



PLANNING COMMISSION

AGENDA REPORT

VI.4

MEETING DATE: AUGUST 25, 2008

ITEM NUMBER

SUBJECT: ZONING CODE AMENDMENT CO-08-001: OFF-STREET PARKING STANDARDS FOR SINGLE FAMILY RESIDENCES WITH FIVE OR MORE BEDROOMS

DATE: AUGUST 13, 2008

FOR FURTHER INFORMATION CONTACT:

**MINOO ASHABI, AIA, SENIOR PLANNER
(714) 754-5610**

DESCRIPTION

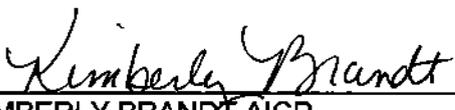
The proposed ordinance amends Title 13 of the Costa Mesa Municipal Code with respect to off-street parking standards for single family residences with five or more bedrooms within R1 zoning district. In addition, the ordinance will establish criteria for minor modifications and limitations on paved areas in the front yard.

RECOMMENDATION

Recommend that City Council give first reading to the ordinance by minute order.



MINOO ASHABI, AIA
Senior Planner



KIMBERLY BRANDT AICP
Asst. Development Svs. Director

BACKGROUND:

On April 3, 2008, staff provided Commission a brief analysis and potential options for an increase in the number of parking spaces. Commission recommended that City Council authorize staff for additional time to prepare an in depth analysis.

On May 6, 2008, the Council directed staff to prepare Zoning Code amendment alternatives for consideration by the Planning Commission. Council expressed concern with requiring three-car garages for residences with five or more bedrooms and noted needed clarification on parking requirements, including nonconforming residences regardless of the number of bedrooms.

On July 14, 2008, staff prepared four alternatives for consideration of the Commission as follows:

- Alternative 1 – Current Code (No Change) Alternative
- Alternative 2 – Three-Car Garage/ Three-Open Spaces Alternative
- Alternative 3 – One Additional Parking Space Alternative
- Alternative 4 – Separate Parking Requirements Alternative

Commission was generally in support of establishing the threshold of five bedrooms for requiring additional parking. Furthermore, Commission was supportive of requiring one additional garage space and the tandem garage option. Since four alternatives were presented, the Commission concurred on Alternative Four with minor modifications and directed staff to further study this alternative requiring a three car garage for new construction and room additions.

To address potential requests for deviations from the parking standards, the Commission also asked staff to make changes related to minor modifications and variances.

ANALYSIS:

Code Amendment CO-08-001

The Planning Commission modified Alternative 4 to require a three-car garage for new five bedroom or larger homes and existing home with additions resulting in five or more bedrooms. As directed by Commission, this alternative allows tandem parking for garage spaces; however, tandem parking on a driveway would not be counted toward compliance with the parking standards.

The ordinance involves the following changes to the Zoning Code:

(1) Chapter 1, Section 13-6, Definitions – The Code amendment involves the following new definitions:

- **Driveway, individual or private** – For residential properties, exclusively the paved area leading to the garage/carport, not extending beyond the garage/carport unless curvilinear for necessary turning radius, and used for vehicle parking purposes to satisfy the off-street parking requirements.
- **Driveway, common** – A paved area providing shared access to vehicles by serving two or more structures or adjacent property owners.

- **Paved Area** – Ground surface covered with cobblestone, clay-fired bricks, concrete precast paver units, poured concrete with or without decorative surface materials, or asphaltic or rubber mixture which may include sand, stone, or gravel as an ingredient to create a hard surface. A graded natural surface or one covered with rolled stone or overlaid with loose gravel is not considered paved area.
- **Tandem Parking** – The placement of parking spaces one behind the other, so that the space nearest the driveway, alley, or street access serves as the only means of access to the other space. Tandem parking in a garage occurs where one vehicle is parked behind another vehicle.

(2) **Chapter VI, Section 13-85, Parking Required** – The following code amendment will establish off-street parking requirements for residential development with five or more bedrooms.

