

MEETING DATE: 1/26/2009

AGENDA ITEM: Public Hearing – Introduction of an Ordinance Amending Title 17 of the Culver City Municipal Code, Section 17.220.035 “Commercial Downtown (CD) District Requirements” to Increase the Quantitative Parking Requirements for Restaurant Uses Within the CD Zone.

ATTACHMENTS

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ORDINANCE NO. 2009-__

AN ORDINANCE OF THE CITY OF CULVER CITY, CALIFORNIA, 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, the Planning Commission, after fully considering all reports, studies, testimony, and environmental information presented, determined by a vote of 4 to 0 that Zoning Code Amendment, ZCA P-2009001 should be recommended for approval to the City Council; and

WHEREAS, on January 26, 2009, the City Council conducted a duly noticed public hearing on Zoning Code Amendment, ZCA P-2009001, fully considering all reports, studies, testimony, and environmental information presented, and determined by a vote of __ to __ that Zoning Code Amendment, ZCA P-2009001, shall be adopted as set forth herein below.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CULVER CITY, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

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

4 1. The proposed amendment ensures and maintains internal consistency
5 with the goals, policies, and strategies of all elements of the General Plan and will not create
6 any inconsistencies with the Zoning Code.
7

8 2. The proposed amendment is not detrimental to the public interest,
9 health, safety, convenience and welfare of the City in that the Downtown revitalization has
10 created more parking demand than is supported by the current area parking supply as there
11 has been dramatic reinvestment in the downtown by a number of new restaurants with many
12 including significant outdoor dining areas. This trend toward increased restaurant uses has
13 significantly decreased the parking supply as restaurants typically have a much higher
14 parking demand than retail and other commercial uses. The proposed amendment
15 addresses concerns related to restaurant parking impacts on the downtown parking supply
16 and potential restrictions in attracting alternative uses such as retail, and the desire to create
17 a broader mix of downtown uses. Because few new restaurants would open, retail uses will
18 have a greater opportunity to occupy vacant tenant spaces in the downtown. The addition of
19 high quality, unique retail businesses will diversify the downtown economically, maximize
20 revenues, increase dwell time and create a complete experience for patrons. The proposed
21 amendment will make existing restaurants legal nonconforming in regards to parking and
22 they would not have to provide additional parking beyond the quantitative parking
23 requirements in place at the time the use was established. Existing restaurants that close
24 will be able to maintain their nonconforming status and a new restaurants will be able to
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1 occupy the tenant space that was previously a restaurant without providing additional parking
2 so long as the square footage of the tenant space was not increased and so long as the
3 previous legal nonconforming restaurant use was not discontinued for a period of one year.

4 3. Pursuant to Sections 15162 and 15168 of the California Environmental
5 Quality Act, (CEQA), ZCA P-2009001 is within the scope of the Culver City General Plan
6 Update Program EIR approved on September 24, 1996 (PEIR 1) and the Culver City
7 Redevelopment Plan Amendment and Merger Program Subsequent EIR approved on
8 November 16, 1998 (PEIR 2), the circumstances under which PEIR 1 and PEIR 2 were
9 prepared have not significantly changed and no new significant information has been found
10 that would impact either PEIR 1 or PEIR 2; therefore, no new environmental analysis is
11 required.
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14 SECTION 2. Pursuant to the foregoing recitations and findings, the City
15 Council of the City of Culver City, California, hereby adopts Zoning Code Amendment, ZCA
16 P-2009001, thereby amending the Culver City Municipal Code (CCMC), section 17.220.035,
17 Commercial Downtown (CD) District Requirements to increase the quantitative parking
18 requirements for restaurants, as set forth in Exhibit "A" attached hereto and incorporated
19 herein by reference.
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22 SECTION 3. All restaurant applicants, who submit applications after the date
23 of adoption of this Ordinance, must comply with the parking requirements as set forth in this
24 Zoning Code Amendment, unless building permits have been issued and substantial tenant
25 improvements have been completed, as determined by the Building Official, prior to the
26 effective date of this Zoning Code Amendment.
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1 SECTION 4. Pursuant to Section 619 of the City Charter, this Ordinance shall
2 take effect thirty (30) days after the date of its adoption. Pursuant to Sections 616 and 621
3 of the City Charter, prior to the expiration of fifteen (15) days after the adoption, the City
4 Clerk shall cause this Ordinance, or a summary thereof, to be published in the Culver City
5 News and shall post this Ordinance or a summary thereof in at least three places within the
6 City.
7

8 SECTION 5. The City Council hereby declares that, if any provision, section,
9 subsection, paragraph, sentence, phrase or word of this ordinance is rendered or declared
10 invalid or unconstitutional by any final action in a court of competent jurisdiction or by reason
11 of any preemptive legislation, then the City Council would have independently adopted the
12 remaining provisions, sections, subsections, paragraphs, sentences, phrases or words of this
13 ordinance and as such they shall remain in full force and effect.
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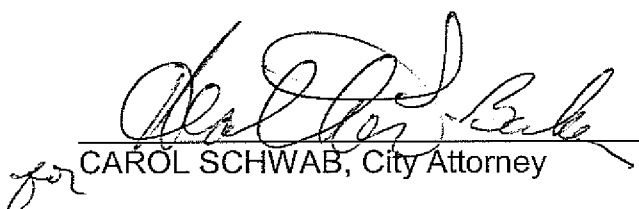
16 APPROVED and ADOPTED this _____ day of _____, 2009.
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20 _____
D. SCOTT MALSIN, Mayor
City of Culver City, California

