

MEETING DATE: **13.01.14**

AGENDA ITEM: Adoption of an Ordinance Amending Title 17, Zoning, of the Culver City Municipal Code and the Culver City Zoning Map Regarding Alternative Parking Provisions and Establishing a Public Parking Facilities (PPF) Zone (Zoning Code Text Amendment ZCA-P2012101; and Zoning Code Map Amendment ZCMA-P2012102)

ATTACHMENTS

	<u>Pages</u>
1. Proposed Ordinance	1- 18

ORDINANCE NO. 2013-_____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CULVER CITY, CALIFORNIA, AMENDING TITLE 17, ZONING, OF THE CULVER CITY MUNICIPAL CODE AND THE CULVER CITY ZONING MAP REGARDING ALTERNATIVE PARKING PROVISIONS AND ESTABLISHING A PUBLIC PARKING FACILITIES (PPF) ZONE (ZONING CODE TEXT AMENDMENT ZCA-P2012101 AND ZONING CODE MAP AMENDMENT ZCMA-P2012102) AS SET FORTH IN EXHIBITS "A", AND "B" ATTACHED HERETO.

(ZCA-P2012101 and ZCMA-P2012102)

WHEREAS, on October 4, 2012, after conducting a duly noticed public hearing on City-initiated Zoning Code Text Amendment ZCA-P2012101, amending Section 17.320.025, of Title 17, Zoning, of the Culver City Municipal Code ("Zoning Code") regarding alternative parking provisions, and Zoning Code Map Amendment ZCMA-P2012102 establishing a Public Parking Facilities (PPF) Zone, including full consideration of all reports, studies, testimony, and environmental information presented, the Planning Commission recommended to the City Council approval of Zoning Code Text Amendment ZCA-P2012101 and Zoning Code Map Amendment ZCMA-P2012102.

WHEREAS, on December 10, 2012, after conducting a duly noticed public hearing (held on November 12, 2012 and continued on December 10, 2012) on the subject application, including full consideration of the application, plans, staff report, environmental information and all testimony presented, the City Council by a vote of 5 to 0, approved Zoning Code Text Amendment ZCA-P2012101 and Zoning Code Map Amendment ZCMA-P2012102 as set forth herein below.

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

SECTION 1. Pursuant to the foregoing recitations the provisions of CCMC Title

17, Section 17.620.030.A, the following findings 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.**

Proposed amendments ZCA-P2012101 and ZCMA-P2012102, amending the alternative parking provisions and establishing a Public Parking Facilities (PPF) Zone, will create consistency between the General Plan and Zoning Code relative to off-site parking requirements. Currently neither the General Plan nor the Zoning Code contains a land use classification for public parking facilities. The proposed amendment to the Zoning Map will help ensure internal consistency between the General Plan and the Zoning Code relative to the use of off-site parking in municipal parking facilities by identifying and creating the necessary land use classification for such facilities. Further, Policy 1.H of the General Plan calls for "Adequate Parking within each neighborhood to meet parking demands." The proposed amendments will help ensure that parking supply adequately meets parking demand through an improved regulatory process for approving off-site parking (amendment to Section 17.320.025 of the Zoning Code) and by identifying public parking resources on the Zoning and General Plan maps.

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

Proposed amendments ZCA-P2012101 and ZCMA-P2012102, amending the alternative parking provisions and establishing a Public Parking Facilities (PPF) Zone, will help ensure that project off-site parking is more carefully regulated by identifying and classifying municipal parking facilities for off-site parking purposes, in support of the public interest, health, safety, convenience and welfare of the City.

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), Zoning Code Text Amendment ZCA-P2012101 and Zoning Code Map Amendment ZCMA-P2012102, amending the alternative parking provisions and establishing a Public Parking Facilities (PPF) Zone, 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

1 impact either PEIR 1 or PEIR 2; therefore, no new environmental analysis is
2 required.

3 As outlined in CCMC Title 17, Section 17.620.030.B, the following additional required finding
4 for a Zoning Code Map Amendment is hereby made:

- 5 **4. The sites are physically suitable (including access, provision of utilities,
6 compatibility with adjoining land uses and absence of physical constraints) for
7 the requested zoning designation(s) and anticipated land use development.**

8 All of the sites currently containing municipally owned parking facilities and any
9 future parking facility development are physically suitable for the proposed Public
10 Parking Facilities land use designation in that all necessary access and utilities are
11 currently provided and the existing parking facilities are compatible with adjoining
12 land uses. Further, there are no physical constraints that would limit the suitability
13 of the sites to be developed for parking facilities.

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 Text
16 Amendment ZCA-P2012101 and Zoning Code Map Amendment ZCMA-P2012102 as
17 set forth in Exhibits A and B attached hereto and made a part hereof.

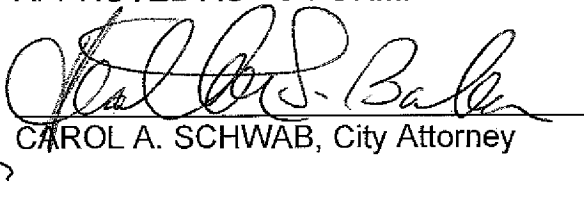
18 APPROVED and ADOPTED this _____ day of _____ 12, 2013.

19
20
21 _____
22 ANDREW WEISSMAN, Mayor
23 City of Culver City, California

24 ATTEST:

25 APPROVED AS TO FORM:

26 _____
27 MARTIN R. COLE, City Clerk

28 
29 CAROL A. SCHWAB, City Attorney

A12-00957

Ordinance No. _____
Exhibit A
Zoning Code Text Amendment (ZCA-P2012101)

Chapter 17.250 - SPECIAL PURPOSE ZONING DISTRICTS

Sections:

- 17.250.005 - Purpose
- 17.250.010 - Purposes of Special Purpose Zoning Districts
- 17.250.015 - Studio (S) District Requirements
- 17.250.020 - Cemetery (E) District Requirements
- 17.250.025 - Transportation (T) District Requirements
- 17.250.030 - Open Space (OS) District Requirements
- 17.250.035 - Public Parking Facility (PPF) District Requirements

17.250.005 - Purpose

This Chapter provides special purpose development and use regulations in the special purpose zoning districts established by Section 17.200.010 (Zoning Districts Established).

17.250.010 - Purposes of Special Purpose Zoning Districts

The purposes of the individual special purpose zoning districts and the manner in which they are applied are as follows.

