

City of La Quinta

CITY COUNCIL MEETING: September 15, 2015

STAFF REPORT

AGENDA TITLE: SECOND READING AND ADOPTION OF ORDINANCE NO. 528 AMENDING SECTION 9.150.060 (SPACES REQUIRED BY USE) TO ALLOW FOR A REDUCED NUMBER OF REQUIRED PARKING SPACES FOR PROPERTIES WITHIN THE VILLAGE COMMERCIAL ZONING DISTRICT AND CONFIRM A DETERMINATION OF EXEMPTION PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT SECTION 15061 (B)(3) REVIEW OF EXEMPTIONS – GENERAL RULE

RECOMMENDATION

Adopt Ordinance No. 528 on second reading.

EXECUTIVE SUMMARY

- At the August 4, 2015 meeting, the City Council introduced Ordinance No. 528 that amends the Zoning Ordinance (“Zoning Ordinance Amendment”) to temporarily reduce the required parking spaces for properties within the Village commercial zoning district, and confirms a determination that this action is exempt pursuant to the California Environmental Quality Act (“CEQA”).
- By law, a second reading of an ordinance must occur, followed by adoption and a 30-day posting period, before an ordinance may take effect.

FISCAL IMPACT

None; however, reductions in parking standard could stimulate sales tax from new businesses and expansion of existing businesses.

BACKGROUND/ANALYSIS

This Zoning Ordinance Amendment is for an interim period ending June 30, 2016, and allows a 50 percent reduction in required off-street parking for all new development and expansion of existing businesses; no additional parking will be required for a change of use. During this period, staff will comprehensively address new Village parking standards, and update off-street parking options.

Additional parking demand may be experienced at existing on-street parking, the City parking lot at Avenida Bermudas/Montezuma, and existing private parking lots; however, a majority of time on-street parking and the City parking lot are not fully utilized. The exception is during special events and peak periods in season.

Staff has determined that this Zoning Ordinance Amendment is exempt from environmental review under CEQA, pursuant to Section 1506(b)(3), Review for Exemptions – General Rule. Staff found that it can be seen with certainty that there is no possibility

that this action will have a significant effect on the environment, and individual development plans will be reviewed under CEQA as they are proposed.

ALTERNATIVES

As Council approved this ordinance at first reading, staff does not recommend an alternative.

Report prepared by: Pam Nieto, Administrative Technician
Report approved for submission by: Susan Maysels, City Clerk

ORDINANCE NO. 528

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA QUINTA, CALIFORNIA, APPROVING ZONING ORDINANCE AMENDMENT 2015-0001, AMENDING SECTION 9.150.060 (SPACES REQUIRED BY USE) TO ALLOW FOR A REDUCED NUMBER OF REQUIRED PARKING SPACES FOR PROPERTIES WITHIN THE VILLAGE COMMERCIAL ZONING DISTRICT

**CASE NUMBER:
ZONING ORDINANCE AMENDMENT 2015-0001**

APPLICANT: CITY OF LA QUINTA

WHEREAS, the City Council of the City of La Quinta, California did, on the 4th day of August 2015, hold a duly noticed public hearing for review of a City-initiated request of a Zoning Ordinance Amendment to modify Title 9 (Zoning) of the La Quinta Municipal Code; and

WHEREAS, the Planning Commission of the City of La Quinta, California, did on the 23rd day of June 2015, which was continued to the 14th day of July 2015, hold a duly noticed Public Hearing for review of a Zoning Ordinance Amendment to amend Chapter 9.150.060 of the La Quinta Municipal Code, as identified by Title of this Resolution; and

WHEREAS, subsequent to said Public Hearing, the Planning Commission of the City of La Quinta did adopt Planning Commission Resolution 2015-007 to recommend to the City Council adoption of said Zone Ordinance Amendment; and,

WHEREAS, the Community Development Department published a public hearing notice for this request in *The Desert Sun* newspaper on July 24, 2015, as prescribed by the Municipal Code; and,

WHEREAS, the proposed amendments are intended to serve as an interim allowance, expiring September 4, 2016, as prescribed in Section 4 below. During this interim period, the Community Development Department will comprehensively address new parking standards for the Village, as well as update existing alternatives such as the parking fee in-lieu program, consideration of alternative methods and parking reductions specific to the Village; and,

WHEREAS, at said public hearing, upon hearing and considering all testimony and arguments, if any, of all interested persons wanting to be heard, the City Council did make the following mandatory findings to justify adoption of said Zoning Ordinance Amendment:

1. Consistency with General Plan

The code amendment is consistent with the goals, objectives and policies of the General Plan. The proposed amendments are supported by Policy LU-6.2, relating to the maintenance of development standards in the Zoning Ordinance to assure a

high quality of development; Goal LU-7.1, relating to innovative land uses in the Village; Policy LU-7.7 relating to allowing creative parking alternatives in the Village.

