

REPORT TO CITY COUNCIL

DATE: MARCH 14, 2012

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: GREG RAMIREZ, CITY MANAGER

BY: MIKE KAMINO, DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT

SUBJECT: ADOPTION OF ORDINANCE NO. 12-395 AMENDING ZONING ORDINANCE SECTIONS 9654.6.B. AND 9654.2.K. OF DIVISION 4 OF PART 2 OF CHAPTER 6 OF TITLE IX OF THE AGOURA HILLS MUNICIPAL CODE PERTAINING TO PARKING REQUIREMENTS (CASE NO. 11-ZOA-001)

At the February 22, 2012 City Council meeting, the Council introduced, read by title only, and waived further reading of Ordinance No. 12-395. The Ordinance will amend Municipal Code Sections 9654.6.B. and 9654.2.K. regarding parking requirements.

The City Council approved the Zoning Ordinance Amendment on a 5-0 vote.

RECOMMENDATION

Staff recommends the City Council adopt Ordinance No. 12-395 relative to parking requirements.

Attachment: Ordinance No. 12-395

ORDINANCE NO. 12-395

AN ORDINANCE OF THE CITY OF AGOURA HILLS, CALIFORNIA, AMENDING SECTIONS 9654.6.B. AND 9654.2.K. OF DIVISION 4 OF PART 2 OF CHAPTER 6 OF TITLE IX OF THE AGOURA HILLS MUNICIPAL CODE PERTAINING TO PARKING REQUIREMENTS

A. Recitals

(i) The purpose of this ordinance is to amend the parking provisions of the City's Municipal Code to provide updated parking ratio requirements for a variety of uses and to update the standards and requirements for the use of shared parking.

(ii) On February 2, 2012, the Planning Commission of the City of Agoura Hills held a duly noticed public hearing to consider Ordinance 12-395, and received testimony from City staff and all interested parties regarding the proposed amendment. Following the close of the public hearing, the Planning Commission adopted Resolution No. 12-395 recommending approval of Ordinance 12-395, and recommending adoption of the Initial Study/Negative Declaration prepared for the Ordinance pursuant to the California Environmental Quality Act.

(iii) On February 22, 2012, the City Council of the City of Agoura Hills conducted and concluded a duly noticed public hearing concerning the Zoning Ordinance Amendment contained herein as required by law, and received testimony from City staff and all interested parties regarding the proposed amendments.

(iv) All legal prerequisites to the adoption of the Ordinance have occurred.

B. Ordinance.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AGOURA HILLS DOES ORDAIN AS FOLLOWS:

SECTION 1. The facts set forth in the Recitals, Part A of this Ordinance, are true and correct.

SECTION 2. Environmental Review

A. Pursuant to the California Environmental Quality Act ("CEQA"), as amended, the CEQA Guidelines promulgated thereunder, and the City's local CEQA Guidelines, City staff prepared an Initial Study of the potential environmental effects of this proposed Ordinance and the Zoning Ordinance Amendment contained herein ("the Project"). On the basis of the Initial Study, City staff for the City of Agoura Hills, acting as Lead Agency, determined that there was no substantial evidence that the project could have a significant effect on the environment. As a

result, City staff prepared a Negative Declaration for the project and provided public notice of the public comment period and of the intent to adopt the Initial Study/Negative Declaration.

B. The City Council has independently reviewed (1) the Initial Study/Negative Declaration, which are incorporated herein by this reference; and (2) all comments received, both written and oral, regarding the Initial Study/Negative Declaration, and based upon the whole record before it, finds that those documents were prepared in compliance with CEQA, the CEQA Guidelines and the City's Guidelines for Implementing CEQA, that City staff has correctly concluded that there is no substantial evidence that the project will have a significant effect on the environment, and that the findings contained therein represent the independent judgment and analysis of the City Council. Based on these findings, the City Council hereby approves and adopts the Initial Study/Negative Declaration for this project.

C. The custodian of records for the Initial Study/Negative Declaration and all materials that constitute the record of proceedings upon which the City Council's decision was based is the City Clerk of the City of Agoura Hills. Those documents are available for public review in the Office of the City Clerk located at 30001 Ladyface Court, Agoura Hills, California.