- A. S (Studio) District.** The S zoning district is applied to areas appropriate for motion picture and television studio facilities and related media support facilities, and is intended to support the continuation of those businesses, while ensuring that future expansion will minimize potential impacts on adjacent residential uses. The S zoning district is consistent with the Studio land use designation of the General Plan.
- B. E (Cemetery) District.** The E zoning district is applied to cemeteries. The E district is intended to protect existing cemeteries and provide for expansion within their existing boundaries. The E zoning district is consistent with the Cemetery land use designation of the General Plan.
- C. T (Transportation) District.** The T zoning district is applied to the existing METRO right of way located on National Boulevard.
- D. OS (Open Space) District.** The OS zoning district is applied to open space resources. The Open Space zone is intended to regulate, protect, and preserve publicly accessible land that is well suited for active recreation, amusement, relaxation, and/or scenic viewing. The OS zoning district is consistent with the Open Space land use designation of the General Plan.
- E. PPF (Public Parking Facility) District.** The PPF zoning district is applied to parking garages, structures, or lots used for public parking purposes.

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Exhibit A
Zoning Code Text Amendment (ZCA-P2012101)

17.250.035 - Public Parking Facilities (PPF) District Requirements

A. Uses Permitted. The following uses are permitted in the PPF Zone:

1. The operation and maintenance of vehicle parking areas for storing operative cars, trucks, motorcycles, bicycles, and other motor vehicles in a parking garage, structure or lot for both day use and long-term public parking; and for commercial parking pursuant to Section 17.320.025 – Alternative Parking Provisions.
2. Telecommunication facilities may be permitted with an Administrative Use Permit or a Conditional Use Permit as provided for in Section 17.400.110 (Telecommunication Facilities).

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. Subject to City Council approval, The the number of parking spaces required by Section 17.320.020 (Number of Parking Spaces Required) may be reduced if the Council authorizes through 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~~Public Parking Facilities (PPF) Zoned Property. Off-site parking in public parking facilities in the PPF Zone may be used to satisfy the requirements of Table 3-3 (Parking Requirements by Land Use), subject to the following: 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. Off-Site Parking Plan required. A City-approved Off-Site Parking Plan shall be required for use of a public parking facility to satisfy a parking requirement including the following:The lease shall be for no less than 10 years;
 - a. Public parking facility location.** The proposed off-site public parking facility location shall be identified in the off-site parking plan and shall be within 750 feet legal walking distance measured from the primary entrance of the land use to the public parking facility site, or other distance as determined by the City to be appropriate.
 - b. Project description.** The proposed land use(s), tenant(s) and hours of operation of the project shall be identified in the Off-Site Parking Plan.
2. Long-term lease required. A City-approved long term parking lease of no less than 20 years shall be required for use of the public parking facility.The lease shall be renewed at the end of

Ordinance No. _____
Exhibit A
Zoning Code Text Amendment (ZCA-P2012101)

~~the 10-year period if alternative parking has not been provided, or the use for which the parking is required shall be terminated;~~

3. **Lease renewal and termination.** ~~The long-term parking lease must be renewed at the end of the 20-year term if alternative parking has not been provided; or the long-term parking lease shall be terminated if:~~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
 - a. The use for which the parking is required has ceased operations;
 - b. There is any change in use or ownership of the property from the originally approved project;
 - c. The City Council determines in its sole discretion that such use is inconsistent with the original terms and conditions of the lease or entitlement; and/or
 - d. The lessor and/or lessee of the off-site parking opt to terminate the parking lease.
4. **Covenant required.** A City-approved covenant shall be recorded that includes a description of the proposed use, location of the off-site public parking facility, approval dates of the Off-Site Parking Plan and long term parking lease, and a provision for liquidated damages for violations of the long term parking lease and/or conditions of approval. The lessee enters into an agreement with the City to comply with all required conditions.
5. **City Council Approval.** The Off-Site Parking Plan and long-term parking lease may be approved by the City Council only after first making all of the following findings:
 - a. The Off-Site Parking Plan is consistent with the General Plan and any applicable specific plan.
 - b. The use of the off-site public parking facility to satisfy a parking requirement for the project is not detrimental to property or improvements in the vicinity of the project.
 - c. The use of the off-site public parking facility to satisfy the parking requirement for the project provides an economic benefit to the City.

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Exhibit A

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- C. **Pooled Parking in the CD District-Outdoor Dining Use.** This Section shall only apply to satisfy a parking requirement imposed for outdoor dining use in the CD zoning district, as required by Section 17.400.070. Parking in the CD zoning district may be provided through a “pooled parking” arrangement in conjunction with applicable outdoor dining use approvals. Pooled parking shall allow utilization of both on- and off- street public parking spaces to satisfy parking requirements for outdoor dining use. In the event the downtown parking demand exceeds the pooled parking supply, as determined by the Director, a new or proposed intensification of an outdoor dining use in the CD zoning district shall be required to provide parking on-site or as otherwise allowed in this Chapter. ~~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.~~
- D. **Off-Site Parking.** The use of privately owned off-site parking to satisfy the requirements of Table 3-3 (Parking Requirements by Land Use) shall be provided in compliance with the following standards.
1. **Location.** All off-site parking spaces except valet-serviced spaces shall be located within 750 feet legal walking distance measured from the primary entrance to the site, or other distance determined by the Director to be appropriate.
 2. **Design and improvement standards.** All newly-constructed off-site parking spaces shall conform to the same standards of access, configuration, landscaping, lighting, layout, location, noise attenuation, and size as are required by this Chapter for on-site parking spaces.
 3. **Identification of facility.** The review authority may require the parking lot to be clearly marked and conspicuously identified as the exclusive or shared parking for the sites it serves, unless the parking can only be accessed by a valet.
 4. **Terms of off-site parking.** A City-approved covenant shall be recorded that includes a description of the off-site parking, a requirement that the owner of the separated lot maintain the required parking for the life of the use to which it is covenanted, and a provision for liquidated damages for violations of the conditions of approval.
 5. **Execution of a long-term off-site parking lease**
 - a. **Long-term lease required.** A City approved long-term parking lease on no less than 20 years shall be required for use of the off-site parking.
 - b. **Lease renewal and termination.** The long-term parking lease must be renewed at the end of the 20-year term if alternative parking has not been provided; or the land use for which the parking has been provided shall be terminated or modified pursuant to Section 6 below.

