

Draft Code Language to Amend the Existing Parking Code

Draft amendments are shown in red line edit format with text to be deleted in ~~strike through~~ and language to be added in underline:

Chapter 30.80 - PARKING

30.80.010 - Purpose.

The purpose of this Chapter is to establish a unified set of regulations, standards, and procedures pertaining to the provision of off-street parking spaces in a manner that preserves the community character and effectively addresses the peak parking needs of allowed uses. The intent is to offer a range of parking options that support multi-modal transit alternatives consistent with the City's Community Plan and Climate Action Plan, and to facilitate efficient use of parking in commercial zones in order to reduce the potential for adverse impacts on adjacent residential neighborhoods.

(Ord. No. 509; Ord. No. 722; Ord. No. 778; Ord. No. 815; Ord. No. 817; Ord. No. 821; Ord. No. 850; Ord. No. 856; Ord. No. 924, § 1, 12-5-2016)

30.80.020 - General Parking Regulations.

- A. Unless otherwise permitted pursuant to the Del Mar Municipal Code, every person conducting a use on private property shall provide permanently maintained off-street parking spaces reserved for parking purposes only, with such off-street parking spaces designed and installed in the amount and in the manner required by this Chapter.
- B. Off-street parking spaces may be provided in a common area to meet the required parking for two or more uses located on the same site. Separate areas for the parking spaces corresponding to each use are not required. The use of common parking areas shall not modify the minimum parking requirements, which shall remain the sum of the required spaces of all uses computed separately, unless otherwise authorized pursuant to a Shared Parking Permit.
- C. When an existing use with a structural nonconformity per Section 30.76.030 does not meet the off-street parking requirement and is proposed to be enlarged, then additional off-street parking shall be provided for the proposed enlargement at the rate required by Section 30.80.030.
- D. Unless approved through a Conditional Use Permit (CUP) pursuant to Chapter 30.74, the parking of motor vehicles shall be without monetary charge when such parking is required pursuant to this Chapter. This Section shall not prohibit measures to limit the use of such parking to the owners, proprietors, employees, and customers for which the parking is required and provided. Any

CUP authorized to allow a monetary charge for parking shall be subject to conditions and the findings for approval in Section 30.74.020 and shall only be allowed during times at least 30 minutes before or after the hours of operation for which the parking is required to ensure that the monetary charge will not result in adverse impacts to the availability of parking either in the public right-of-way or on other private properties in the vicinity.

E. Accessible parking spaces shall be provided in accordance with Title 24 of the California Building Code and shall be designed to meet applicable State and Federal standards for accessibility. Section 30.80.085 provides a process for existing uses to bring existing parking into compliance in cases where no expansion of the existing use is proposed.

F. Notwithstanding Section 30.80.020(C), within the Central Commercial Zone, no additional parking spaces shall be required for a change in commercial use to a retail sales, restaurant, or personal services use, including associated tenant improvements within an existing commercial building with non-conforming parking where the change in use and tenant improvements are consistent with the following:

1. The commercial tenant space was existing as of January 1, 2020;

2. All existing parking spaces that are currently relied upon by the commercial building tenants shall be maintained, unless and until a "Release of Covenant" is approved by the City and recorded with the County Recorder or other City authorization is granted. This limitation shall apply to any existing off-street parking spaces located on-site and any off-site parking spaces that are relied upon by the existing commercial development through an approved in-lieu parking space agreement and/or a recorded parking agreement. ;

3. The proposed change in use may involve the combination of existing tenant spaces, however, no tenant space on the lot shall exceed a maximum size of 5,000 square feet in gross floor area;

4. If a tenant space is proposed to be expanded, additional parking spaces must be provided for the area of expansion (includes indoor and outdoor use areas) at the rate set forth in Section 30.80.030;

5. No more than three restaurants shall be permitted per lot, including existing restaurant tenants; and

6. All changes in use must comply with the horizontal zoning requirements of the Central Commercial zone in Section 30.22.030.

G. A restaurant establishment is permitted to have one accessory food/beverage stand or cart on-site that is not subject to required parking provided that all of the following provisions are met:

1. The stand/cart shall not exceed one hundred square feet in area;

2. The stand/cart shall be open to the air on all sides to the extent possible except where it would preclude compliance with the San Diego County Health Department requirements applicable to food and beverage carts;

3. The parking exemption shall apply to a maximum of one accessory food/beverage stand or cart per lot;

4. The location of the stand/cart shall not interfere with access to required off-street parking spaces; and

5. A Design Review Permit is obtained in accordance with Section 23.08.030.

SECTION TWO: That DMMC Section 30.80.030 C. 1. (Required Number of Off-Street Parking Spaces for Non-Residential Uses) be amended as follows:

30.80.030 - Required Number of Off-Street Parking Spaces.

A. The number of off-street parking spaces required for each use shall not be less than those set forth in this Section.

1. The required off-street parking ratios are specified in Tables within Subsection B. for residential uses and Subsection C. for non-residential uses. References within the Parking Tables to "GFA" shall mean "gross floor area" and references to "sq. ft." shall mean "square feet".

