



Culver CITY

MIKE BALKMAN COUNCIL CHAMBERS
9770 CULVER BOULEVARD
CULVER CITY, CALIFORNIA 90232-0507
CITY HALL Tel. (310) 253-5710
FAX (310) 253-5721

PLANNING COMMISSION MEETING AGENDA WEDNESDAY, JANUARY 14, 2009

PUBLIC COMMENT

The Planning Commission will listen to the public on any item on the agenda or item of interest that is not on the agenda. The Planning Commission cannot legally take action on any item not scheduled on the agenda. Such items may be referred for administrative action or scheduled on a future agenda.

If you wish to speak to the Commissioners, please complete a Speaker's Card and present it to the Secretary before the agenda item is called. You will be called to the podium by name when it is your turn to speak to the Commissioners.

PUBLIC COMMENT FOR ITEMS ON THE AGENDA

Persons wishing to speak on agenda items will be called at the time the agenda item is brought forward. Comments will generally be limited to five minutes per speaker; however, a three-minute limit may be declared by the Chairperson for agenda items for which many Speaker Cards have been submitted.

PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

A total of twenty minutes shall be devoted to audience participation at the beginning of the agenda. Speakers will be called on in the order cards were received by the Secretary. If additional time is needed, the Chairperson will allow for same at the end of the agenda.

When the Secretary calls your name, please advance to the podium and state your name and city of residence. Speakers must limit their comments to five minutes. A three-minute limit may be declared by the Chairperson if there is a large number of individuals desiring to address the Commissioners.

NOTE: AT OR ABOUT 11:00 P.M., COMMISSION MEMBERS WILL DETERMINE WHETHER TO CONTINUE WITH DISCUSSION OF REMAINING ITEMS ON THE AGENDA OR TO CARRY SOME/ALL OF THE ITEMS OVER TO A FUTURE MEETING DATE.

CELL PHONES AND OTHER DISTRACTIONS

Use of cell phones, pagers and other communication devices is prohibited while the Planning Commission Meeting is in session. Please turn all devices off or place on silent alert and leave the Chambers to use. During the meeting, please refrain from applause or other actions that may be disruptive to the speakers or the conduct of City business.

MEETING INFORMATION

Planning Commission meetings are regularly scheduled for the second and fourth Wednesdays of every month. Planning Commission Agenda information is available 72 hours before each Planning Commission meeting via a tape recorded message by calling 310-253-5741.

City Council/Agency/Commission meetings can be viewed live on Channel 35 by Comcast subscribers. Meetings are also broadcast on the City's Radio Station AM 1690. To view the Planning Commission meetings on line please visit <http://www.culvercity.org/citygov/netcast.asp>.

ALD

Assisted Listening Devices are available through the Secretary.



Culver CITY

Agendas are available on the web at:
www.culvercity.org

AGENDA

Planning Commission

Wednesday, January 14, 2009
7:00 p.m.

Mike Balkman Council Chambers

CALL TO ORDER & ROLL CALL

David Rockwell, Chair
John Kuechle, Vice Chair
Linda Smith Frost, Commissioner
Anthony Pleskow, Commissioner

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT – Items Not On The Agenda

PUBLIC HEARING

PH-1 Zoning Code Amendment, ZCA P-2009001, amending Section 17.220.035 of the Culver City Municipal Code “Commercial Downtown (CD) District Requirements” to Increase the Quantitative Parking Requirements for Restaurant Uses Within the CD Zone. (Staff Report: Thomas Gorham (310) 253-5710) **Approve.**

CONSENT CALENDAR. *Note: Consent Calendar items are considered to be routine in nature and may be approved by one motion. Public requests to discuss Consent Calendar items must be filed with the Secretary before the Consent Calendar is called.*

C-1. Secretary’s Report. **Approve Report.**

C-2. Approval of Minutes of December 10, 2008. **Approve.**

ITEMS FROM STAFF**ITEMS FROM PLANNING COMMISSION****ADJOURN**

**Next Planning Commission Meeting
January 28, 2009
7:00 PM**

Upcoming Public Meeting Schedule –Tentative – 2008

Date	Day	Time	Location
<i>City Council</i>			
January 26	Monday	7:00PM	Council Chambers
<i>Redevelopment Agency</i>			
January 19	Monday	7:00PM	Council Chambers
<i>Civil Service Commission</i>			
February 4	Wednesday	7:00PM	Council Chambers
<i>Cultural Affairs Commission</i>			
February 10	Tuesday	7:00PM	Council Chambers
<i>Parks & Recreation Commission</i>			
February 3	Wednesday	7:00PM	Patacchia Room
<i>Planning Commission</i>			
January 28	Wednesday	7:00PM	Council Chambers

- Meetings may be added or changed.
- Times and date may be changed.