TABLE 13-85		
Off-Street Parking Standards for R1 and Small-Lot, Detached, Single-Family Common Interest Developments		
Single-Family Residence with 4 Bedrooms or Fewer		
Garage Parking Spaces	Open Parking Spaces¹	Total Parking Spaces
2	Lots without garage access from alley: 2	4
	Lots with garage access from alley: 1	3
Single-Family Residence with 5 Bedrooms or More		
New Construction and Additions²		
Garage Parking Spaces	Open Parking Spaces¹	Total Parking Spaces³
3	Lots without garage access from alley: 2	5
	Lots with garage access from alley: 1	4
<ol style="list-style-type: none"> 1. In R1 zones, required open parking may be provided in a garage or on a minimum 19-foot long, individual driveway leading to a garage. Any other area in the front setback and outside of the individual driveway, including other paved areas near or contiguous to the driveway, shall not be used for vehicle parking purposes. In common-interest developments, required open parking may be provided on an individual unit's driveway or within the common area. 2. These parking standards are applicable to new construction of single-family residences with five bedrooms or more and to existing residences increased to five bedrooms or more. 3. For single-family residences with five bedrooms or more, tandem parking of up to two standard vehicles is permitted in the garage. Tandem parking shall exclusively consist of two standard parking spaces. Tandem parking of two or more vehicles on an individual driveway does not satisfy the off-street parking requirements. 		

- (1) **Required garage dimensions:** Each garage space shall have interior dimensions that are a minimum 10 feet wide by 20 feet long, unobstructed inside measurements. Each residence shall have no more than 700 square feet of garage area unless authorized by a minor conditional use permit.
- (2) **Application to an existing residence:** The off-street parking requirements stated above for single-family residences with 4 bedrooms or fewer shall not be applied to an existing residence at the time the residence is increased in size, unless the number of bedrooms is increased to 5 or more bedrooms. The off-street parking requirements stated above for single-family residences with 5 bedrooms or more shall be applied to an existing residence with 5 or more bedrooms at the time additional bedrooms are added to the residence.
- (3) **Minor Modifications.**
- With approval of a minor modification, the Planning Division may allow the retention of an existing driveway access from a street to satisfy open parking requirements, at such time that garage access is proposed from an abutting alley.
 - For single-family residences, minor additions resulting in five bedrooms or more and accounting for a maximum 10 percent of the total square footage of a residence (excluding the garage area) may also be considered for minor modifications to the off-street parking standards. See Table 13-28(j)(1), Minor Modification.

(3) **Chapter V, Table 13-32, Residential Development Standards** – The following Code amendment will establish a standard for maximum front yard coverage to ensure that paved areas are limited. This Code amendment addresses the Commission's concerns regarding driveways and paved areas dominating the front yard and eliminating landscaping.

Table 13-32 [excerpt only]				
Residential Development Standards				
STANDARDS	R1	R2-MD	R2-HD	R3
Front Setback	20 feet			
Front Yard Coverage (Maximum)	Paved Area: 50% of front yard area.* *This requirement applies to new residences and existing residences requiring a building permits for an addition of any size. *Front yard area equals lot width, measured from side property line to side property line, multiplied by 20 feet. The 20-foot depth shall be measured from the front property line. *Exception: Cul-de-sac residential lots and existing single-family residences with five bedrooms or more are exempt from the front yard coverage requirement.			

(4) **Chapter III, Section 13-28 (j), Minor Modifications** – The following Code amendment will establish the criteria for approving deviations from the off-street parking standards by minor modification. The minor modification would provide relief from the zoning regulations for minor room additions to single-family residences resulting in five bedrooms or more.

Staff is defining “minor additions” as consisting of a maximum 10 percent of the total square footage of the remodeled structure, excluding the garage area. For example, a 10 percent (or 250 square-foot) addition to a 2,500 square-foot residence with five bedrooms with an existing substandard two-car garage would be able to request a minor modification.