2. Where the required parking ratio is based on the gross floor area of a use, any areas devoted to parking shall be excluded from the calculation.

3. When the calculation of required parking results in a fractional part of an automobile parking space, a remaining fraction of one-half space or more shall be construed as one space; and a remaining fraction of less than one-half space shall be disregarded.

B. Residential Use Parking Requirements.

1. The following Table identifies the required off-street parking for specified residential uses:

Residential Land Use	Required Off-Street Parking Ratio
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Boarding House; Lodging House; Fraternity-Sorority Housing		1 space per 2 sleeping rooms
Community Care Facility; Residential Care Facility		1 space for the facility operator plus 1 additional space for each employee during the largest shift; see Subsection B.3.
Dwelling Unit, Single-Family	Unit with 3 bedrooms or less	2 garage spaces per unit
	Unit with 4 bedrooms or more	3 spaces per unit (minimum 2 spaces in a garage)
Dwelling Unit, Multiple-Family	Studio or 1-bedroom unit	1 garage space per unit
	2-bedroom or 3-bedroom unit	2 spaces per unit (minimum 1 space in a garage)
	Unit with 4+ bedrooms	3 spaces per unit (minimum 2 spaces in a garage)
	Guest Parking	See Subsection B.2.
Mobile Home Park		1.5 spaces per mobile home or trailer site
Senior Care Facility; Nursing Facility		1 space for every 3 beds; see Subsection B.3.

2. In addition to the required off-street parking ratio specified in Subsection B.1., Multi-Family Dwelling Unit development shall comply with the following:
 - a. Provide one guest parking space per every four dwelling units;
 - b. Provide the guest parking spaces on the same parcel of land where the dwelling units are located;
 - c. Identify the spaces as "Guest Parking"; and
 - d. Prohibit the storage of recreational vehicles, boats, trailers, or similar oversized vehicles in guest parking spaces.
3. The parking rate for any community care, residential care or senior care facility may alternatively be provided at the same parking rate required for an equivalent dwelling unit.

4. The proposed remodel or enlargement of an existing dwelling unit with nonconforming garage parking is subject to Section 30.76.075.

C. Non-Residential Use Parking Requirements.

1. The following Table identifies the required off-street parking rate for specified non-residential uses that are grouped in the following general use categories: Commercial Services, Institutional, Office, Retail Sales, Vehicle and Vehicular Equipment Sales and Services, and Industrial.

Non-Residential Land Use	Required Off-Street Parking Ratio
<i>Commercial Services</i>	
Billiard Parlor	1 space per 150 sq. ft. GFA
Bowling Alley	4 spaces for each bowling lane
Child Daycare Facility	1 space per employee, plus 1 space per 5 children
Church or Religious Facility/ Auditorium/Public Assembly	1 space for each 5 seats of permanent seating; or 1 space for each 18 inches of bench seating (lineal inches); or 1 space per 7 sq. ft. of seating floor area where there is no permanent seating
Dance-Ballroom Hall/Meeting Hall	1 space per each 40 sq. ft. of GFA or 2 spaces for every 6 seats plus 1 additional space for each 30 sq. ft. of dance floor area
Golf Course	10 spaces for each hole or tee
Golf Driving Range	3 spaces for each hole or tee
Hotel/Motel	1.25 spaces for each lodging room/suite; and additional spaces for accessory commercial service uses greater than 500 sq. ft. GFA (using parking rate for that use type)
Miniature Golf Course	3 spaces for each hole or tee
Mortuary/Funeral Home/ Commercial Chapel	1 space for each 50 sq. ft. of assembly room GFA
Motion Picture and Live Theater	1 space for every 4 seats
<i>Personal Services</i>	
• 5,000 sq. ft. or less of GFA	1 space for each 300 sq. ft. of GFA
• 5,001 to 20,000 sq. ft. of GFA	17 spaces, plus 1 space for each additional 150 sq. ft. of GFA in excess of 5,000 sq. ft. of GFA

