percent or less of the gross floor area of a multi-tenant shopping center, office development or the commercial portion of a mixed use development</td>
</tr>
<tr>
<td>b. Any portion of a cafe or any cumulative floor area of multiple cafes which exceed 20 percent of a multi-tenant shopping center, office development, or the commercial portion of a mixed use development</td>
</tr>
</tbody>
</table>

Note:
1. Based upon the uniform building code, areas having fixed benches or pews shall have 1 seat for each 18 inches of length. Dining areas shall have 1 seat for each 24 inches of booth length, or major portion thereof.

(Ord. 1279, 10-7-1997; amd. Ord. 1286, 3-17-1998; Ord. 1395, 5-16-2006; Ord. 1425, 2-3-2009)

C. Compact Parking: Compact parking shall be allowed for office and industrial uses to a maximum of twenty percent (20%) of required parking spaces. Parking spaces provided in excess of the required number may be compact size.
Compact parking shall not be allowed for retail uses.

D. Parking Reductions:

1. The planning commission may reduce the required amount of parking in the SB, MM, Grand Avenue commercial and medium density residential zones up to ten percent (10%). (Ord. 1279, 10-7-1997)

2. The planning commission may modify the required number of parking spaces in any commercial or industrial zone, including in the Smoky Hollow specific plan area up to a maximum of ten percent (10%), based on the submittal of a parking demand study. Additionally, for any use for which the number of parking spaces is not listed, the director of community, economic and development services or planning commission shall specify the required number of spaces based on a parking demand study. A parking demand study shall include, but not be limited to, information specifying the number of employees, customers, visitors, clients, shifts, deliveries, parking spaces, or other criteria established by the director of community, economic and development services. (Ord. 1279, 10-7-1997; amd. Ord. 1315, 1-18-2000)

15-15-4: MIXED OCCUPANCIES:

In the case of mixed uses in a building or on a site, the total requirements for on site parking facilities shall be the sum of the requirements for the various uses computed. On site parking facilities for one use shall not be considered as providing required parking facilities for any other use. (Ord. 1212, 11-16-1993)

15-15-5: PARKING AREA DEVELOPMENT STANDARDS:

A. Stall Sizes And Aisle Widths:

1. The parking stall sizes shall be as follows:

<table>
<thead>
<tr>
<th>Zone</th>
<th>Width</th>
<th>Depth</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nonresidential:</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>8\frac{1}{2}</td>
<td>18 feet</td>
</tr>
<tr>
<td>Dead end parking stall or adjacent to an obstruction</td>
<td>10 feet</td>
<td>18 feet</td>
</tr>
<tr>
<td>Compact parking spaces</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>8\frac{1}{2}</td>
<td>15 feet</td>
</tr>
<tr>
<td>Residential (outside dimensions):</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Single-family residential (R-1)</td>
<td></td>
<td>10 feet</td>
</tr>
<tr>
<td>Mobile home in mobile home park</td>
<td></td>
<td>9 feet</td>
</tr>
<tr>
<td>Two-family residential (R-2)</td>
<td></td>
<td>9 feet</td>
</tr>
<tr>
<td>Two-family residential</td>
<td></td>
<td>8\frac{1}{2} feet</td>
</tr>
</tbody>
</table>

2. Aisle width for angled parking spaces shall not be less than the following:

<table>
<thead>
<tr>
<th>Angles Of Parking</th>
<th>Aisle Width Clear</th>
<th>Parking Stall Depth¹</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parallel to 30 degrees</td>
<td>12 feet</td>
<td>16 feet</td>
</tr>
<tr>
<td>45 degrees</td>
<td>15 feet</td>
<td>19 feet</td>
</tr>
<tr>
<td>60 degrees</td>
<td>18 feet</td>
<td>20 feet</td>
</tr>
<tr>
<td>90 degrees</td>
<td>25 feet</td>
<td>18 feet</td>
</tr>
</tbody>
</table>

Note:
1. Measured perpendicular to aisle.

Three feet (3') of the length of a parking space may overhang into a landscaped area if the landscaped area provides a six inch (6") tall curb. That portion of landscaping will not be considered as contributing to required landscaping.
STANDARD STALLS

<table>
<thead>
<tr>
<th>A Parking Angle</th>
<th>B Aisle Width Clear</th>
<th>C Parking Stall Depth</th>
<th>D Parking Stall Width</th>
<th>E Overall</th>
<th>F Tire Stop Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>30</td>
<td>12”</td>
<td>16’</td>
<td>16’ 0”</td>
<td>44’</td>
<td>3’</td>
</tr>
<tr>
<td>45</td>
<td>15’</td>
<td>19’</td>
<td>11’ 3 3/4”</td>
<td>53’</td>
<td>4’ to property line</td>
</tr>
<tr>
<td>60</td>
<td>18’</td>
<td>20’</td>
<td>9’ 4 1/4”</td>
<td>58’</td>
<td>2’ in Smoky Hollow</td>
</tr>
<tr>
<td>90</td>
<td>25’</td>
<td>18’</td>
<td>8’ 6”</td>
<td>61’</td>
<td></td>
</tr>
</tbody>
</table>

(Ord. 1245, 2-6-1996)

3. Parking stall sizes for vehicle lifts is as follows:

<table>
<thead>
<tr>
<th>Zone</th>
<th>Width</th>
<th>Depth</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single-family residential and two-family residential zones (outside dimensions):</td>
<td></td>
<td></td>
</tr>
<tr>
<td>One vehicle lift space</td>
<td>12 feet</td>
<td>22 feet</td>
</tr>
</tbody>
</table>

(Ord. 1401, 10-3-2006)

B. Tandem Parking: Parking stalls in a tandem configuration are prohibited in all zones, except as follows:

<table>
<thead>
<tr>
<th>Zone</th>
<th>Allowable Tandem Parking Provisions</th>
<th>Percentages</th>
</tr>
</thead>
<tbody>
<tr>
<td>All residential zones</td>
<td>Restricted to 2 vehicles in tandem, in a designated parking space for use by occupants in the same dwelling unit</td>
<td>n/a</td>
</tr>
<tr>
<td>SB, MM, and Grand Avenue commercial</td>
<td>Tandem parking up to 4 cars deep shall be allowed with a travel lane on both ends. The following uses are allowed to have a certain percentage of tandem parking spaces</td>
<td>n/a</td>
</tr>
<tr>
<td>General retail</td>
<td></td>
<td>30</td>
</tr>
<tr>
<td>Manufacturing</td>
<td></td>
<td>85</td>
</tr>
<tr>
<td>Offices</td>
<td></td>
<td>85</td>
</tr>
<tr>
<td>Research and development (includes office with on site testing facilities)</td>
<td></td>
<td>85</td>
</tr>
<tr>
<td>Restaurants</td>
<td></td>
<td>10</td>
</tr>
<tr>
<td>Warehousing</td>
<td></td>
<td>85</td>
</tr>
<tr>
<td>C-RS, C-2, C-3, MU-N, MU-S, M-1 and M-2</td>
<td>Tandem parking shall be allowed for office and manufacturing, except for structures under 15,000 square feet, in which case said use shall obtain a CUP</td>
<td>20</td>
</tr>
</tbody>
</table>

(Ord. 1272, 6-17-1997)
C. Covered Parking Requirements: All required parking spaces shall be covered in the following manner:

<table>
<thead>
<tr>
<th>Use</th>
<th>Parking Enclosure</th>
</tr>
</thead>
<tbody>
<tr>
<td>One-family dwelling</td>
<td>Fully enclosed garage</td>
</tr>
<tr>
<td>Two-family dwelling</td>
<td>Fully enclosed 2 car garage</td>
</tr>
<tr>
<td>Multiple-family dwellings, including: condominiums, residential cooperatives, boarding houses, lodging houses and rooming houses</td>
<td>Covered structure (enclosed on 3 sides)</td>
</tr>
<tr>
<td>Visitor parking spaces need not be enclosed or covered.</td>
<td></td>
</tr>
</tbody>
</table>

(Ord. 1212, 11-16-1993)

D. Underground (Subterranean) Parking Facilities: The following maximum lot coverage shall apply to communal underground parking facilities:

<table>
<thead>
<tr>
<th>Zone</th>
<th>Setbacks</th>
<th>Subsurface Area Of Lot Utilized</th>
<th>Height Of Garage Wall Above Grade</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>No setbacks, provided facility is covered and subsurface</td>
<td>n/a</td>
<td>n/a</td>
</tr>
<tr>
<td>Residential</td>
<td>Parking facility cannot intrude into required setbacks and the area surrounding the outside wall shall be landscaped</td>
<td>75 percent</td>
<td>No more than 2 feet</td>
</tr>
<tr>
<td>Residential</td>
<td>Parking facility cannot intrude into required setbacks and the area surrounding the outside wall shall be landscaped</td>
<td>60 percent</td>
<td>No more than 5 feet and an average of not more than 4 feet</td>
</tr>
<tr>
<td>Residential</td>
<td>Parking facility cannot intrude into required setbacks and the area surrounding the outside wall shall be landscaped</td>
<td>40 percent</td>
<td>Over 5 feet</td>
</tr>
<tr>
<td>Commercial</td>
<td>No setbacks, provided facilities are completely subsurface and covered</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>Industrial</td>
<td>No setbacks, provided facilities are subsurface and covered</td>
<td>None</td>
<td>None</td>
</tr>
</tbody>
</table>

(Ord. 1245, 2-6-1996)

E. Parking Of Licensed Recreational Vehicles And Habitable Vehicles:

1. Parking of any mobile home, camper, house trailer or other habitable vehicle outside of an authorized mobile home park or licensed recreational vehicle parking facility is prohibited except that such vehicles may be parked on any public property or right of way subject to any applicable parking restrictions including, without limitation, section 7-6-1 of this code, or on any developed residential lot as long as the vehicle, if parked in a front yard, is parked on a nonporous surface pad adequate to accommodate the parked vehicle.

2. A habitable vehicle parked on private property may be occupied for residential purposes for no longer than seventy two (72) hours (outside of an authorized mobile home park) within any thirty (30) day period. No habitable vehicle may be occupied for commercial purposes except as provided by section 13-1-2 (appendix chapter 31, division II) of this code. (Ord. 1261, 10-1-1996)

F. Entrances And Exits: The location and design of all driveway entrances and exits are subject to the approval of the director of planning and building safety and must comply with the criteria listed below:

<table>
<thead>
<tr>
<th>Zone</th>
<th>Distance From Side Property Line</th>
<th>Curb Cut And Driveway Width</th>
</tr>
</thead>
</table>

120

All zones; except R-1 and R-3 | n/a | Minimum 10 feet Maximum 30 feet
---|---|---
R-1 | n/a | Minimum 10 feet Maximum 20 feet for lots less than 50 feet in width and a maximum of 50 percent of the lot width for lots 50 feet or greater in width
R-3 | 5 feet minimum in front 2/3 of lot. Entrance or exit on or from an alley may be less | Minimum 12 feet No more than 20 percent of lot width or maximum 30 feet

(Ord. 1401, 10-3-2006)


H. Vehicle Lifts: Vehicle lifts may be used by right to provide off street parking spaces on lots in the single-family residential (R-1) zone and the two-family residential (R-2) zone where the vehicle lifts provide parking in excess of the minimum number of required parking spaces subject to the standards in this section and in this chapter.

1. Vehicle lifts may be conditionally permitted for required off street parking spaces on lots in the two-family residential (R-2) zone subject to the following:
   a. The vehicle lift must be located only within a fully enclosed garage.
   b. A vehicle lift may only be used to store two (2) vehicles vertically where a minimum vertical height clearance from the floor to the ceiling plate of the garage is a minimum of fourteen feet (14') clear of obstructions.
   c. A vehicle lift must be designed and used as a designated parking space for use only by occupants in the same dwelling unit as the parking space located directly below the vehicle lift.
   d. A vehicle lift must be permitted only with a key locking mechanism.
   e. A vehicle lift must be permitted only if it is operated with an automatic shutoff safety device and is installed in accordance to manufacturer specifications.

2. Vehicle lifts may be conditionally permitted for required off street parking spaces on lots in the two-family residential (R-2) zone subject to the following:
   a. The vehicle lift must be used only on a lot less than forty five feet (45') in width.
   b. The vehicle lift must be located only within a fully enclosed garage.
   c. A vehicle lift must only be used to meet the minimum number of required off street parking spaces in addition to a minimum of two (2) fully accessible parking stalls located on the floor surface within a garage or garages.
   d. A conditional use permit subject to chapter 23 of this title must be obtained for use of a vehicle lift that is provided to meet the minimum number of off street parking spaces in the R-2 zone.
   e. A vehicle lift may only be used to store two (2) vehicles vertically where a minimum vertical height clearance from the floor to the ceiling plate of the garage is a minimum of fourteen feet (14') clear of obstructions.
   f. A vehicle lift must be designed and used as a designated parking space for use only by occupants in the same dwelling unit as the parking space located directly below the vehicle lift.
   g. A vehicle lift must be permitted only with a key locking mechanism.
   h. A vehicle lift must be permitted only if it is operated with an automatic shutoff safety device and is installed in accordance to manufacturer specifications.
15-15-6: LOADING AREA DEVELOPMENT STANDARDS:

Every building hereafter established, erected, enlarged or expanded for commercial, manufacturing or institutional purposes in the commercial or manufacturing zones listed below must be provided with loading space as set forth below. However, for any building or use enlarged or increased in capacity, additional loading spaces are required only for such enlargement or increase. All required loading spaces are in addition to the required on site parking spaces set forth in section 15-15-3 of this chapter and must be developed and maintained in accordance with section 15-15-2 of this chapter. Loading spaces may be provided either completely or partially within a building when such building is designated to include adequate ingress and egress to the loading spaces.

LOADING SPACE SIZES

<table>
<thead>
<tr>
<th>Space</th>
<th>Width</th>
<th>Depth</th>
<th>Clearance</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>13 feet</td>
<td>50 feet</td>
<td>16 feet</td>
</tr>
</tbody>
</table>

NUMBER OF LOADING SPACES REQUIRED

<table>
<thead>
<tr>
<th>Zone</th>
<th>Building Floor Area</th>
<th>Loading Spaces Required</th>
<th>Waiting Spaces Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>SB &amp; MM</td>
<td>0 - 10,000 square feet</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>10,000 - 25,000 square feet</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>C-3, CO, MU-N, MU-S, M-1, M-2</td>
<td>0 - 999 square feet</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1,000 - 25,000 square feet</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>C-3, C-4, CO, MU-S, MU-N, M-1, M-2, SB, MM</td>
<td>25,001 - 100,000 square feet</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td></td>
<td>100,001 - 250,000 square feet</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Each additional 100,000 square feet or fraction thereof</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Over 1,000,000 square feet</td>
<td></td>
<td>1 for every 5 loading spaces. Each space 13'W x 50'L x 16'H.</td>
</tr>
<tr>
<td>C-4</td>
<td>0 - 25,000 square feet (single-tenant building)</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>0 - 25,000 square feet (multi-tenant building)</td>
<td>1 for each tenant over 10,000 square feet</td>
<td></td>
</tr>
</tbody>
</table>

Required loading spaces for hotel or institutional uses must be provided as set forth in the following schedule:

<table>
<thead>
<tr>
<th>Building Floor Area</th>
<th>Loading Spaces Required</th>
<th>Waiting Spaces Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 - 999 square feet</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>1,000 - 15,000 square feet</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>15,001 - 75,000 square feet</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Each additional 100,000 square feet or fraction thereof</td>
<td>1</td>
<td>1 for every 5 loading spaces. Each space 13'W x 50'L x 16'H.</td>
</tr>
<tr>
<td>Over 1,000,000 square feet</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Loading spaces within the boundaries of the Smoky Hollow specific plan should be located on the side or in the rear of buildings whenever possible. If located in the front yard, the loading platform must be set back from the front property line a minimum of 30 feet.

Commercial or manufacturing zoned lots or parcels that are less than 6,000 square feet in area must provide an on site loading space area that is not less than 12 feet wide and comprised of an area equal to not less than 8% of the lot or parcel area and in no case can such loading area be less than 360 square feet.

(Ord. 1382, 3-15-2005)

15-15-7: PLAN PREPARATION AND PERMIT APPROVAL:

A. A proposed parking area plan and, if applicable, the loading and waiting space area shall be submitted to the director of community, economic and development services at the time of the application for the building permit for the building for which the parking, loading, and waiting area is required. The plans shall clearly indicate the proposed development, including location, size, shape, design, curb cuts, lighting, landscaping, and parking spaces in full compliance with code requirements.