Meeting Date: January 14, 2009	Item Number: PH-1
AGENDA ITEM: Zoning Code Amendment, ZCA P-2009001, Amending Section 17.220.035C of the Culver City Municipal Code "Commercial Downtown (CD) District Requirements" to Increase the Quantitative Parking Requirements for Restaurant Uses Within the CD Zone.	
Contact Person/Dept.: Thomas Gorham, Planning Manager	Phone Number: (310) 253-5727
Public Hearing: [X]	Action Item: ☐ Attachments: [X]
Public Notification: Published in the Culver City News on (1/1/09 and 1/8/09); notice mailed to all the property owners and occupants in the Commercial Downtown (CD) zone, Downtown Business Association, and the Culver City Chamber of Commerce (1/5/09); and notice emailed to the Master Notification List (1/5/09).	
Planning Approval: Thomas Gorham, Planning Manager (1/6/09)	

Comment [SB1]:

RECOMMENDATION:

That the Planning Commission:

1. Recommend Approval to the City Council of Zone Code Amendment, ZCA P-2009001 as stated in Resolution No. 2009-P001 (Attachment No. 1)

PROCEDURES:

1. Chair calls on staff for a brief staff report and Commission poses questions to staff as desired.
2. Chair opens the public hearing providing the public the opportunity to speak.
3. Chair seeks a motion to close the public hearing after all testimony has been presented.
4. Commission discusses the matter and arrives at its decision.

BACKGROUND:

The Downtown revitalization has created more parking demand than is supported by the current area parking supply. The total number of parking spaces in the downtown is approximately 1750. Since 2005 there has been dramatic reinvestment in the downtown by a number of new restaurants with many including significant outdoor dining areas. This trend toward increased restaurant uses has significantly decreased the parking supply as restaurants typically have a much higher parking demand than retail and other commercial uses and generally "outbid" retail uses creating a scarcity of retail in the downtown.

Zoning Code Section 17.220.035C, Commercial Downtown (CD) District Requirements (Attachment No. 2), specifies the number of parking spaces required for restaurants. The existing requirement for restaurants is the same as that for retail which is 2.5 spaces for each 1,000 square feet of gross floor area which is equivalent to one parking space for each 400 square feet of gross floor area. Outdoor dining is exempt from this parking requirement so long as the total outdoor dining in the downtown doesn't exceed 20,000 gross square feet. Staff believes the new restaurants and related outdoor dining areas have increased the demand for parking in downtown. Parking requirements for other uses in the CD Zone including offices and financial institutions is 3.4 spaces for each 1000 square feet of gross floor area which is equivalent to 1 space per 294 square feet of gross floor area.

Most of the recent downtown revitalization has occurred through the rehabilitation of existing buildings located on lots where it is infeasible to provide additional on-site parking. Parking for most uses, including restaurants, in the downtown has been satisfied through the pooled parking program outlined in Zoning Code Section 17.320.025.C (Attachment No. 3). The

pooled parking program was created to spur downtown reinvestment as part of the "Downtown Overlay Zone" adopted in the mid 1990's and enabled new uses to rely on the approximately 1750 public parking spaces, both on-street and in the City owned public parking structures in the downtown area to meet their code required parking.

In late 2005, these requirements were incorporated into the new Commercial Downtown (CD) zoning district when the Zoning Code underwent a comprehensive revision. Currently any new use (restaurant or retail) taking over an existing tenant space with a previous use that had the same or more restrictive parking requirement does not have to provide on-site parking and can utilize the pooled parking so long as the use is not increasing the square footage of the tenant space. In practice, since parking requirements for retail and restaurant uses in the CD Zone are the same (1 space per 400 square feet of floor area), and parking for office and other uses is more restrictive (1 space per 294 square feet of floor area), when a retail or office use closes, a new restaurant can occupy the space without providing additional parking beyond the pool allocation for the previous use so long as the floor area is not increased.

The City Council has authorized a comprehensive study of downtown parking supply and demand, including evaluation of parking operations; curbside parking; public parking structures; valet parking; and the special parking needs of the studios and downtown employers. However, completion of the study is not expected until the third quarter of 2009. In order to address concerns related to restaurant parking impacts on the downtown parking supply and potential restrictions in attracting alternative uses such as retail, and the desire to create a broader mix of downtown uses, the City Council at its meeting of October 27, 2008 directed staff to initiate a Zoning Code Amendment to increase the quantitative parking requirement for restaurants in the CD zone.

