

ORDINANCE NO. 2022-__

AN ORDINANCE OF THE CITY OF CULVER CITY, CALIFORNIA, ZONING CODE AMENDMENT P2022-0034-ZCA, AMENDING PORTIONS OF CULVER CITY MUNICIPAL CODE (CCMC), TITLE 17: ZONING CODE, SECTIONS: 17.220.015.A – COMMERCIAL DISTRICT LAND USES AND PERMIT REQUIREMENTS, 17.220.035 – COMMERCIAL DOWNTOWN (CD) DISTRICT REQUIREMENTS, AND 17.320.020 – NUMBER OF PARKING SPACES REQUIRED; RELATED TO COMMERCIAL DOWNTOWN (CD) GROUND FLOOR RESTRICTIONS AND PARKING, AS SET FORTH IN EXHIBIT “A” ATTACHED HERETO.

(ZONING CODE AMENDMENT, P2022-0034–ZCA)

WHEREAS, On March 9, 2022, after conducting a duly noticed public hearing on City-initiated Zoning Code Amendment P2022-0034-ZCA amending portions of Culver City Municipal Code (CCMC), Title 17 – Zoning (Zoning Code), Sections 17.220.015.A – Commercial District Land Uses and Permit Requirements, 17.220.035 – Commercial Downtown (CD) District Requirements, and 17.320.020 – Number of Parking Spaces Required (“Amendment”), in order to facilitate ground floor uses in the CD District, fully considering all reports, studies, testimony, and environmental information presented, the Planning Commission determined, by a vote of 4 to 0, to recommend to the City Council approval of Zoning Code Amendment P2022-0034-ZCA, as set forth herein below; and

WHEREAS the proposed Zoning Code Amendment addresses the following topics:

- *Additional Ground Floor Uses in the CD District.* Adds land uses allowed on the ground floor including Hotels and Motels with pedestrian oriented ground floor uses, offices with direct customer or client service components that can potentially activate pedestrian activity for the Downtown community, medical offices and clinics, personal services, and studios and small health fitness facilities typically not more than 3,000 square feet in area;

- *Parking in the CD District.* Extend the retail parking ratio in the CD District to the additional ground floor uses that will be allowed under this amendment and eliminate parking requirements for outdoor dining; and

WHEREAS on April 11, 2022, after conducting a duly noticed public hearing on City-initiated Zoning Code Amendment P2022-0034-ZCA amending portions of the Zoning Code, as noted above, fully considering all reports, studies, testimony, and environmental information presented, the City Council, by a vote of 5 to 0, introduced an ordinance to approve Zoning Code Text Amendment P2022-0034-ZCA (the “Ordinance”), as set forth herein below; and

WHEREAS on April 25, 2022, the City Council, by a vote of ___ to ___, adopted the Ordinance, as set forth herein below.

NOW, THEREFORE, the City Council of the City of Culver City, California, DOES HEREBY ORDAIN as follows:

SECTION 1. Pursuant to the foregoing recitations and the provisions of the CCMC, the following required findings for an amendment to the Zoning Code, as outlined in CCMC Section 17.620.030.A, 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.

The General Plan Land Use Element Downtown discussion states that Downtown is intended to support desirable existing and future commercial uses, and encourage a pedestrian friendly environment. This section of the Land use Element further states that allowed uses include restaurants, sidewalk cafes, specialty retail, and urban services that serve adjacent neighborhoods. The increased number of uses on the ground floor that can potentially serve the local area such as personal services and certain types of office uses conform to this vision of Downtown. Reduced required parking and elimination of required parking for outdoor dining will encourage additional ground floor uses and outdoor dining.

The Amendment implements Land Use Element Objective 5. Economic Diversity, because additional and varied ground floor uses in the Downtown area will encourage new business opportunities that expand the City’s economic base. New uses on the ground floor will potentially serve the City’s Downtown and nearby residential and

1 business community. The Amendment implements Land Use Element Objective 22
2 that encourages reinvestment in the Downtown area to improve the area's economic
3 vitality, visual quality, and pedestrian environment. Increased outdoor dining and
4 greater variety of ground floor uses will contribute to this reinvestment.