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Exhibit A
Zoning Code Text Amendment (ZCA-P2012101)

56. Loss of off-site spaces.

- a. Notification to the City.** The owner or operator of a business that uses approved off-site space to satisfy the parking requirements of this Chapter shall immediately notify the Director of any change of ownership or use of the property for which the spaces are required, and of any termination or default of the ~~agreement~~ long-term parking lease between the parties.
- b. Effect of termination of agreement.** Upon notification that ~~a~~ the long-term parking lease for required off-site parking has terminated, the Director shall determine a reasonable time in which one of the following shall occur:
 - i.** Substitute parking is provided that is acceptable to the Director; or
 - ii.** The size or capacity of the use is reduced in proportion to the parking spaces lost.

E. Shared Parking Facilities. Two or more non-residential uses shall be allowed to meet the parking requirements of this Chapter by sharing the same off-street parking facilities, subject to approval of an Administrative Use Permit and the following conditions.

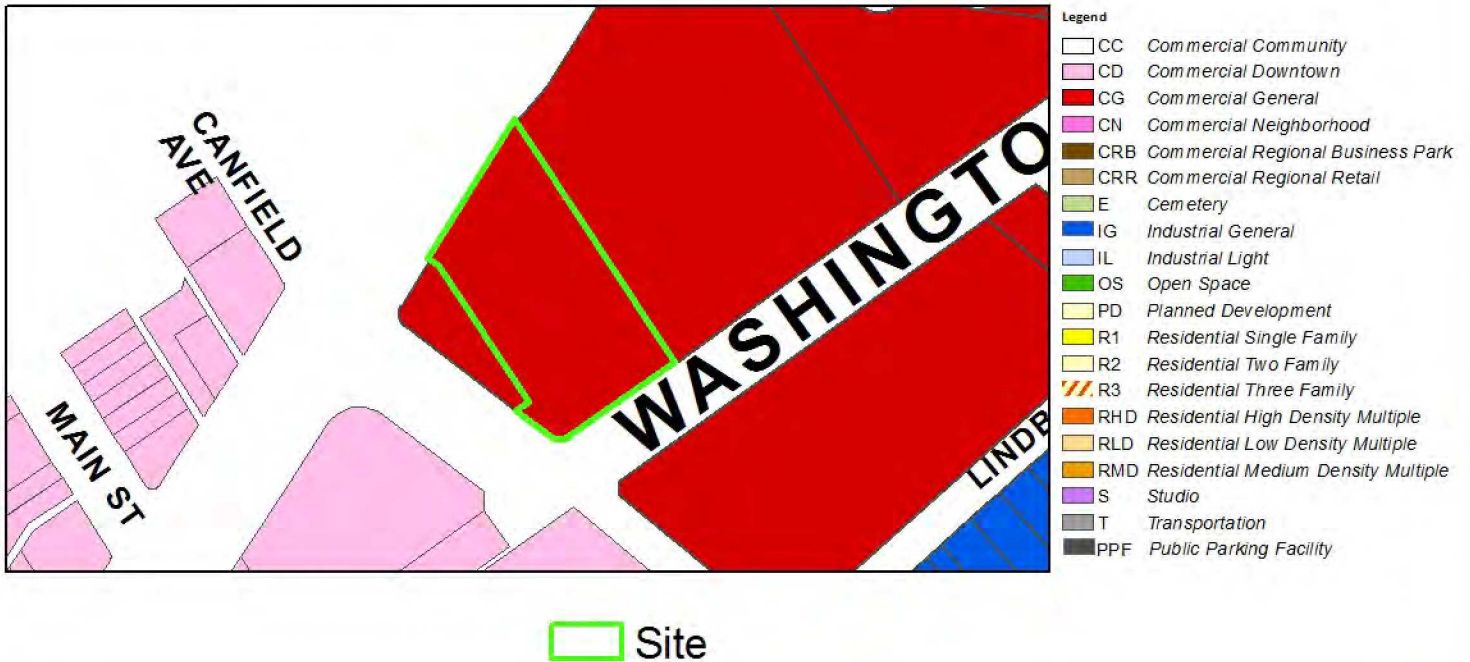
- 1. Parking study required.** A parking demand study shall be prepared by the City at the applicant's expense that verifies that the sharing uses have acceptable different peak hour parking demands.
- 2. Distance to parking.** The shared parking spaces shall fall within 750 feet legal walking distance measured from the primary entrance to the site, or other distance determined by the Director to be appropriate.
- 3. Covenant required.** A City-approved covenant shall be recorded that includes a description of the shared parking arrangement, a requirement that all current and future tenants are notified of and shall adhere to the same hours of operation and conditions of the shared parking approval, and a provision for liquidated damages for violations of the conditions of approval.

EXHIBIT B

ATTACHMENT 1

Ordinance No. _____
Zoning Code Map Amendment
(ZCMA P - 2012102)
9099 Washington Boulevard

Existing Zoning (Commercial General)



Proposed Zoning (Public Parking Facility)