B. No building permit shall be issued until the applicant has presented satisfactory evidence to the director of community, economic and development services that parking and loading facilities required by the provisions of this chapter will be provided and maintained. (Ord. 1212, 11-16-1993; amd. Ord. 1315, 1-18-2000)

15-15-8: JOINT USE AND OFF SITE PARKING FACILITIES:

All parking spaces shall be located on the same lot or building site as the use for which such spaces are required, except within the boundaries of the Smoky Hollow specific plan (see section 15-15-13 of this chapter); provided, that such parking spaces for nonresidential uses may be located off site on a different lot or lots, subject to a parking covenant approved by the planning commission, which shall be recorded in the office of the county recorder, prior to the issuance of any building permits; and, may include such conditions as the planning commission may impose. Off site parking for fewer than ten (10) parking spaces shall be subject to approval of the director of community, economic and development services, subject to a parking covenant, which shall be recorded in the office of the county recorder; and, may include such conditions as the director of community, economic and development services may impose. This off site parking may include the joint use of off site and on site parking spaces by mutually exclusive uses. (Ord. 1283, 11-18-1997; amd. Ord. 1315, 1-18-2000)

15-15-9: SHARED PARKING; SMOKY HOLLOW:

Shared parking facilities within the boundaries of the Smoky Hollow specific plan may be granted up to a twenty percent...
(20%) parking reduction for uses with significantly different peak hours of operation. Requests for shared parking must meet the following requirements:

A. A parking study shall be submitted by the applicant demonstrating that there will not exist substantial conflict in the peak hours of parking demand for the uses for which joint use is proposed;

B. The number of parking stalls which may be credited against the requirements of the structures or uses involved shall not exceed the number of stalls reasonably anticipated to be available during differing hours of operation;

C. A written agreement shall be drawn to the satisfaction of the city attorney and executed by all parties concerned assuring the continued availability of the number of stalls designed for joint use; and

D. This provision is suggested as an administrative guideline. The planning commission shall ultimately determine the size of the parking reduction. Twenty percent (20%) reductions should be rare. (Ord. 1212, 11-16-1993)

15-15-10: SITES WITH TRANSPORTATION SYSTEMS MANAGEMENT PLANS:

The number of required parking spaces (section 15-15-3 of this chapter) and parking facilities location for nonresidential uses (section 15-15-2 of this chapter) may be modified subject to approval of a transportation systems management plan pursuant to the procedures and requirements of chapter 16 or 17 of this title. (Ord. 1212, 11-16-1993)

15-15-11: APPLICABILITY OF CHAPTER IN C-RS ZONE:

In the C-RS zone, section 15-15-3 of this chapter, spaces required, shall be fully applicable to all buildings constructed or enlarged after January 1, 1971. All buildings constructed prior to January 1, 1971, which do not meet the requirements of this chapter may comply with these provisions in the following manner:

Existing uses in an existing building may change to any other use enumerated in the permitted uses section of the C-RS zone without providing additional on site parking spaces; provided, however, that all existing on site parking spaces provided in connection with the building or structure shall be continued and available for use with the subject building or structure. (Ord. 1245, 2-6-1996)

15-15-12: FAILURE TO MAINTAIN REQUIRED PARKING:

In the event on site parking and loading area facilities required to be provided under this code are not maintained for licensed vehicle parking and truck loading area purposes to the extent required, the director of community, economic and development services shall revoke and cancel the certificate of occupancy theretofore issued for such structure. However, if it appears that failure to maintain such required parking was reasonably beyond the control of the person required to maintain the same, the certificate of occupancy shall not be revoked until the owner has had at least ninety (90) days to reestablish the minimum required parking. In the event the certificate of occupancy is revoked, the premises covered thereby shall not be occupied or used for any purpose until a new certificate of occupancy has been issued. (Ord. 1212, 11-16-1993; amd. Ord. 1315, 1-18-2000)

15-15-13: OFF SITE PARKING; SMOKY HOLLOW SPECIFIC PLAN:

Required parking for a development within the boundaries of the Smoky Hollow specific plan may be located off the site under certain circumstances. Request for off site parking must meet the following requirements:

A. The off site parking shall be located so that it will adequately serve the use for which it is intended. In making this determination, the following factors, among other things, shall be considered.

1. Proximity of the off site parking facilities;

2. Ease of pedestrian access to the off site parking facilities; and

3. The type of use the off site parking facilities are intended to serve (i.e., off site parking) may not be appropriate for high turnover uses such as retail.

B. A written agreement shall be drawn to the satisfaction of the city attorney and executed by all parties concerned assuring the continued availability of the off site parking facilities for the use they are intended to serve. (Ord. 1212, 11-16-1993)
In order to be consistent with the format and intent of the balance of this Section, the R-3 Zone Standards should read as follows:

<table>
<thead>
<tr>
<th>ZONE</th>
<th>DISTANCE FROM SIDE PROPERTY LINE</th>
<th>CURB CUT AND DRIVEWAY WIDTH</th>
</tr>
</thead>
<tbody>
<tr>
<td>R-3</td>
<td>5 feet minimum in front 2/3rds of lot. Entrance or exit on or from alley may be less.</td>
<td>Minimum 12 feet. No more than 20% of lot width or maximum 30 feet. Maximum 30 feet or 20% of lot width, whichever is less.</td>
</tr>
</tbody>
</table>

(New text is shown as double underline and existing text as strikeout)

DATE: 11/09/1996

BY: Bret B. Bernard, AICP, Director
This section applies to new commercial or industrial developments only, excluding Smoky Hollow, and does not apply to residential development.

Furthermore, any references made to this Section (for residential projects), no longer applies. Specifically, Sections 20.20.060 A.(R-1 Zone), 20.22.060 A.(R-2 Zone), 20.24.060 A.(R-3 Zone) and 20.45.060 A. (MDR Zones), which state that residential projects must comply with the General Provisions Chapter (Chapter 20.12). However, all other applicable general provisions still apply. (See AD 97-15, discussed at the August 18, 1997 Planning Commission meeting, for background information.)
ZONING CODE INTERPRETATION

SUBJECT:  Loading Spaces - C-RS Zone

SECTION #:  20.31.080 (Off-Street Parking and Loading Spaces), 20.54.060
           (Loading Area Development Standards)

PAGE #:  94, 251-253

These two sections discuss the requirements for off-street loading spaces in the C-RS Zone. The
Zoning Code revision adopted on 11/18/97 (Ordinance No. 1283) eliminated the requirement for
loading spaces in the C-RS Zone. Therefore, off-street loading spaces are no longer required in the
C-RS Zone and existing businesses in the zone may eliminate existing loading spaces if desired and
if not in violation of any project conditions.

DATE:  9 June 1998

BY:  Bret B. Bernard
ZONING CODE INTERPRETATION

SUBJECT: Back Up Space (Aisle Width Clear) for Residential Parking

Section: 20.54.050 A.(2)

Page: 248

This section of the code requires a 25 foot back up space for 90° angle parking. For residential garages this 25 feet may be modified depending on the location of the existing residence and garage. Please refer to the descriptions below for determining the "buildable area" on lots in which a detached garage is located behind the residence.

Legal Non-Conforming

When the existing back up space between the house and the garage is less than 25 feet, the following procedure should be used to determine the buildable portion of the lot: a line should be drawn parallel to and 10 feet from the edge of the driveway furthest from the dwelling. A second line should be drawn to extend the rear portion of the house closest to the driveway into the driveway (i.e. showing the minimum back up distance currently provided). The intersection of these two lines forms the maximum point to which new construction may be extended. A line should be drawn from this point to the required width of the garage (or the maximum width of the existing garage if it is substandard in width). This line will define the required back up space and the "no build" area where no new construction is allowed. (Please refer to the attached drawing "A.")

Conforming or Exceeding Standard

When the existing back up space between the house and the garage is greater than or equal to 25 feet, a line should be drawn from the required width of the garage (or the maximum width of the existing garage if it is substandard in width) to a point that reflects the minimum required standards of the Code. This point is defined as follows: a line parallel to and 25 feet from the garage should be drawn. A second line, parallel to and 10 feet from the edge of the driveway furthest from the dwelling should be drawn. The intersection of these two lines reflects the minimum required standards of the Code and is the maximum point to which new construction of the house may be extended. The line connecting the garage and this point will define the required back up space and the "no build" area where no new construction is allowed. (Please refer to the attached drawing "B.")

