

# Agenda Report

**TO:** CITY COUNCIL

**DATE:** NOVEMBER 25, 2002

**FROM:** CITY MANAGER

**SUBJECT:** REVISIONS TO THE ZONING CODE — TRANSIT-ORIENTED DEVELOPMENT, MEDICAL OFFICE PARKING, HOURS OF LOADING AND UNLOADING, FENCES WITH FORGED POINTS (SPIKES), INTERNET ACCESS STUDIOS AND ADMINISTRATIVE PROVISIONS

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## **CITY MANAGER'S RECOMMENDATION:**

It is recommended that the City Council, following a public hearing:

1. Adopt a finding that the proposed amendments to the Zoning Code are consistent with the General Plan as outlined in this report; and
2. Approve the proposed amendments to the Zoning Code as contained in this report.

## **PLANNING COMMISSION'S RECOMMENDATION:**

The Planning Commission reviewed these amendments on October 23<sup>rd</sup> and recommended unanimously to approve proposed amendments with the exception of the amendment regarding the time period for the discontinuance of nonconforming uses, where it recommended a period of six months. The Commission's other comments have been incorporated into this recommendation.

## **TRANSPORTATION ADVISORY COMMISSION RECOMMENDATION:**

The Transportation Advisory Commission (TAC) reviewed the proposed amendments regarding Transit Oriented Development on September 13, 2002. On a vote of 3 to 2, they voted to recommend the staff's recommendation. One of the concerns was that a reduction in parking should be on a case-by-case basis and not codified within the Zoning Code. This would allow the City to further mitigate potential impacts through, for example, a transit subsidy. Another concern was whether the transit-oriented development proposal worked within the framework of the City's overall transit plan.

## **DESIGN COMMISSION RECOMMENDATION:**

The Design Commission reviewed the proposed changes to the Design Review Chapter in the code and the thresholds for design review on October 14, 2002. They voted unanimously to recommend approval of the proposed amendments.

## **EXECUTIVE SUMMARY:**

The City is updating the General Plan, completing the Central District Specific Plan, and revising

the Zoning Code to implement the General Plan adopted in 1994. The major amendments have been placed in the body of this report with further information contained in Attachment A. Other administrative amendments are contained in Attachment D. This report contains two amendments that were continued from the October 21<sup>st</sup> City Council public hearing: Internet access studios and tandem parking for multifamily residential uses. A summary of the major recommendations is as follows:

- Establish new standards for Internet Access Studios including parking.
- Allow tandem parking for multifamily residential projects at 30 percent of the required parking.
- Increase the parking for medical office uses from 3 spaces per 1,000 sq. ft. to 4 spaces per 1,000 sq. ft.
- Set hours of loading and unloading for commercial/industrial uses within 150 feet of a residential district.
- Establish standards for transit-oriented development within a quarter mile of light rail stations.
- Modify the discontinuance period for nonconforming uses from 90 days to 1 year.
- Increase 300-foot notification to 500 feet; increase 150-foot notification to 300 feet, require sign to be posted on-site.

## **BACKGROUND:**

### **1. Internet Access Studios**

This item was continued from the October 21<sup>st</sup> City Council hearing so that the proposed standards for Internet access studios could be provided. The Council was presented a table that illustrated a breakdown of the commercial entertainment uses and in which districts these uses will be conditionally permitted. This table is contained in Attachment A along with the proposed standards for Electronic Game Center and Internet Access Studios.

### **2. Tandem Parking for Residential Uses**

This item was continued from the October 21<sup>st</sup> hearing in order for staff to provide additional information about tandem parking for residential projects. Attachment B contains the proposed requirements, a diagram of a tandem parking space, an example of how tandem parking is calculated and examples of recent projects that were approved with tandem parking. The recommendation is to allow tandem parking of up to 30 percent for residential projects. At the October 21<sup>st</sup> public hearing, a concern was raised that tandem parking can result in increased parking on the street. Several multifamily projects with tandem parking were observed to see if street parking was an issue. Staff reviewed and concluded that such parking would not lead to increased parking on the street.

### **3. Increase Parking Requirement for Medical Office Uses**

The recommendation is that parking for medical office uses be increased because medical office uses have a higher parking demand than business and professional office uses. The current code requirement for medical offices is 3 spaces per 1,000 square feet. The proposed parking would be 4 spaces per 1,000 square feet. See Attachment C for parking requirements for medical offices in comparison to other California cities.