5 Expected development thresholds for the Downtown area, guided by the goals,
6 policies, and strategies of all General Plan elements will not be impacted because
7 the Amendment does not introduce new uses in the Downtown area but rather,
8 eliminates ground floor restrictions for certain uses currently allowed only above the
9 ground floor and eases parking requirements for several downtown uses.
10 Commercial and office activity in the Downtown area will continue as before and
11 conditions will be imposed on new developments, as needed and through the
12 established entitlement review processes, to reduce potential impacts to circulation,
13 conservation, housing, land use, noise, open space, public safety, seismic safety,
14 and recreation. Therefore, the proposed Amendment does not conflict with the goals,
15 policies, and strategies of any elements of the General Plan, nor does it create any
16 inconsistencies.

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

19 The proposed Amendment creates greater opportunity for uses to locate in the
20 Commercial Downtown Zone that are already allowed in the Zone. The Amendment
21 does not introduce new uses that would require an increase in expected
22 development thresholds for the area. Existing commercial and office activity will
23 continue, albeit with greater flexibility to locate in the area, and more specifically on
24 the ground floor. Therefore, the Amendment will serve to improve the economic
25 vitality of the Commercial Downtown Zone and is in support of the public interest,
26 health, safety, convenience, and welfare of the City.

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

29 The proposed Amendment is considered exempt from the California Environmental
Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) (common
sense exemption), because it can be seen with certainty that there is no possibility
that it will have a significant effect on the environment. The Amendment by itself
does not result in any physical changes nor any significant effects on the environment
and does not intensify development beyond current Zoning Code limits. The uses
affected by the Amendment are already allowed in the CD Zone above the ground
floor and changes would permit those uses on the ground floor. The amended
parking is not expected to increase parking demand because the CD Zone attracts
single vehicle trips to multiple land uses in the Zone such as Downtown office users
visiting Downtown food retailers. Public parking facilities in the CD Zone can absorb
parking generated by single vehicle trips going to various downtown uses. The
Amendment does not include a specific project application and projects submitted

1 after Amendment adoption will be subject to appropriate environmental review under
2 CEQA.

3 **SECTION 2.** Pursuant to the foregoing recitations and findings, the City Council
4 of the City of Culver City, California, hereby adopts the Ordinance approving Zoning Code
5 Amendment P2022-0034-ZCA, amending portions of the Zoning Code as noted above and
6 as set forth in Exhibit A attached hereto and made a part thereof.
7

8 **SECTION 3.** Pursuant to Section 619 of the City Charter, this Ordinance shall
9 take effect thirty (30) days after its adoption. Pursuant to Section 616 and 621 of the City
10 Charter, prior to the expiration of 15 days after the adoption, the City Clerk shall cause this
11 Ordinance, or a summary thereof, to be published in the Culver City News and shall post
12 this Ordinance or a summary thereof in at least three places within the City.
13

14 **SECTION 4.** The City Council hereby declares that, if any provision, section,
15 subsection, paragraph, sentence, phrase or word of this Ordinance is rendered or declared
16 invalid or unconstitutional by any final action in a court of competent jurisdiction or by
17 reason or any preemptive legislation, then the City Council would have independently
18 adopted the remaining provisions, sections, subsections, paragraphs, sentences, phrases,
19 or words of this Ordinance, and as such they shall remain in full force and effect.
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APPROVED and ADOPTED this 25th day of April, 2022.