Date: November 15, 1999

By: James M. Hansen

zoning/back up space.zci
"A" (Legal Non-Conforming)

If garage is wider than 20', the width of 20' is used to establish the maximum extent of the addition.

Addition may not extend beyond this line.

Garage

20' (or in edge of legal non-conforming garage)

22'

10'

Drive way

15'
"B" (meets or Exceeds Standard)

If garage is wider than 20', the width of 20' is used to establish the maximum extent of the addition.

Garage

20' (or to edge of legal non-conforming garage)

Addition may not extend beyond this line.

25'

10'

Driveway

16'
ZONING CODE INTERPRETATION

SUBJECT: Parking - Compact Parking for Hotels and Recreational Uses

SECTION #: 20.54.050.C.

PAGE #: 246

On March 26 and April 9, 1998, respectively, the Planning Commission determined that compact parking for hotels and recreational uses are permitted to a maximum of twenty (20%) percent of required parking spaces.

Given the lack of specificity in the Zoning Code regarding compact parking for non-retail commercial uses, and the similar parking operational characteristics between hotels and offices, the Planning Commission felt it would be appropriate to permit compact parking for hotels and recreational facilities in the same percentage as permitted office and industrial uses.


BY: Bret B. Bernard, AICP, Director

AD: 98-7 & 98-08
ZONING CODE INTERPRETATION

SUBJECT: Parking – Compact Spaces

SECTION #: 20.54.030 C. and 20.54.050 A. (1)

PAGE #: 246 and 247

Section 20.54.030 C. allows a maximum of 20% of required parking for certain uses to be compact spaces and any parking in excess of the required number may also be compact. Section 20.54.050 A. (1) requires compact spaces to be 8-1/2 feet wide by 15 feet deep. Compact Parking Spaces in excess of the required parking may not be reduced to less than these dimensions (8-1/2’ by 15’). This interpretation was applied in July 1998 to 201 North Douglas. Plan Check #1009-97.


BY: Bret B/ Bémand/AICP, Director
Parking spaces are required for outdoor dining areas at the same ratio required for all restaurants, which is 1 space per 75 square foot of net floor area. The walls which surround outdoor dining area are structures (20.08.855) and therefore the area is included as floor area. The exception for courts or atriums uncovered and open to the sky does not apply to outdoor dining areas.

DATE: March 28, 1996

BY: Sharon Hightower
ZONING CODE INTERPRETATION

SUBJECT: Parking – Parallel Spaces

SECTION #: 20.54.050 A. (2) and 20.46.030 E. (2)

PAGE #: 248

Parking space and backup dimensions and standards for various angles (30, 45, 60, and 90 degrees) are provided within this Code Section; however, there are no standards provided for Parallel Parking Spaces, except for Smoky Hollow. Therefore, the following standards, which are used by Public Works for on-street parallel spaces shall apply:

<table>
<thead>
<tr>
<th>ZONE</th>
<th>STALL WIDTH</th>
<th>STALL DEPTH</th>
</tr>
</thead>
<tbody>
<tr>
<td>All Zones (Except Smoky Hollow)</td>
<td>8' – 6&quot;</td>
<td>22'-24'</td>
</tr>
<tr>
<td>Small Business (SB), Medium Manufacturing (MM), and Grand Avenue Commercial Zones (GAC)</td>
<td>8' – 6&quot;</td>
<td>24'</td>
</tr>
<tr>
<td>End Stall Without Obstructions</td>
<td>8' – 6&quot;</td>
<td>17&quot;</td>
</tr>
</tbody>
</table>

Public Works identifies 24 feet as ideal and 22 feet as a minimum depth.

DATE: 11/09/1996

BY: Bret B. Bernard, AICP, Director
ZONING CODE INTERPRETATION

SUBJECT:  Required Parking for Single-Family & Two-Family Dwellings

SECTION #: 20.54.030 A.  

PAGE #: 244

Two parking spaces are required for each dwelling unit and one additional space for dwelling units exceeding 3000 sq. ft. of gross floor area. Sections 20.08.360 and 20.08.415, respectively, define dwelling unit and floor area. These sections are not clear if the intent is to include the square footage of an attached garage when calculating the gross floor area and determining the required number of parking spaces. The intent of the Planning Commission and City Council when adopting the one additional required space for dwelling units over 3,000 sq. ft. was to accommodate additional vehicles and storage normally associated with larger homes, which can accommodate more people. Therefore, when calculating if a dwelling unit is over 3,000 sq. ft. do not include the garage area.

Although the Zoning Code does not provide a definition of garage, the Uniform Building Code defines a garage as a building used to store motor vehicles. Any portion of a garage which cannot realistically be used to store a vehicle, such as a storage closet, workshop or a washer/dryer area, should not be calculated as part of the garage, but should be included as part of the dwelling unit. This interpretation also provides equity with lots that are developed with detached garages which are clearly not a part of the main building or dwelling unit, by not penalizing lots that are developed with attached garages.

DATE:  12/12/95

BY:  [Signature]
Tire stops and overhangs (e.g. storage cabinets, room additions, etc.) may encroach into the minimum required depth of a residential garage space as follows:

**Tire stops** not more than 6 inches high may be located a maximum of 3 feet from the garage wall opposite the garage door. This height restriction allows the bottom of the car to easily fit over the tire stop so the car can pull as far forward as possible.

**Overhangs** may encroach into the garage space a maximum distance of 3 feet from the wall opposite the garage door, provided that they are a minimum of 42 inches above the garage floor. This height restriction allows the hood of the car to fit underneath of the overhang.

Date: November 18, 1999

By James M. Hansen
ZONING CODE INTERPRETATION

SUBJECT: Vehicular Parking in the Front Yard for lots with Alley Access in the R-1 and R-2 Zones

SECTION #: 20.20.100 (R-1), 20.22.100(R-2), 10.28.200, 20.54.050 E.1

PAGE #: 69, 77-2, 250

On April 8, 1999, the Planning Commission upheld the Director's decision to prohibit vehicular parking (and thus, parking pads) in the front yard of lots which have alley access and which are located in the R-1 and R-2 Zones.

DATE: 27 April, 1999

BY: Bret B. Bernard, AICP, Director

AD: 98-30
On April 9, 1998, the Planning Commission determined that tandem parking in the Corporate Office (CO) Zone is permitted for manufacturing and warehouse uses up to 20% of the required parking, but not permitted for office uses. The Zoning Code specifically permits tandem parking in all other commercial and manufacturing zones for office and manufacturing uses. The Commission determined the intent of omitting the CO Zone in 1993 was to prohibit tandem parking for the large multi-tenant parking structures in the zone. It was not intentionally adopted to limit tandem parking for existing non-conforming manufacturing and warehouse uses in the CO Zone.
Two (2) Visitor Parking Spaces are required for the first five (5) dwelling units and two (2) Visitor Spaces for each additional 3 units (e.g. 1-5 units = 2 visitor spaces, 6-8 units = 4……) for Condominiums, Residential Co-ops, and Multi-Family dwellings. The definition of Multi-Family Dwellings and Condominiums indicates a minimum of three (3) dwelling units. Therefore, any number of dwelling units less than three (3) does not require visitor spaces, and this Section should read “(e.g. 3-5 units = 2 visitor spaces), as no visitor spaces are required for only one (1) or two (2) dwelling units.


BY: Bret B. Bernard, AICP, Director
The R-2 (20.22.060 A2) and R-3 (20.24.060 A2) Zones allow development of uses permitted in the R-1 and R-2 Zones, respectively, however, the use must be constructed in accordance with the parking requirements of the Zone where the property is located. The parking standards in Section 20.54.030 C relate to the residential use, not the zone, therefore, a single-family dwelling in an R-2 or R-3 Zone must meet the requirements of 20.54.030 A (1) (2 spaces for each unit + 1 additional space for dwelling units exceeding 3,000 square feet of gross floor area). The parking standards in Section 20.54.050 A relate to the zone, not the use, for the dimensions of the required parking. The parking standards in Section 20.54.050 C relate to the use, not the zone, therefore a single-family dwelling in an R-2 or R-3 Zone must provide parking in a fully enclosed garage. This distinction between dwellings (defined by Sections 20.08.340 through 20.08.355) as a use and residential zones defines the appropriate code sections to use for parking standards.
ZONING CODE INTERPRETATION

SUBJECT: Vehicular Parking in the Front Yard for lots with Alley Access in the R-1 and R-2 Zones

SECTION #: 20.20.100 (R-1), 20.22.100(R-2), 10.28.200, 20.54.050 E.1.