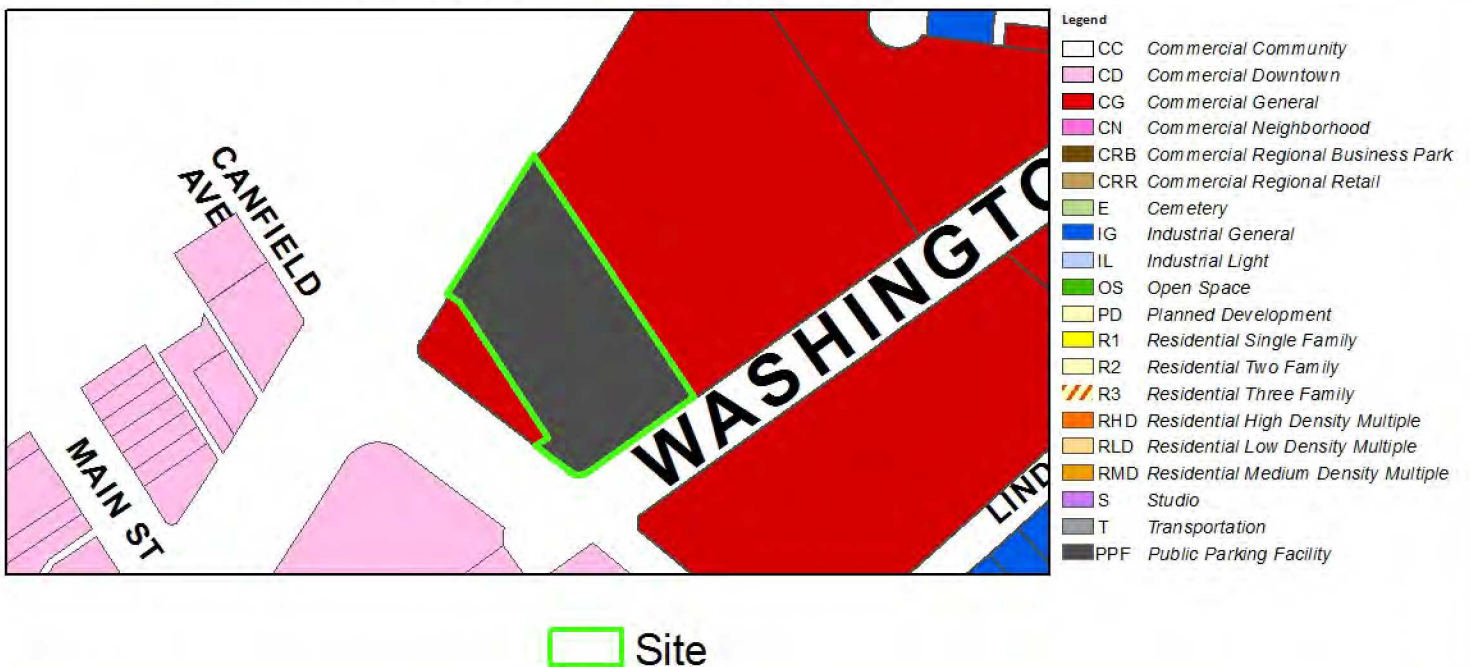


EXHIBIT B

Ordinance No. _____
 Zoning Code Map Amendment
 (ZCMA P - 2012102)
 3844-48 Watseka Avenue

Existing Zoning (Commercial Downtown)



Proposed Zoning (Public Parking Facility)



EXHIBIT B

ATTACHMENT 1

Ordinance No. _____
Zoning Code Map Amendment
(ZCMA P - 2012102)
3846 Cardiff Avenue

Existing Zoning (Commercial Downtown)



Proposed Zoning (Public Parking Facility)

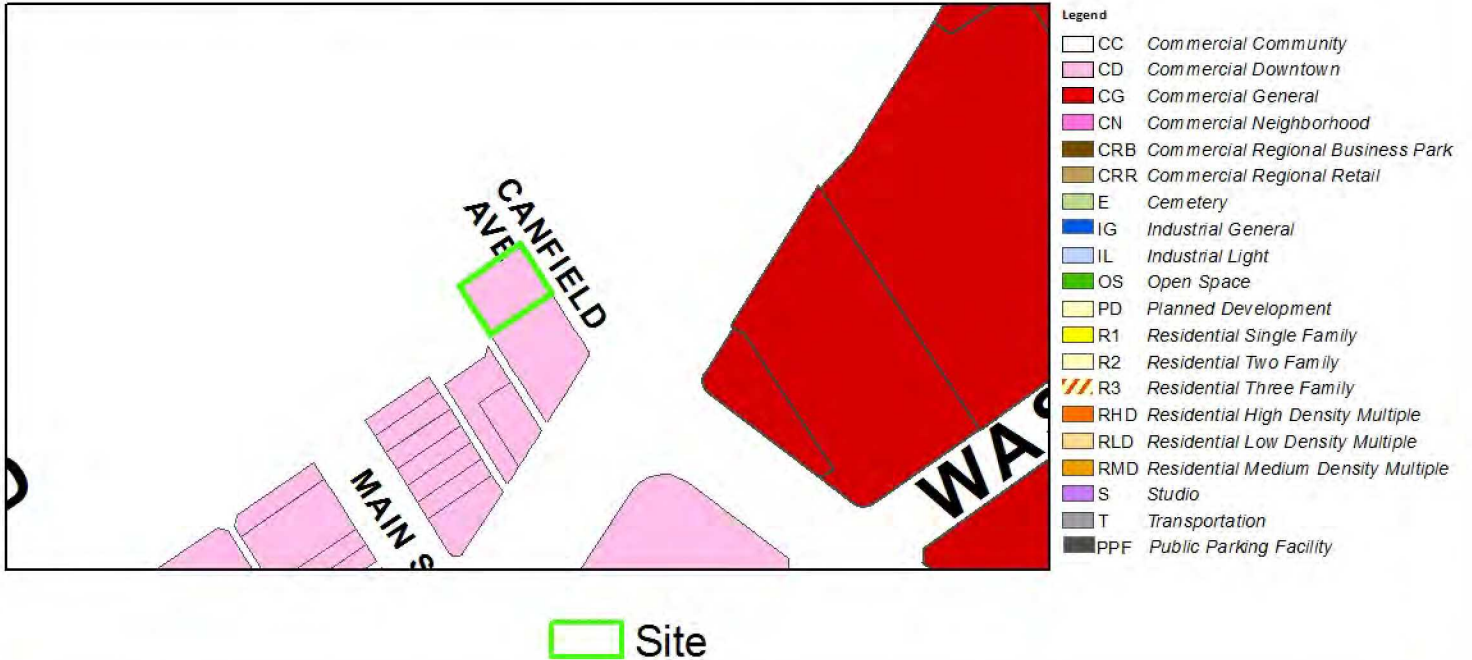


EXHIBIT B

ATTACHMENT 1

Ordinance No. _____
Zoning Code Map Amendment
(ZCMA P - 2012102)
3825 Canfield Avenue

Existing Zoning (Commercial Downtown)



Proposed Zoning (Public Parking Facility)