SECTION 3. Sections 9654.2.K. and 9654.6.B., Division 4 of Part 2 of Chapter 6 of Article IX (Zoning Ordinance) of the Agoura Hills Municipal Code are hereby amended to read:

"K. *Provisions for commercial uses.*

1. *Parking locations.* In commercial zones off-street parking shall be located on the same lot as, or on a lot contiguous to, the building, structure, or use to be served. ~~The required parking spaces shall not be located in the rear of a commercial building, unless direct customer access to the facility from the parking area is provided.~~

~~2. *Double counting.* At the discretion of the director of planning and community development or the planning commission, whichever has jurisdiction, where two (2) or more commercial uses in a planned commercial development share parking facilities, and the business hours of such uses do not overlap, the minimum space requirement may be reduced by up to fifty (50) percent of the parking requirement for the use requiring the least parking, subject to a minimum of twenty (20) parking spaces being provided. Such reduction shall be subject to the approval of the covenants, conditions, and restrictions for the project by the director of planning and community development or planning commission, whichever has jurisdiction.~~

~~3.2.~~ *Spaces not for repair, servicing or storage.* Required parking spaces shall not be used, or be permitted to be used, for the repair, servicing, or storage of vehicles or for the storage of materials.

~~4.3.~~ *Racks not counted as parking spaces.* For auto repair shops or other similar uses, the racks and pump blocks shall not be considered in calculating the required parking spaces.

54. *Uses not specified.* Commercial parking requirements for uses not specified in this part shall be based upon a standard of one (1) space per two hundred fifty (250) square feet of gross floor area, unless the director of planning and community development or planning commission approve a different parking requirement, based on the most comparable uses specified in this part.

65. ~~Shopping center~~*Shared parking.* For the purposes of this section, “shopping center” shall mean a group of architecturally unified commercial and retail establishments; ~~containing twenty five thousand (25,000) square feet or more,~~ built on a site which is planned, developed, and managed as an operating unit.

For shopping centers containing at least 25,000 and up to 50,000 square feet of total building area, In shopping centers where office spaces exceed ten (10) percent of the total gross floor area, that portion in excess of ten (10) percent of the gross floor area shall be calculated at one (1) parking space per three hundred (300) square feet.

—Where cinema spaces exceed ten (10) percent of the total gross floor area, that portion in excess of ten (10) percent of the gross floor area shall be calculated at one (1) parking space per one hundred (100) square feet.

—Where restaurant, café, or other food and beverage service uses exceed ten (10) percent of the total gross floor area, that portion in excess of ten (10) percent of the total gross floor area shall be calculated at one (1) parking space per one hundred (100) square feet.

For shopping centers containing 50,000 square feet or more of total building area, a shared parking reduction shall be allowed for the shopping centers based on the following:

TABLE I: SHARED PARKING

<u>Combination of Land Uses</u>	<u>Shared Parking Reduction Allowed*</u>
<u>Office+Retail</u> or <u>Office+Restaurant</u>	<u>15% of combined parking requirement or 20% of highest individual use parking requirement, whichever results in the highest number of parking spaces required</u>
<u>Retail+Restaurant</u>	<u>18% of combined parking requirement or 24% of highest individual use parking requirement, whichever results in the highest number of parking spaces required</u>
<u>Office+Retail+Restaurant</u>	<u>20% of combined parking requirement or 25% of highest individual use parking requirement, whichever results in the highest number of parking spaces required</u>
<u>Note: Shared parking reduction values for other uses not identified above may be allowed based on City accepted methodology for shared parking analysis completed by the applicant using a qualified traffic or parking consultant, and ultimately approved by the Director.</u>	

Note: For residential mixed-use development, residential parking shall be provided per Section 9654.6 in addition to the parking requirement for other proposed non-residential uses. To be considered for shared parking reduction for non-residential parking spaces, a shared parking analysis shall be completed by the applicant based upon a City accepted methodology, using a qualified traffic or parking consultant, and ultimately approved by the Director.

Source: Based upon ULI Shared Parking 2nd Edition, ITE Parking 3rd Edition

“9654.6. Parking Allocation

A. *Purpose.* The intent and purpose of this section is to provide properly designed off-street parking areas adequate in capacity, location and design to prevent traffic congestion.

The allocation of off-street parking is intended to provide a sufficient number of off-street parking spaces that are in proportion to the need created by the particular land use.