### **4. Transit-Oriented Development**

This is a new provision within the zoning code and is designed to ensure that new development around light rail stations is transit-oriented and encourages pedestrian activity. It is intended to implement the Mobility Element goal that calls for provisions that maximize the use of light rail. It will promote complementary uses or a mixture of uses that encourage transit uses, for instance, uses that have daily destinations such as housing and workplaces, secondary destinations such as convenient shopping, service retail, and other commercial uses for transit

riders, and frequent destinations for those using transit. The recommendation is contained in Attachment A.

#### **5. Hours of Loading and Unloading**

The recommendation is to limit loading and unloading and trash pickup within commercial districts, including the Central District from 7 am to 9 pm for uses that are within 150 feet of a residential zoning district. On Saturday, this restriction would be from 9 am to 5 pm and no loading and unloading would be allowed on Sunday.

#### **6. Nonconforming Uses and Structures**

The code requires that a nonconforming use that is discontinued or abandoned for a continuous period of 90 days or more shall not be reestablished. The code lacks any provision on what constitutes abandonment. When a nonconforming use or structure is involuntarily damaged or destroyed, it cannot be rebuilt if the damage is greater than 50% as determined by comparing the cost of building a completely new building to the cost of repairing the existing. See Attachment A for a comparison of other cities time periods for discontinuance of nonconforming uses and the recommendation.

#### **7. Notification**

For conditional use permits (CUPS), variances, lot line adjustments, parcel and tract maps, the notification is 300 feet. For minor conditional use permits (MCUPS) minor variances and sign exceptions, the notification is 150 feet. As part of the notification process, notices are posted around a site. Staff reviewed the City's notification requirements with other cities. A comparison of other city's notification requirements is contained in Attachment A along with the recommendation to expand the notification requirement.

### **ENVIRONMENTAL DETERMINATION:**

The City Council is conceptually reviewing these code amendments. An Environmental Impact Report is being prepared for the revisions of the entire Zoning Code as part of a larger project. The City Council will review the entire revised Zoning Code and Environmental Impact Report later.

### **CONSISTENCY WITH THE GENERAL PLAN:**

The proposed amendments are consistent with the General Plan's land use objectives and policies as follows. Generally, the Mobility Element calls for the City to focus development around light-rail stations and to develop programs that encourage the use of other types of transportation than the automobile. It calls for mandating maximums for parking and to develop reductions in maximum parking linked to increases in transit/rideshare uses.

**TARGETED DEVELOPMENT:** Direct higher density development away from Pasadena's residential neighborhoods and into targeted areas, thereby creating an exciting urban core with diverse economic, housing, cultural and entertainment opportunities.

**Policy 1.3 - Transit-Oriented and Pedestrian-Oriented Development:** Within targeted development areas, cluster development near light rail stations and along major transportation corridors thereby creating transit-oriented development "nodes" and encouraging pedestrian access.

**Policy 1.5 Urban Villages:** Authorize and encourage Urban Villages where appropriate and feasible in the urban core.

#### **Mobility Element - Objectives and Policies**

- Develop Strategies to Maximize Use of Light Rail
- Decrease Reliance on Automobiles
- Increase the Use of Bicycling and Walking

- Develop Parking Supply Programs
  - A. Modify Parking Code to mandate maximum on-site supply over time, linked to increases in transit/rideshare use.
  - B. Modify Parking Code to include minimum requirements for rideshare and bicycle parking spaces.

**Objective 25** – Provide clear, understandable information to encourage more citizen involvement in the planning process from the Pasadena community.

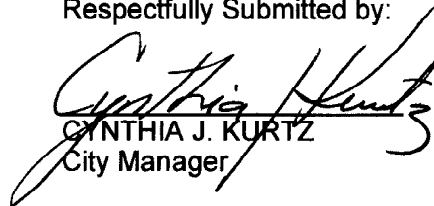
**CHILDREN, YOUTH AND FAMILY IMPACT:**

The revisions to the Zoning Code are intended to reduce the impact of new uses on adjacent uses including residences. These amendments will further reduce the impact of such uses as Internet access studios.

**FISCAL IMPACT:**

Any proposed increases in notification requirements will result in an increase in fees to recover the additional cost. A preliminary analysis was conducted using the actual number of parcels that have been notified under the current 300-foot requirement and the results were extrapolated for the 500-foot requirement. Based upon actual number of parcels notified in a variety of situations, (residential, commercial, hillside, etc.) the proposed increase in cost would be approximately 67 per cent. This would increase the fee from an existing \$250 to \$412. Projects that are subject to the minor cup process which are currently noticed at 150 feet will be increased -from \$64 to \$107. These fees will be incorporated into the FY-04 General Fee Schedule if approved by the Council.


Respectfully Submitted by:

  
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