TABLE 13-28(j)(1) Minor Modification	
Standard	Deviation Range
<ul style="list-style-type: none"> • Decrease in required number of garage spaces* 	To not less than two garage spaces
<ul style="list-style-type: none"> • Decrease in front yard coverage due to driveway area* 	10% or less

**The deviation applies only to additions to an existing single-family residence, where the remodeled residence is increased to five or more bedroom, and the addition accounts for a maximum 10 percent or less of the new total building square footage (excluding garage area).*

Variance Process

Staff is recommending deviation requests that result in more than 10% added floor area with substandard garages be considered by the Planning Commission. This process would allow Commission to review variance requests on a case-by-case basis.

Existing Homes with Additions versus New Construction

Staff intends that the Code amendment be applicable to new construction and major additions resulting in residences increased to five bedrooms or more. In other words, the following existing conditions would not be subject to these new off-street parking requirements:

- Existing, nonconforming residences (regardless of bedroom count) that are nonconforming with the current parking standards or become nonconforming as a result of a new code amendment.
- Existing residences with additions which do not increase the number of bedrooms to five bedrooms or more. In other words, if an existing five-bedroom home is increased in size by creating larger rooms but not by adding new bedrooms, this project is not subject to the three-car garage requirement.

Public Information

To provide an easy to understand update to the public, staff will also prepare a Frequently Asked Questions (FAQs) sheet, once the Ordinance is adopted.

ALTERNATIVES CONSIDERED:

Planning Commission may choose one of the following recommendations to City Council by minute order:

1. Give first reading to the Ordinance as recommended by staff.
2. Give first reading to the Ordinance, with any modifications.
3. Receive/file Ordinance and retain the City's existing zoning provisions.

ORDINANCE NO. 08-

**AN ORDINANCE OF THE CITY COUNCIL OF COSTA MESA,
CALIFORNIA ADOPTING ZONING CODE AMENDMENT CO-08-
001, WHICH AMENDS TITLE 13 OF THE COSTA MESA
MUNICIPAL CODE REGARDING REQUIRED OFF-STREET
PARKING FOR FIVE OR MORE BEDROOMS HOMES,
MINIMUM LANDSCAPE AND MAXIMUM HARDSCAPE AND
MINOR MODIFICATION CRITERION**

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

SECTION 1: CODE AMENDMENT. Title 13 of the Costa Mesa Municipal Code is hereby amended as follows:

- a. Amend Chapter I, Section 13-6, Definitions, by adding the following new definitions:

"Driveway, individual or private – For residential properties, exclusively the paved area leading to the garage/carport, not extending beyond the garage/carport unless curvilinear for necessary turning radius, and used for vehicle parking purposes to satisfy the off-street parking requirements." And

"Driveway, common – A paved area providing shared access to vehicles by serving two or more structures or adjacent property owners." And

"Paved Area – Ground surface covered with cobblestone, clay-fired bricks, concrete precast paver units, poured concrete with or without decorative surface materials, or asphaltic or rubber mixture which may include sand, stone, or gravel as an ingredient to create a hard surface. A graded natural surface or one covered with rolled stone or overlaid with loose gravel is not considered paved area." And

"Tandem Parking – The placement of parking spaces one behind the other, so that the space nearest the driveway, alley, or street access serves as the only means of access to the other space. Tandem parking in a garage occurs where one vehicle is parked behind another vehicle."

- b. Amend Chapter II, Table 13-28(j)(1) as follows:

“(j) **Minor modification.** Any deviation from an adopted development standard in this Zoning Code that meets the criteria listed in Table 13-28(j)(1).