PAGE #: 69, 77-2, 250

On April 8, 1999, the Planning Commission upheld the Director's decision to prohibit vehicular parking (and thus, parking pads) in the front yard of lots which have alley access and which are located in the R-1 and R-2 Zones.

DATE: 27 April, 1999

BY: Bret B. Bernard, AICP, Director

AD: 98-30
ZONING CODE INTERPRETATION

SUBJECT: Wheel stops

SECTION #: 20.54.090(2)(a)

PAGE #: 600-3

All parking, loading, vehicle sales and vehicle storage areas shall be provided with suitable barriers (i.e. wheel stops) located not less than four feet from a property line and not less than 6” in height.

Where parking areas are not adjacent to a sidewalk or other pedestrian areas, steel cable guards, concrete parapets, curbs (or similar) designed to take the impact of a vehicle may be provided in lieu of standard wheel stops. Overhangs are not acceptable as wheel stops for required parking spaces.

* into required landscape areas)

DATE: 6-7-86

Y: 1986
AGENDA DESCRIPTION:

Consideration and possible action to (1) place an initiative on the ballot for the previously called April 13, 2010 municipal election to amend the City’s business license tax regulations to (i) increase the tax amount annually based upon the ten-year average of the consumer price index and (ii) reduce from a 50% credit to a 40% credit the amount that businesses can reduce their annual business license tax based upon the annual sales/use tax they generate for the City. (Fiscal Impact: Projected approximate $680,000 for FY 2010-11 and approximate $250,000 to $300,000 additional per year increase to the City’s business license tax in subsequent fiscal years for which the City collects an estimated $9,000,000 annually.)

RECOMMENDED COUNCIL ACTION:

1. Adopt Resolution placing an initiative on the ballot amending business license tax regulations;
2. Determine whether the Council will appoint itself or members thereof to draft the arguments and rebuttal arguments in favor of the tax measures.
3. Consider Adopting a Resolution directing the City Attorney to prepare an impartial analysis for the two ballot initiatives
4. Alternatively, discuss and take other actions related to this item.

ATTACHED SUPPORTING DOCUMENTS:

Resolution; proposed draft initiative for business license tax amendment.

FISCAL IMPACT: Projected revenue increase not included in FY 2009-2010 adopted budget. The estimated increase in this revenue source would not be realized until FY 2010-2011.

Amount Budgeted: $N/A
Additional Appropriation: N/A
Account Number(s): N/A

ORIGINATED BY: Deborah Cullen, Finance Director
REVIEWED BY: Mark D. Hensley, City Attorney
APPROVED BY: Jack Wayt, City Manager

BACKGROUND AND DISCUSSION:

At a December 8, 2009 Special Meeting, the City Council directed staff to prepare a proposed ballot initiative that would amend the City’s business license tax regulations. Specifically, the City Council sought an annual increase to existing business license taxes based upon a rolling ten year average of the consumer price index for Los Angeles/Riverside/Orange County. In
addition, the City Council asked for initiative language that would reduce the business license tax credit for businesses generating sales taxes from 50% to 40%.

The City’s general municipal election will be held on April 13, 2010. At the December 1st meeting, the City Council placed Measure M on the ballot which, if adopted, would update the City’s utility users tax. If approved by the City Council, this proposed measure (which would be designated Measure N on the ballot) would increase in the City’s business license tax amounts. This tax is, and would remain, a general tax (meaning it will be deposited into the City’s general fund and can be used for any lawful local government purpose) and requires approval by a majority of the electorate.

**Business License Tax**

On December 1, 2009, the City Council rejected a proposed initiative that would have utilized a “public safety index” as was described in previous staff reports and during the City Council’s various workshops. Before taking the vote to reject the measure, however, the City Council discussed different alternatives to the public safety index including, without limitation, a consumer price index increase based upon a ten year rolling average (“ACPI”).

During staff’s presentation on December 8, 2009, data were presented showing that increases to existing business license taxes using the ACPI would yield approximately 2.5% increase to revenue. This translates to approximately $250,000 to $300,000 per year.

The ballot measure, if approved by a majority of the electorate, would result in the City increasing its business license taxes commencing on January 1, 2011 for the 2011 calendar year. The increase would be based upon averaging the last ten years of the consumer price index for the Los Angeles/Riverside/Orange County area as calculated by the United States Department of Labor, Bureau of Labor Statistics. This ten-year average percentage would be added to the City’s current tax rates.

**Sales Tax Credit**

The City’s current business license tax regulations allow businesses to offset their business license taxes by utilizing a credit that is based upon the amount of sales/use tax the City receives from sales/use tax revenues generated by businesses. Currently, a business can use up to 50% of the sales/use tax the City receives from the business as a credit against the amount of the business license tax it owes the City. For example, if a business generates $50,000 of sales/use tax for the City, it is entitled to apply 50% or $25,000 as a credit toward its BLT. If the businesses BLT liability totaled $25,000 or less, the business’s actual business license tax owed to the City would be zero.

On December 8th, the City Council directed that the current 50% credit amount be reduced down to 10% as set forth above. This credit was created to encourage businesses to self-accrue sales/use tax directly to the City. Over the last 10 years the City has not realized significant increases from this program, and in analyzing the data even at 40% credit most businesses already benefiting from this credit will still receive substantial savings on their Business License Tax.
Over the past 10 years Business License Tax revenues have covered an average of 47% of public safety costs but is currently at only 27%. The decline of this ratio puts an additional burden on other General Fund revenues and/or results in reduced services provided to residents. Indexing and implementing a phased sales/use tax credit will enable this tax revenue to maintain the historical coverage of public safety costs and not rely on other tax sources to cover the deterioration of this ratio.

Staff also recommends changes to ESMC § 4-2-4 relating to the tax rate dollar amounts. These changes reflect the actual tax amounts after the tax reductions authorized by ESMC § 4-2-3. This is more of a practical change, rather than substantive, to help efficiently implement the tax rate calculations. There is no actual change to the tax rate; the dollar amount simply reflects what the City already charges based upon existing regulation.

General Ballot Measure Information

Impartial Analysis

By Resolution No. 4637, adopted December 1, 2009, the Council already requested an impartial analysis of the business license tax measure. The analysis must show both the effect of the measure on existing law and its operation. The analysis cannot exceed 500 words and must precede the arguments for and against the measure on the sample ballot.

Ballot Arguments

The following persons may write an argument, not exceeding 300 words, for or against the measure:

1. The City Council;
2. Councilmembers authorized by the City Council;
3. Voters eligible to vote on the measure (i.e., a registered voter in the city);
4. A bona fide citizens' association; or
5. Any combination of voters and associations.

An argument cannot be accepted unless it is accompanied by the name(s) of the person(s) submitting it. If an organization submits an argument, it must include the organization's name and the name of at least one principal officer. Only the first five signatures appearing with an argument will be printed on the sample ballot.

The city clerk must select a reasonable deadline for submitting arguments, taking into account that voters must be allowed to examine the elections material for at least 10 calendar days before printing.

One argument for the measure and one argument against the measure must be printed on the sample ballot. If there is more than one argument submitted, the city clerk must select from among them. The city clerk must give preference and priority to arguments in the following order:

1. The City Council, or Councilmembers authorized by the Council.
3. Individual voters eligible to vote on the measure.
The Elections Code allows the City Council to draft ballot arguments as a body or to appoint one or more of its members to draft a ballot argument. If the City Council wishes to authorize one of its members to draft an argument, it may do so by minute order. Please note that public resources, including staff time, cannot be used in opposing or supporting any initiative or referendum once a petition qualifies for the ballot. Accordingly, the City Council cannot designate a staff member to prepare ballot arguments.