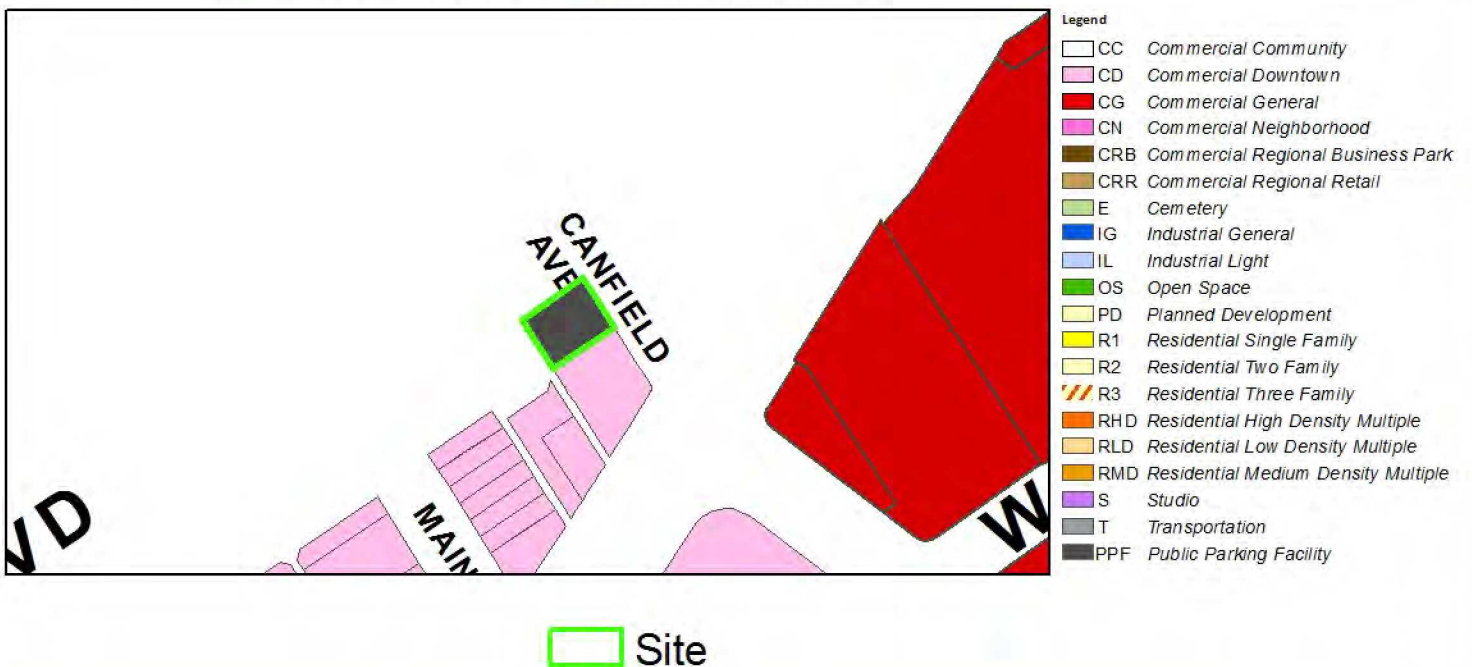


EXHIBIT B

ATTACHMENT 1

Ordinance No. _____
Zoning Code Map Amendment
(ZCMA P - 2012102)
10401-10601 Virginia Avenue

Existing Zoning (Commercial Neighborhood and Industrial General)



Proposed Zoning (Public Parking Facility)

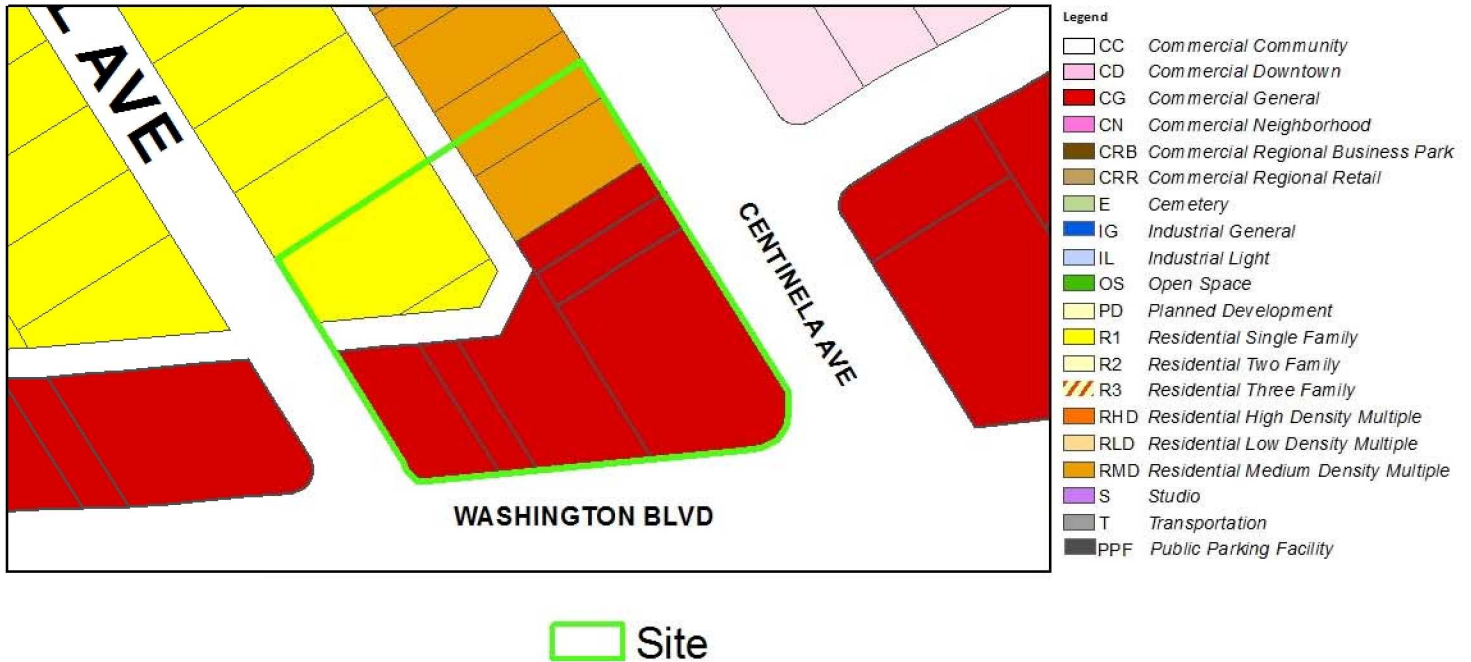


EXHIBIT B

ATTACHMENT 1

Ordinance No. _____
Zoning Code Map Amendment
(ZCMA P - 2012102)
Washington and Centinela
12401-12403 Washington Boulevard

Existing Zoning (Commercial General, Residential Single Family and Residential Medium Density Multiple)



Proposed Zoning (Public Parking Facility)