ANALYSIS:

In order to balance the supply and demand of downtown parking and help create a broader mix of uses in the downtown, staff has identified the following issues to consider in potential changes to the parking requirements in the CD Zone:

- Outdoor dining areas are currently exempt from parking requirements, although in some cases these areas exceed the indoor dining space.
- The downtown parking requirements for restaurants are less restrictive than other areas of the City.
- Modification of the pooled parking program.

The proposed Zoning Code Amendment changes the parking requirement for restaurant uses in the CD Zone to be consistent with restaurant parking requirements for all other zones in the City. As outlined in Zoning Code Section 17.320.020H Table 3-3. Parking Requirements by Land Use (Attachment No. 4), restaurant parking requirements in all other zones in the City are as follows:

- General table service restaurants that are equal to or less than 1,500 square feet require one parking space for each 350 square feet of floor area with a minimum of 3 spaces
- General table service restaurants greater than 1,500 square feet require one parking space for each 100 square feet of floor area
- Takeout (counter service) restaurants with tables require 1 parking space for each 75 square feet of floor area with a minimum of 8 spaces
- Takeout (counter service) restaurants with no tables require 1 parking space for each 250 square feet of floor area with a minimum of 3 spaces
- Outdoor dining requires no parking for the first 250 square feet of dining area. Any outdoor dining area exceeding 250 square feet shall be included as restaurant floor area in determining the parking requirement

By changing the downtown parking requirement for restaurants to be consistent with all other zones in the City, new restaurants will have a more restrictive or greater quantitative parking requirement than retail or office uses and will be required to provide parking for the net difference between the parking required for the previous use and the parking required for the restaurant use. For example, if a 2,800 square foot retail space with no on-site parking was replaced by a new general table service restaurant the new restaurant would be required to provide 21 additional parking spaces. The previous retail use has a required parking ratio of 1:400 resulting in 7 spaces satisfied by the pooled parking. The new restaurant at a parking ratio of 1:100 would require 28 parking spaces. The existing 7 pooled spaces could be utilized by the restaurant resulting in the restaurant being required to provide 21 parking spaces.

Increasing the quantitative parking requirements for restaurants will limit opportunities for additional restaurants to locate downtown without providing on-site parking and/or securing approved off-site parking. Existing restaurants would be considered legal nonconforming in regards to parking and would be subject to the quantitative parking requirements in place at the time the use was established. Pursuant to Zoning Code Section 17.610.015, Loss of Nonconforming Status (Attachment No. 5), existing restaurants that close will be able to maintain their nonconforming status and a new restaurant will be able to occupy the tenant space that was previously a restaurant without providing additional parking so long as the square footage of the tenant space was not increased and so long as the previous legal nonconforming restaurant use was not discontinued for a period of one year.

Staff does not believe that modifications to the pooled parking program is necessary as part of this Zoning Text Amendment. As stated above, increased restaurant uses in the downtown have significantly decreased the pooled parking supply. However, the pooled parking is still a necessary tool in providing parking to existing uses and new uses that do not have a higher parking demand than the previous use and which do not have their own on-site parking to utilize parking both on-street and in the City owned public parking structures in the downtown area to meet their code required parking. The use of the pooled parking will be evaluated in detail as part of the Comprehensive Downtown Parking Study.

CONCLUSION:

By increasing the quantitative parking requirement for restaurants in the CD Zone, the number of restaurants in downtown will be limited as few existing buildings have sufficient parking to satisfy the proposed quantitative requirement. Because few new restaurants would open, retail uses will have a greater opportunity to occupy vacant tenant spaces in the downtown. Staff believes the addition of high quality, unique retail businesses will diversify the downtown economically, maximize revenues, increase dwell time and create a complete experience for patrons.