As explained during the December 8, 2009 meeting, if more than one argument is submitted to the City for a ballot measure, the Elections Official (here, the City Clerk) must select arguments based upon the priority established by Elections Code § 9287 as follows:

1. The legislative body, or member or members of the legislative body authorized by that body.
2. The individual voter, or bona fide association of citizens, or combination of voters and associations, who are the bona fide sponsors or proponents of the measure.
4. Individual voters who are eligible to vote on the measure.

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RESOLUTION NO. _______

A RESOLUTION PLACING AN INITIATIVE ON THE PREVIOUSLY CALLED APRIL 13, 2010 MUNICIPAL ELECTION PURSUANT TO ELECTIONS CODE § 9222 REGARDING BUSINESS LICENSE TAXES.

The City Council of the city of El Segundo resolves as follows:

SECTION 1: Pursuant to Elections Code §§ 1301 and 10403, the City Council previously called for a general municipal election to be held in the City of El Segundo on Tuesday, April 13, 2010.

SECTION 2: Pursuant to Elections Code § 9222, the City Council places an ordinance on the ballot for the general municipal election scheduled for Tuesday, April 13, 2010.

SECTION 3: A copy of the ordinance to be considered by the voters is attached as Exhibit “A,” and incorporated by reference, and is approved by the City Council through adoption of this Resolution. The ballot measure will be designated as Measure N on the ballot.

SECTION 4: Pursuant to Elections Code §§ 9222 and 13119 the exact form of the question to be voted on at the election as it should appear on the ballot is as follows:

<table>
<thead>
<tr>
<th>Shall the ordinance amending El Segundo Municipal Code §§ 4-2-1, 4-2-3, and 4-2-4 and adding a new § 4-2-44 to allow annual increases to the business license tax to fund general municipal services including, without limitation, police protection and crime suppression services, fire prevention and suppression services, and park and recreation facilities and services be adopted?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes ☐</td>
</tr>
<tr>
<td>No ☐</td>
</tr>
</tbody>
</table>

SECTION 5: In accordance with Government Code § 53724(b), this Resolution must be adopted upon a two-thirds (2/3) vote and will become effective immediately upon adoption.

PASSED AND ADOPTED this ___ day of December, 2009.

______________________________
Kelly McDowell, Mayor
ATTEST:

Cindy Mortesen, City Clerk

APPROVED AS TO FORM:
MARK D. HENSLEY, City Attorney

By: Karl H. Berger,
Assistant City Attorney
ORDINANCE NO. ______

AN INITIATIVE MEASURE AMENDING EL SEGUNDO MUNICIPAL CODE
§§ 4-2-1, 4-2-3, AND 4-2-4 AND ADDING A NEW § 4-2-44 TO ALLOW
ANNUAL INCREASES TO THE BUSINESS LICENSE TAX TO FUND
GENERAL MUNICIPAL SERVICES, INCLUDING, WITHOUT LIMITATION,
POLICE PROTECTION AND INVESTIGATIONS, SUPPRESSION OF
GANGLAND DRUG RELATED CRIMES, REMOVAL OF GRAFFITI, AND
RAPID RESPONSE TO EMERGENCIES.

The people of the city of El Segundo do hereby ordain as follows:

SECTION 1: El Segundo Municipal Code ("ESMC") § 4-2-1 is amended to read as
follows:

"4-2-1: FEES PAID TO CITY:

A. The amount of license fee to be paid to the City by persons commencing
or conducting any business subject to this Chapter shall be as
provided are set forth in this Chapter."

B. Beginning on January 1, 2011, license fees imposed in this Title will be
increased annually each January 1st on a percentage basis using the
percentage increase in the consumer price index ("CPI") for all urban
consumers as calculated by the United States Department of Labor,
Bureau of Labor Statistics, for the Los Angeles-Riverside-Orange County
area, all items, calculated as follows:

1. The most recent ten year CPI percentages are added together and
then divided by ten to derive an average ten year CPI percentage
("ACPI"); and

2. The ACPI is multiplied by the amount of existing license fees. The
sum of that multiplication is added to the amount of the license fees
imposed by the City for the previous calendar year.

3. For purposes of this section, a "year" is the time period from March
31st through March 31st of the subsequent calendar year. For
example, and without limitation, on January 1, 2011, the ACPI
would be calculated using the ten years from March 31, 2000 and
March 31, 2010.
C. **Notwithstanding any other provisions of this code, license fees imposed in this Title will be increased by a minimum of one cent ($0.01) every two calendar years.**

SECTION 2: ESMC § 4-2-3 is amended to read as follows:

"4-2-3: TAX REDUCTION; TAX CREDIT:

A. **Notwithstanding any other provision of this Title, Tax Reduction. Except for Section 4-2-4 and increases imposed by Section 4-2-1(B) the amount of a business license tax imposed on any business by this Title shall be reduced by ten percent (10%) and the remainder of such tax shall be reduced by an additional five percent (5%).**

B. **Notwithstanding the foregoing a credit shall be granted against the tax imposed by this Section whenever a Tax Credit. A business subject to the tax imposed by this Chapter is entitled to a tax credit against the tax imposed by Section 4-2-4 whenever it generates sales and/or use tax in the year immediately preceding the year in which the tax is due. The credit shall be applied to the business registration tax due for the following year.**

C. **The credit shall be equal to fifty percent (50%) of the portion tax credit referred to in Section B., above, will equal up to forty (40%) percent of the sales and/or use tax generated which was awarded to or use tax generated by the business and received by the City during the twelve (12) month period ending on June 30 preceding the date the tax is due. However, the amount of said credit shall under no circumstances**

D. **Under no circumstances can the amount of the tax credit for any year be calculated to be greater than the total amount of tax due for any year under this Chapter.**

SECTION 3: ESMC § 4-2-4(A)(1-5) is amended to read as set forth below. Except as modified, all other provisions of ESMC § 4-2-4 remain the same:

"4-2-4: BUSINESSES GENERALLY:

A. Unclassified Businesses; Fee Schedule: Every person engaged in a business not specifically mentioned or classified in this Chapter shall pay a license fee in accordance with the following schedule:

1. **Employees: A basic fee of one hundred thirty-eight dollars ($138.00) per year, which shall cover the first ten (10) employees and one hundred twenty-seven nine dollars**
($427.00) per year for each employee in excess of ten (10) employees; and

2. - Floor Area: In addition, each such person shall pay a fee of twenty five one cents ($0.2501) per square foot of floor area occupied for a business purpose in excess of five thousand (5,000) square feet. A fee of ten nine cents ($0.1090) per square foot shall be imposed on vacant space available for rent or lease for business purposes, said fee to be payable by the person with the right to possession of the property; and

3. - Additional Location: In addition, each such person shall pay eleven nine dollars ($11.0090) per year for each additional business location within the City.

4. - Tax Credit: Notwithstanding the foregoing, a credit shall be granted against the tax imposed by this Section whenever a business subject to the tax imposed by this Chapter generates sales and/or use tax in the year immediately preceding the year in which the tax is due. The credit shall be applied to the business registration tax due for the following year. The credit shall be equal to fifty percent (50%) of the portion of the sales and/or use tax generated which was awarded to the City during the twelve (12) month period ending on June 30 preceding the date the tax is due. However, the amount of credit shall under no circumstances be calculated to be greater than the total amount of tax due.

5. - Credit For Sales And Use Tax Revenue: Notwithstanding the foregoing, a business which increases the amount of sales and use tax revenue received by the City from the business or its activities above its "baseline", as defined hereunder, shall receive a credit to the business license tax imposed under this Chapter equal to the dollar amount of the increase above the baseline. The amount of business license tax credit shall be determined annually and is subject to approval by the City Manager. Said credit shall be applied to the business license tax owed in the next fiscal year only; provided, that, in no event, shall the credit exceed the amount of business license tax owed.

a. Calculation Of Baseline: For the purposes of this subsection, the "baseline" for a business shall be calculated as follows:

(1) For the first fiscal year in which a credit is granted, the "baseline" shall equal the sum of sales and use tax received by the City from the business and its activities and the business license tax imposed by the City in the prior fiscal year.