DR. DANIEL LEE, Mayor
City of Culver City, California

ATTESTED BY:

APPROVED AS TO FORM:

JEREMY BOCCHINO, City Clerk



HEATHER BAKER, City Attorney

EXHIBIT A

CHAPTER 17.220:

COMMERCIAL ZONING DISTRICTS

Section

- 17.220.005 Purpose
- 17.220.010 Purpose of Commercial Zoning Districts
- 17.220.015 Commercial District Land Uses and Permit Requirements
- 17.220.020 Commercial District Development Standards
- 17.220.025 Commercial Neighborhood (CN) District Requirements
- 17.220.030 Commercial General (CG) District Requirements
- 17.220.035 Commercial Downtown (CD) District Requirements
- 17.220.040 Commercial Regional Business Park (CRB) District Requirements

§ 17.220.015 COMMERCIAL DISTRICT LAND USES AND PERMIT REQUIREMENTS.

A. Table 2-5 (Allowed Uses and Permit Requirements for Commercial Zoning Districts) identifies the uses of land allowed by this Title in the commercial zoning districts, and the land use permit required to establish each use in compliance with Subsection 17.200.020.B. (Determination of Allowable Land Uses and Permit Requirements).

Note: Where the last column in the tables ("See Specific Use Regulations") includes a section number, the regulations in the referenced section apply to the use; however, provisions in other sections of this Title may also apply.

TABLE 2-5 Allowed Uses and Permit Requirements for Commercial Zoning Districts	P Permitted Use CUP Conditional Use Permit Required AUP Administrative Use Permit Required - Use not allowed						
	PERMIT REQUIREMENT BY DISTRICT						See Specific Use Regulations :
LAND USE(1)	CN	CG	CC	CD	CRR	CRB	
INDUSTRY, MANUFACTURING & PROCESSING							
Cosmetic product manufacturing	-	-	-	-	-	P	
Electronics and equipment manufacturing	-	-	-	-	-	P	
Fabric products manufacturing	-	-	-	-	-	P	
Handcraft industries	-	-	-	-	-	P	
Media production - Indoor support facilities	-	P	-	-	-	P	
Media production - Soundstages	-	-	-	-	-	P	
Printing and publishing	-	P	P	-	P	P	
Recycling facility - Incidental small collection	-	P	P	-	-	P	17.400.090
Recycling facility - Small collection	-	AUP	AUP	-		AUP	17.400.090
Research and development (R&D)	-	-	-	-	-	P	
Warehousing and distribution facilities	-	-	-	-	-	P(2)	
RECREATION, EDUCATION & PUBLIC ASSEMBLY							
Arcade	-	AUP	AUP	P(3)	AUP	-	
Clubs, lodges, and private meeting halls	-	P	P	P(4)	-	P	
Event centers	-	P	P	P	P	-	17.520.035

Health/fitness facilities	-	P	P	P(4)	P	P	
Outdoor commercial recreation	-	CUP	CUP	-	CUP	CUP	
Public recreational and cultural facilities	P	P	P	P	P	P	
Public schools	P	P	P	P	P	P	
Private schools (5)	CUP	CUP	CUP	CUP	-	CUP	
Religious places of worship	CUP	P	P	-	-	P	
Studios - Art, dance, music, photography, and the like	P	P	P	P	P	P	
Theatres	P	P	P	P	P	P	
RESIDENTIAL							
Child day care - Large family day care homes (12) (13)	P	P	P	P	-	-	
Child day care - Small family day care homes (12) (13)	P	P	P	P	-	-	
Home occupations	P	P	P	P	-	-	17.400.055
Live/work units	P	P	P	P	-	-	17.400.060
Mixed use projects	P	P	P	P	-	-	17.400.065
Residential care facilities, 6 or fewer clients	P	P	P	P	-	-	
Residential care facilities, 7 or more clients	CUP	CUP	CUP	-	-	-	
Senior citizen congregate care housing	CUP	CUP	CUP	-	-	-	
Single room occupancy units (13)	P	P	P	P	-	-	17.400.106
Supportive housing (12)(13)	P	P	P	P	-	-	
Transitional housing (12)(13)	P	P	P	P	-	-	
RETAIL TRADE							
Accessory food service	P	P	P	P	P	P	
Accessory retail uses	P	P	P	P	P	P	
Adult businesses (6)	-	P	P	-	-	-	
Artisan shops	P	P	P	P	P	P	
Auto and vehicle sales/rental (7)	-	P	P	-	AUP	-	
Auto parts sales, retail	P	P	P	-	P	P	
Bars, night clubs (8)	-	CUP	CUP	CUP	CUP	CUP	
Building material stores	-	P	P	-	P	-	
Convenience stores (8)	P	P	P	-	P	P	
Firearms sales	-	CUP	CUP	-	CUP	CUP	
Food retail	P	P	P	P	P	P	
General retail stores (8)(15)	P	P	P	P	P	P	17.400.015
Internet café	AUP	P	P	P	P	P	
Mobile home and RV sales	-	CUP	-	-	-	CUP	
Outdoor retail sales and display (9)	AUP	AUP	AUP	AUP	AUP	AUP	17.400.075
Pawnshops	-	CUP	-	-	-	-	17.400.085