ENVIRONMENTAL DETERMINATION:

Section 15162 of the California Environmental Quality Act (CEQA) Guidelines states that when an EIR has been certified for a project no subsequent EIR shall be prepared for a subsequent project whose impacts are fully addressed in the initial EIR, unless there is substantial evidence of the following:

- 1) The subsequent project will require major revisions to the initial EIR;**
- 2) The circumstances under which the EIR was prepared have significantly changed; or**
- 3) New information of substantial importance, which was not previously known, could impact the project.**

Section 15168 of the CEQA Guidelines states that a Program EIR is an EIR which may be prepared on a series of actions that can be characterized as one large project and are related either:

- **Geographically;**
- **As logical parts in the chain of contemplated actions;**
- **In connection with issuance of rules, regulations, plans or other general criteria to govern the conduct of a continuing program; or**
- **As individual activities carried out under the same authorizing statutory or regulatory authority and having similar environmental effects which can be mitigated.**

Pursuant to Sections 15162 and 15168 of the California Environmental Quality Act, (CEQA), ZCA P-2009001 is within the scope of the Culver City General Plan Update Program EIR approved on September 24, 1996 (PEIR 1) and the Culver City Redevelopment Plan Amendment and Merger Program Subsequent EIR approved on November 16, 1998 (PEIR 2), the circumstances under which PEIR 1 and PEIR 2 were prepared have not significantly changed and no new significant information has been found that would impact either PEIR 1 or PEIR 2, and no new environmental analysis is required.

ALTERNATIVE OPTIONS:

The following alternative actions may be considered by the Planning Commission:

1. Recommend that the City Council approve the proposed amendment if the required findings for a Zoning Code Text Amendment can be made.
2. Recommend that the City Council approve the proposed amendment with additional or different amendment language if deemed necessary to meet the required findings for a Zoning Code Text Amendment.
3. Disapprove the amendment request if it does not meet the required findings.

ATTACHMENTS:

1. Draft Resolution No. 2009-P001 (ZCA P-2009001)
2. Zoning Code Section 17.220.035C, Commercial Downtown (CD) District Requirements
3. Zoning Code Section 17.320.025.C, Pooled Parking
4. Zoning Code Section 17.320.020H Table 3-3, Parking Requirements by Land Use
5. Zoning Code Section 17.610.015 – Loss of Nonconforming Status
6. Area Map

RESOLUTION NO. 2009-P001

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CULVER CITY, CALIFORNIA, RECOMMENDING APPROVAL TO THE CITY COUNCIL OF ZONING CODE AMENDMENT, ZCA P-2009001 AMENDING TITLE 17, ZONING, OF THE CULVER CITY

MUNICIPAL CODE (CCMC), SECTION 17.220.035 COMMERCIAL DOWNTOWN (CD) DISTRICT REQUIREMENTS TO INCREASE THE QUANTITATIVE PARKING REQUIREMENTS FOR RESTAURANTS AS SET FORTH IN EXHIBIT "A" ATTACHED HERETO.

(Zoning Code Amendment P-2009001)

WHEREAS, on October 27, 2008 the City Council considered changes to the Quantitative Parking Requirements for the Commercial Downtown (CD) Zone and directed staff to initiate a Zoning Code Amendment; and

WHEREAS, on January 14, 2009 the Planning Commission conducted a duly noticed public hearing on City-initiated Zoning Code Amendment, ZCA P-2009001 fully considering all reports, studies, testimony, and environmental information presented; and

WHEREAS, following conclusion of the public discussion and thorough deliberation of the subject matter, the Planning Commission determined by a vote of _ to _ that Zoning Code Amendment, ZCA P-2009001 should be recommended for approval to the City Council as set forth herein below.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF CULVER CITY, CALIFORNIA, RESOLVES AS FOLLOWS:

SECTION 1. Pursuant to the foregoing and as outlined in CCMC Title 17, Section 17.620.030 of the CCMC, the following findings for a Zoning Code (Text) Amendment are hereby made:

- 1. The proposed amendment ensures and maintains internal consistency with the goals, policies, and strategies of all elements of the General Plan and will not create any inconsistencies with this title, in the case of a Zoning Code amendment.**

The proposed amendment ensures and maintains internal consistency with the goals, policies, and strategies of all elements of the General Plan and will not create any inconsistencies with the Zoning Code.

2. The proposed amendment would not be detrimental to the public interest, health, safety, convenience or welfare of the City.

The proposed amendment is not detrimental to the public interest, health, safety, convenience and welfare of the City in that the Downtown revitalization has created more parking demand than is supported by the current area parking supply as there has been dramatic reinvestment in the downtown by a number of new restaurants with many including significant outdoor dining areas. This trend toward increased restaurant uses has significantly decreased the parking supply as restaurants typically have a much higher parking demand than retail and other commercial uses. The proposed amendment addresses concerns related to restaurant parking impacts on the downtown parking supply and potential restrictions in attracting alternative uses such as retail, and the desire to create a broader mix of downtown uses. Because few new restaurants would open, retail uses will have a greater opportunity to occupy vacant tenant spaces in the downtown. The addition of high quality, unique retail businesses will diversify the downtown economically, maximize revenues, increase dwell time and create a complete experience for patrons.