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22 ATTESTED BY:

APPROVED TO AS FORM:

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25 _____
MARTIN R. COLE, City Clerk

26 
for CAROL SCHWAB, City Attorney
27
28
29

ORDINANCE NO. _____

EXHIBIT A

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 1 parking spaces for each 1,000 400 square feet of gross floor area.~~

2. Restaurant uses:

a. General Table Service (1,500 square feet or less); 1 parking space for each 350 square feet of gross floor area with a minimum of 3 spaces.

b. General Table Service (greater than 1,500 square feet); 1 parking space for each 100 square feet of gross floor area.

c. Takeout (Counter Service) with customer tables; 1 parking space for each 75 square feet of gross floor area with a minimum of 8 spaces.

d. Takeout (Counter Service) no tables; 1 parking space per 250 square feet of gross floor area with a minimum of 3 spaces.

~~2.3. Outdoor dining areas: No parking required for the first 250 square feet of outdoor dining area. Any outdoor dining area exceeding 250 square feet shall be included as restaurant floor area in determining the parking requirement. 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.~~

~~3.4. Financial institutions, corporate offices, medical offices and similar uses: 3.4 1 parking spaces for each 1,000 294 square feet of gross floor area, which requirement may be reduced by the City to 2.7 1 parking spaces for each 1,000 370 square feet of gross floor area subject to implementation of a Transportation Demand Management program approved by the City.~~

~~4.5. Theaters: The parking requirement shall be determined by the Director for each facility based on a parking demand/supply study.~~

~~5.6. 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.~~

~~6.7. 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. 2

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 4 to 0 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:

ATTACHMENT NO.2

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

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

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

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

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

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

35 Pursuant to Sections 15162 and 15168 of the California Environmental Quality
36 Act, (CEQA), ZCA P-2009001 is within the scope of the Culver City General Plan
37 Update Program EIR approved on September 24, 1996 (PEIR 1) and the Culver
38 City Redevelopment Plan Amendment and Merger Program Subsequent EIR
39 approved on November 16, 1998 (PEIR 2), the circumstances under which PEIR 1
40 and PEIR 2 were prepared have not significantly changed and no new significant

ATTACHMENT NO.2

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

SECTION 3. The Planning Commission further recommends to the City Council that all restaurant applicants, who submit applications after the date of adoption of this Resolution, must comply with the parking requirements as set forth in this Zoning Code Amendment, unless building permits have been issued and substantial tenant improvements have been completed prior to the effective date of the Zoning Code Amendment, as determined by the Building Official.

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

DAVID ROCKWELL, CHAIRPERSON
PLANNING COMMISSION
CITY OF CULVER CITY, CALIFORNIA

Attested by:

Yvonne Hunt
Administrative Secretary

PLANNING COMMISSION RESOLUTION NO. 2009-P001

EXHIBIT A

17.220.035 - Commercial Downtown (CD) District Requirements

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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.).
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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 1 parking spaces for each 1,000 400 square feet of gross floor area.~~

~~2. Restaurant uses:~~

~~a. General Table Service (1,500 square feet or less); 1 parking space for each 350 square feet of gross floor area with a minimum of 3 spaces.~~

~~b. General Table Service (greater than 1,500 square feet); 1 parking space for each 100 square feet of gross floor area.~~

~~c. Takeout (Counter Service) with customer tables; 1 parking space for each 75 square feet of gross floor area with a minimum of 8 spaces.~~

~~d. Takeout (Counter Service) no tables; 1 parking space per 250 square feet of gross floor area with a minimum of 3 spaces.~~

~~2.3. Outdoor dining areas: No parking required for the first 250 square feet of outdoor dining area. Any outdoor dining area exceeding 250 square feet shall be included as restaurant floor area in determining the parking requirement. 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.~~

~~3.4. Financial institutions, corporate offices, medical offices and similar uses: 3.4 1 parking spaces for each 1,000 294 square feet of gross floor area, which requirement may be reduced by the City to 2.7 1 parking spaces for each 1,000 370 square feet of gross floor area subject to implementation of a Transportation Demand Management program approved by the City.~~

~~4.5. Theaters: The parking requirement shall be determined by the Director for each facility based on a parking demand/supply study.~~

~~5.6. 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.~~

~~6.7. 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

17.220.035 - 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. 4

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. 5**H. Table 3-3. Parking 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.
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

Land Use Type: Commercial Uses (1)	Vehicle Spaces Required
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.
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. 6

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.

ZONING CODE AMENDMENT COMMERCIAL DOWNTOWN (CD) ZONE RESTAURANT PARK

city_boundary
Parcel

Zoning

CC	Commercial Community
CD	Commercial Downtown
CG	Commercial General
CN	Commercial Neighborhood
CRB	Commercial Regional Business Park
CRR	Commercial Regional Retail
E	Cemetery
IG	Industrial General
IL	Industrial Light
OS	Open Space
PD	Planned Development
R1	Residential Single Family
R2	Residential Two Family
R3	Residential Three Family
RHD	Residential High Density Multiple
RLD	Residential Low Density Multiple
RMD	Residential Medium Density Multiple
S	Studio
T	Transportation

APPROXIMATE BOUNDARY
OF CD ZONE