Pet shop	P	P	P	P	P(10)	P	
Plant nurseries, retail	P	P	P	P	P	P	17.400.080
Restaurants, counter service (8)	AUP	P	P	P	P	P	
Restaurants, table service (8)(14)	P	P	P	P	P	P	17.400.015
Restaurants, outdoor dining (8)	AUP	AUP	AUP	AUP	AUP	AUP	17.400.070
Secondhand stores	P	P	-	-	-	-	
Shopping center	P	P	P	-	P	-	
Warehouse retail stores	-	-	-	-	CUP	-	
SERVICE							
Adult day care facilities	CUP	CUP	CUP	-	-	CUP	
Automated teller machines (ATMs)	P	P	P	P	P	P	17.400.025
Banks and financial services	P	P	P	P	P	P	
Business and consumer support services	P	P	P	P(4)	P	P	
Catering services	P	P	P	P(4)	P	P	
Check-cashing businesses	-	CUP	CUP	-	CUP	CUP	17.400.030
Child day care centers	CUP	CUP	CUP	CUP	-	CUP	
Construction contractors, no outdoor storage	P	P	P	-	-	P	
Drive-thru facilities or services	-	CUP	CUP	-	CUP	CUP	17.400.045
Emergency shelters	CUP	CUP	CUP	-	-	-	17.400.046
Hotels and motels (12)	P	P	P	P(4)	P	P	
Hotels and motels (Extended stay) (12) (13)	CUP (16)	CUP	CUP	CUP	CUP	CUP	
Medical services - Offices/clinics	P	P	P	P(4)	P	P	
Medical services - Labs	P	P	P	P(4)	P	P	
Medical services - Hospitals	-	P	P	P	-	P	
Mortuaries	-	P	P	-	-	P	
Offices	P	P	P	P(4)	P	P	
Personal services	P	P	P	P(4)	P	P	
Pet day care	-	AUP	AUP	-	AUP (11)	AUP	17.400.020
Public safety facilities	P	P	P	P(4)	P	P	
Public utility facilities	CUP	CUP	CUP	-	CUP	CUP	
Storage, outdoor	AUP	AUP	AUP	-	AUP	AUP	17.400.080
Vehicle services - Accessories installation	-	P	-	-	P	P	17.400.125
Vehicle services - Car washes	CUP	CUP	CUP	-	CUP	CUP	
Vehicle services - Fueling stations	CUP	P	P	-	P	P	17.400.120
Vehicle services - Fueling, incidental repair	CUP	CUP	CUP	-	CUP	CUP	17.400.125
Vehicle services - Maintenance/repair	-	CUP	CUP	-	-	CUP	17.400.125
Vehicle services - Towing, no storage	-	P	-	-	P	P	17.400.125

