



# City of Culver City

## Staff Report

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**File #:** 16-142, **Version:** 1

**Item #:** PH-3

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**Consideration of a Zoning Code Text Amendment (P2016-0149-ZCA) Amending Zoning Code Section 17.320.020 - Number of Parking Spaces Required, Table 3-3B - Proposed amendments related to restaurant parking.**

**Meeting Date:** September 28, 2016

**Contact Person/Dept:** Sol Blumenfeld, CDD Director  
Thomas Gorham, Planning Manager

**Phone Number:** (310) 253-5727

**Fiscal Impact:** Yes  No  **General Fund:** Yes  No

**Public Hearing:**  **Action Item:**  **Attachments:**

**Public Notification:**

Email to the Master Notification List was made on 9/22/16; Notice published in Culver City News on 9/15/16 and 9/22/16.

**Department Approval:** Sol Blumenfeld, CDD Director (09/22/16)

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**RECOMMENDATION:**

That the Planning Commission adopt Resolution No. 2016-P016 (Attachment No. 1) recommending to the City Council approval of Zoning Code Amendment (P2016-ZCA), Amending Parking Requirements for Restaurants of 1,500 sq. ft. or less.

**PROCEDURES:**

1. Chair opens the public hearing and calls for a staff report and Commission poses questions to staff as desired. (As the City is the applicant in this case, the staff report will also serve as the applicant's presentation.)
2. Commission receives comments from the general public.
3. Chair seeks a motion to close the public hearing after all testimony has been presented.

4. Commission discusses the matter and arrives at its decision.

## **BACKGROUND / DISCUSSION**

The City Council has directed staff to research and provide recommendations related to the Zoning Code Parking Requirements which regulate restaurant parking based upon gross floor area. Currently, restaurants of 1,500 square feet or less must provide 1 space per 350 square feet of gross floor area. Restaurants greater than 1,500 square feet must provide 1 space per 100 square feet of gross floor area. The City code provision for parking for small restaurants (1,500 sq. ft. or less) has helped revitalize older commercial areas, such as West Washington, East Washington and Culver Village, by enabling a number of new small restaurants and cafes to be established in buildings with nonconforming parking. However, when a critical mass of smaller restaurants has been reached, or when the kinds of tenants being attracted are quick food, it may negatively impact an area with spill over parking in adjacent residential neighborhoods. In downtown, the division of tenant spaces into smaller restaurants and quick food is also changing the character of the area, which some consider undesirable.

## **Proposed Zoning Code Amendment**

In order to address the parking problems created by small restaurants with little or no parking, the Zoning Code may be amended to standardize the parking requirements for all restaurants at 1 space per 100 square feet of floor area except for restaurants located within a City Council designated Commercial Revitalization Area and only when with approval of a Parking Plan, as outlined in Exhibit A - Proposed Zoning Text Changes in “~~strikethrough/underline~~” format. (See Attachment No. 2). These new provisions will preclude new restaurants from locating within buildings with little or no parking unless the City Council has determined by resolution that the business is located within a designated Commercial Revitalization Area and that the use supports specific commercial revitalization goals. If the City Council subsequently determines that a critical mass of new businesses have located in an area, the resolution may be rescinded to eliminate the reduced parking requirement and restore the citywide restaurant parking ratio to the area. This nuanced regulatory approach is consistent with the City Council’s desire to promote economic development without negatively impacting surrounding residential and commercial neighborhoods with spill over parking and an oversupply of quick food service restaurants.

## **Commercial Revitalization Area**

Concurrent with the proposed Zoning Code amendment, the City Council may consider Commercial Revitalization Area designations along West Washington and Sepulveda Boulevards in the areas shown on the attached map (Attachment No. 3) and as noted in the attached draft resolution (Attachment No. 4). The Commercial Revitalization Area programs will include shared parking where business parking demands do not conflict, formation of business improvement districts to manage parking at shared parking locations, valet parking, common area promotion, business attraction, permit assistance and other measures to encourage area improvement and

reinvestment.

The proposed criteria for Commercial Revitalization Area designation are:

- High vacancy rates
- Poor mix of land uses
- High percentage of unimproved area property
- Under performing commercial uses
- Deferred property maintenance
- Unattractive and poorly designed public space, sidewalks or right of way

The City has successfully conducted commercial revitalization activities through the Area Improvement Plan (AIP) programs operating along West Washington Blvd. Using tax increment and bond funds from the former Culver City Redevelopment Agency, these programs provided new area landscaping, street graphics, street furniture and loans to attract and retain businesses in targeted areas. The less restrictive parking requirements for small restaurants also helped spur area reinvestment.