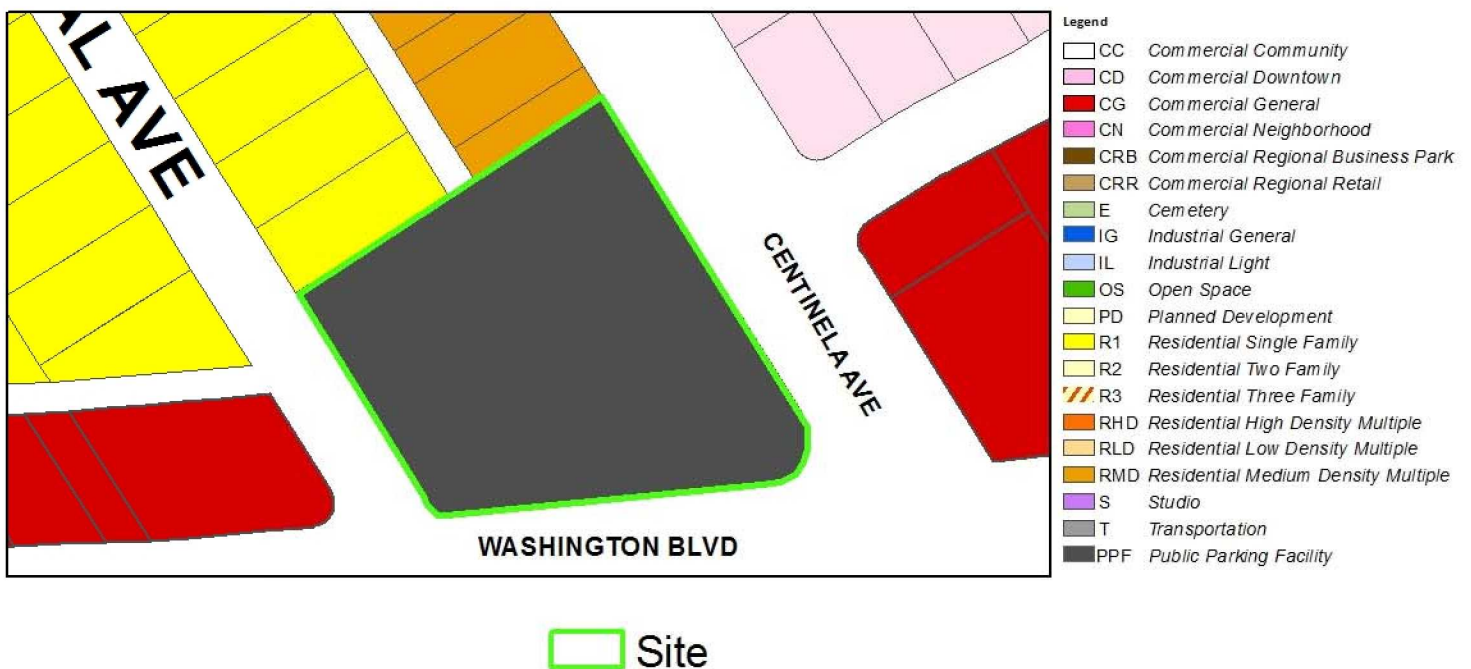
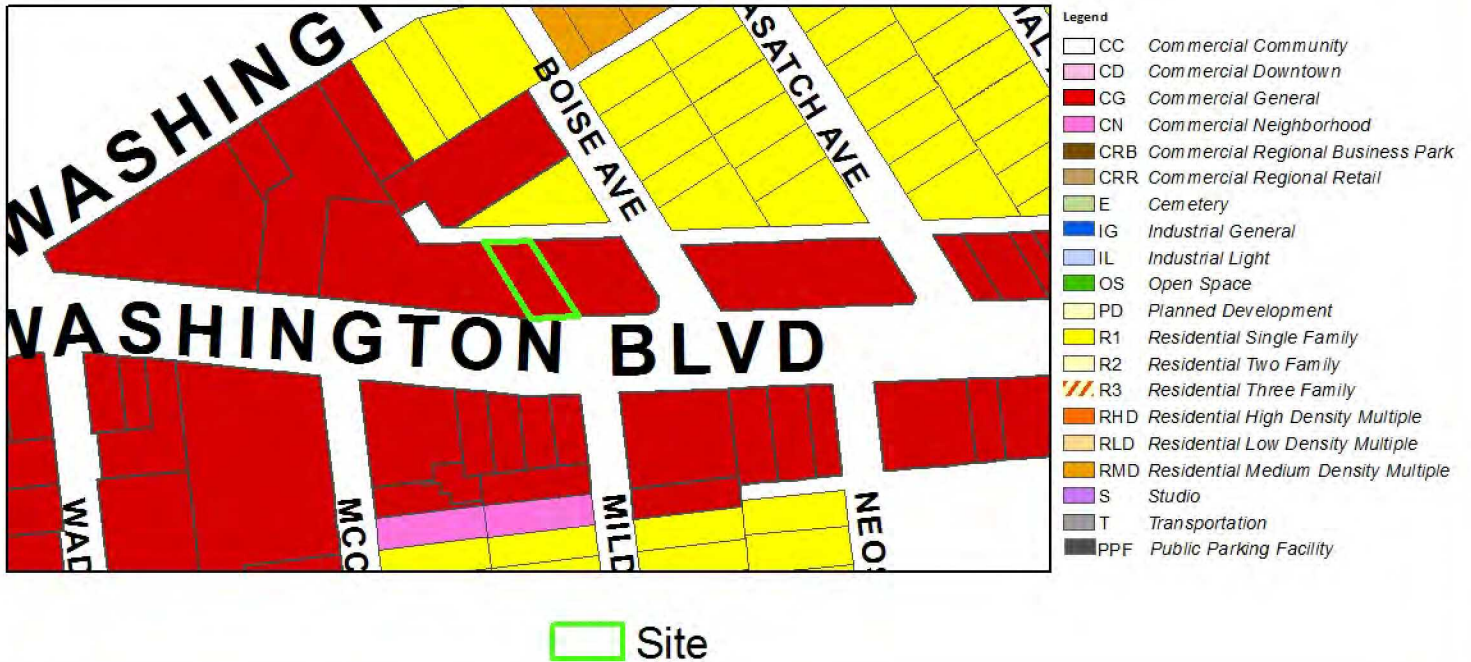


EXHIBIT B

ATTACHMENT 1

Ordinance No. _____
Zoning Code Map Amendment
(ZCMA P - 2012102)
12601 Washington Boulevard

Existing Zoning (Commercial General)



Proposed Zoning (Public Parking Facility)