Veterinary clinics and animal hospitals	-	AUP	AUP	-	AUP (11)	AUP	17.400.020
TRANSPORTATION & COMMUNICATIONS							
Broadcast studios	-	P	P	P	-	P	
Parking facilities	P	P	P	P	P	P	
Pipelines and utility lines (underground)	P	P	P	P	P	P	
Telecommunications facilities, cellular	AUP	AUP	AUP	AUP	AUP	AUP	17.400.110
Telecommunications facilities, dish antennas	See § 17.400.110 for permit requirements						17.400.110

Notes:

- (1) See Article 7 for definitions of the land uses.
- (2) 10,000 square feet maximum floor area.
- (3) Up to 10 amusement devices allowed in conjunction with a multiplex movie theater subject to § 17.220.035 .
- (4) Subject to ground floor restrictions, see § 17.220.035 (CD District Requirements).
- (5) AUP required for schools up to 1,500 square feet in area.
- (6) Use only allowed subject to the approval of an Adult Use Development Permit (see CCMC Chapter 11.13).
- (7) Auto sales establishments selling used vehicles exclusively are subject to the approval of a Conditional Use Permit. (see Chapter 17.530).
- (8) For permit requirements related to the sale of alcoholic beverages, see § 17.400.015
- (9) Ancillary to a primary retail use.
- (10) Only one pet shop shall be permitted within any one shopping center. The tenant space shall be located so as to share no more than one common wall with any other tenant.
- (11) Ancillary to a pet shop only.
- (12) Subject to requirements of CCMC Section 11.02.100, et seq.
- (13) Guest rooms or suites rented for long term lodging purposes are not subject to requirements of CCMC Section 11.02.100, et seq., but are subject to the Transient Occupancy Tax Ordinance.
- (14) Artisanal alcohol production cannot exceed 20% gross floor area of table service restaurant to which it is a part unless approved by Administrative Use Permit to exceed no more than 30% gross floor area.
- (15) A beverage tasting facility cannot exceed 20% gross floor area of the food and beverage manufacturing use or general retail use to which it is associated unless approved by Administrative Use Permit to exceed no more than 30% gross floor area.
- (16) Extended stay hotels and motels are permitted, without CUP, for SRO units in existence on February 22, 2021.

§ 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 § 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.
5. 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.~~

- a. designated historic structures when it can be demonstrated, by substantial evidence, that such restrictions would substantially compromise the economic viability or architectural integrity of the building;
- b. hotels and motels with ground floor uses that generate pedestrian activity such as lobbies, retail, and restaurants; and
- c. office uses that include direct customer or client service components and that generate pedestrian activity or require patronage daily, such as, but not limited to insurance offices; tax preparer; real estate offices; advertising agencies; architectural, engineering, and planning services; graphic design, fashion, photography, and commercial art studio services; and accounting, auditing and bookkeeping services, and similar office uses as determined by the Director.

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. Fifty-six 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. The CD Zone shall be subject to the following parking requirements.

1. 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 pursuant to Table 2-7.1, or as otherwise permitted in this Section and Title.

Table 2-7.1. Commercial Downtown Parking Requirements by Land Use.

