



# **CITY COUNCIL AGENDA REPORT**

MEETING DATE: MAY 15, 2012

ITEM NUMBER:

**SUBJECT: SECOND READING OF CODE AMENDMENT C0-12-05: AN AMENDMENT TO TITLE 13, CHAPTER VI, OF THE COSTA MESA MUNICIPAL CODE RELATED TO OFF-STREET PARKING REQUIREMENTS FOR ESTABLISHMENTS WHERE FOOD AND BEVERAGES ARE SERVED**

**DATE: MAY 11, 2012**

**FROM: DEVELOPMENT SERVICES DEPARTMENT**

**PRESENTATION BY: CLAIRE FLYNN, ACT. ASST. DEV. SVCS. DIRECTOR**

**FOR FURTHER INFORMATION CONTACT: CLAIRE FLYNN, 714 754 5278  
[claire.flynn@costamesaca.gov](mailto:claire.flynn@costamesaca.gov)**

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## **RECOMMENDATION**

Give second reading to Ordinance 12-04, amending Title 13 of the Costa Mesa Municipal Code to revise parking rates for specified establishments where food and beverages are served.

## **BACKGROUND**

On April 9, 2012, the Planning Commission recommended approval of the ordinance to revise the City's current parking rates related to restaurants, eateries, cafes, and other food/beverage establishments. On May 1, 2012, City Council approved the ordinance.

  
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CLAIRE FLYNN, AICP  
Act. Asst. Dev. Svcs. Director

  
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KHANH NGUYEN  
Interim Development Services Director

**ATTACHMENTS: 1. Ordinance No. 12-04**

**DISTRIBUTION:** Chief Executive Officer  
Deputy CEO  
City Attorney  
Public Services Director  
Transportation Svcs. Mgr.  
City Clerk (2)  
South Coast Metro Alliance  
Chamber of Commerce  
CJ Segerstrom & Sons

ORDINANCE NO. 12-04

AN ORDINANCE OF THE CITY COUNCIL OF COSTA MESA, CALIFORNIA ADOPTING ZONING CODE AMENDMENT CO-12-05, AMENDING TITLE 13, CHAPTER VI, OFF-STREET PARKING STANDARDS, ARTICLE 2, NONRESIDENTIAL DISTRICTS, SECTION 13-89, TABLE 13-89, NONRESIDENTIAL PARKING STANDARDS, OF THE COSTA MESA MUNICIPAL CODE REGARDING OFF-STREET PARKING REQUIREMENTS FOR ESTABLISHMENTS WHERE FOOD OR BEVERAGES ARE SERVED.

THE CITY COUNCIL OF THE CITY OF COSTA MESA DOES HEREBY ORDAIN AS FOLLOWS:

**SECTION 1: TITLE 13.** Title 13, Chapter VI, Off-Street Parking Standards, Article 2, NonResidential Districts, Section 13-89, Parking Required, Table 13-89, Nonresidential Parking Standards, of the Costa Mesa Municipal Code is hereby amended as follows:

- a. Row 1 [under the "Use" and "Parking Ratio Per Gross Floor Area" header row] of Table 13-89, Nonresidential Parking Standards, shall be modified to indicate as follows:

"

Retail; Offices; Central Administrative Offices;	4 spaces per 1,000 square feet with a minimum of 6 spaces
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"

- b. Row 2 shall be added to Table 13-89 to indicate as follows:

"

Establishments Where Food or Beverages are Served with a maximum of 300 square feet of Public Area <sup>1</sup>	4 spaces per 1,000 square feet with a minimum of 6 spaces <sup>2</sup>
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"

- c. Row 9 (previously Row 8) of Table 13-89 shall be modified to indicate as follows:

"

Establishments Where Food or Beverages are Served with more than 300 square feet of Public Area <sup>1</sup>	10 spaces per 1,000 square feet for the first 3,000 square feet; <sup>2</sup>
	12 spaces per 1,000 square feet for each additional 1,000 square feet above the first 3,000 square feet. <sup>2</sup>

"

d. Modify Footnote Number 2 of Table 13-89 to indicate as follows:

"<sup>2</sup> The outdoor patio seating area(s) shall be added to the gross floor area of the building for purposes of determining the required parking."

e. Add Footnote Number 3 to Table 13-89 to indicate as follows:

"<sup>3</sup> The final review authority may apply a maximum credit of one parking space due to the provision of bicycle racks. This credit shall only apply to the overall parking supply and not to multiple uses."

**SECTION 2: ENVIRONMENTAL DETERMINATION.** The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA guidelines, and the City's environmental procedures, and has been found to be exempt pursuant to Section 15061 (b) (3) (general rule) of the CEQA Guidelines, in that the City Council hereby finds that it can be seen with certainty that there is no possibility that the passage of this ordinance amending the zoning code will have a significant effect on the environment..

**SECTION 3: INCONSISTENCIES.** Any provision of the Costa Mesa Municipal Code or appendices thereto inconsistent with the provisions of this ordinance, to the extent of such inconsistencies and or further, is hereby repealed or modified to the extent necessary to affect the provisions of this ordinance.

**SECTION 4: SEVERABILITY.** If any provision or clause of this ordinance or the application thereof to any person or circumstances is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other provisions or clauses or applications of this ordinance which can be implemented without the invalid provision, clause or application; and to this end, the provisions of this ordinance are declared to be severable.

**SECTION 5: PUBLICATION.** This Ordinance shall take effect and be in full force thirty (30) days from and after the passage thereof, and prior to the expiration of fifteen (15) days from its passage shall be published once in the ORANGE COAST DAILY PILOT, a newspaper of general circulation, printed and published in the City of Costa Mesa or, in the alternative, the City Clerk may cause to be published a summary of this Ordinance and a certified copy of the text of this Ordinance shall be posted in the office of the City Clerk five (5) days prior to the date of adoption of this Ordinance, and within fifteen (15) days after adoption, the City Clerk shall cause to be published the aforementioned summary and shall post in the office of the City Clerk a certified copy of this Ordinance together with the names and member of the City Council voting for and against the same.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_ 2012.

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ERIC BEVER  
Mayor of the City of Costa Mesa

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
City Clerk of the City of Costa Mesa

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City Attorney