(2) For each subsequent fiscal year, the baseline amount established under subsection A6a(1) above shall be recalculated as follows: the sales and use tax component of the baseline shall be adjusted to reflect any increase from the prior
fiscal year in the consumer price index as established in the report of consumer prices for all urban consumers for the Los Angeles-Anaheim-Riverside Standard Metropolitan-Statistical Area. Said adjustment shall be based on the most recent month for which such price index figure is available on the date the adjustment is calculated. The business license tax component of the baseline shall be recalculated to equal the amount of business license tax imposed on the business under the fee schedule in effect at the time the recalculation is made; including any automatic increase established under this Code; provided, that, in no event, shall the amount of business license tax be less than the amount under subsection A5a(1) of this Section.

4. Intentionally omitted.

b. Eligibility: A business is not eligible to receive any business license tax credits under this subsection A5 while the business is receiving a business license tax credit under Section 3-2-4 of this Code."

5. Intentionally omitted."

SECTION 4: A new ESMC § 4-2-44 is added to read as follows:

"4-2-44: TAX REDUCTIONS AND SUSPENSIONS:

The city council may suspend or reduce tax rates imposed by this title by resolution."

SECTION 5: INTERPRETATION. This Initiative must be interpreted so as to be consistent with all federal and state laws, rules, and regulations. If any section, subsection, sentence, clause, phrase, part, or portion of this Initiative is held to be invalid or unconstitutional by a final judgment of a court of competent jurisdiction, such decision does not affect the validity of the remaining portions of this Initiative. The voters declare that this Initiative, and each section, subsection, sentence, clause, phrase, part, or portion thereof, would have been adopted or passed irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, parts, or portion is found to be invalid. If any provision of this Initiative is held invalid as applied to any person or circumstance, such invalidity does not affect any application of this Initiative that can be given effect without the invalid application.

SECTION 6: SEVERABILITY. If any portion of this Initiative is held by a court of competent jurisdiction to be invalid, the remainder of the initiative and the application of such provision to other persons or circumstances shall not be affected thereby. We the People indicate our strong desire that: (i) the City Council use its best efforts to sustain and reenact that portion, and (ii) the City Council implement this Initiative by taking all steps possible to cure any inadequacies or deficiencies identified by the court in a manner consistent with the express and implied intent of this Initiative, and then adopting or reenacting such portion as necessary or desirable to permit the planning and development of the Project.
SECTION 7: CONSTRUCTION. This Initiative must be broadly construed in order to achieve the purposes stated in this Initiative. It is the intent of the voters that the provisions of this Initiative be interpreted or implemented by the City and others in a manner that facilitates the purposes set forth in this Initiative.

SECTION 8: ENFORCEABILITY. Repeal of any provision of the El Segundo Municipal Code does not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before this Ordinance's effective date. Any such repealed part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

SECTION 9: VALIDITY OF PREVIOUS CODE SECTIONS. If this entire Ordinance or its application is deemed invalid by a court of competent jurisdiction, any repeal or amendment of the ESMC or other city ordinance by this Ordinance will be rendered void and cause such previous ESMC provision or other the city ordinance to remain in full force and effect for all purposes.

SECTION 10: EFFECTIVE DATE. This Initiative will enact and impose a general tax. Accordingly, it will be submitted to a general election on April 13, 2010 for voter approval. If a majority of voters vote in favor of this Initiative, it will become valid and binding ten days after the date that the City Council certifies the election results in accordance with Elections Code § 9217.

SECTION 11: The Mayor will sign this Initiative and the City Clerk will attest and certify to the passage and adoption of this Ordinance if a majority of the voters voting in the City's general election on April 13, 2010 approve the proposition asking whether the voters approve this Initiative.

PASSED AND ADOPTED this ____ day of ________, 2010.

____________________________________
Kelly McDowell, Mayor

ATTEST:

____________________________________
Cindy Mortensen,
City Clerk

APPROVED AS TO FORM:
Mark D. Hensley, City Attorney
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ORDINANCE NO. _____

AN INITIATIVE MEASURE AMENDING EL SEGUNDO MUNICIPAL CODE §§ 4-2-1, 4-2-3, AND 4-2-4 AND ADDING A NEW § 4-2-44 TO ALLOW ANNUAL INCREASES TO THE BUSINESS LICENSE TAX TO FUND GENERAL MUNICIPAL SERVICES, INCLUDING, WITHOUT LIMITATION, POLICE PROTECTION AND INVESTIGATIONS, SUPPRESSION OF GANG AND DRUG RELATED CRIMES, REMOVAL OF GRAFFITI, AND RAPID RESPONSE TO EMERGENCIES.

The people of the city of El Segundo do hereby ordain as follows:

SECTION 1: El Segundo Municipal Code ("ESMC") § 4-2-1 is amended to read as follows:

"4-2-1: FEES PAID TO CITY:

A. The amount of license fee to be paid to the City by persons commencing or conducting any business subject to this Chapter are set forth in this Chapter.

B. Beginning on January 1, 2011, license fees imposed in this Title will be increased annually each January 1st on a percentage basis using the percentage increase in the consumer price index ("CPI") for all urban consumers as calculated by the United States Department of Labor, Bureau of Labor Statistics, for the Los Angeles-Riverside-Orange County area, all items, calculated as follows:

1. The most recent ten year CPI percentages are added together and then divided by ten to derive an average ten year CPI percentage ("ACPI"); and

2. The ACPI is multiplied by the amount of existing license fees. The sum of that multiplication is added to the amount of the license fees imposed by the City for the previous calendar year.

3. For purposes of this section, a "year" is the time period from March 31st through March 31st of the subsequent calendar year. For example, and without limitation, on January 1, 2011, the ACPI would be calculated using the ten years from March 31, 2000 and March 31, 2010.

C. Notwithstanding any other provisions of this code, license fees imposed in this Title will be increased by a minimum of one cent ($0.01) every two calendar years.
SECTION 2: ESMC § 4-2-3 is amended to read as follows:

"4-2-3: TAX REDUCTION; TAX CREDIT:

A. Tax Reduction. Except for Section 4-2-4 and increases imposed by Section 4-2-1(B), the amount of a business license tax imposed on any business by this Title shall be reduced by ten percent (10%) and the remainder of such tax shall be reduced by an additional five percent (5%).

B. Tax Credit. A business subject to the tax imposed by this Chapter is entitled to a tax credit against the tax imposed by Section 4-2-4 whenever it generates sales and/or use tax in the year immediately preceding the year in which the tax is due. The credit is applied to the business registration tax due for the following year.

C. The tax credit referred to in Section B., above, will equal up to forty (40%) percent of the sales or use tax generated by the business and received by the City during the twelve (12) month period ending on June 30 preceding the date the tax is due.

D. Under no circumstances can the amount of the tax credit for any year be calculated to be greater than the total amount of tax due for any year under this Chapter."

SECTION 3: ESMC § 4-2-4(A)(1-5) is amended to read as set forth below. Except as modified, all other provisions of ESMC § 4-2-4 remain the same:

"4-2-4: BUSINESSES GENERALLY:

A. Unclassified Businesses; Fee Schedule: Every person engaged in a business not specifically mentioned or classified in this Chapter shall pay a license fee in accordance with the following schedule:

1. Employees: A basic fee of eight-eight dollars ($88.00) per year, which shall cover the first ten (10) employees and one hundred nine dollars ($109.00) per year for each employee in excess of ten (10) employees; and

2. Floor Area: In addition, each such person shall pay a fee of twenty one cents ($0.21) per square foot of floor area occupied for a business purpose in excess of five thousand (5,000) square feet. A fee of nine cents ($0.09) per square foot shall be imposed on vacant space available for rent or lease for business purposes, said fee to be payable by the person with the right to possession of the property; and
3. Additional Location: In addition, each such person shall pay nine dollars ($9.00) per year for each additional business location within the City.

4. Intentionally omitted.

5. Intentionally omitted."

SECTION 4: A new ESMC § 4-2-44 is added to read as follows:

"4-2-44: TAX REDUCTIONS AND SUSPENSIONS:

The city council may suspend or reduce tax rates imposed by this title by resolution."

SECTION 5: INTERPRETATION. This Initiative must be interpreted so as to be consistent with all federal and state laws, rules, and regulations. If any section, subsection, sentence, clause, phrase, part, or portion of this Initiative is held to be invalid or unconstitutional by a final judgment of a court of competent jurisdiction, such decision does not affect the validity of the remaining portions of this Initiative. The voters declare that this Initiative, and each section, subsection, sentence, clause, phrase, part, or portion thereof, would have been adopted or passed irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, part, or portion is found to be invalid. If any provision of this Initiative is held invalid as applied to any person or circumstance, such invalidity does not affect any application of this Initiative that can be given effect without the invalid application.

