

February 21, 2007

**Honorable Mayor and Members of the  
Hermosa Beach City Council**

**Regular Meeting  
February 27, 2007**

SUBJECT: PRIVATELY REQUESTED TEXT AMENDMENT TO EXEMPT BUILDING SITES ON PIER PLAZA FROM THE REQUIREMENT TO PROVIDE A MINIMUM OF 25 PERCENT OF PARKING SPACES ON SITE WHEN IN-LIEU PARKING FEES ARE PAID FOR BUILDINGS EXCEEDING A ONE-TO-ONE GROSS FLOOR AREA TO BUILDING SITE AREA RATIO

APPLICANT: GREGORY NEWMAN, ALOHA SHARKEEZ

**Recommendation:**

To amend the Zoning Ordinance as set forth in the attached ordinance.

**Background:**

This issue has been prompted by the application to rebuild and expand the Aloha Sharkeez Restaurant at 52 Pier Avenue following its destruction by fire.

Section 17.44.040E of the Zone Code establishes requirements for the payment of fees to provide for off-site parking in-lieu of providing the required parking on the project site:

“E. Parking in-lieu fees. When the city council provides for contributions to an improvement fund for a vehicle parking district in-lieu of parking spaces so required, said in-lieu fee contributions shall be considered to satisfy the requirements of this chapter.

“1. The Director of the Community Development Department shall be responsible for the calculations required under this chapter and shall calculate and collect the in-lieu contribution.

“2. The following allowances through in-lieu fee contributions for parking may be allowed with a parking plan as approved by the Planning Commission and as prescribed in Section 17.44.210:

“a. Building sites with a ratio of building floor area to building site of one-to-one or less may pay an "in-lieu" fee for all required spaces.

“b. *Building sites where buildings will exceed a one-to-one gross floor area to building site area ratio shall be required to provide a minimum of twenty-five (25) percent of the required parking on-site.*”

This section of the Zoning Ordinance was amended in 2004, in conjunction with a Coastal Land Use Plan amendment which modified parking requirements in the downtown district, including the allowances for on-site parking when in-lieu fees are paid. Previously, when in-lieu fees were paid, 25% of required parking was required on site for lots of less than 4,000 square feet with an F.A.R. of greater than 1:1; 50% on sites between 4,000 and 12,000 square feet; and no in-lieu fees were allowed for sites greater than 12,000 square feet. The purpose of the 25% rule is to ensure that some minimum amount of parking is provided on site for larger projects either on small lots or on assembled lots. For example, Aloha Sharkeez is proposing an expansion of 2,000 square feet resulting in an additional parking requirement of 20 spaces. Therefore, 5 spaces would be required on site, and 15 could be paid for with in-lieu fees. Another potential example would be the addition of second floor office space above an existing retail use on the Plaza. For example, a 2700 square foot office expansion (at 1 space required per 333 square feet) would result in a requirement of 8 spaces and,

therefore with the 25% rule, 2 spaces would be required on site and 6 could be paid for with in-lieu fees.

The Coastal Land Use plan as amended in 2004, and certified by the Coastal Commission, specifically references the downtown parking section of the Zoning Ordinance, and therefore, the Coastal Commission will have to approve any modification of these parking regulations.


**Analysis**

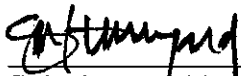
The question is whether it is desirable to provide any parking on site on small lots with limited access on Pier Plaza even in cases where the development exceeds a 1:1 floor area to building site ratio. The properties that front on Pier Plaza are fairly small (typically 30' X 95' between Beach Drive and Hermosa Avenue) and have limited access for parking either on the rear alley 13<sup>th</sup> Court for the north side, or through the public parking lot A on the south side. Most of the buildings on the Plaza are developed at or above the one-to-one floor area ratio, and very few have any existing on site parking. Therefore, any expansion or redevelopment of any of these sites would likely be impacted by this 25% on-site rule. While it may be physically possible to provide parking with access from the rear of these buildings, it may not be economically feasible to develop these parcels with additional parking. Given the 30-foot width of the lots, it would be feasible to provide three at grade parking spaces with direct access to the rear; however, any additional spaces would require either tandem parking or substantially reduce buildable floor area at the ground floor. This may impact the pedestrian character and ambiance of the Plaza.