The proposed amendment will make existing restaurants legal nonconforming in regards to parking and they would not have to provide additional parking beyond the quantitative parking requirements in place at the time the use was established. Existing restaurants that close will be able to maintain their nonconforming status and a new restaurants will be able to occupy the tenant space that was previously a restaurant without providing additional parking so long as the square footage of the tenant space was not increased and so long as the previous legal nonconforming restaurant use was not discontinued for a period of one year.

3. The proposed amendment is in compliance with the provisions of the California Environmental Quality Act (CEQA).

Pursuant to Sections 15162 and 15168 of the California Environmental Quality Act, (CEQA), ZCA P-2009001 is within the scope of the Culver City General Plan Update Program EIR approved on September 24, 1996 (PEIR 1) and the Culver City Redevelopment Plan Amendment and Merger Program Subsequent EIR approved on November 16, 1998 (PEIR 2), the circumstances under which PEIR 1 and PEIR 2 were prepared have not significantly changed and no new significant information has been found that would impact either PEIR 1 or PEIR 2, and no new environmental analysis is required.

SECTION 2. Pursuant to the foregoing recitations and findings, the Planning Commission of the City of Culver City, California, hereby recommends approval of Zoning Code Amendment (ZCA P-2009001) to the City Council as set forth in Exhibit A attached hereto and made a part thereof.

APPROVED and ADOPTED this 14th day of January, 2009.

CALIFORNIA

DAVID ROCKWELL, CHAIRPERSON
PLANNING COMMISSION
CITY OF CULVER CITY,

Attested by:

Yvonne Hunt
Administrative Secretary

ATTACHMENT NO. 2**17.220.035 - Commercial Downtown (CD) District Requirements**

Land uses allowed within the CD zoning district by Table 2-5 (Allowed Uses and Permit Requirements for Commercial Zoning Districts) shall comply with the following provisions, in addition to the development standards in Section 17.220.020 (Commercial Zoning District Development Standards) and all applicable provisions of Article 3 (Site Planning and General Development Standards).

A. Ground Floor Restriction. Land uses shown in Table 2-5 (Allowed Uses and Permit Requirements for Commercial Zoning Districts) as being subject to ground floor restrictions shall not be located on the ground floor of any building, in the following locations;

1. Both sides of Main Street;
2. The north side of Culver Boulevard from Canfield Avenue to Duquesne Avenue;
3. Both sides of Washington Boulevard between Watseka Avenue and Hughes Avenue;
and
4. The Culver Boulevard and Washington Boulevard frontages of the Town Plaza and Town Park areas, except where other uses are allowed by the Culver City Redevelopment Agency in an Owner-Participation Agreement or a Disposition and Development Agreement.

Exemptions from ground floor use or design restrictions may be granted for designated historic structures when it can be demonstrated, by substantial evidence, that such restrictions would seriously compromise the economic viability or architectural integrity of the building.

B. Height Requirements.

1. The greater of 2 stories or 30 feet on either side of Main Street, except for the southerly 80 feet (north of Culver Boulevard.).
2. The greater of 3 stories or 44 feet along the southerly 80 feet of Main Street (north of Culver Boulevard), on the north side of Culver Boulevard from Canfield to Duquesne Avenues, and on the north or south sides of Washington Boulevard between Watseka and Hughes Avenues; or
3. 56 feet for all other areas, except for buildings within the Town Park and Town Plaza areas, which are governed by the Design for Development for the Downtown area.

C. Parking Requirements. In the event the downtown parking demand exceeds the pooled parking supply, as reasonably determined by the Director, all new buildings or proposed intensification of uses in the CD Zone shall be required to provide parking on-site or as otherwise permitted in this Section and Title.

