CITY OF COMMERCE
AGENDA REPORT

TO: Honorable City Council **Item No. ____**

FROM: City Administrator

SUBJECT: First Reading – Consideration of a first reading of an ordinance amending Section 19.21.080 (Shared Parking) and 19.21.090 (Remote Parking) of the of the City of Commerce Municipal Code to clarify the type of parking analysis required when proposing shared parking, and create an administrative process where a conditional use permit is currently required to allow for remote parking.

MEETING DATE: January 21, 2020

RECOMMENDATION:
Staff recommends that the City Council waive full reading of an ordinance adopting the proposed Zone Texts amendments as to clarify the type of parking analysis required when proposing shared parking, and create an administrative process where a conditional use permit is currently required to allow for remote parking, and approve the Introduction and First Reading of said ordinance by reading by title only.

ANALYSIS:

As written in the City of Commerce Municipal Code, the intent of off-street parking regulations is to ensure that all land uses in the City provide adequate off-street parking facilities, loading areas, and vehicle movement area associated with a use. These regulations ensure that the use of land does not interfere adversely with the circulation of public rights-of-way, that private on-site circulation does not pose a potential safety issue, and that surrounding uses are insulated from the noise and traffic impacts associated with off-street parking and loading activities.

Shared Parking

Shared Parking and Remote Parking regulations further assist with these goals by allowing land uses with differing peak hours to possibly share underutilized parking, where a non-conforming building requires additional parking to comply with their parking requirements. The existing code sections that provide the regulations for shared parking and remote parking were set forth by the adoption of the comprehensive Zoning Ordinance in 2000.

Per Section 19.21.080, Shared Parking is permitted concurrently with any other discretionary review required, or, if no discretionary review is required, by simply complying with all other requirements of the section. This includes a recorded legal agreement between all parties sharing parking facilities, and a parking demand analysis prepared by a registered traffic engineer.

The proposed amendments to Section 19.21.080 would provide for flexibility by allowing the Director to administratively determine whether a parking demand analysis is to be prepared by a registered traffic engineer, or, if there is a clear surplus of unutilized spaces, that a lower staff level analysis would suffice.

Remote Parking

Per Section 19.21.090, the process by which Remote Parking is permitted in the current code is either concurrently with any other discretionary review required, or if no discretionary review is need, a conditional use permit is then required. The proposed changes to this section consist of the following:

- The Director to review administratively, if remote parking is located within 300 feet from proposed land use; otherwise a remote parking request will be subject to a conditional use permit review by the Planning Commission when located beyond 300 feet, but no more than 1,000 feet .
- Director may defer to Planning Commission.
- Director may request a parking demand analysis on a case-by-case basis.

As part of its analysis, staff surveyed five cities spanning the area surrounding Commerce as well as parts of the San Fernando and San Gabriel Valley for reference for the Planning Commission. There were some cities that considered these requests administratively, while others required discretionary review. The maximum distance allowed also ranged from 300 to 1,500 feet depending on the jurisdiction. Below, under Figure One, staff provides a further breakdown

Figure 1.

	Commerce	Huntington Park	Montebello	Downey	Pasadena	Glendale	South Pasadena
Administrative Review (Normally Director)	✓		**		-	✓	✓

Discretionary Review	✓	✓	**	✓	*	-	-
Proximity of Remote and/or Shared Parking to Use (in feet)	300	500	300 for comm., office, etc.	660	500 - 1000	1000	1500

- Not required

✓ Required

* Minor CUP – Decision by Zoning Administrator, not Commission

** Only Joint Use requires CUP, otherwise remote parking for single use is administrative

At its meeting on December 18, 2019, the Planning Commission considered the proposed Zone Text Amendments and recommended that the City Council Adopt the Ordinance as presented.

The proposed Ordinances include the following changes to the Commerce Zoning Ordinance, Sections 19.21.080 and 19.21.090 of the Commerce Zoning Ordinance *(proposed new language is underlined, while removed language is stricken)*:

19.21.080 - Shared parking.