B. *Parking spaces required.* The number of off-street parking spaces shall be no less than the following:

USE	PARKING SPACES REQUIRED
<i>Residential</i>	
Single-family dwellings	2 covered parking spaces. Said spaces shall be provided within a garage
Apartments:	
Studio or bachelor	1 covered, plus 0.5 uncovered parking spaces per each unit
One (1) bedroom	1.5 covered, plus 1.0 uncovered parking spaces per each unit
Two (2) bedrooms or more	2 covered, plus 0.50 uncovered parking spaces per unit
Condominiums or townhouses	2 covered, plus 0.50 uncovered parking spaces per unit. Recreational vehicle parking may be required at a location and of a design approved by the planning commission.
(All uncovered parking spaces shall be used for “guest parking” and marked as such).	
Second units/granny flats	1 covered parking space per each unit
<i>Commercial</i>	
Office	
Business and professional	1 for each 300 square feet of gross floor area.

	Permanent common lobbies within each building totaling 35,000 square feet or larger are excluded from gross floor area.
<u>Banks and Financial Institutions</u>	<u>1 for each 300 square feet of gross floor area.</u>
Psychologists, psychiatrists, counselors, <u>chiropractors</u> , <u>acupuncturists</u> , and other similar uses with individualized patient programs.	1 for each 300 square feet of gross floor area.
Medical, and dental, <u>and veterinarian</u>	5 <u>1</u> for each 1,000 <u>200</u> square feet of gross floor area
Restaurants, including drinking establishments, take-out and drinking establishments , <u>sit down and fast food</u>	15 for each 1,000 square feet of seating or and waiting floor area. A minimum of 10 parking spaces shall be required
<u>Snack shops (e.g. ice cream, coffee and juice) and take-out</u>	<u>1 for each 250 square feet of gross floor area</u>
<u>Live Entertainment</u>	<p><u>Participatory or Non-Passive Live Entertainment – the Director may require a parking study for live entertainment that is participatory or non-passive which may consist of any of the following: nightclub; dance floor, including dancing to recorded music; live theater events; separate charge required for admission to live entertainment.</u></p> <p><u>Passive Live Entertainment – Passive live entertainment, such as ambiance music ancillary to dining, if determined by the Director to not generate additional parking demand, shall not be subject to a parking study, but shall provide parking at the restaurant ratio.</u></p>
Automotive	
Full-service service station (fuel dispensing and/or repairs)	3, plus 2 for each service bay. A minimum of 10 parking spaces shall be required
Repair facilities	1 for each 200 square feet of gross floor area
Self-service service station (fuel dispensing only)	1 for each employee on the largest shift
Dealerships and other open air	1 for each 1,000 square feet of outdoor sales and

sales	display area, plus 1 for each 5,000 square feet over 10,000 square feet
Self service or coin operated operating washing and cleaning establishments	2 for each washing area or unit
Washing and cleaning establishments	1 for each employee and 2 for each detailing bay or area
General retail stores, except as otherwise specified herein	1 for each 250 square feet of gross floor area
<u>Kennels</u>	<u>1 for each 500 square feet of gross floor area</u>
Game arcades	1 for each 250 square feet of gross floor area
Mortuaries and funeral homes	1 for each 20 square feet of floor area, or assembly area, plus 1 for each vehicle owned by such establishment
Furniture, appliance and carpet stores	1 for each 750 square feet of gross floor area
Recreation	
Batting cage facility, primary use	1 for each batting cage, pitching cage or practice cage; plus 1 for each 1,000 square feet of practice and instruction field area; plus 1 per 250 square feet of gross floor area for retail sales; plus 15 for each 1,000 square feet of seating and waiting area floor area for eating and drinking uses (a minimum of 10 parking spaces shall be required); plus 1 for each 300 square feet of floor area for office uses
Bowling lanes	3 for each bowling lane, plus the spaces required for each additional use on the site
Billiard parlors and poolrooms	3 for each billiard or pool table
Tennis facility	3 for each court, plus the spaces required for each additional use on the site
Public swimming pools, gymnasiums and skating rinks	1 for each 100 square feet of gross floor area, plus the spaces required for each additional use on the site
Miniature golf courses and driving ranges	1 for each hole or driving tee
Health <u>Fitness</u> clubs and dance/ <u>exercise</u> studios	1 space for each 220 <u>250</u> square feet <u>of gross floor area up to 5,000 square feet; greater than 5,000 gross square feet: 1/220 of activity area + other space</u>