SECTION 6: SEVERABILITY. If any portion of this Initiative is held by a court of competent jurisdiction to be invalid, the remainder of the initiative and the application of such provision to other persons or circumstances shall not be affected thereby. We the People indicate our strong desire that: (i) the City Council use its best efforts to sustain and reenact that portion, and (ii) the City Council implement this Initiative by taking all steps possible to cure any inadequacies or deficiencies identified by the court in a manner consistent with the express and implied intent of this Initiative, and then adopting or reenacting such portion as necessary or desirable to permit the planning and development of the Project.

SECTION 7: CONSTRUCTION. This Initiative must be broadly construed in order to achieve the purposes stated in this Initiative. It is the intent of the voters that the provisions of this Initiative be interpreted or implemented by the City and others in a manner that facilitates the purposes set forth in this Initiative.

SECTION 8: ENFORCEABILITY. Repeal of any provision of the El Segundo Municipal Code does not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before this
Oricance'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 9: VALIDITY OF PREVIOUS CODE SECTIONS.** If this entire Ordinance or its application is deemed invalid by a court of competent jurisdiction, any repeal or amendment of the ESMC or other city ordinance by this Ordinance will be rendered void and cause such previous ESMC provision or other the city ordinance to remain in full force and effect for all purposes.

**SECTION 10: EFFECTIVE DATE.** This Initiative will enact and impose a general tax. Accordingly, it will be submitted to a general election on April 13, 2010 for voter approval. If a majority of voters vote in favor of this Initiative, it will become valid and binding ten days after the date that the City Council certifies the election results in accordance with Elections Code § 9217.

**SECTION 11:** The Mayor will sign this Initiative and the City Clerk will attest and certify to the passage and adoption of this Ordinance if a majority of the voters voting in the City's general election on April 13, 2010 approve the proposition asking whether the voters approve this Initiative.

PASSED AND ADOPTED this ___ day of __________, 2010.

__________________________
Kelly McDowell, Mayor

ATTEST:

__________________________
Cindy Mortesen,
City Clerk

APPROVED AS TO FORM:

__________________________
Mark D. Hensley, City Attorney
AGENDA DESCRIPTION:
Consideration and possible action to adopt a resolution urging the State Legislature to repeal the designation of Serpentine - a source of asbestos - as the State's Rock. (Fiscal Impact: None)

RECOMMENDED COUNCIL ACTION:
1. Adopt the attached resolution;
2. Alternatively, discuss and take other action related to this item.

ATTACHED SUPPORTING DOCUMENTS:
1. Draft Resolution

FISCAL IMPACT: None
Amount Budgeted: $N/A
Additional Appropriation: N/A
Account Number(s):

ORIGINATED BY: Kelly McDowell, Mayor
REVIEWED BY: Bill Crowe, Assistant City Manager
APPROVED BY: Jack Wayt, City Manager

BACKGROUND AND DISCUSSION:
This matter was brought to my attention by Mayor Portia Cohen of Manhattan Beach, who carried a similar resolution before her City Council on behalf of the Asbestos Disease Awareness Organization (ADAO). The resolution supports ADAO's efforts to have the State Legislature repeal the designation of serpentine, which is a source for asbestos, as the State's rock.

ADAO was founded by asbestos victims and their families in 2004. ADAO seeks to give asbestos victims and concerned citizens a united voice to help ensure their rights are fairly represented and protected, while raising public awareness about the dangers of asbestos exposure and often deadly asbestos-related diseases.

According to ADAO, in 1965, in an effort to promote asbestos business, jobs and the economy in the State of California, the Governor and State Legislature designated the asbestos host rock, Serpentine, as California's Official State Rock. Notwithstanding Serpentine's practical and economic value, the medical and scientific communities have long noted the causal link between human disease and death and the exposure to asbestos. By adopting this resolution, the City Council will help raise public awareness about the public health dangers of asbestos exposure.
A RESOLUTION OF THE CITY OF EL SEGUNDO
URGING THE STATE LEGISLATURE TO REPEAL THE DESIGNATION OF
SERPENTINE, THE HOST OF ASBESTOS, AS THE OFFICIAL STATE ROCK,
IN SUPPORT OF WORLD ERADICATION OF ASBESTOS FOR PUBLIC
HEALTH AS URGED BY THE ASBESTOS DISEASE AWARENESS
ORGANIZATION

BE IT RESOLVED by the Council of the City of El Segundo as follows:

SECTION 1: The City Council finds as follows:

A. Asbestos is the name given to a group of chrysotile fibrous minerals
found naturally in the environment - primarily in the rock Serpentine
- and has since been mined, used for and deployed in a broad
range of products, materials and applications including
construction, insulation, shipyards and many other industries;

C. In 1965, in an effort to promote asbestos business, jobs and the
economy in the State of California, the Governor and State
Legislature designated the asbestos host rock, Serpentine, as
California’s Official State Rock;

D. Notwithstanding Serpentine’s practical and economic virtues, the
medical and science fields have long noted the causal link between
human disease and death and the exposure to asbestos; and the
World Health Organization (WHO) contends there are 125 million
people who are exposed to asbestos in the workplace, with no less
than 90,000 people dying each year from asbestos-related
diseases caused from occupational exposure; and

E. Notwithstanding the fact that California ranks among the top five
states with the highest recorded number of asbestos-related
deaths, the State continues to designate Serpentine, the host rock
for asbestos, as our official State Rock.

SECTION 2: The City of El Segundo endorses efforts by the Asbestos Disease
Awareness Organization (ADAO) to raise asbestos awareness in order to
prevent exposure and eliminate asbestos-related human health harms.

SECTION 3: The City of El Segundo urges the California Legislature to repeal
Government Code Section 425.2 and in so doing remove Serpentine as the
official California State Rock.
SECTION 4: The City Clerk is directed to certify the adoption of this Resolution; record this Resolution in the book of the City’s original resolutions; and make a minute action of the adoption of the Resolution in the City Council’s records and the minutes of this meeting.

SECTION 5: This Resolution will become effective immediately upon adoption and will remain effective unless repealed or superseded.

PASSED AND ADOPTED this 15th day of December 2009.

________________________________________
Kelly McDowell,
Mayor

ATTEST:

________________________________________
Cindy Mortesen,
City Clerk

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

By: _________________________________
   Karl H. Berger
   Assistant City Attorney
AGENDA DESCRIPTION:
Consideration and possible action regarding the annual request of Mr. S. Claus for variances from the Municipal Code.

RECOMMENDED COUNCIL ACTION:
Approve request by Mr. S. Claus for a waiver of the permits required for doing business within the City of El Segundo as follows; or, alternatively, discuss and take other action related to this item:
1. Approval of a Conditional Use Permit and waiver of regulations in ESMC Section 15-23-4;
2. The use of air rights and waiver of the Santa Monica Radial 160 R procedure (FAA should be contacted);
3. Grant a free business license for a non-profit organization (ESMC 4-1-7);
4. Waiver of ESMC 8-4-11B (Driveway Permits Required) and ESMC 8-5-11 (Parking on Grades).
5. Waiver of the Noise Ordinance to permit the sound of bells (ESMC 7-2-3); and
6. Waiver of the Trespass Ordinance (ESMC 7-6-3) including 6-5-11 dealing with trespassing animals;
7. Waiver of the ordinance on Animal Regulations (ESMC 6-2-1)

Additionally, Mr. S. Claus has been directed to the Coastal Commission for clearance over the ocean; D.M.V. for a valid vehicle registration; Department of Health & Welfare to ensure his elves are receiving minimum wage; and the Air Quality Management District to ensure a safe and clear sleigh ride.

ATTACHED SUPPORTING DOCUMENTS:
None

FISCAL IMPACT: None

Additional Appropriation: N/A
Account Number(s):

REVIEWED BY: Mayor Kelly McDowell
APPROVED BY: Jack Wayt, City Manager

BACKGROUND AND DISCUSSION:
Were Mr. S. Claus required to obtain all of the necessary permits, he would not be able to start his business until after June 1, 2010. Since Mr. Claus has shown good faith during previous business endeavors, and his business would be welcomed by the community as a whole, Council should waive the fees and permits required.