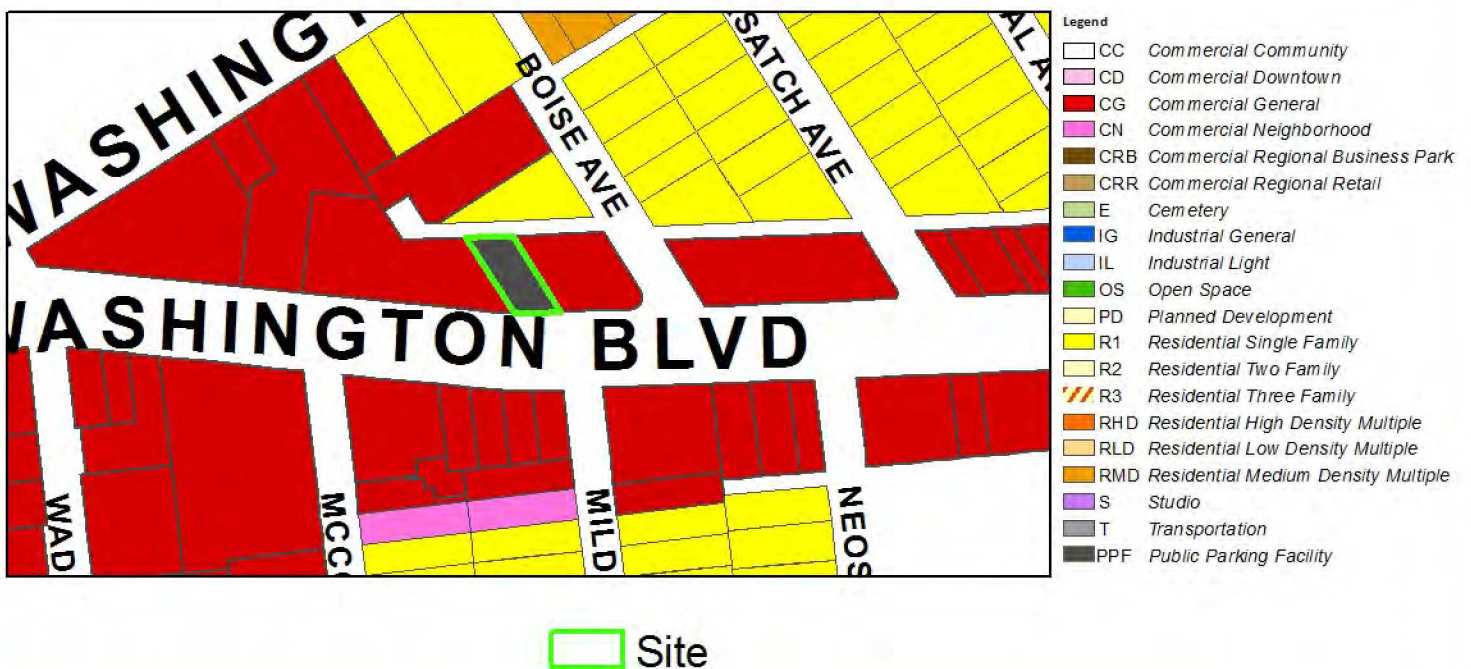
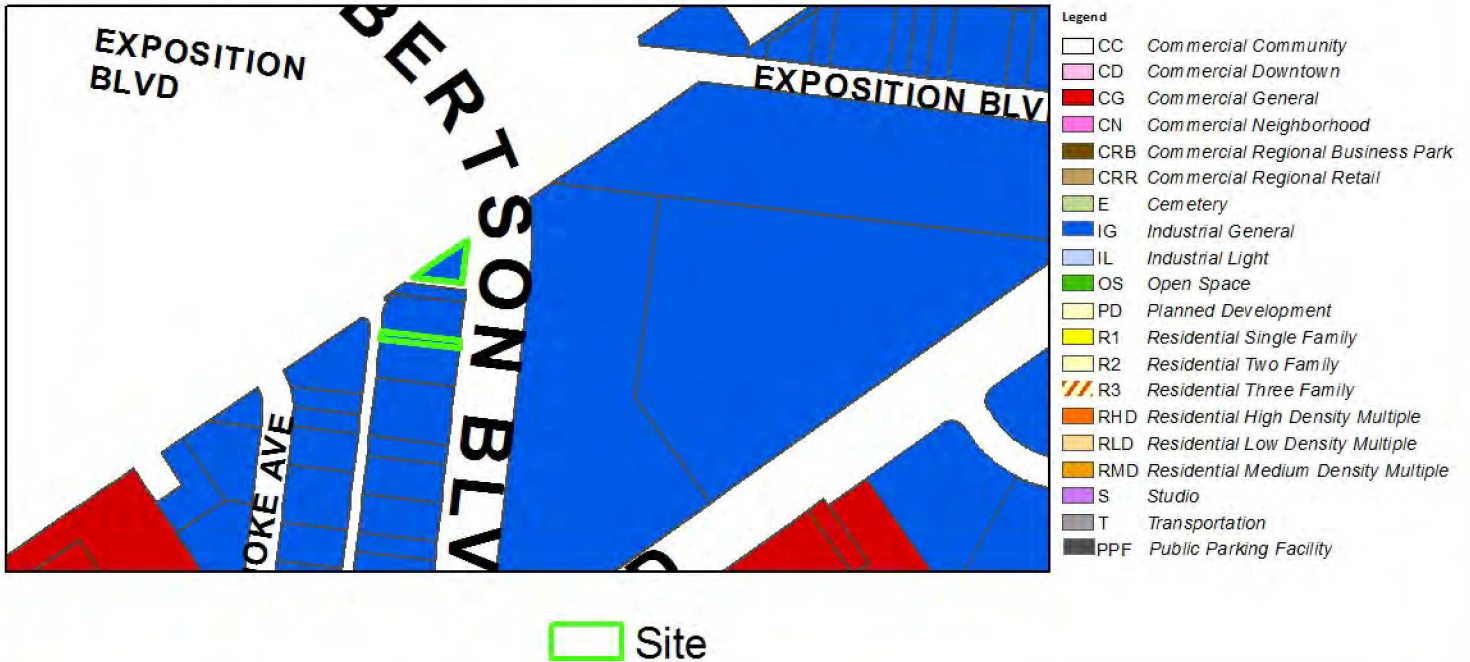


EXHIBIT B

ATTACHMENT 1

Ordinance No. _____
Zoning Code Map Amendment
(ZCMA P - 2012102)
3715-13, 3726 Robertson Boulevard

Existing Zoning (Industrial General)



Proposed Zoning (Public Parking Facility)