• More than 20,000 sq. ft. of GFA	17 spaces, plus 1 space for each additional 100 sq. ft. of GFA in excess of 20,000 sq. ft. GFA
Pet Services—Grooming	1 space per 300 sq. ft. of GFA
Restaurant/Bar/Cocktail Lounge/Tea Room/Other Business for the On-Site Consumption of Food and/or Beverage	1 space per 90 200 sq. ft. of GFA up to 5,000 4,000 sq. ft. and 1 space for each 45 90 sq. ft. of GFA in excess of 5,000 4,000 sq. ft. including all outdoor space, covered or uncovered, used for any restaurant purpose (Note: a restaurant is permitted one on-site accessory food/beverage stand or cart that is not subject to required parking in accordance with Section 30.80.020(G).)
<u>Outdoor Dining on Private Property (Accessory to a Restaurant/Bar/Cocktail Lounge/Tea Room/Other Business for the On-Site Consumption of Food and/or Beverage)</u>	<u>No additional parking requirement if outdoor seating area is equal to or less than the indoor seating area.</u> <u>For any outdoor seating area that exceeds the indoor seating area, parking shall be provided at a rate of 1 space per 200 sq. ft., for the excess outdoor area.</u>
Sports & Recreation Club/Facility	1 space per 400 sq. ft. GFA
Swimming Pool/Ice-Roller Skating Rink	1 space per 100 sq. ft. of pool/rink surface area
Tennis/Handball/Volleyball Courts	2.5 spaces for each court
Veterinarian/Boarding Kennel	1 space for each 200 sq. ft. of GFA (excludes overnight animal holding areas)
Warehouse/Storage Facility	1 space for each 1,000 sq. ft. of GFA
<i>Institutional</i>	
Hospital	1 space for each bed
Library	1 space for each 250 sq. ft. of GFA
Museum	1 space for each 250 sq. ft. of GFA
Post Office	1 space for each 300 sq. ft. of GFA, plus 1 additional space for each commercial vehicle operated or kept in connection with the use
Public Utilities	1 space for each 2 employees on the largest shift, plus 1 additional space for each commercial vehicle operated in connection with the use
School	

• Elementary/Junior High	1 space per employee, plus 5 additional spaces (playground areas available for parking may be used to satisfy parking for an accessory auditorium where included)
• High School/Vocational/Adult Extension	1 space for every 5 students plus parking for accessory auditorium, as applicable
• College/University	1 space for every 3 students plus parking for accessory auditorium, as applicable
<i>Office</i>	
Banks/Financial Institutions	1 space for every 300 sq. ft. of GFA
Medical/Dental/Clinical/Real Estate Mortgage Broker Office	1 space for each 200 sq. ft. of GFA
Professional/Business Office	1 space for each 300 sq. ft. of GFA
<i>Retail Sales</i>	
Appliance/Furniture Sales	1 space for each 600 sq. ft. of GFA, plus 1 additional space for each commercial business vehicle operated in connection with the use
Liquor Store	1 space per 300 sq. ft. GFA
Outdoor Sales	1 space for each 200 sq. ft. of GFA for all areas used for sales, displays, viewing aisles/walkways or storage (required parking spaces shall be located in an area distinct from all sales, displays, viewing aisles, walkways, and storage areas)
Retail Food and Beverage Establishment (no table service)	1 space per 300 sq. ft. GFA
Retail Nursery/Open Sales/Rental Yards	
• 10,000 sq. ft. or less of open sales and/or rental area	1 space for each 500 sq. ft. of GFA, plus 1 additional space for each 1,000 sq. ft. of indoor/outdoor open sales and/or rental area
• More than 10,000 sq. ft. of open sales and/or rental area	10 spaces for first 10,000 sq. ft. of GFA, plus 1 additional space for each 5,000 sq. ft. of indoor/outdoor open sales and/or rental area in excess of 10,000 sq. ft.
Other Sales that do not fit in a category listed above:	
• 5,000 sq. ft. or less of GFA	1 space for each 300 sq. ft. of GFA

• 5,001 to 20,000 sq. ft. of GFA	17 spaces, plus 1 additional space for each additional 150 sq. ft. of GFA in excess of 5,000 sq. ft. of GFA
• More than 20,000 sq. ft. of GFA	17 spaces, plus 1 space for each additional 100 sq. ft. of GFA in excess of 20,000 sq. ft. GFA
<i>Vehicle and Vehicular Equipment Sales and Services</i>	
Automobile/Boat Sales	
• 10,000 sq. ft. or less of open sales and/or rental area	1 space for each 500 sq. ft. of GFA, plus 1 additional space for each 1,000 sq. ft. of indoor/outdoor open sales and/or rental area
• More than 10,000 sq. ft. of open sales and/or rental area	10 spaces for first 10,000 sq. ft. of GFA, plus 1 additional space for each 5,000 sq. ft. of indoor/outdoor open sales and/or rental area in excess of 10,000 sq. ft.
Automobile Washing	
• Automatic	1 space for every 2 employees, plus 1 space for each queue space per queue line
• Manual	1 space for each car wash bay, plus 2 spaces for each queue space per queue line
Gasoline Service Station	1 space for each gasoline pump, plus 1 additional space for each employee of the largest shift and 1 space per 300 sq. ft. gross floor area for any retail sales area (Note: parking spaces adjacent to the pump count towards the required parking)
Vehicular Repair and Maintenance Facility	2 spaces per service bay, plus 1 additional space for each employee of the largest shift, and 1 additional space for each commercial business vehicle operated in connection with the use
<i>Industrial</i>	
Industrial/Manufacturing/ Wholesale Printing	Laboratory/ 1 space for each 500 sq. ft. of GFA, plus 1 additional space for each commercial vehicle operated in connection with the use

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