1. Restaurant, retail stores, and similar uses, and entertainment/recreational uses operated in conjunction with a restaurant other than a fast food or take-out only restaurant: 2.5 spaces for each 1,000 square feet of gross floor area.
 2. Outdoor dining areas: There shall be no separate parking requirements for the first 20,000 gross square feet of outdoor dining area within the CD Zone, as determined by the Director; provided that any gross square footage of outdoor dining area which exceeds 20,000 gross square feet shall provide parking at the rate of 2.5 parking spaces for each 1,000 square feet of gross outdoor dining area, except the first 250 square feet of each additional area shall have no additional parking requirement. As of the effective date of the section, all the existing outdoor dining areas shall be included in the calculation of the 20,000 square foot base criteria.
 3. Financial institutions, corporate offices, medical offices and similar uses: 3.4 parking spaces for each 1,000 square feet of gross floor area, which requirement may be reduced by the City to 2.7 parking spaces for each 1,000 square feet of gross floor area subject to implementation of a Transportation Demand Management program approved by the City.
 4. Theaters: The parking requirement shall be determined by the Director for each facility based on a parking demand/supply study.
 5. Additional parking provisions: When applying the provisions of Section 17.320.025 (Alternative Parking Provisions), the legal walking distance of off-site parking spaces may be extended to allow the utilization of off-street parking areas within the boundaries of the CD Zone or any City off-street parking lot within 750 feet of the CD Zone boundary.
 6. Evening and weekend use: Where the operator of a business provides parking at the levels established in Subsection 17.220.035.C. 1,2,3 or 4, the City may require the operator to allow general public use of the parking spaces during evening and weekend hours, where feasible.
- D. Multiplex Theater Amusement Devices.** Amusement devices are permitted in conjunction with a multiplex movie theater complex of at least 10 screens subject to all the following criteria:
1. No more than 10 amusement devices shall be permitted in a complex.
 2. Amusement devices shall be located within the theater complex and used only by theater customers who have purchased tickets.
 3. An amusement area shall not occupy more than 500 square feet of floor area.
 4. An amusement area shall be screened so as not to be generally visible from the exterior of the theater complex.
 5. An amusement area shall be accessible only by means of the main customer entrance for the theater complex.

ATTACHMENT NO. 3**17.320.025 - Alternative Parking Provisions**

Where conditions preclude the provision of the number of required parking spaces on the lot for which the parking is required, the following procedures for alternative parking are available, subject to City approval:

- A. In Lieu Fees.** The number of parking spaces required by Section 17.320.020 (Number of Parking Spaces Required) may be reduced if the Council authorizes the use of an in-lieu fee to be paid by the applicant towards the development of public parking facilities. The in-lieu fee shall be deposited in a fund administered by the City Treasurer for the purpose of acquiring and developing future public parking facilities within the same district or area. The amount of the fee and time of payment shall be established by Council resolution.
- B. Government Owned Parking Facilities.** A long-term lease with the City, Culver City Redevelopment Agency, County, State, or Federal Government or an agency thereof, may be undertaken to satisfy a parking requirement through use of government owned parking facilities, provided all of the following are met:
 - 1. The lease shall be for no less than 10 years;
 - 2. The lease shall be renewed at the end of the 10 year period if alternative parking has not been provided, or the use for which the parking is required shall be terminated;
 - 3. Leased parking shall be located within 750 feet legal walking distance measured from the primary entrance of the use to which it is covenanted, or other distance determined by the Director to be appropriate; and
 - 4. The lessee enters into an agreement with the City to comply with all required conditions.
- C. Pooled Parking in the CD District.** Parking in the CD zoning district may be provided through a “pooled parking” arrangement in conjunction with applicable entitlement approvals. Pooled parking shall allow utilization of both on- and off-street public parking spaces to satisfy parking requirements. In the event the downtown parking demand exceeds the pooled parking supply, as determined by the Director, all new buildings or proposed intensification of uses in the CD zoning district shall be required to provide parking on-site or as otherwise allowed in this Chapter.

ATTACHMENT NO. 4

H. Table 3-3. Parkings Requirements by Land Use.

1. Residential uses.

Table 3-3A

Land Use Type: Residential	Vehicle Spaces Required
Accessory dwelling units	1 uncovered space in addition to that required for the primary dwelling unit(s).
Mobile home parks	1 space in conjunction with each mobile home site, plus 1 space for each 2 mobile home sites for guest parking located as approved by the City.
Live / Work unit	Up to 900 sf - 2 spaces.
	Greater than 900 up to 1500 sf - 3 spaces.
	Greater than 1500 sf – 4 spaces.
Multi-family dwellings and residential component of Mixed-use development (1)	Studio and 1 bedroom, less than 900 sf - 1 space.
	Studio and 1 bedroom, greater than 900 sf - 2 spaces.
	2-3 bedroom units - 2 spaces.
	4 bedroom units - 3 spaces.
	1 space for every additional bedroom greater than 4.
	Guest parking - 1 space for every 4 residential units.
Residential Care Facilities	1 space for each 3 patient beds.
Senior citizen congregate care housing	1 space per each 2 residential units, plus one space for each 4 units for guests and employees.
Senior housing	1 space per unit, plus one guest parking space for each 10 units.
Single family, duplex and triplex units (1)	2 spaces per dwelling unit.