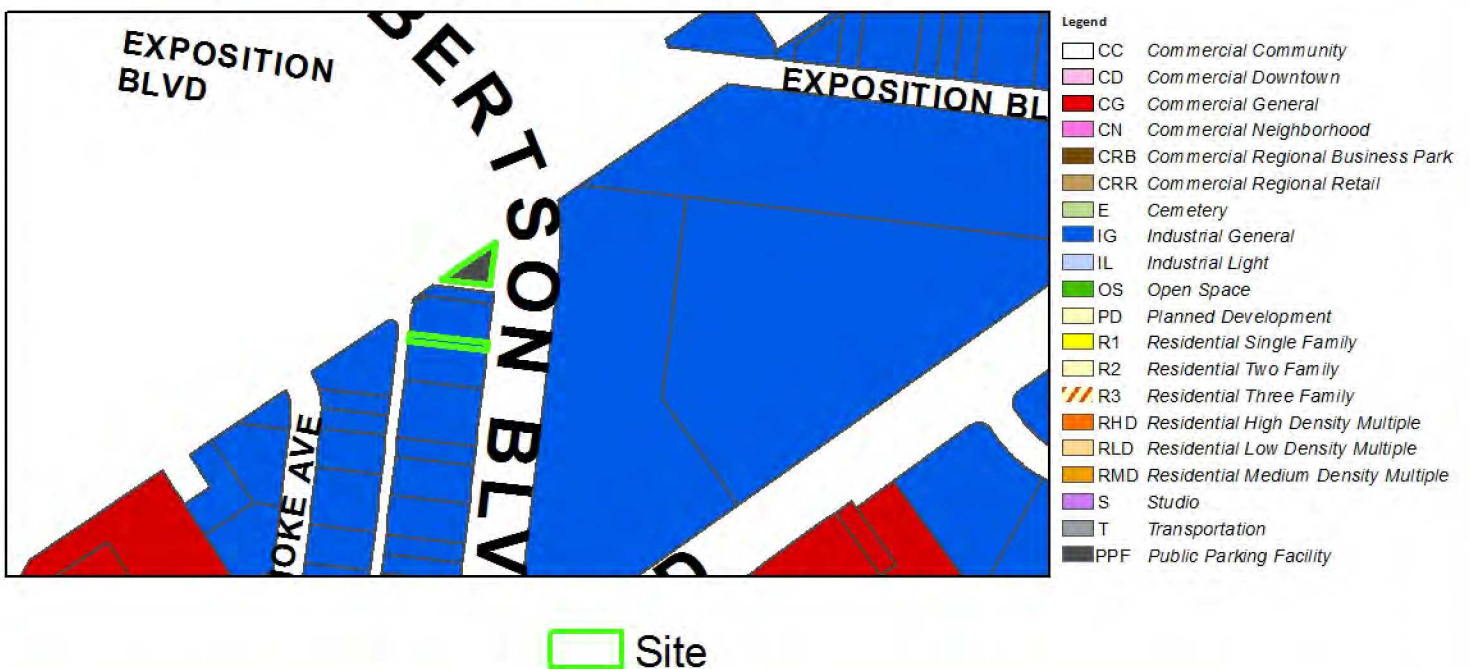
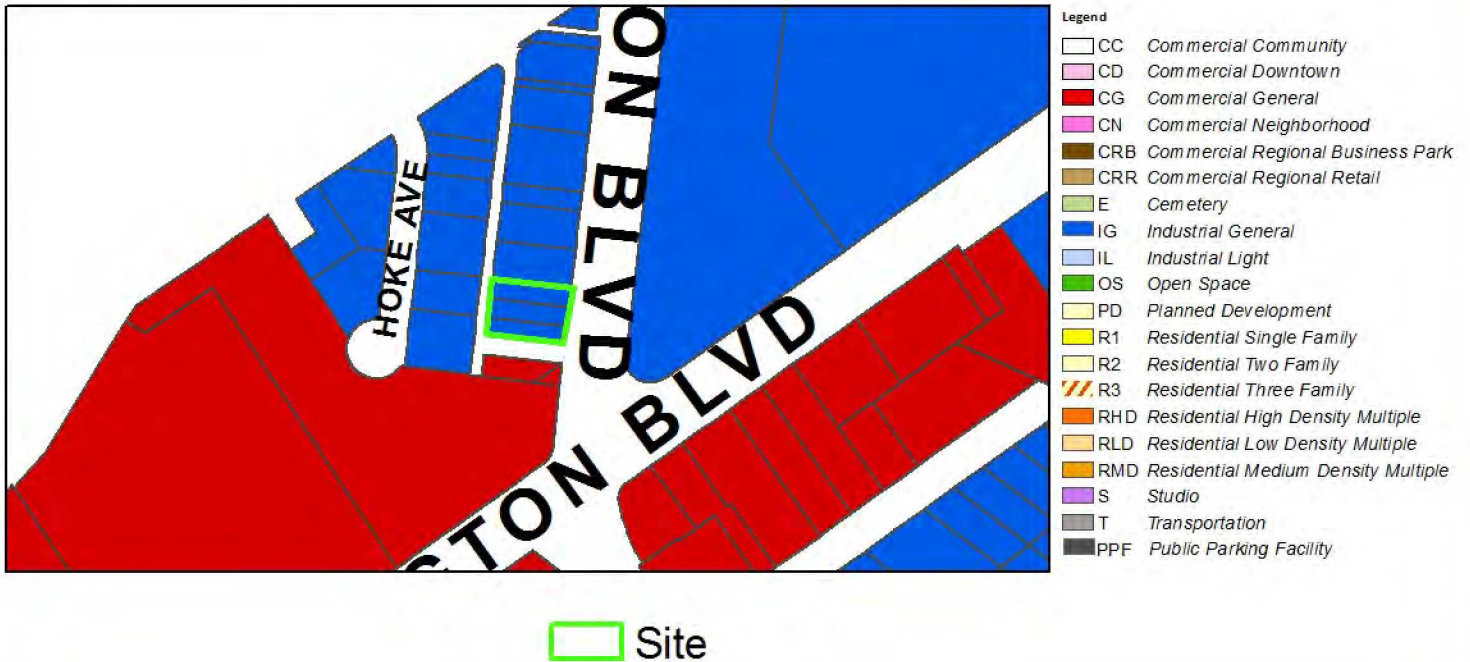


EXHIBIT B

ATTACHMENT 1

Ordinance No. _____
 Zoning Code Map Amendment
 (ZCMA P - 2012102)
 3757 Robertson Boulevard

Existing Zoning (Industrial General)



Proposed Zoning (Public Parking Facility)



EXHIBIT B

ATTACHMENT 1

Ordinance No. _____
Zoning Code Map Amendment
(ZCMA P - 2012102)
9300 Culver Blvd

Existing Zoning (Commercial Downtown)



Proposed Zoning (Public Parking Facility)