### Parking Plan

The proposed Zoning Code amendment also includes administrative review and approval of offsite parking, valet or managed parking through a Parking Plan. The administrative approval would include submittal of:

- A site plan indicating the off-site parking location, business operating hours and proposed use(s) to be parked, number of required stalls; and
- A City approved parking covenant restricting the off-site parking location for the proposed shared use parking during evenings and weekends for the life of the project. (In the event the offsite parking location becomes unavailable, the permittee must provide an alternative offsite location for City approval and record a new parking covenant for the alternative location.)
- A valet parking plan at an approved offsite location on private property.

## **FINDINGS**

Chapter 17.620 of the Zoning Code establishes the authority and procedures for amending the General Plan, Zoning Map and Zoning Code through City Council approval of three mandatory findings:

1. The proposed amendment(s) ensure and maintain the internal consistency with the goals, policies and strategies of all elements of the General Plan and will not create any inconsistencies;
2. The proposed amendment(s) would not be detrimental to the public interest, health, safety, convenience or welfare of the City; and
3. The proposed amendment is in compliance with the provisions of the

California Environmental Quality Act (CEQA).

The necessary findings to approve the proposed Zoning Text Amendment, may be made as follows:

**Finding No. 1:** The proposed amendment will ensure and maintain the internal consistency with the goals, policies and strategies of all elements of the General Plan and will not create any inconsistencies.

The proposed text amendment, will create consistency between the General Plan and Zoning Code relative to parking requirements. Policy 1.H of the General Plan calls for “Adequate Parking within each neighborhood to meet parking demands”. The proposed amendment will help ensure that parking supply adequately meets parking demand through more restrictive parking standards in Section 17.320.020 of the Zoning Code for restaurant uses.

**Finding No. 2:** The proposed amendment(s) would not be detrimental to the public interest, health, safety, convenience or welfare of the City.

The proposed Zoning Code Amendment, establishing uniform parking standards for all restaurants and special parking standards for restaurants only when located within City Council designated Commercial Revitalization Areas and with an approved Parking Plan, will help ensure that project on-site parking is more carefully regulated in support of the public interest, health, safety, convenience and welfare of the City.

**Finding No. 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 (P2016-0149 ZCA is within the scope of the Culver City General Plan Update Program EIR approved on September 24, 1996 (PEIR 1), the Culver City Redevelopment Plan Amendment and Merger Program Subsequent EIR approved on November 16, 1998 (PEIR 2). The circumstances under which PEIR 1 and PEIR 2 were prepared have not significantly changed and no new significant information has been found that would impact either PEIR 1 or PEIR 2; therefore, no new environmental analysis is required.

**ENVIRONMENTAL DETERMINATION:**

No new significant information has been found that would impact the environmental analysis for the Culver City General Plan Update Program EIR (PEIR 1, September 1996), the Culver City Redevelopment Plan Amendments and Merger Program Subsequent EIR (PEIR 2, November 16, 1998) and no new environmental analysis is required for the subject amendments pursuant to Sections 15162 and 15168 of the California Environmental Quality Act (CEQA).

**SUMMARY:**

Current parking requirements allow smaller restaurants of 1,500 sq. ft. or less to provide less parking than a large restaurant (greater than 1,500 sq. ft.) without consideration of the restaurant location and encourages the division of larger tenant spaces into smaller ones for multiple restaurants, which may negatively impact the parking supply and character of an area.

The proposed Zoning Text Amendment will establish uniform parking standards for all restaurant uses and special parking requirements for restaurants 1,500 sq. ft. or less when located within City Council designated Commercial Revitalization Areas and only with approval of a Parking Plan. The City has effectively used zoning to revitalize commercial areas and the proposed text amendment will allow City Council the ability to continue to do so more selectively based upon area conditions.

### **ALTERNATIVE OPTIONS:**

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

1. Recommend that the City Council approve the proposed amendments if the required findings can be made.
2. Recommend that the City Council approve the proposed amendments with additional or different amendment language if deemed necessary to meet the required findings.
3. Disapprove the amendment request if it does not meet the required findings.
4. Continue the Agenda Item and request staff to conduct additional analysis prior to arriving at a final recommendation.

### **ATTACHMENTS:**

1. Draft Resolution No. 2016-P015
2. Exhibit A - Proposed Zoning Text Changes in "strikethrough/underline" format.
3. Proposed Commercial Revitalization Area map
4. Draft City Council Resolution Designating Certain Commercial Districts Commercial Revitalization Areas