In view of the above, the applicant is requesting consideration of this amendment to exempt building sites on Pier Plaza from the 25-percent on site requirement when in-lieu parking fees are paid. The amendment would add the following wording:

“b. Building sites where buildings will exceed a one-to-one gross floor area to building site area ratio shall be required to provide a minimum of twenty-five (25) percent of the required parking on-site, except for sites on Pier Plaza west of Hermosa Avenue.”

Concur:

  
Ken Robertson,  
Senior Planner

  
Sol Blumenfeld, Director  
Community Development

  
Stephen R. Burrell,  
City Manager

Attachments:  
Proposed Ordinance

ORDINANCE 07-

**AN ORDINANCE OF THE CITY OF HERMOSA BEACH TO AMEND THE ZONING  
ORDINANCE SECTION 17.40.040 TO EXEMPT PIER PLAZA BUILDING SITES  
FROM PROVIDING A PERCENTAGE OF PARKING SPACES ON SITE WHEN IN-  
LIEU PARKING FEES ARE PAID**

The City Council of the City of Hermosa Beach does hereby ordain as follows:

Section 1. The Planning Commission held a duly noticed public hearing on February 20, 2007 to consider amending the Zoning Ordinance, Section 17.44.040, regarding allowances for on-site parking when payment of parking in-lieu fees are provided rather than providing parking on site in the downtown district, and recommended amending said section to exempt building sites on Pier Plaza from the requirement to provide 25% of required parking on site for projects exceeding a 1:1 floor area to lot area ratio.

Section 2. The City Council held a duly noticed public hearing on February 27, 2007, to consider the recommendation of the Planning Commission to amend the Zoning Ordinance Section 17.44.040;

Section 3. The subject text amendment is exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to the general rule set forth in Section 15061(3) of the CEQA Guidelines, as there is no possibility that these modifications to the zoning ordinance may have a significant effect on the environment

Section 4. Based on the foregoing, the City Council hereby ordains that the Hermosa Beach Municipal Code, Title 17-Zoning, be amended as follows

1. Subsection 17.44.040-E of Title 17 of the Hermosa Beach Municipal Code, pertaining to parking in-lieu fees in the downtown district is hereby amended to read as follows:

**“E.** Parking in-lieu fees. When the City Council provides for contributions to an improvement fund for a vehicle parking district in-lieu of parking spaces so required, said in-lieu fee contributions shall be considered to satisfy the requirements of this chapter.

“1. The Director of the Community Development Department shall be responsible for the calculations required under this chapter and shall calculate and collect the in-lieu contribution.

“2. The following allowances through in-lieu fee contributions for parking may be allowed with a parking plan as approved by the Planning Commission and as prescribed in Section 17.44.210:

“a. Building sites with a ratio of building floor area to building site of one-to-one or less may pay an "in-lieu" fee for all required spaces.

“b. Building sites where buildings will exceed a one-to-one gross floor area to building site area ratio shall be required to provide a minimum of twenty-five (25) percent of the required parking on-site, except for sites on Pier Plaza west of Hermosa Avenue.”

1           Section 5. This ordinance shall become effective and be in full force and effect from and after  
2 thirty (30) days of its final passage and adoption.

3           Section 6. Prior to the expiration of fifteen (15) days after the date of its adoption, the City  
4 Clerk shall cause this ordinance to be published in the Easy Reader, a weekly newspaper of general  
5 circulation published and circulated, in the City of Hermosa Beach in the manner provided by law.

6           Section 7. The City Clerk shall certify to the passage and adoption of this ordinance, shall enter  
7 the same in the book of original ordinances of said city, and shall make minutes of the passage and  
8 adoption thereof in the records of the proceedings of the City Council at which the same is passed and  
9 adopted.

10 **PASSED, APPROVED and ADOPTED** this 27th day of February, 2007, by the following vote:

11           AYES:  
12           NOES:  
13           ABSTAIN:  
14           ABSENT:

15 \_\_\_\_\_  
16 **PRESIDENT** of the City Council and **MAYOR** of the City of Hermosa Beach, California

17 **ATTEST:**

18 **APPROVED AS TO FORM:**

19 \_\_\_\_\_  
20 City Clerk

21 \_\_\_\_\_  
22 City Attorney

23 Date: \_\_\_\_\_

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