2. Public Welfare

Approval of the code amendment will not create conditions materially detrimental to the public health, safety and general welfare. The amendment allows for reduced parking standards and does not incorporate any changes that affect the regulation and/or provision of public services, utility systems, or other foreseeable health, safety and welfare considerations.

NOW, THEREFORE, the City Council of the City of La Quinta does ordain as follows:

SECTION 1. That the above recitations are true and constitute the Findings of the City Council in this case.

SECTION 2. The proposed zone text amendment is exempt from environmental review under CEQA, pursuant to Section 15061(b)(3), Review for Exemptions – General Rule, in that it can be seen with certainty that there is no possibility for this action to have a significant effect on the environment, and individual development plans will be reviewed under CEQA as they are proposed.

SECTION 3. That the City Council does hereby approve Zoning Ordinance Amendment 2015-0001, as set forth in attached Exhibit “A,” for the reasons set forth in this Resolution.

SECTION 4. This Ordinance shall be in full force and effect thirty (30) days after its adoption.

SECTION 5. The City Clerk shall, within 15 days after passage of this Ordinance, cause it to be posted in at least three public places designated by resolution of the City Council, shall certify to the adoption and posting of this Ordinance, and shall cause this Ordinance and its certification, together with proof of posting to be entered into the Book of Ordinances of the City of La Quinta.

PASSED, APPROVED and ADOPTED at a regular meeting of the La Quinta City Council held this 15th day of September, 2015, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

LINDA EVANS, Mayor
City of La Quinta, California

ATTEST:

SUSAN MAYSELS, City Clerk
City of La Quinta, California

(CITY SEAL)

APPROVED AS TO FORM:

WILLIAM H. IHRKE, City Attorney
City of La Quinta, California

DRAFT AMENDMENTS

Amend 9.150.060, Spaces required by use, as follows:

9.150.060 Spaces required by use.

- A. Land Uses Not Listed. If no provisions for the required number of off-street parking spaces are set forth in Tables 9-11 or 9-12 of this section or the provisions are not clear for a specific use, the decision-making authority for the applicable use or project shall determine the number of parking spaces required.
- B. Definition of GFA. For purposes of this chapter and this code, gross floor area or GFA means the total square footage of all floors of a building, including the exterior walls but excluding courtyards and other outdoor areas.
- C. Parking for Residential Land Uses.
 - 1. Table 9-11 following contains the minimum number of parking spaces required for each type of residential land use.
 - 2. Whenever any commercial or industrial use is located on a building site that is also used for residential purposes, parking facilities shall be provided for the residential use per Table 9-11 in addition to the spaces required for the nonresidential use(s).
- D. Parking Requirements within the La Quinta Village. Properties within the Village Commercial zoning district shall be subject to the following requirements:
 - 1. For all new development and expansion of existing business, a 50% reduction of the off-street parking required in Table 9-11, is permitted. For all changes of use, no additional off-street parking is required.
 - a. Prior to submittal of applications for entitlement permits or building permits, the Community Development Department shall determine whether a project is categorized as new, expansion, or change of use.

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF LA QUINTA)

I, SUSAN MAYSELS, City Clerk of the City of La Quinta, California, do hereby certify the foregoing to be a full, true, and correct copy of Ordinance No. 528 which was introduced at a regular meeting on the 4th day of August, 2015 and was adopted at a regular meeting held on the 15th day of September, 2015, not being less than 5 days after the date of introduction thereof.

I further certify that the foregoing Ordinance was posted in three places within the City of La Quinta as specified in the Rules of Procedure adopted by City Council Resolution No. 2015-023.

SUSAN MAYSELS, City Clerk
City of La Quinta, California

DECLARATION OF POSTING

I, SUSAN MAYSELS, City Clerk of the City of La Quinta, California, do hereby certify that the foregoing ordinance was posted on _____, pursuant to Council Resolution.

SUSAN MAYSELS, City Clerk
City of La Quinta, California