A. Special Study Required. Two or more uses may share parking facilities, subject to the approval of the ~~community development~~ Director and the provisions of this section. A parking demand analysis for the uses proposed to share parking facilities shall be prepared. Preparation of the parking demand analysis shall be to the satisfaction of the Director, who may ~~The parking demand analysis shall~~ require that it be prepared by a registered traffic engineer. When such analysis demonstrates, to the satisfaction of the Director, that the uses have different peak parking requirements, then the parking space requirement may be reduced by the director. In no event, however, shall the parking requirement be reduced below the highest peak parking requirement of the use demanding the most parking.

B. Conditions.

1. The uses sharing the parking facilities shall be located on contiguous lots.
2. A legal agreement shall be signed by all parties sharing parking facilities. Such agreement shall be approved by the city attorney and community development director, shall be recorded with the Los Angeles County Recorder's Office, and shall continue to be valid upon change of ownership of any property subject to the agreement or any lawfully existing building or structure on said properties.
3. Shared parking arrangements must be authorized by any discretionary permit issued for the use for which the parking is provided. Where no discretionary permit is required, such shared parking arrangements shall meet all other requirements of this subsection B.

19.21.090 - Remote parking.

A. Remote parking, may be permitted for multifamily, ~~structures~~ ~~and~~ commercial and industrial uses, provided such parking facilities are located no more than three hundred feet from the use they are intended to serve. The proposed remote parking location may be an existing primary or ancillary use. The Director may require a parking analysis on a case by case basis.

B. A covenant for use of the lot for parking shall be required between the owner of the lot supporting the proposed use and the owner of the lot to be used for remote parking. The covenant for remote parking shall be prepared by the city and recorded with the County Recorder of Los Angeles County. The covenant may not be revoked, modified, or canceled without the consent of the city.

C. Such agreements for remote parking shall be authorized by any required discretionary permit issued for the proposed multifamily structure or commercial or industrial use.

D. Where no other application is involved, the Director's decision ~~a conditional use permit~~ shall be required to authorize remote parking. The Director may defer decisions to the Planning Commission at his/her discretion. Decisions are appealable to the Planning Commission.

E. An applicant may apply for remote parking for up to one thousand feet from the use they are intended to serve with authorization of a conditional use permit.

All required findings for zone text amendment can be made as detailed in the ordinance attached.

ALTERNATIVES:

1) Direct staff to further revise the proposed ordinance; or

2) Deny the recommended action that would amend the Zoning Ordinance.

FISCAL IMPACT:

None.

RELATIONSHIP TO STRATEGIC GOALS:

The proposed action supports the *Economic Growth* Strategic Focus Area under the following Guiding Principle:

Guiding Principle 2: Ensure that the City's development services are continually streamlined, efficient, customer focused and responsive to efficiently support local economic growth.

ENVIRONMENTAL ANALYSIS:

The California Environmental Quality Act (CEQA, Section 21000, et seq. of the California Public Resources Code), requires that the potential environmental effect of projects that will have a physical impact on the environment be analyzed prior to their construction. The proposed amendments are exempt from CEQA pursuant to the California Code of

Regulations, Title 14, Section 15061(b)(3)(State CEQA Guidelines). CEQA requires analysis of agency approvals of discretionary “projects.”

A “project,” under CEQA (Section 21065), is defined as “an activity which may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.” Section 15061 (b)(3) Title 14 of the California Code of Regulations (the CEQA Guidelines) describes the Common Sense Exemption that CEQA only applies to projects which “have the potential for causing a significant effect on the environment; where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.” The approval of these amendments does not approve any development project. Rather, they clarify the requirements and streamline the process for shared and remote parking. Each of these components, individually and cumulatively, does not result in the possibility of creating significant or cumulative effects on the environment. Future development and/or proposed projects under the proposed changes would be subject to CEQA at that time, as those actions would be classified as “projects” under CEQA. Therefore, these changes are not subject to CEQA under the Common Sense Exemption and no further environmental review is necessary.

ATTACHMENTS:
1. Planning Commission Resolution Recommending Adoption of the Zone Text Amendment
1a. Exhibit A) Draft City Council Ordinance

Recommended/Prepared by: Knarik Vizcarra, Contract Planner
Reviewed By: Jose D. Jimenez, Director of Economic Development and Planning
Approved as to Form: Noel Tapia, City Attorney
Respectfully submitted: Edgar Cisneros, City Manager

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