(1)

TABLE 13-28(j)(1) MINOR MODIFICATION	
Standard	Deviation Range
Decrease in required front yard depth; provided that in residential zones, the garage is set back a minimum of 19 feet from the front property line.	20% or less
Decrease in required rear yard depth.	20% or less
Decrease in required side yard width.	20% or less
Increase in maximum fence/wall height.	33 1/3% or less
Decrease in 5-foot setback on street side for fences/walls in excess of 36 inches on corner lots in multi-family residential zones.	100% or less
Increase in depth of permitted projections into required yards.	20% or less
Decrease in minimum driveway width for two or more dwelling units.	to not less than 10 feet
Deviation in sign area, height, setbacks, separation and other sign specifications	10% or less
Decrease in required distance between main structures	20% or less
Decrease in required distance between accessory and main structures	20% or less
Decrease in required number of garage spaces*	<u>To not less than two garage spaces</u>
Decrease in front yard coverage due to driveway area*	10% or less

*The deviation applies only to additions to an existing single-family residence, where the remodeled residence is increased to five or more bedroom, and the addition accounts for a maximum 10 percent or less of the new total building square footage (excluding garage area).”

c. Amend Chapter VI, Section 13-85, as follows:

“Sec. 13-85. PARKING REQUIRED

In the residential districts, the following minimum off-street parking spaces shall be provided. The parking spaces shall provide safe and adequate ingress and egress and shall be maintained in connection with the building or structure and use of land.

(a) **R1 zone and small-lot single-family common interest developments (excluding townhouses).**

At the time of the construction of a residence, ~~o~~Off-street parking in the form of a garage and open parking shall be provided as follows:

TABLE 13-85		
<u>Off-Street Parking Standards for R1 and Small-Lot, Detached, Single-Family Common Interest Developments</u>		
<u>Single-Family Residence with 4 Bedrooms or Fewer</u>		
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<u>Garage Parking Spaces</u>	<u>Open Parking Spaces¹</u>	<u>Total Parking Spaces³</u>
3	Lots without garage access from alley: 2	5
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<p>1. In R1 zones, required open parking may be provided in a garage or on a minimum 19-foot long, individual driveway leading to a garage. Any other area in the front setback and outside of the individual driveway, including other paved areas near or contiguous to the driveway, shall not be used for vehicle parking purposes. In common-interest developments, required open parking may be provided on an individual unit's driveway or within the common area.</p> <p>2. These parking standards are applicable to new construction of single-family residences with five bedrooms or more and to existing residences increased to five bedrooms or more.</p> <p>2.3. For single-family residences with five bedrooms or more, tandem parking of up to two standard vehicles is permitted in the garage. Tandem parking shall exclusively consist of two standard parking spaces. Tandem parking of two or more vehicles on an individual driveway does not satisfy the off-street parking requirements.</p>		

- (1) **Required garage dimensions:** Each garage space shall have interior dimensions that are a minimum 10 feet wide by 20 feet long, unobstructed inside measurements. Each residence shall have no more than 700 square feet of garage area unless authorized by a minor conditional use permit.
- (2) **Application to an existing residence:** The off-street parking requirements stated above shall not be applied to an existing residence at the time the residence is increased in size and/or the number of bedrooms is increased. The off-street parking requirements stated above for single-family residences with 4 bedrooms or fewer shall not be applied to an existing residence at the time the residence is increased in size, unless the number of bedrooms is increased to 5 or more bedrooms. The off-street parking requirements stated above for single-family residences with 5 bedrooms or more shall be applied to an existing residence with 5 or more bedrooms at the time additional bedrooms are added to the residence.
- (3) **Minor Modifications:**
 - a. With approval of a minor modification, the Planning Division may allow the retention of an existing driveway access from a street to satisfy open parking requirements, at such time that garage access is proposed from an abutting alley.
 - b. For single-family residences, minor additions resulting in five bedrooms or more and accounting for a maximum 10 percent of the total square footage of a residence (excluding the garage area)

may also be considered for minor modifications to the off-street parking standards. See Table 13-28(i)(1), Minor Modification.”

d. Amend Chapter V, Table 13-32, Residential Development Standards, as follows:

“Table 13-32 [excerpt only] Residential Development Standards				
STANDARDS	R1	R2-MD	R2-HD	R3
Front Setback	20 feet			
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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 9b) (30 (general rule) of the CEQA Guidelines.

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 _____ 2008.

ERIC BEVER
Mayor of the City of Costa Mesa

ATTEST:

APPROVED AS TO FORM:

City Clerk of the City of Costa Mesa

City Attorney