Notes:

(1) See Section 17.320.035.M.(Special Requirements for Residential Uses)

2. Commercial uses.

Table 3-3B

Land Use Type: Commercial Uses (1)	Vehicle Spaces Required
Accessory Food Service	Same as primary use.

Land Use Type: Commercial Uses (1)	Vehicle Spaces Required
Accessory Retail Use	Same as primary use.
Animal boarding and kennels	1 space per 350 sf. of indoor use area; plus 1 space for 1000 sf of outdoor use area.
Auto and Vehicle Sales	1 space per 350 sf of indoor use area; plus 1 space for 1000 sf of outdoor use area.
Banks and financial services	1 space per 250 sf.
Bars and nightclubs	1 space per 100 sf, plus one space for every 30 sf of dance floor.
Convenience stores	1 space per 225 sf, with a minimum of 8 spaces.
Day care facilities	
Child or Adult Day Care Centers	1 space per 300 sf of floor area.
Large family day care home	1 space per employee, in addition to required residential spaces.
Small family day care home	As required for the single-family dwelling (see parking requirement for residential uses).
Hotels and Motels	1 space for each guest room; plus 1 space for each 20 guest rooms; plus retail, restaurant and conference uses calculated at 1 space per 100 sf.
Medical services	
Hospitals	1 space for each 1.5 patient beds, plus required spaces for accessory uses as determined by the Director.
Medical/dental offices, clinics and labs	1 space per 350 sf.
Offices, administrative, corporate, professional	1 space per 350 sf.
Plant Nurseries	1 space per 350 sf of indoor use area; plus 1 space for 1000 sf of outdoor use area.

Restaurants	
General (Table Service) 1,500 sf or less.	1 space per 350 sf. with a minimum of 3 spaces.
Greater than 1,500 sf.	1 space per 100 sf.
Takeout (Counter Service), with customer tables	1 space per 75 sf, with a minimum of 8 spaces.
Takeout (Counter Service), no tables	1 space per 250 sf, with a minimum of 3 spaces.
Located in shopping centers: Less than 25% of floor area of center for all restaurants.	Parking requirement covered under the general requirement for shopping center.
25% or greater of floor area of center for all restaurants.	Portion of restaurant(s) exceeding 25% of shopping center's floor area shall use the same parking requirement for general restaurants, above.

Table continues on next page

Outdoor dining:	No parking required for first 250 sf of outdoor dining area. Any outdoor dining area exceeding 250 sf shall be included as restaurant floor area in determining the parking requirement.
------------------------	--

Land Use Type: Commercial Uses (1)	Vehicle Spaces Required
Retail and service uses, general	1 space per 350 sf.
Shopping centers – general (2)(3)	
Less than 5 acres in net parcel area	1 space per 250 sf (Also see restaurant requirements).
5 acres and greater of net parcel area	1 space per 200 sf (Also see restaurant requirements).
Storage, personal storage facilities	1 space per 50 storage units or 5,000 sf of storage area, whichever is greater. Plus 2 additional spaces for the manager's office, with a minimum of 5 spaces per facility.
Vehicle Services	
Carwash – self service	2 spaces for each washing stall.
Carwash – full service	10 spaces; plus 10 space queuing area for drying of vehicles; plus queuing area for 3 vehicles ahead of each wash lane.
Carwash – automated, accessory to fueling station	4 spaces plus queuing area for 3 vehicles ahead of the wash lane (in addition to the parking required for fueling station).
Fueling stations	1 space per 225 sf (includes convenience store) with a minimum of 3 spaces. For parking required above the minimum of 3, half of the parking provided at pump islands may be credited towards meeting parking requirements.
Maintenance, repair, installation, and detailing	3 spaces per service bay (work station), plus 1 space for each 350 sf of additional retail sales and service.
Veterinary clinics	1 space per 350 sf.