	according to the use of gross floor area in the activity area, plus 1 space for each 250 <u>300</u> square feet of other floor area
Boarding and riding stables	1 parking space for each stall retained for rental purposes on the site, plus 1 for each employee
Theaters, sport arenas, and stadiums	1 for each 3 fixed seats or for every 35 square feet of non fixed seats
Hotels and motels	1 for each unit, plus the spaces required for each additional use on the site
Barbershops or beauty parlors <u>Salons and spas (hair styling, nails, massage, and acupuncture)</u>	2 for each barber chair and 3 for each beautician station <u>1 for each 200 square feet of gross floor area, but no less than 4 spaces</u>
Laundromats and dry cleaning facilities	5 <u>1</u> for each 1,000 <u>200</u> square feet of gross floor area
Banks	5 for each 1,000 square feet of gross floor area
Savings and loan offices, financial institutions, public and private utility offices	1 for each 250 square feet of gross floor area
Shopping centers	Except as otherwise specified, 4 for every 1,000 square feet of gross floor area
Supermarkets and drugstores	1 for each 200 square feet of gross floor area
Plant nurseries or similar outdoor sales and display areas	<u>5</u> , plus 1 additional for each 500 square feet of outdoor sales, display or service areas
Recycling centers	1 for each 500 square feet of gross floor area
Any commercial use listed, as permitted in the C-1, C-2, C-3, or CPD , <u>CS, CRS, CS-MU, CR and CN</u> zones, except as specifically provided	1 for each 250 square feet of gross floor area
<i>Institutional</i>	
Hospitals	2 for each bed
Convalescent hospitals, children's homes, nursing homes, and homes for the aged	1 for each 5 beds
Churches	1 for each 3 seats (18 linear inches shall be considered a seat), or 1 for each 28 square feet where no permanent seats are maintained

Libraries, galleries, and museums	1 for each 225 square feet of gross floor area
Schools	
Elementary and junior high school	1 for each classroom, and 1 for each 5 seats or for each 35 square feet of area in the auditorium
High school	6 for each classroom and 1 for each 5 seats or for each 35 square feet of area in the auditorium
Colleges and universities	7 for each classroom and 1 for each 5 seats or for each 35 square feet of area in the auditorium, plus the required spaces required for each additional use on the site
Day nurseries and preschools	1 for each 5 children
Trade schools	1 for each employee on the largest shift, plus 1 for each student during maximum enrollment
<i>Industrial</i>	
Research and development facilities	1 for each 300 square feet of gross floor area, plus 1 for each company vehicle, plus 1 for each 250 square feet of gross floor area for incidental office use
<u>Light industrial</u>	<u>1 for each 500 square feet of gross floor area</u>
Automated or semi-automatic public or quasi-public utilities	1 for every employee on the largest shift, plus 1 for each company vehicle (2 minimum) plus 1 for each 250 square feet of gross floor area for incidental office use
Warehouse, exclusive of any assembly, manufacturing or sales activity	1 for every 1,000 square feet of gross floor area for the first 5,000 square feet of gross floor area, then 1 for every 5,000 square feet of additional gross floor area, plus 1 for each company vehicle, plus 1 for each 250 square feet of gross floor area for incidental office use

SECTION 4. Severability. If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid or unconstitutional by any court or competent jurisdiction, such invalidity or unconstitutionality shall not affect any other provision or applications, and to this end the provisions of this ordinance are declared to be severable. The City Council declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, part or portion thereof even if one or more sections, subsections, sentences, clauses, phrases, parts or portions thereof is declared invalid or unconstitutional.

SECTION 5. Certification and Effective Date. The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published and posted pursuant to state law. Said Ordinance shall become effective on the 31st day of its passage.

PASSED, APPROVED, and ADOPTED this ____ day of _____, 2012, by the following vote to wit:

AYES: (0)
NOES: (0)
ABSTAIN: (0)
ABSENT: (0)

BY:

John M. Edelston, Mayor

ATTEST:

Kimberly M. Rodrigues, MMC, City Clerk

APPROVED AS TO FORM:

Craig A. Steele, City Attorney