<u>Table 2-7.1</u>	
<u>Land Use Type: Commercial</u>	<u>Vehicle Spaces Required</u>
<u>Ground floor uses in hotels and motels that generate pedestrian activity such as lobbies and retail, except restaurants</u>	<u>1 space per 400 square feet.</u>
<u>Medical services - Offices/clinics</u>	<u>1 space per 400 square feet.</u>
<u>Office Uses</u>	
<u>Financial institutions, corporate offices, and similar uses</u>	<u>1 parking space for each 294 square feet of gross floor area, which requirement may be reduced by the City to 1 parking space for each 370 square feet of gross floor area subject to implementation of a Transportation Demand Management program approved by the City.</u>
<u>Office uses that include direct customer or client service components and that generate pedestrian activity or require patronage daily, such as, but not limited to insurance offices; tax preparer; real estate offices; advertising agencies; architectural, engineering, and planning services; graphic design, fashion, photography, and commercial art studio services; and accounting, auditing and bookkeeping services, and similar office uses as determined by the Director.</u>	<u>1 space per 400 square feet.</u>
<u>Restaurants</u>	
<u>General table service (1,500 square feet or less)</u>	<u>1 parking space for each 350 square feet of gross floor area, with a minimum of 3 spaces.</u>
<u>General table service (greater than 1,500 square feet)</u>	<u>1 parking space for each 100 square feet of gross floor area.</u>
<u>Takeout (counter service) with customer tables</u>	<u>1 parking space for each 75 square feet of gross floor area, with a minimum of 8 spaces.</u>

<u>Takeout (counter service), no tables</u>	<u>1 parking space per 250 square feet of gross floor area, with a minimum of 3 spaces</u>
<u>Outdoor Dining</u>	<u>Parking Not Required.</u>
<u>Retail and personal service uses, general</u>	<u>1 space per 400 square feet.</u>
<u>Studios for dance, art, music, photography, martial arts, personal fitness, and the like</u>	<u>1 space per 400 square feet.</u>
<u>Theaters</u>	<u>The parking requirement shall be determined by the Director for each facility, based on a parking demand/supply study.</u>

2. Additional parking provisions: When applying the provisions of §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.

3. Evening and weekend use: Where the operator of a business provides parking at the levels established in Subsection 17.220.035. Table 2 -7.1, the City may require the operator to allow general public use of the parking spaces during evening and weekend hours, where feasible.

4. Uses allowed in the CD Zoning District that are not listed in Subsection 17.220.035.C shall be subject to parking requirements by land use as stated in Subsection 17.320.020 of this Title.

~~**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. Retail stores, and similar uses: 1 parking space for each 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.~~

~~3. Outdoor dining areas: No parking required for the first 250 square feet of outdoor dining area. In determining the parking requirement, any outdoor dining area exceeding 250 square feet shall be included as restaurant floor area.~~

~~4. Financial institutions, corporate offices, medical offices and similar uses: 1 parking space for each 294 square feet of gross floor area, which requirement may be reduced by the City to 1 parking space for each 370 square feet of gross floor area subject to implementation of a Transportation Demand Management program approved by the City.~~

~~5. Theaters: The parking requirement shall be determined by the Director for each facility, based on a parking demand/supply study.~~

~~6. Additional parking provisions: When applying the provisions of §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.~~

~~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.
(Ord. No. 2005-007 § 1 (part); Ord. No. 2009-001 § 2)

§ 17.320.020 - NUMBER OF PARKING SPACES REQUIRED.

Each use shall provide at least the minimum number of parking spaces required by this Section.

A. **Parking Requirements by Land Use.** Each land use shall be provided the number of parking spaces required by Table 3-3 (Parking Requirements by Land Use), except as otherwise required by 17.220.035 Commercial Downtown (CD) District Requirements; or except where a greater number of spaces are required through a Conditional Use Permit or other permit approval; or where parking requirements are adjusted in compliance with § 17.320.025 (Alternative Parking Provisions).

H. **Table 3-3. Parking Requirements by Land Use.**
3. **Recreation, education and public assembly uses.**

Table 3-3C	
<i>Land Use Type: Recreation, Education & Public Assembly</i>	<i>Vehicle Spaces Required</i>
Studios for dance, art, music, photography, martial arts, personal fitness, and the like	1 space per 200 square feet of gross floor area. Ground floor fitness studio uses with less than the greater of 3,000 sq. ft. or 30% of the gross floor area of the total mixed-use project commercial floor area in the CD Zone or in a mixed-use projects, shall provide 1 space per 350 sq. ft. Remaining commercial floor area parking shall be calculated at 1 space per 200 sq. ft. of gross floor area.