Notes:

- (1) Parking for certain uses within the CD Zone are subject to the requirements of Subsection 17.220.035.C.
- (2) Parking requirements for bars, nightclubs, health/fitness facilities and theaters shall be calculated separately in all cases.
- (3) A multi-tenant regional shopping center of 600,000 sf floor area or more with one or more traditional department stores, excluding those common areas as described in Subsection 17.320.020.C. of this Chapter, may provide a parking ratio as recommended in a parking demand study approved by the City; provided, that the parking demand study (i) is prepared, at the sole cost and expense of the applicant, by an independent traffic engineer licensed by the State of California who is reasonably approved by the Director prior to the commencement of that study, and (ii) presents reasonable justification for modification to the parking ratio(s) otherwise required under Table 3-3 (Parking Requirements by Land Use) of this Chapter. If, as reasonably determined by the Director, the parking demand study supports requiring a parking ratio greater than that otherwise required in this Title, then the higher parking ratio shall apply.

3. Recreation, education and public assembly uses.

Table 3-3C

Land Use Type: Recreation, Education & Public Assembly (1)	Vehicle Spaces Required
Assembly uses, religious places of worship, clubs, mortuaries with congregational services, meeting halls, membership organizations, sports arenas, stadiums, and theaters	1 space for each 5 fixed seats, and 1 space per 35 sf of assembly or seating area with no fixed seats, plus required spaces for ancillary uses (e.g. restaurant).
Commercial Recreational Activities	
Outdoor recreation facilities	Determined by Conditional Use Permit or Comprehensive Plan.
Tennis, Racquetball, handball or other courts	2 spaces per court, plus 1 space per 300 sf for ancillary uses.
Health/fitness facilities	1 space per 200 sf.
Indoor amusement/entertainment facilities	
Arcades	1 space per 250 sf.
Batting cages	2 spaces per cage.
Bowling alleys	5 spaces per lane, plus required spaces for ancillary uses.
Pool and billiard rooms	2 spaces per table, plus required spaces for ancillary uses.
Skating Rinks	1 space per 100 sf.
Libraries, Museums and Art Galleries	1 space per 350 sf.
Schools	
Kindergarten and Grades 1 through 9 when used exclusively for this purpose	1.5 spaces per classroom, plus 1 space for each 200 sf of indoor assembly area.
Schools in which any portion of their instruction includes Grades 10 and above	1 space per 35 sf of classroom floor area.
Schools, specialized instruction	1 space per 100 sf of classroom floor area.
Colleges and Universities	1 space per 35 sf of classroom floor area.
Studios for dance, art, music, photography, martial arts, etc	1 space per 200 sf of gross floor area.

Notes:

(1) Parking for certain uses within the CD zone are subject to the requirements of Section 17.220.035.C.

4. Industrial uses.

Table 3-3D

Land Use Type: Industry, Manufacturing & Processing	Vehicle Spaces Required
General manufacturing, industrial and processing uses.	1 space per 500 sf, which may include office space (incidental to the primary use) comprising up to 20% of the total floor area. Parking for additional office space shall be provided at the rate of 1 space per 350 sf.
Laundries and dry cleaning plants	1 space per 500 sf.
Media Production	1 space per 350 sf.
Printing and Publishing	1 space per 500 sf, which may include office space (incidental to the primary use) comprising up to 20% of the total floor area. Parking for additional office space shall be provided at the rate of 1 space per 350 sf.
Public Safety facilities, Public Utility facilities	1 space per 500 sf.
Recycling facilities - large collection and processing	1 space per 500 sf.
Research and Development	1 space per 350 sf.
Warehousing and distribution facilities	1 space per 1,000 sf, which may include office space (incidental to the primary use) comprising up to 10% of the total floor area. Parking for additional office space shall be provided at the rate of 1 space per 350 sf.
Wholesaling and Distribution facilities	1 space per 500 sf, which may include office space (incidental to the primary use) comprising up to 20% of the total floor area. Parking for additional office space shall be provided at the rate of 1 space per 350 sf.

ATTACHMENT NO. 5

17.610.015 - Loss of Nonconforming Status

A. Termination by Discontinuance of Use.

1. If a nonconforming use of land or a nonconforming use of a conforming structure is discontinued for a continuous period of at least one year, the rights to a legal nonconforming status shall terminate.
2. The one-year period shall not apply if the Director determines that legitimate and continual efforts to reuse or release the subject property have been made during the one-year period.
3. The determination of abandonment shall be supported by evidence satisfactory to the Director (such as the actual removal of equipment, furniture, machinery, structures, or other components of the nonconforming use, the turning-off of the previously connected utilities, or where there are no business receipts/records available to provide evidence that the use is in continued operation).
4. Without further action by the City, further use of the site or structure shall comply with all of the current regulations of the applicable zoning district and all other applicable provisions of this Title.